

DECEMBER 15, 2015

RULES COMMITTEE PRINT 114-39

**TEXT OF HOUSE AMENDMENT #1 TO THE SENATE
AMENDMENT TO H.R. 2029, MILITARY CON-
STRUCTION AND VETERANS AFFAIRS AND RE-
LATED AGENCIES APPROPRIATIONS ACT,
2016**

**[Showing the text of the Consolidated Appropriations Act,
2016.]**

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Consolidated Appro-
5 priations Act, 2016”.

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

7 The table of contents of this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. References.
- Sec. 4. Explanatory statement.
- Sec. 5. Statement of appropriations.
- Sec. 6. Availability of funds.
- Sec. 7. Technical allowance for estimating differences.
- Sec. 8. Corrections.
- Sec. 9. Adjustments to compensation.

DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND
DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIA-
TIONS ACT, 2016

Title I—Agricultural Programs
Title II—Conservation Programs
Title III—Rural Development Programs

Title IV—Domestic Food Programs
Title V—Foreign Assistance and Related Programs
Title VI—Related Agencies and Food and Drug Administration
Title VII—General Provisions

DIVISION B—COMMERCE, JUSTICE, SCIENCE, AND RELATED
AGENCIES APPROPRIATIONS ACT, 2016

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

DIVISION C—DEPARTMENT OF DEFENSE APPROPRIATIONS ACT,
2016

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

DIVISION D—ENERGY AND WATER DEVELOPMENT AND RELATED
AGENCIES APPROPRIATIONS ACT, 2016

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

DIVISION E—FINANCIAL SERVICES AND GENERAL GOVERNMENT
APPROPRIATIONS ACT, 2016

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

DIVISION F—DEPARTMENT OF HOMELAND SECURITY
APPROPRIATIONS ACT, 2016

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

DIVISION G—DEPARTMENT OF THE INTERIOR, ENVIRONMENT,
AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

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

DIVISION H—DEPARTMENTS OF LABOR, HEALTH AND HUMAN
SERVICES, AND EDUCATION, AND RELATED AGENCIES APPRO-
PRIATIONS ACT, 2016

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

DIVISION I—LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2016

Title I—Legislative Branch
Title II—General Provisions

DIVISION J—MILITARY CONSTRUCTION AND VETERANS AFFAIRS,
AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

Title I—Department of Defense
Title II—Department of Veterans Affairs
Title III—Related Agencies
Title IV—General Provisions

DIVISION K—DEPARTMENT OF STATE, FOREIGN OPERATIONS,
AND RELATED PROGRAMS APPROPRIATIONS ACT, 2016

Title I—Department of State and Related Agency
Title II—United States Agency for International Development
Title III—Bilateral Economic Assistance
Title IV—International Security Assistance
Title V—Multilateral Assistance
Title VI—Export and Investment Assistance
Title VII—General Provisions
Title VIII—Overseas Contingency Operations/Global War on Terrorism
Title IX—Other Matters

DIVISION L—TRANSPORTATION, HOUSING AND URBAN DEVELOP-
MENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

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

DIVISION M—INTELLIGENCE AUTHORIZATION ACT FOR FISCAL
YEAR 2016

DIVISION N—CYBERSECURITY ACT OF 2015

DIVISION O—OTHER MATTERS

DIVISION P—TAX-RELATED PROVISIONS

1 SEC. 3. REFERENCES.

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

6 SEC. 4. EXPLANATORY STATEMENT.

7 The explanatory statement regarding this Act, print-
8 ed in the House of Representatives section of the Congres-
9 sional Record on or about December 17, 2015 by the
10 Chairman of the Committee on Appropriations of the
11 House, shall have the same effect with respect to the allo-
12 cation of funds and implementation of divisions A through
13 L of this Act as if it were a joint explanatory statement
14 of a committee of conference.

15 SEC. 5. STATEMENT OF APPROPRIATIONS.

16 The following sums in this Act are appropriated, out
17 of any money in the Treasury not otherwise appropriated,
18 for the fiscal year ending September 30, 2016.

19 SEC. 6. AVAILABILITY OF FUNDS.

20 Each amount designated in this Act by the Congress
21 for Overseas Contingency Operations/Global War on Ter-
22 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
23 anced Budget and Emergency Deficit Control Act of 1985
24 shall be available (or rescinded, if applicable) only if the

1 President subsequently so designates all such amounts
2 and transmits such designations to the Congress.

3 **SEC. 7. TECHNICAL ALLOWANCE FOR ESTIMATING DIF-**
4 **FERENCES.**

5 If, for fiscal year 2016, new budget authority pro-
6 vided in appropriations Acts exceeds the discretionary
7 spending limit for any category set forth in section 251(c)
8 of the Balanced Budget and Emergency Deficit Control
9 Act of 1985 due to estimating differences with the Con-
10 gressional Budget Office, an adjustment to the discre-
11 tionary spending limit in such category for fiscal year
12 2016 shall be made by the Director of the Office of Man-
13 agement and Budget in the amount of the excess but the
14 total of all such adjustments shall not exceed 0.2 percent
15 of the sum of the adjusted discretionary spending limits
16 for all categories for that fiscal year.

17 **SEC. 8. CORRECTIONS.**

18 The Continuing Appropriations Act, 2016 (Public
19 Law 114–53) is amended—

20 (1) by changing the long title so as to read:
21 “Making continuing appropriations for the fiscal
22 year ending September 30, 2016, and for other pur-
23 poses.”;

24 (2) by inserting after the enacting clause (be-
25 fore section 1) the following: “**DIVISION A—**

1 **TSA OFFICE OF INSPECTION AC-**
2 **COUNTABILITY ACT OF 2015”;**

3 (3) by inserting after section 8 (before the
4 statement of appropriations) the following: “**DIVI-**
5 **SION B—CONTINUING APPROPRIA-**
6 **TIONS RESOLUTION, 2016”;** and

7 (4) by inserting after section 150 (before the
8 short title) the following new section: “SEC. 151.
9 Except as expressly provided otherwise, any ref-
10 erence in this division to ‘this Act’ shall be treated
11 as referring only to the provisions of this division.”.

12 **SEC. 9. ADJUSTMENTS TO COMPENSATION.**

13 Notwithstanding any other provision of law, no ad-
14 justment shall be made under section 601(a) of the Legis-
15 lative Reorganization Act of 1946 (2 U.S.C. 4501) (relat-
16 ing to cost of living adjustments for Members of Congress)
17 during fiscal year 2016.

1 **DIVISION A—AGRICULTURE, RURAL DE-**
2 **VELOPMENT, FOOD AND DRUG ADMIN-**
3 **ISTRATION, AND RELATED AGENCIES**
4 **APPROPRIATIONS ACT, 2016**

5 TITLE I

6 AGRICULTURAL PROGRAMS

7 PRODUCTION, PROCESSING, AND MARKETING

8 OFFICE OF THE SECRETARY

9 (INCLUDING TRANSFERS OF FUNDS)

10 For necessary expenses of the Office of the Secretary,
11 \$45,555,000, of which not to exceed \$5,051,000 shall be
12 available for the immediate Office of the Secretary, of
13 which not to exceed \$250,000 shall be available for the
14 Military Veterans Agricultural Liaison; not to exceed
15 \$502,000 shall be available for the Office of Tribal Rela-
16 tions; not to exceed \$1,496,000 shall be available for the
17 Office of Homeland Security and Emergency Coordina-
18 tion; not to exceed \$1,209,000 shall be available for the
19 Office of Advocacy and Outreach; not to exceed
20 \$25,928,000 shall be available for the Office of the Assist-
21 ant Secretary for Administration, of which \$25,124,000
22 shall be available for Departmental Administration to pro-
23 vide for necessary expenses for management support serv-
24 ices to offices of the Department and for general adminis-
25 tration, security, repairs and alterations, and other mis-

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

1 be transferred to agencies of the Department of Agri-
2 culture funded by this Act to maintain personnel at the
3 agency level: *Provided further*, That no funds made avail-
4 able under this heading for the Office of Assistant Sec-
5 retary for Congressional Relations may be obligated after
6 30 days from the date of enactment of this Act, unless
7 the Secretary has notified the Committees on Appropria-
8 tions of both Houses of Congress on the allocation of these
9 funds by USDA agency: *Provided further*, That within 180
10 days of the date of enactment of this Act, the Secretary
11 shall submit to Congress the report required in section 7
12 U.S.C. 6935(b)(3).

13 EXECUTIVE OPERATIONS

14 OFFICE OF THE CHIEF ECONOMIST

15 For necessary expenses of the Office of the Chief
16 Economist, \$17,777,000, of which \$4,000,000 shall be for
17 grants or cooperative agreements for policy research under
18 7 U.S.C. 3155, and of which \$1,000,000, to remain avail-
19 able until September 30, 2017, shall be for the purpose
20 set forth under this heading in the explanatory statement
21 described in section 4 (in the matter preceding division
22 A of the consolidated Act).

23 NATIONAL APPEALS DIVISION

24 For necessary expenses of the National Appeals Divi-
25 sion, \$13,317,000.

1 OFFICE OF BUDGET AND PROGRAM ANALYSIS

2 For necessary expenses of the Office of Budget and
3 Program Analysis, \$9,392,000.

4 OFFICE OF THE CHIEF INFORMATION OFFICER

5 For necessary expenses of the Office of the Chief In-
6 formation Officer, \$44,538,000, of which not less than
7 \$28,000,000 is for cybersecurity requirements of the De-
8 partment.

9 OFFICE OF THE CHIEF FINANCIAL OFFICER

10 For necessary expenses of the Office of the Chief Fi-
11 nancial Officer, \$6,028,000.

12 OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL

13 RIGHTS

14 For necessary expenses of the Office of the Assistant
15 Secretary for Civil Rights, \$898,000.

16 OFFICE OF CIVIL RIGHTS

17 For necessary expenses of the Office of Civil Rights,
18 \$24,070,000.

19 AGRICULTURE BUILDINGS AND FACILITIES

20 (INCLUDING TRANSFERS OF FUNDS)

21 For payment of space rental and related costs pursu-
22 ant to Public Law 92-313, including authorities pursuant
23 to the 1984 delegation of authority from the Adminis-
24 trator of General Services to the Department of Agri-
25 culture under 40 U.S.C. 121, for programs and activities

1 of the Department which are included in this Act, and for
2 alterations and other actions needed for the Department
3 and its agencies to consolidate unneeded space into con-
4 figurations suitable for release to the Administrator of
5 General Services, and for the operation, maintenance, im-
6 provement, and repair of Agriculture buildings and facili-
7 ties, and for related costs, \$64,189,000, to remain avail-
8 able until expended, for buildings operations and mainte-
9 nance expenses: *Provided*, That the Secretary may use un-
10 obligated prior year balances of an agency or office that
11 are no longer available for new obligation to cover short-
12 falls incurred in prior or current year rental payments for
13 such agency or office.

14 HAZARDOUS MATERIALS MANAGEMENT

15 (INCLUDING TRANSFERS OF FUNDS)

16 For necessary expenses of the Department of Agri-
17 culture, to comply with the Comprehensive Environmental
18 Response, Compensation, and Liability Act (42 U.S.C.
19 9601 et seq.) and the Resource Conservation and Recovery
20 Act (42 U.S.C. 6901 et seq.), \$3,618,000, to remain avail-
21 able until expended: *Provided*, That appropriations and
22 funds available herein to the Department for Hazardous
23 Materials Management may be transferred to any agency
24 of the Department for its use in meeting all requirements

1 pursuant to the above Acts on Federal and non-Federal
2 lands.

3 OFFICE OF INSPECTOR GENERAL

4 For necessary expenses of the Office of Inspector
5 General, including employment pursuant to the Inspector
6 General Act of 1978, \$95,738,000, including such sums
7 as may be necessary for contracting and other arrange-
8 ments with public agencies and private persons pursuant
9 to section 6(a)(9) of the Inspector General Act of 1978,
10 and including not to exceed \$125,000 for certain confiden-
11 tial operational expenses, including the payment of inform-
12 ants, to be expended under the direction of the Inspector
13 General pursuant to Public Law 95-452 and section 1337
14 of Public Law 97-98.

15 OFFICE OF THE GENERAL COUNSEL

16 For necessary expenses of the Office of the General
17 Counsel, \$44,383,000.

18 OFFICE OF ETHICS

19 For necessary expenses of the Office of Ethics,
20 \$3,654,000.

21 OFFICE OF THE UNDER SECRETARY FOR RESEARCH,

22 EDUCATION, AND ECONOMICS

23 For necessary expenses of the Office of the Under
24 Secretary for Research, Education, and Economics,
25 \$893,000.

1 ECONOMIC RESEARCH SERVICE

2 For necessary expenses of the Economic Research
3 Service, \$85,373,000.

4 NATIONAL AGRICULTURAL STATISTICS SERVICE

5 For necessary expenses of the National Agricultural
6 Statistics Service, \$168,443,000, of which up to
7 \$42,177,000 shall be available until expended for the Cen-
8 sus of Agriculture: *Provided*, That amounts made available
9 for the Census of Agriculture may be used to conduct Cur-
10 rent Industrial Report surveys subject to 7 U.S.C.
11 2204g(d) and (f).

12 AGRICULTURAL RESEARCH SERVICE

13 SALARIES AND EXPENSES

14 For necessary expenses of the Agricultural Research
15 Service and for acquisition of lands by donation, exchange,
16 or purchase at a nominal cost not to exceed \$100, and
17 for land exchanges where the lands exchanged shall be of
18 equal value or shall be equalized by a payment of money
19 to the grantor which shall not exceed 25 percent of the
20 total value of the land or interests transferred out of Fed-
21 eral ownership, \$1,143,825,000: *Provided*, That appro-
22 priations hereunder shall be available for the operation
23 and maintenance of aircraft and the purchase of not to
24 exceed one for replacement only: *Provided further*, That
25 appropriations hereunder shall be available pursuant to 7

1 U.S.C. 2250 for the construction, alteration, and repair
2 of buildings and improvements, but unless otherwise pro-
3 vided, the cost of constructing any one building shall not
4 exceed \$375,000, except for headhouses or greenhouses
5 which shall each be limited to \$1,200,000, and except for
6 10 buildings to be constructed or improved at a cost not
7 to exceed \$750,000 each, and the cost of altering any one
8 building during the fiscal year shall not exceed 10 percent
9 of the current replacement value of the building or
10 \$375,000, whichever is greater: *Provided further*, That the
11 limitations on alterations contained in this Act shall not
12 apply to modernization or replacement of existing facilities
13 at Beltsville, Maryland: *Provided further*, That appropria-
14 tions hereunder shall be available for granting easements
15 at the Beltsville Agricultural Research Center: *Provided*
16 *further*, That the foregoing limitations shall not apply to
17 replacement of buildings needed to carry out the Act of
18 April 24, 1948 (21 U.S.C. 113a): *Provided further*, That
19 appropriations hereunder shall be available for granting
20 easements at any Agricultural Research Service location
21 for the construction of a research facility by a non-Federal
22 entity for use by, and acceptable to, the Agricultural Re-
23 search Service and a condition of the easements shall be
24 that upon completion the facility shall be accepted by the
25 Secretary, subject to the availability of funds herein, if the

1 Secretary finds that acceptance of the facility is in the
2 interest of the United States: *Provided further*, That funds
3 may be received from any State, other political subdivi-
4 sion, organization, or individual for the purpose of estab-
5 lishing or operating any research facility or research
6 project of the Agricultural Research Service, as authorized
7 by law: *Provided further*, That of the appropriations here-
8 under, \$57,192,000 may not be obligated until 30 days
9 after the Secretary of Agriculture certifies in writing to
10 the Committees on Appropriations of both Houses of Con-
11 gress that the Agricultural Research Service has updated
12 its animal care policies and that all Agricultural Research
13 Service research facilities at which animal research is con-
14 ducted have a fully functioning Institutional Animal Care
15 and Use Committee, including all appropriate and nec-
16 essary record keeping: *Provided further*, That such certifi-
17 cation shall set forth in detail the factual basis for the
18 certification and the Department's plan for ensuring these
19 changes are maintained in the future: *Provided further*,
20 That such certification shall be subject to prior consulta-
21 tion with the Committees on Appropriations of both
22 Houses of Congress.

23 BUILDINGS AND FACILITIES

24 For the acquisition of land, construction, repair, im-
25 provement, extension, alteration, and purchase of fixed

1 equipment or facilities as necessary to carry out the agri-
2 cultural research programs of the Department of Agri-
3 culture, where not otherwise provided, \$212,101,000 to re-
4 main available until expended.

5 NATIONAL INSTITUTE OF FOOD AND AGRICULTURE
6 RESEARCH AND EDUCATION ACTIVITIES

7 For payments to agricultural experiment stations, for
8 cooperative forestry and other research, for facilities, and
9 for other expenses, \$819,685,000, which shall be for the
10 purposes, and in the amounts, specified in the table titled
11 “National Institute of Food and Agriculture, Research
12 and Education Activities” in the explanatory statement
13 described in section 4 (in the matter preceding division
14 A of this consolidated Act): *Provided*, That funds for re-
15 search grants for 1994 institutions, education grants for
16 1890 institutions, capacity building for non-land-grant
17 colleges of agriculture, the agriculture and food research
18 initiative, veterinary medicine loan repayment, multicul-
19 tural scholars, graduate fellowship and institution chal-
20 lenge grants, and grants management systems shall re-
21 main available until expended: *Provided further*, That each
22 institution eligible to receive funds under the Evans-Allen
23 program receives no less than \$1,000,000: *Provided fur-*
24 *ther*, That funds for education grants for Alaska Native
25 and Native Hawaiian-serving institutions be made avail-

1 able to individual eligible institutions or consortia of eligi-
2 ble institutions with funds awarded equally to each of the
3 States of Alaska and Hawaii: *Provided further*, That funds
4 for education grants for 1890 institutions shall be made
5 available to institutions eligible to receive funds under 7
6 U.S.C. 3221 and 3222: *Provided further*, That not more
7 than 5 percent of the amounts made available by this or
8 any other Act to carry out the Agriculture and Food Re-
9 search Initiative under 7 U.S.C. 450i(b) may be retained
10 by the Secretary of Agriculture to pay administrative costs
11 incurred by the Secretary in carrying out that authority.

12 NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

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

16 EXTENSION ACTIVITIES

17 For payments to States, the District of Columbia,
18 Puerto Rico, Guam, the Virgin Islands, Micronesia, the
19 Northern Marianas, and American Samoa, \$475,891,000,
20 which shall be for the purposes, and in the amounts, speci-
21 fied in the table titled “National Institute of Food and
22 Agriculture, Extension Activities” in the explanatory
23 statement described in section 4 (in the matter preceding
24 division A of this consolidated Act): *Provided*, That funds
25 for facility improvements at 1890 institutions shall remain

1 available until expended: *Provided further*, That institu-
2 tions eligible to receive funds under 7 U.S.C. 3221 for co-
3 operative extension receive no less than \$1,000,000: *Pro-*
4 *vided further*, That funds for cooperative extension under
5 sections 3(b) and (c) of the Smith-Lever Act (7 U.S.C.
6 343(b) and (c)) and section 208(c) of Public Law 93–471
7 shall be available for retirement and employees’ compensa-
8 tion costs for extension agents.

9
10 **INTEGRATED ACTIVITIES**

10 For the integrated research, education, and extension
11 grants programs, including necessary administrative ex-
12 penses, \$30,900,000, which shall be for the purposes, and
13 in the amounts, specified in the table titled “National In-
14 stitute of Food and Agriculture, Integrated Activities” in
15 the explanatory statement described in section 4 (in the
16 matter preceding division A of this consolidated Act): *Pro-*
17 *vided*, That funds for the Food and Agriculture Defense
18 Initiative shall remain available until September 30, 2017:
19 *Provided further*, That notwithstanding any other provi-
20 sion of law, indirect costs shall not be charged against any
21 Extension Implementation Program Area grant awarded
22 under the Crop Protection/Pest Management Program (7
23 U.S.C. 7626).

1 OFFICE OF THE UNDER SECRETARY FOR MARKETING
2 AND REGULATORY PROGRAMS

3 For necessary expenses of the Office of the Under
4 Secretary for Marketing and Regulatory Programs,
5 \$893,000.

6 ANIMAL AND PLANT HEALTH INSPECTION SERVICE
7 SALARIES AND EXPENSES
8 (INCLUDING TRANSFERS OF FUNDS)

9 For necessary expenses of the Animal and Plant
10 Health Inspection Service, including up to \$30,000 for
11 representation allowances and for expenses pursuant to
12 the Foreign Service Act of 1980 (22 U.S.C. 4085),
13 \$894,415,000, of which \$470,000, to remain available
14 until expended, shall be available for the control of out-
15 breaks of insects, plant diseases, animal diseases and for
16 control of pest animals and birds (“contingency fund”) to
17 the extent necessary to meet emergency conditions; of
18 which \$11,520,000, to remain available until expended,
19 shall be used for the cotton pests program for cost share
20 purposes or for debt retirement for active eradication
21 zones; of which \$35,339,000, to remain available until ex-
22 pended, shall be for Animal Health Technical Services; of
23 which \$697,000 shall be for activities under the authority
24 of the Horse Protection Act of 1970, as amended (15
25 U.S.C. 1831); of which \$55,340,000, to remain available

1 until expended, shall be used to support avian health; of
2 which \$4,251,000, to remain available until expended,
3 shall be for information technology infrastructure; of
4 which \$158,000,000, to remain available until expended,
5 shall be for specialty crop pests; of which, \$8,826,000, to
6 remain available until expended, shall be for field crop and
7 rangeland ecosystem pests; of which \$54,000,000, to re-
8 main available until expended, shall be for tree and wood
9 pests; of which \$3,973,000, to remain available until ex-
10 pended, shall be for the National Veterinary Stockpile; of
11 which up to \$1,500,000, to remain available until ex-
12 pended, shall be for the scrapie program for indemnities;
13 of which \$2,500,000, to remain available until expended,
14 shall be for the wildlife damage management program for
15 aviation safety: *Provided*, That of amounts available under
16 this heading for wildlife services methods development,
17 \$1,000,000 shall remain available until expended: *Pro-*
18 *vided further*, That of amounts available under this head-
19 ing for the screwworm program, \$4,990,000 shall remain
20 available until expended: *Provided further*, That no funds
21 shall be used to formulate or administer a brucellosis
22 eradication program for the current fiscal year that does
23 not require minimum matching by the States of at least
24 40 percent: *Provided further*, That this appropriation shall
25 be available for the operation and maintenance of aircraft

1 and the purchase of not to exceed five, of which two shall
2 be for replacement only: *Provided further*, That in addi-
3 tion, in emergencies which threaten any segment of the
4 agricultural production industry of this country, the Sec-
5 retary may transfer from other appropriations or funds
6 available to the agencies or corporations of the Depart-
7 ment such sums as may be deemed necessary, to be avail-
8 able only in such emergencies for the arrest and eradi-
9 cation of contagious or infectious disease or pests of ani-
10 mals, poultry, or plants, and for expenses in accordance
11 with sections 10411 and 10417 of the Animal Health Pro-
12 tection Act (7 U.S.C. 8310 and 8316) and sections 431
13 and 442 of the Plant Protection Act (7 U.S.C. 7751 and
14 7772), and any unexpended balances of funds transferred
15 for such emergency purposes in the preceding fiscal year
16 shall be merged with such transferred amounts: *Provided*
17 *further*, That appropriations hereunder shall be available
18 pursuant to law (7 U.S.C. 2250) for the repair and alter-
19 ation of leased buildings and improvements, but unless
20 otherwise provided the cost of altering any one building
21 during the fiscal year shall not exceed 10 percent of the
22 current replacement value of the building.

23 In fiscal year 2016, the agency is authorized to collect
24 fees to cover the total costs of providing technical assist-
25 ance, goods, or services requested by States, other political

1 subdivisions, domestic and international organizations,
2 foreign governments, or individuals, provided that such
3 fees are structured such that any entity's liability for such
4 fees is reasonably based on the technical assistance, goods,
5 or services provided to the entity by the agency, and such
6 fees shall be reimbursed to this account, to remain avail-
7 able until expended, without further appropriation, for
8 providing such assistance, goods, or services.

9 BUILDINGS AND FACILITIES

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

16 AGRICULTURAL MARKETING SERVICE

17 MARKETING SERVICES

18 For necessary expenses of the Agricultural Marketing
19 Service, \$81,223,000: *Provided*, That this appropriation
20 shall be available pursuant to law (7 U.S.C. 2250) for the
21 alteration and repair of buildings and improvements, but
22 the cost of altering any one building during the fiscal year
23 shall not exceed 10 percent of the current replacement
24 value of the building.

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

4 LIMITATION ON ADMINISTRATIVE EXPENSES

5 Not to exceed \$60,982,000 (from fees collected) shall
6 be obligated during the current fiscal year for administra-
7 tive expenses: *Provided*, That if crop size is understated
8 and/or other uncontrollable events occur, the agency may
9 exceed this limitation by up to 10 percent with notification
10 to the Committees on Appropriations of both Houses of
11 Congress.

12 FUNDS FOR STRENGTHENING MARKETS, INCOME, AND

13 SUPPLY (SECTION 32)

14 (INCLUDING TRANSFERS OF FUNDS)

15 Funds available under section 32 of the Act of Au-
16 gust 24, 1935 (7 U.S.C. 612c), shall be used only for com-
17 modity program expenses as authorized therein, and other
18 related operating expenses, except for: (1) transfers to the
19 Department of Commerce as authorized by the Fish and
20 Wildlife Act of August 8, 1956; (2) transfers otherwise
21 provided in this Act; and (3) not more than \$20,489,000
22 for formulation and administration of marketing agree-
23 ments and orders pursuant to the Agricultural Marketing
24 Agreement Act of 1937 and the Agricultural Act of 1961.

1 PAYMENTS TO STATES AND POSSESSIONS

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

7 GRAIN INSPECTION, PACKERS AND STOCKYARDS

8 ADMINISTRATION

9 SALARIES AND EXPENSES

10 For necessary expenses of the Grain Inspection,
11 Packers and Stockyards Administration, \$43,057,000:
12 *Provided*, That this appropriation shall be available pursu-
13 ant to law (7 U.S.C. 2250) for the alteration and repair
14 of buildings and improvements, but the cost of altering
15 any one building during the fiscal year shall not exceed
16 10 percent of the current replacement value of the build-
17 ing.

18 LIMITATION ON INSPECTION AND WEIGHING SERVICES

19 EXPENSES

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

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

3 OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

4 For necessary expenses of the Office of the Under
5 Secretary for Food Safety, \$816,000.

6 FOOD SAFETY AND INSPECTION SERVICE

7 For necessary expenses to carry out services author-
8 ized by the Federal Meat Inspection Act, the Poultry
9 Products Inspection Act, and the Egg Products Inspection
10 Act, including not to exceed \$50,000 for representation
11 allowances and for expenses pursuant to section 8 of the
12 Act approved August 3, 1956 (7 U.S.C. 1766),
13 \$1,014,871,000; and in addition, \$1,000,000 may be cred-
14 ited to this account from fees collected for the cost of lab-
15 oratory accreditation as authorized by section 1327 of the
16 Food, Agriculture, Conservation and Trade Act of 1990
17 (7 U.S.C. 138f): *Provided*, That funds provided for the
18 Public Health Data Communication Infrastructure system
19 shall remain available until expended: *Provided further*,
20 That no fewer than 148 full-time equivalent positions shall
21 be employed during fiscal year 2016 for purposes dedi-
22 cated solely to inspections and enforcement related to the
23 Humane Methods of Slaughter Act: *Provided further*, That
24 the Food Safety and Inspection Service shall continue im-
25 plementation of section 11016 of Public Law 110–246 as

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

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

10 For necessary expenses of the Office of the Under
11 Secretary for Farm and Foreign Agricultural Services,
12 \$898,000.

13 FARM SERVICE AGENCY

14 SALARIES AND EXPENSES

15 (INCLUDING TRANSFERS OF FUNDS)

16 For necessary expenses of the Farm Service Agency,
17 \$1,200,180,000: *Provided*, That not more than 50 percent
18 of the \$129,546,000 made available under this heading
19 for information technology related to farm program deliv-
20 ery, including the Modernize and Innovate the Delivery of
21 Agricultural Systems and other farm program delivery
22 systems, may be obligated until the Secretary submits to
23 the Committees on Appropriations of both Houses of Con-
24 gress a plan for expenditure that (1) identifies for each
25 project/investment over \$25,000 (a) the functional and

1 performance capabilities to be delivered and the mission
2 benefits to be realized, (b) the estimated lifecycle cost, in-
3 cluding estimates for development as well as maintenance
4 and operations, and (c) key milestones to be met; (2) dem-
5 onstrates that each project/investment is, (a) consistent
6 with the Farm Service Agency Information Technology
7 Roadmap, (b) being managed in accordance with applica-
8 ble lifecycle management policies and guidance, and (c)
9 subject to the applicable Department's capital planning
10 and investment control requirements; and (3) has been re-
11 viewed by the Government Accountability Office and ap-
12 proved by the Committees on Appropriations of both
13 Houses of Congress: *Provided further*, That the agency
14 shall submit a report by the end of the fourth quarter of
15 fiscal year 2016 to the Committees on Appropriations and
16 the Government Accountability Office, that identifies for
17 each project/investment that is operational (a) current
18 performance against key indicators of customer satisfac-
19 tion, (b) current performance of service level agreements
20 or other technical metrics, (c) current performance against
21 a pre-established cost baseline, (d) a detailed breakdown
22 of current and planned spending on operational enhance-
23 ments or upgrades, and (e) an assessment of whether the
24 investment continues to meet business needs as intended
25 as well as alternatives to the investment: *Provided further*,

1 That the Secretary is authorized to use the services, facili-
2 ties, and authorities (but not the funds) of the Commodity
3 Credit Corporation to make program payments for all pro-
4 grams administered by the Agency: *Provided further*, That
5 other funds made available to the Agency for authorized
6 activities may be advanced to and merged with this ac-
7 count: *Provided further*, That funds made available to
8 county committees shall remain available until expended:
9 *Provided further*, That none of the funds available to the
10 Farm Service Agency shall be used to close Farm Service
11 Agency county offices: *Provided further*, That none of the
12 funds available to the Farm Service Agency shall be used
13 to permanently relocate county based employees that
14 would result in an office with two or fewer employees with-
15 out prior notification and approval of the Committees on
16 Appropriations of both Houses of Congress.

17 STATE MEDIATION GRANTS

18 For grants pursuant to section 502(b) of the Agricul-
19 tural Credit Act of 1987, as amended (7 U.S.C. 5101–
20 5106), \$3,404,000.

21 GRASSROOTS SOURCE WATER PROTECTION PROGRAM

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

1 for farm ownership direct loans; \$1,393,443,000 for un-
2 subsidized guaranteed operating loans and
3 \$1,252,004,000 for direct operating loans; emergency
4 loans, \$34,667,000; Indian tribe land acquisition loans,
5 \$2,000,000; guaranteed conservation loans,
6 \$150,000,000; Indian highly fractionated land loans,
7 \$10,000,000; and for boll weevil eradication program
8 loans, \$60,000,000: *Provided*, That the Secretary shall
9 deem the pink bollworm to be a boll weevil for the purpose
10 of boll weevil eradication program loans.

11 For the cost of direct and guaranteed loans and
12 grants, including the cost of modifying loans as defined
13 in section 502 of the Congressional Budget Act of 1974,
14 as follows: farm operating loans, \$53,961,000 for direct
15 operating loans, \$14,352,000 for unsubsidized guaranteed
16 operating loans, and emergency loans, \$1,262,000, to re-
17 main available until expended.

18 In addition, for administrative expenses necessary to
19 carry out the direct and guaranteed loan programs,
20 \$314,918,000, of which \$306,998,000 shall be transferred
21 to and merged with the appropriation for “Farm Service
22 Agency, Salaries and Expenses”.

23 Funds appropriated by this Act to the Agricultural
24 Credit Insurance Program Account for farm ownership,
25 operating and conservation direct loans and guaranteed

1 loans may be transferred among these programs: *Pro-*
2 *vided*, That the Committees on Appropriations of both
3 Houses of Congress are notified at least 15 days in ad-
4 vance of any transfer.

5 RISK MANAGEMENT AGENCY

6 SALARIES AND EXPENSES

7 For necessary expenses of the Risk Management
8 Agency, \$74,829,000: *Provided*, That not to exceed
9 \$1,000 shall be available for official reception and rep-
10 resentation expenses, as authorized by 7 U.S.C. 1506(i).

11 CORPORATIONS

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

22 FEDERAL CROP INSURANCE CORPORATION FUND

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

1 COMMODITY CREDIT CORPORATION FUND
2 REIMBURSEMENT FOR NET REALIZED LOSSES
3 (INCLUDING TRANSFERS OF FUNDS)

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

17 HAZARDOUS WASTE MANAGEMENT
18 (LIMITATION ON EXPENSES)

19 For the current fiscal year, the Commodity Credit
20 Corporation shall not expend more than \$5,000,000 for
21 site investigation and cleanup expenses, and operations
22 and maintenance expenses to comply with the requirement
23 of section 107(g) of the Comprehensive Environmental
24 Response, Compensation, and Liability Act (42 U.S.C.

1 9607(g)), and section 6001 of the Resource Conservation
2 and Recovery Act (42 U.S.C. 6961).

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

5 For necessary expenses of the Office of the Under
6 Secretary for Natural Resources and Environment,
7 \$898,000.

8 NATURAL RESOURCES CONSERVATION SERVICE
9 CONSERVATION OPERATIONS

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

1 \$850,856,000, to remain available until September 30,
2 2017: *Provided*, That appropriations hereunder shall be
3 available pursuant to 7 U.S.C. 2250 for construction and
4 improvement of buildings and public improvements at
5 plant materials centers, except that the cost of alterations
6 and improvements to other buildings and other public im-
7 provements shall not exceed \$250,000: *Provided further*,
8 That when buildings or other structures are erected on
9 non-Federal land, that the right to use such land is ob-
10 tained as provided in 7 U.S.C. 2250a: *Provided further*,
11 That of the amounts made available under this heading,
12 \$5,600,000, shall remain available until expended for the
13 authorities under 16 U.S.C. 1001–1005 and 1007–1009
14 for authorized ongoing watershed projects with a primary
15 purpose of providing water to rural communities: *Provided*
16 *further*, That of the amounts made available under this
17 heading, \$5,000,000 shall remain available until expended
18 for the authorities under section 13 of the Flood Control
19 Act of December 22, 1944 (Public Law 78–534) for au-
20 thorized ongoing projects with a primary purpose of water-
21 shed protection by stabilizing stream channels, tributaries,
22 and banks to reduce erosion and sediment transport.

1 WATERSHED REHABILITATION PROGRAM

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

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

5 For necessary expenses of the Office of the Under
6 Secretary for Rural Development, \$893,000.

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

10 For necessary expenses for carrying out the adminis-
11 tration and implementation of programs in the Rural De-
12 velopment mission area, including activities with institu-
13 tions concerning the development and operation of agricul-
14 tural cooperatives; and for cooperative agreements;
15 \$225,835,000: *Provided*, That no less than \$19,500,000
16 shall be for the Comprehensive Loan Accounting System:
17 *Provided further*, That notwithstanding any other provi-
18 sion of law, funds appropriated under this heading may
19 be used for advertising and promotional activities that
20 support the Rural Development mission area: *Provided*
21 *further*, That any balances available from prior years for
22 the Rural Utilities Service, Rural Housing Service, and
23 the Rural Business-Cooperative Service salaries and ex-
24 penses accounts shall be transferred to and merged with
25 this appropriation.

1 RURAL HOUSING SERVICE

2 RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

3 (INCLUDING TRANSFERS OF FUNDS)

4 For gross obligations for the principal amount of di-
5 rect and guaranteed loans as authorized by title V of the
6 Housing Act of 1949, to be available from funds in the
7 rural housing insurance fund, as follows: \$900,000,000
8 shall be for direct loans and \$24,000,000,000 shall be for
9 unsubsidized guaranteed loans; \$26,278,000 for section
10 504 housing repair loans; \$28,398,000 for section 515
11 rental housing; \$150,000,000 for section 538 guaranteed
12 multi-family housing loans; \$10,000,000 for credit sales
13 of single family housing acquired property; \$5,000,000 for
14 section 523 self-help housing land development loans; and
15 \$5,000,000 for section 524 site development loans.

16 For the cost of direct and guaranteed loans, including
17 the cost of modifying loans, as defined in section 502 of
18 the Congressional Budget Act of 1974, as follows: section
19 502 loans, \$60,750,000 shall be for direct loans; section
20 504 housing repair loans, \$3,424,000; and repair, rehabili-
21 tation, and new construction of section 515 rental housing,
22 \$8,414,000: *Provided*, That to support the loan program
23 level for section 538 guaranteed loans made available
24 under this heading the Secretary may charge or adjust
25 any fees to cover the projected cost of such loan guaran-

1 tees pursuant to the provisions of the Credit Reform Act
2 of 1990 (2 U.S.C. 661 et seq.), and the interest on such
3 loans may not be subsidized: *Provided further*, That appli-
4 cants in communities that have a current rural area waiv-
5 er under section 541 of the Housing Act of 1949 (42
6 U.S.C. 1490q) shall be treated as living in a rural area
7 for purposes of section 502 guaranteed loans provided
8 under this heading: *Provided further*, That of the amounts
9 available under this paragraph for section 502 direct
10 loans, no less than \$5,000,000 shall be available for direct
11 loans for individuals whose homes will be built pursuant
12 to a program funded with a mutual and self-help housing
13 grant authorized by section 523 of the Housing Act of
14 1949 until June 1, 2016.

15 In addition, for the cost of direct loans, grants, and
16 contracts, as authorized by 42 U.S.C. 1484 and 1486,
17 \$15,125,000, to remain available until expended, for direct
18 farm labor housing loans and domestic farm labor housing
19 grants and contracts: *Provided*, That any balances avail-
20 able for the Farm Labor Program Account shall be trans-
21 ferred to and merged with this account.

22 In addition, for administrative expenses necessary to
23 carry out the direct and guaranteed loan programs,
24 \$417,854,000 shall be transferred to and merged with the

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

3 RENTAL ASSISTANCE PROGRAM

4 For rental assistance agreements entered into or re-
5 newed pursuant to the authority under section 521(a)(2)
6 or agreements entered into in lieu of debt forgiveness or
7 payments for eligible households as authorized by section
8 502(c)(5)(D) of the Housing Act of 1949,
9 \$1,389,695,000; and in addition such sums as may be nec-
10 essary, as authorized by section 521(c) of the Act, to liq-
11 uidate debt incurred prior to fiscal year 1992 to carry out
12 the rental assistance program under section 521(a)(2) of
13 the Act: *Provided*, That rental assistance agreements en-
14 tered into or renewed during the current fiscal year shall
15 be funded for a one-year period: *Provided further*, That
16 any unexpended balances remaining at the end of such
17 one-year agreements may be transferred and used for pur-
18 poses of any debt reduction; maintenance, repair, or reha-
19 bilitation of any existing projects; preservation; and rental
20 assistance activities authorized under title V of the Act:
21 *Provided further*, That rental assistance provided under
22 agreements entered into prior to fiscal year 2016 for a
23 farm labor multi-family housing project financed under
24 section 514 or 516 of the Act may not be recaptured for
25 use in another project until such assistance has remained

1 unused for a period of 12 consecutive months, if such
2 project has a waiting list of tenants seeking such assist-
3 ance or the project has rental assistance eligible tenants
4 who are not receiving such assistance: *Provided further,*
5 That such recaptured rental assistance shall, to the extent
6 practicable, be applied to another farm labor multi-family
7 housing project financed under section 514 or 516 of the
8 Act: *Provided further,* That of the total amount provided,
9 up to \$75,000,000 shall be available until September 30,
10 2017, for renewal of rental assistance agreements within
11 the 12-month contract period: *Provided further,* That the
12 Secretary shall provide to the Committees on Appropria-
13 tions of both Houses of Congress quarterly reports on the
14 number of renewals approved pursuant to the preceding
15 proviso, on the amount of rental assistance available, and
16 the anticipated need for rental assistance for the remain-
17 der of the fiscal year: *Provided further,* That except as pro-
18 vided in the second proviso under this heading and not-
19 withstanding any other provision of the Act, the Secretary
20 may recapture rental assistance provided under agree-
21 ments entered into prior to fiscal year 2016 for a project
22 that the Secretary determines no longer needs rental as-
23 sistance and use such recaptured funds for current needs
24 as well as unmet rental assistance needs from fiscal year
25 2015.

1 MULTI-FAMILY HOUSING REVITALIZATION PROGRAM

2 ACCOUNT

3 For the rural housing voucher program as authorized
4 under section 542 of the Housing Act of 1949, but not-
5 withstanding subsection (b) of such section, and for addi-
6 tional costs to conduct a demonstration program for the
7 preservation and revitalization of multi-family rental hous-
8 ing properties described in this paragraph, \$37,000,000,
9 to remain available until expended: *Provided*, That of the
10 funds made available under this heading, \$15,000,000,
11 shall be available for rural housing vouchers to any low-
12 income household (including those not receiving rental as-
13 sistance) residing in a property financed with a section
14 515 loan which has been prepaid after September 30,
15 2005: *Provided further*, That the amount of such voucher
16 shall be the difference between comparable market rent
17 for the section 515 unit and the tenant paid rent for such
18 unit: *Provided further*, That funds made available for such
19 vouchers shall be subject to the availability of annual ap-
20 propriations: *Provided further*, That the Secretary shall,
21 to the maximum extent practicable, administer such
22 vouchers with current regulations and administrative guid-
23 ance applicable to section 8 housing vouchers administered
24 by the Secretary of the Department of Housing and Urban
25 Development: *Provided further*, That if the Secretary de-

1 terminates that the amount made available for vouchers in
2 this or any other Act is not needed for vouchers, the Sec-
3 retary may use such funds for the demonstration program
4 for the preservation and revitalization of multi-family
5 rental housing properties described in this paragraph: *Pro-*
6 *vided further*, That of the funds made available under this
7 heading, \$22,000,000 shall be available for a demonstra-
8 tion program for the preservation and revitalization of the
9 sections 514, 515, and 516 multi-family rental housing
10 properties to restructure existing USDA multi-family
11 housing loans, as the Secretary deems appropriate, ex-
12 pressly for the purposes of ensuring the project has suffi-
13 cient resources to preserve the project for the purpose of
14 providing safe and affordable housing for low-income resi-
15 dents and farm laborers including reducing or eliminating
16 interest; deferring loan payments, subordinating, reducing
17 or reamortizing loan debt; and other financial assistance
18 including advances, payments and incentives (including
19 the ability of owners to obtain reasonable returns on in-
20 vestment) required by the Secretary: *Provided further*,
21 That the Secretary shall as part of the preservation and
22 revitalization agreement obtain a restrictive use agreement
23 consistent with the terms of the restructuring: *Provided*
24 *further*, That if the Secretary determines that additional
25 funds for vouchers described in this paragraph are needed,

1 funds for the preservation and revitalization demonstra-
2 tion program may be used for such vouchers: *Provided fur-*
3 *ther*, That if Congress enacts legislation to permanently
4 authorize a multi-family rental housing loan restructuring
5 program similar to the demonstration program described
6 herein, the Secretary may use funds made available for
7 the demonstration program under this heading to carry
8 out such legislation with the prior approval of the Commit-
9 tees on Appropriations of both Houses of Congress: *Pro-*
10 *vided further*, That in addition to any other available
11 funds, the Secretary may expend not more than
12 \$1,000,000 total, from the program funds made available
13 under this heading, for administrative expenses for activi-
14 ties funded under this heading.

15 MUTUAL AND SELF-HELP HOUSING GRANTS

16 For grants and contracts pursuant to section
17 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C.
18 1490c), \$27,500,000, to remain available until expended.

19 RURAL HOUSING ASSISTANCE GRANTS

20 For grants for very low-income housing repair and
21 rural housing preservation made by the Rural Housing
22 Service, as authorized by 42 U.S.C. 1474, and 1490m,
23 \$32,239,000, to remain available until expended.

1 RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT
2 (INCLUDING TRANSFERS OF FUNDS)

3 For gross obligations for the principal amount of di-
4 rect and guaranteed loans as authorized by section 306
5 and described in section 381E(d)(1) of the Consolidated
6 Farm and Rural Development Act, \$2,200,000,000 for di-
7 rect loans and \$148,305,000 for guaranteed loans.

8 For the cost of guaranteed loans, including the cost
9 of modifying loans, as defined in section 502 of the Con-
10 gressional Budget Act of 1974, \$3,500,000, to remain
11 available until expended.

12 For the cost of grants for rural community facilities
13 programs as authorized by section 306 and described in
14 section 381E(d)(1) of the Consolidated Farm and Rural
15 Development Act, \$38,778,000, to remain available until
16 expended: *Provided*, That \$4,000,000 of the amount ap-
17 propriated under this heading shall be available for a
18 Rural Community Development Initiative: *Provided fur-*
19 *ther*, That such funds shall be used solely to develop the
20 capacity and ability of private, nonprofit community-based
21 housing and community development organizations, low-
22 income rural communities, and Federally Recognized Na-
23 tive American Tribes to undertake projects to improve
24 housing, community facilities, community and economic
25 development projects in rural areas: *Provided further*,

1 That such funds shall be made available to qualified pri-
2 vate, nonprofit and public intermediary organizations pro-
3 posing to carry out a program of financial and technical
4 assistance: *Provided further*, That such intermediary orga-
5 nizations shall provide matching funds from other sources,
6 including Federal funds for related activities, in an
7 amount not less than funds provided: *Provided further*,
8 That \$5,778,000 of the amount appropriated under this
9 heading shall be to provide grants for facilities in rural
10 communities with extreme unemployment and severe eco-
11 nomic depression (Public Law 106–387), with up to 5 per-
12 cent for administration and capacity building in the State
13 rural development offices: *Provided further*, That
14 \$4,000,000 of the amount appropriated under this head-
15 ing shall be available for community facilities grants to
16 tribal colleges, as authorized by section 306(a)(19) of such
17 Act: *Provided further*, That sections 381E–H and 381N
18 of the Consolidated Farm and Rural Development Act are
19 not applicable to the funds made available under this
20 heading: *Provided further*, That for the purposes of deter-
21 mining eligibility or level of program assistance the Sec-
22 retary shall not include incarcerated prison populations.

1 RURAL BUSINESS—COOPERATIVE SERVICE

2 RURAL BUSINESS PROGRAM ACCOUNT

3 (INCLUDING TRANSFERS OF FUNDS)

4 For the cost of loan guarantees and grants, for the
5 rural business development programs authorized by sec-
6 tion 310B and described in subsections (a), (c), (f) and
7 (g) of section 310B of the Consolidated Farm and Rural
8 Development Act, \$62,687,000, to remain available until
9 expended: *Provided*, That of the amount appropriated
10 under this heading, not to exceed \$500,000 shall be made
11 available for one grant to a qualified national organization
12 to provide technical assistance for rural transportation in
13 order to promote economic development and \$3,000,000
14 shall be for grants to the Delta Regional Authority (7
15 U.S.C. 2009aa et seq.) for any Rural Community Ad-
16 vancement Program purpose as described in section
17 381E(d) of the Consolidated Farm and Rural Develop-
18 ment Act, of which not more than 5 percent may be used
19 for administrative expenses: *Provided further*, That
20 \$4,000,000 of the amount appropriated under this head-
21 ing shall be for business grants to benefit Federally Recog-
22 nized Native American Tribes, including \$250,000 for a
23 grant to a qualified national organization to provide tech-
24 nical assistance for rural transportation in order to pro-
25 mote economic development: *Provided further*, That for

1 purposes of determining eligibility or level of program as-
2 sistance the Secretary shall not include incarcerated pris-
3 on populations: *Provided further*, That sections 381E–H
4 and 381N of the Consolidated Farm and Rural Develop-
5 ment Act are not applicable to funds made available under
6 this heading.

7 INTERMEDIARY RELENDING PROGRAM FUND ACCOUNT

8 (INCLUDING TRANSFER OF FUNDS)

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

12 For the cost of direct loans, \$5,217,000, as author-
13 ized by the Intermediary Relending Program Fund Ac-
14 count (7 U.S.C. 1936b), of which \$531,000 shall be avail-
15 able through June 30, 2016, for Federally Recognized Na-
16 tive American Tribes; and of which \$1,021,000 shall be
17 available through June 30, 2016, for Mississippi Delta Re-
18 gion counties (as determined in accordance with Public
19 Law 100–460): *Provided*, That such costs, including the
20 cost of modifying such loans, shall be as defined in section
21 502 of the Congressional Budget Act of 1974.

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

1 RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM
2 ACCOUNT
3 (INCLUDING RESCISSION OF FUNDS)

4 For the principal amount of direct loans, as author-
5 ized under section 313 of the Rural Electrification Act,
6 for the purpose of promoting rural economic development
7 and job creation projects, \$33,077,000.

8 Of the funds derived from interest on the cushion of
9 credit payments, as authorized by section 313 of the Rural
10 Electrification Act of 1936, \$179,000,000 shall not be ob-
11 ligated and \$179,000,000 are rescinded.

12 RURAL COOPERATIVE DEVELOPMENT GRANTS

13 For rural cooperative development grants authorized
14 under section 310B(e) of the Consolidated Farm and
15 Rural Development Act (7 U.S.C. 1932), \$22,050,000, of
16 which \$2,500,000 shall be for cooperative agreements for
17 the appropriate technology transfer for rural areas pro-
18 gram: *Provided*, That not to exceed \$3,000,000 shall be
19 for grants for cooperative development centers, individual
20 cooperatives, or groups of cooperatives that serve socially
21 disadvantaged groups and a majority of the boards of di-
22 rectors or governing boards of which are comprised of in-
23 dividuals who are members of socially disadvantaged
24 groups; and of which \$10,750,000, to remain available
25 until expended, shall be for value-added agricultural prod-

1 uct market development grants, as authorized by section
2 231 of the Agricultural Risk Protection Act of 2000 (7
3 U.S.C. 1632a).

4 RURAL ENERGY FOR AMERICA PROGRAM

5 For the cost of a program of loan guarantees, under
6 the same terms and conditions as authorized by section
7 9007 of the Farm Security and Rural Investment Act of
8 2002 (7 U.S.C. 8107), \$500,000: *Provided*, That the cost
9 of loan guarantees, including the cost of modifying such
10 loans, shall be as defined in section 502 of the Congres-
11 sional Budget Act of 1974.

12 RURAL UTILITIES SERVICE

13 RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT

14 (INCLUDING TRANSFERS OF FUNDS)

15 For the cost of direct loans, loan guarantees, and
16 grants for the rural water, waste water, waste disposal,
17 and solid waste management programs authorized by sec-
18 tions 306, 306A, 306C, 306D, 306E, and 310B and de-
19 scribed in sections 306C(a)(2), 306D, 306E, and
20 381E(d)(2) of the Consolidated Farm and Rural Develop-
21 ment Act, \$522,365,000, to remain available until ex-
22 pended, of which not to exceed \$1,000,000 shall be avail-
23 able for the rural utilities program described in section
24 306(a)(2)(B) of such Act, and of which not to exceed
25 \$993,000 shall be available for the rural utilities program

1 described in section 306E of such Act: *Provided*, That not
2 to exceed \$10,000,000 of the amount appropriated under
3 this heading shall be for grants authorized by section
4 306A(i)(2) of the Consolidated Farm and Rural Develop-
5 ment Act in addition to funding authorized by section
6 306A(i)(1) of such Act: *Provided further*, That
7 \$64,000,000 of the amount appropriated under this head-
8 ing shall be for loans and grants including water and
9 waste disposal systems grants authorized by section
10 306C(a)(2)(B) and section 306D of the Consolidated
11 Farm and Rural Development Act, and Federally Recog-
12 nized Native American Tribes authorized by 306C(a)(1):
13 *Provided further*, That funding provided for section 306D
14 of the Consolidated Farm and Rural Development Act
15 may be provided to a consortium formed pursuant to sec-
16 tion 325 of Public Law 105–83: *Provided further*, That
17 not more than 2 percent of the funding provided for sec-
18 tion 306D of the Consolidated Farm and Rural Develop-
19 ment Act may be used by the State of Alaska for training
20 and technical assistance programs and not more than 2
21 percent of the funding provided for section 306D of the
22 Consolidated Farm and Rural Development Act may be
23 used by a consortium formed pursuant to section 325 of
24 Public Law 105–83 for training and technical assistance
25 programs: *Provided further*, That not to exceed

1 \$20,000,000 of the amount appropriated under this head-
2 ing shall be for technical assistance grants for rural water
3 and waste systems pursuant to section 306(a)(14) of such
4 Act, unless the Secretary makes a determination of ex-
5 treme need, of which \$6,500,000 shall be made available
6 for a grant to a qualified nonprofit multi-State regional
7 technical assistance organization, with experience in work-
8 ing with small communities on water and waste water
9 problems, the principal purpose of such grant shall be to
10 assist rural communities with populations of 3,300 or less,
11 in improving the planning, financing, development, oper-
12 ation, and management of water and waste water systems,
13 and of which not less than \$800,000 shall be for a quali-
14 fied national Native American organization to provide
15 technical assistance for rural water systems for tribal com-
16 munities: *Provided further,* That not to exceed
17 \$16,397,000 of the amount appropriated under this head-
18 ing shall be for contracting with qualified national organi-
19 zations for a circuit rider program to provide technical as-
20 sistance for rural water systems: *Provided further,* That
21 not to exceed \$4,000,000 shall be for solid waste manage-
22 ment grants: *Provided further,* That \$10,000,000 of the
23 amount appropriated under this heading shall be trans-
24 ferred to, and merged with, the Rural Utilities Service,
25 High Energy Cost Grants Account to provide grants au-

1 thORIZED under section 19 of the Rural Electrification Act
2 of 1936 (7 U.S.C. 918a): *Provided further*, That any prior
3 year balances for high-energy cost grants authorized by
4 section 19 of the Rural Electrification Act of 1936 (7
5 U.S.C. 918a) shall be transferred to and merged with the
6 Rural Utilities Service, High Energy Cost Grants Ac-
7 count: *Provided further*, That sections 381E–H and 381N
8 of the Consolidated Farm and Rural Development Act are
9 not applicable to the funds made available under this
10 heading.

11 RURAL ELECTRIFICATION AND TELECOMMUNICATIONS

12 LOANS PROGRAM ACCOUNT

13 (INCLUDING TRANSFER OF FUNDS)

14 The principal amount of direct and guaranteed loans
15 as authorized by sections 305 and 306 of the Rural Elec-
16 trification Act of 1936 (7 U.S.C. 935 and 936) shall be
17 made as follows: loans made pursuant to section 306 of
18 that Act, rural electric, \$5,500,000,000; guaranteed un-
19 derwriting loans pursuant to section 313A, \$750,000,000;
20 5 percent rural telecommunications loans, cost of money
21 rural telecommunications loans, and for loans made pursu-
22 ant to section 306 of that Act, rural telecommunications
23 loans, \$690,000,000: *Provided*, That up to
24 \$2,000,000,000 shall be used for the construction, acquisi-
25 tion, or improvement of fossil-fueled electric generating

1 plants (whether new or existing) that utilize carbon se-
2 questration systems.

3 For the cost of direct loans as authorized by section
4 305 of the Rural Electrification Act of 1936 (7 U.S.C.
5 935), including the cost of modifying loans, as defined in
6 section 502 of the Congressional Budget Act of 1974, cost
7 of money rural telecommunications loans, \$104,000.

8 In addition, for administrative expenses necessary to
9 carry out the direct and guaranteed loan programs,
10 \$34,707,000, which shall be transferred to and merged
11 with the appropriation for “Rural Development, Salaries
12 and Expenses”.

13 DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND
14 PROGRAM

15 For the principal amount of broadband telecommuni-
16 cation loans, \$20,576,000.

17 For grants for telemedicine and distance learning
18 services in rural areas, as authorized by 7 U.S.C. 950aaa
19 et seq., \$22,000,000, to remain available until expended:
20 *Provided*, That \$3,000,000 shall be made available for
21 grants authorized by 379G of the Consolidated Farm and
22 Rural Development Act: *Provided further*, That funding
23 provided under this heading for grants under 379G of the
24 Consolidated Farm and Rural Development Act may only

1 be provided to entities that meet all of the eligibility cri-
2 teria for a consortium as established by this section.

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

8 In addition, \$10,372,000, to remain available until
9 expended, for a grant program to finance broadband
10 transmission in rural areas eligible for Distance Learning
11 and Telemedicine Program benefits authorized by 7
12 U.S.C. 950aaa.

1 TITLE IV
2 DOMESTIC FOOD PROGRAMS
3 OFFICE OF THE UNDER SECRETARY FOR FOOD,
4 NUTRITION, AND CONSUMER SERVICES
5 For necessary expenses of the Office of the Under
6 Secretary for Food, Nutrition, and Consumer Services,
7 \$811,000.

8 FOOD AND NUTRITION SERVICE
9 CHILD NUTRITION PROGRAMS
10 (INCLUDING TRANSFERS OF FUNDS)
11 For necessary expenses to carry out the Richard B.
12 Russell National School Lunch Act (42 U.S.C. 1751 et
13 seq.), except section 21, and the Child Nutrition Act of
14 1966 (42 U.S.C. 1771 et seq.), except sections 17 and
15 21; \$22,149,746,000 to remain available through Sep-
16 tember 30, 2017, of which such sums as are made avail-
17 able under section 14222(b)(1) of the Food, Conservation,
18 and Energy Act of 2008 (Public Law 110–246), as
19 amended by this Act, shall be merged with and available
20 for the same time period and purposes as provided herein:
21 *Provided*, That of the total amount available, \$17,004,000
22 shall be available to carry out section 19 of the Child Nu-
23 trition Act of 1966 (42 U.S.C. 1771 et seq.): *Provided*
24 *further*, That of the total amount available, \$25,000,000
25 shall be available to provide competitive grants to State

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

13 SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR
14 WOMEN, INFANTS, AND CHILDREN (WIC)

15 For necessary expenses to carry out the special sup-
16 plemental nutrition program as authorized by section 17
17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786),
18 \$6,350,000,000, to remain available through September
19 30, 2017: *Provided*, That notwithstanding section
20 17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C.
21 1786(h)(10)), not less than \$60,000,000 shall be used for
22 breastfeeding peer counselors and other related activities,
23 and \$13,600,000 shall be used for infrastructure: *Pro-*
24 *vided further*, That none of the funds provided in this ac-
25 count shall be available for the purchase of infant formula

1 except in accordance with the cost containment and com-
2 petitive bidding requirements specified in section 17 of
3 such Act: *Provided further*, That none of the funds pro-
4 vided shall be available for activities that are not fully re-
5 imbursed by other Federal Government departments or
6 agencies unless authorized by section 17 of such Act: *Pro-*
7 *vided further*, That upon termination of a federally man-
8 dated vendor moratorium and subject to terms and condi-
9 tions established by the Secretary, the Secretary may
10 waive the requirement at 7 CFR 246.12(g)(6) at the re-
11 quest of a State agency.

12 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

13 For necessary expenses to carry out the Food and
14 Nutrition Act of 2008 (7 U.S.C. 2011 et seq.),
15 \$80,849,383,000, of which \$3,000,000,000, to remain
16 available through December 31, 2017, shall be placed in
17 reserve for use only in such amounts and at such times
18 as may become necessary to carry out program operations:
19 *Provided*, That funds available for the contingency reserve
20 under the heading “Supplemental Nutrition Assistance
21 Program” of division A of Public Law 113–235 shall be
22 available until December 31, 2016: *Provided further*, That
23 funds provided herein shall be expended in accordance
24 with section 16 of the Food and Nutrition Act of 2008:
25 *Provided further*, That of the funds made available under

1 this heading, \$998,000 may be used to provide nutrition
2 education services to State agencies and Federally Recog-
3 nized Tribes participating in the Food Distribution Pro-
4 gram on Indian Reservations: *Provided further*, That this
5 appropriation shall be subject to any work registration or
6 workfare requirements as may be required by law: *Pro-*
7 *vided further*, That funds made available for Employment
8 and Training under this heading shall remain available
9 through September 30, 2017: *Provided further*, That
10 funds made available under this heading for section
11 28(d)(1) and section 27(a) of the Food and Nutrition Act
12 of 2008 shall remain available through September 30,
13 2017: *Provided further*, That funds made available under
14 this heading may be used to enter into contracts and em-
15 ploy staff to conduct studies, evaluations, or to conduct
16 activities related to program integrity provided that such
17 activities are authorized by the Food and Nutrition Act
18 of 2008.

19 COMMODITY ASSISTANCE PROGRAM

20 For necessary expenses to carry out disaster assist-
21 ance and the Commodity Supplemental Food Program as
22 authorized by section 4(a) of the Agriculture and Con-
23 sumer Protection Act of 1973 (7 U.S.C. 612c note); the
24 Emergency Food Assistance Act of 1983; special assist-
25 ance for the nuclear affected islands, as authorized by sec-

1 tion 103(f)(2) of the Compact of Free Association Amend-
2 ments Act of 2003 (Public Law 108–188); and the Farm-
3 ers’ Market Nutrition Program, as authorized by section
4 17(m) of the Child Nutrition Act of 1966, \$296,217,000,
5 to remain available through September 30, 2017: *Pro-*
6 *vided*, That none of these funds shall be available to reim-
7 burse the Commodity Credit Corporation for commodities
8 donated to the program: *Provided further*, That notwith-
9 standing any other provision of law, effective with funds
10 made available in fiscal year 2016 to support the Seniors
11 Farmers’ Market Nutrition Program, as authorized by
12 section 4402 of the Farm Security and Rural Investment
13 Act of 2002, such funds shall remain available through
14 September 30, 2017: *Provided further*, That of the funds
15 made available under section 27(a) of the Food and Nutri-
16 tion Act of 2008 (7 U.S.C. 2036(a)), the Secretary may
17 use up to 10 percent for costs associated with the distribu-
18 tion of commodities.

19 NUTRITION PROGRAMS ADMINISTRATION

20 For necessary administrative expenses of the Food
21 and Nutrition Service for carrying out any domestic nutri-
22 tion assistance program, \$150,824,000: *Provided*, That of
23 the funds provided herein, \$2,000,000 shall be used for
24 the purposes of section 4404 of Public Law 107–171, as
25 amended by section 4401 of Public Law 110–246.

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

7 For necessary expenses of the Foreign Agricultural
8 Service, including not to exceed \$250,000 for representa-
9 tion allowances and for expenses pursuant to section 8 of
10 the Act approved August 3, 1956 (7 U.S.C. 1766),
11 \$191,566,000: *Provided*, That the Service may utilize ad-
12 vances of funds, or reimburse this appropriation for ex-
13 penditures made on behalf of Federal agencies, public and
14 private organizations and institutions under agreements
15 executed pursuant to the agricultural food production as-
16 sistance programs (7 U.S.C. 1737) and the foreign assist-
17 ance programs of the United States Agency for Inter-
18 national Development: *Provided further*, That funds made
19 available for middle-income country training programs,
20 funds made available for the Borlaug International Agri-
21 cultural Science and Technology Fellowship program, and
22 up to \$2,000,000 of the Foreign Agricultural Service ap-
23 propriation solely for the purpose of offsetting fluctuations
24 in international currency exchange rates, subject to docu-

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

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

6 For administrative expenses to carry out the credit
7 program of title I, Food for Peace Act (Public Law 83–
8 480) and the Food for Progress Act of 1985, \$2,528,000,
9 shall be transferred to and merged with the appropriation
10 for “Farm Service Agency, Salaries and Expenses”.

11 FOOD FOR PEACE TITLE II GRANTS

12 For expenses during the current fiscal year, not oth-
13 erwise recoverable, and unrecovered prior years’ costs, in-
14 cluding interest thereon, under the Food for Peace Act
15 (Public Law 83–480), for commodities supplied in connec-
16 tion with dispositions abroad under title II of said Act,
17 \$1,466,000,000, to remain available until expended.

18 MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION
19 AND CHILD NUTRITION PROGRAM GRANTS

20 For necessary expenses to carry out the provisions
21 of section 3107 of the Farm Security and Rural Invest-
22 ment Act of 2002 (7 U.S.C. 1736o–1), \$201,626,000, to
23 remain available until expended: *Provided*, That the Com-
24 modity Credit Corporation is authorized to provide the
25 services, facilities, and authorities for the purpose of im-

1 plementing such section, subject to reimbursement from
2 amounts provided herein: *Provided further*, That of the
3 amount made available under this heading, \$5,000,000,
4 shall remain available until expended for necessary ex-
5 penses to carry out the provisions of section 3207 of the
6 Agricultural Act of 2014 (7 U.S.C. 1726e).

7 COMMODITY CREDIT CORPORATION EXPORT (LOANS)
8 CREDIT GUARANTEE PROGRAM ACCOUNT
9 (INCLUDING TRANSFERS OF FUNDS)

10 For administrative expenses to carry out the Com-
11 modity Credit Corporation's Export Guarantee Program,
12 GSM 102 and GSM 103, \$6,748,000; to cover common
13 overhead expenses as permitted by section 11 of the Com-
14 modity Credit Corporation Charter Act and in conformity
15 with the Federal Credit Reform Act of 1990, of which
16 \$6,394,000 shall be transferred to and merged with the
17 appropriation for "Foreign Agricultural Service, Salaries
18 and Expenses", and of which \$354,000 shall be trans-
19 ferred to and merged with the appropriation for "Farm
20 Service Agency, Salaries and Expenses".

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

7 For necessary expenses of the Food and Drug Ad-
8 ministration, including hire and purchase of passenger
9 motor vehicles; for payment of space rental and related
10 costs pursuant to Public Law 92–313 for programs and
11 activities of the Food and Drug Administration which are
12 included in this Act; for rental of special purpose space
13 in the District of Columbia or elsewhere; for miscellaneous
14 and emergency expenses of enforcement activities, author-
15 ized and approved by the Secretary and to be accounted
16 for solely on the Secretary’s certificate, not to exceed
17 \$25,000; and notwithstanding section 521 of Public Law
18 107–188; \$4,681,392,000: *Provided*, That of the amount
19 provided under this heading, \$851,481,000 shall be de-
20 rived from prescription drug user fees authorized by 21
21 U.S.C. 379h, and shall be credited to this account and
22 remain available until expended; \$137,677,000 shall be de-
23 rived from medical device user fees authorized by 21
24 U.S.C. 379j, and shall be credited to this account and re-
25 main available until expended; \$318,363,000 shall be de-

1 rived from human generic drug user fees authorized by
2 21 U.S.C. 379j–42, and shall be credited to this account
3 and remain available until expended; \$21,540,000 shall be
4 derived from biosimilar biological product user fees au-
5 thorized by 21 U.S.C. 379j–52, and shall be credited to
6 this account and remain available until expended;
7 \$22,818,000 shall be derived from animal drug user fees
8 authorized by 21 U.S.C. 379j–12, and shall be credited
9 to this account and remain available until expended;
10 \$9,705,000 shall be derived from animal generic drug user
11 fees authorized by 21 U.S.C. 379j–21, and shall be cred-
12 ited to this account and remain available until expended;
13 \$599,000,000 shall be derived from tobacco product user
14 fees authorized by 21 U.S.C. 387s, and shall be credited
15 to this account and remain available until expended: *Pro-*
16 *vided further*, That in addition to and notwithstanding any
17 other provision under this heading, amounts collected for
18 prescription drug user fees, medical device user fees,
19 human generic drug user fees, biosimilar biological prod-
20 uct user fees, animal drug user fees, and animal generic
21 drug user fees that exceed the respective fiscal year 2016
22 limitations are appropriated and shall be credited to this
23 account and remain available until expended: *Provided fur-*
24 *ther*, That fees derived from prescription drug, medical de-
25 vice, human generic drug, biosimilar biological product,

1 animal drug, and animal generic drug assessments for fis-
2 cal year 2016, including any such fees collected prior to
3 fiscal year 2016 but credited for fiscal year 2016, shall
4 be subject to the fiscal year 2016 limitations: *Provided fur-*
5 *ther*, That the Secretary may accept payment during fiscal
6 year 2016 of user fees specified under this heading and
7 authorized for fiscal year 2017, prior to the due date for
8 such fees, and that amounts of such fees assessed for fis-
9 cal year 2017 for which the Secretary accepts payment
10 in fiscal year 2016 shall not be included in amounts under
11 this heading: *Provided further*, That none of these funds
12 shall be used to develop, establish, or operate any program
13 of user fees authorized by 31 U.S.C. 9701: *Provided fur-*
14 *ther*, That of the total amount appropriated: (1)
15 \$987,328,000 shall be for the Center for Food Safety and
16 Applied Nutrition and related field activities in the Office
17 of Regulatory Affairs; (2) \$1,394,136,000 shall be for the
18 Center for Drug Evaluation and Research and related
19 field activities in the Office of Regulatory Affairs; (3)
20 \$354,901,000 shall be for the Center for Biologics Evalua-
21 tion and Research and for related field activities in the
22 Office of Regulatory Affairs; (4) \$187,825,000 shall be
23 for the Center for Veterinary Medicine and for related
24 field activities in the Office of Regulatory Affairs; (5)
25 \$430,443,000 shall be for the Center for Devices and Ra-

1 diological Health and for related field activities in the Of-
2 fice of Regulatory Affairs; (6) \$63,331,000 shall be for
3 the National Center for Toxicological Research; (7)
4 \$564,117,000 shall be for the Center for Tobacco Prod-
5 ucts and for related field activities in the Office of Regu-
6 latory Affairs; (8) not to exceed \$171,418,000 shall be for
7 Rent and Related activities, of which \$52,346,000 is for
8 White Oak Consolidation, other than the amounts paid to
9 the General Services Administration for rent; (9) not to
10 exceed \$238,274,000 shall be for payments to the General
11 Services Administration for rent; and (10) \$289,619,000
12 shall be for other activities, including the Office of the
13 Commissioner of Food and Drugs, the Office of Foods and
14 Veterinary Medicine, the Office of Medical and Tobacco
15 Products, the Office of Global and Regulatory Policy, the
16 Office of Operations, the Office of the Chief Scientist, and
17 central services for these offices: *Provided further*, That
18 not to exceed \$25,000 of this amount shall be for official
19 reception and representation expenses, not otherwise pro-
20 vided for, as determined by the Commissioner: *Provided*
21 *further*, That any transfer of funds pursuant to section
22 770(n) of the Federal Food, Drug, and Cosmetic Act (21
23 U.S.C. 379dd(n)) shall only be from amounts made avail-
24 able under this heading for other activities: *Provided fur-*
25 *ther*, That of the amounts that are made available under

1 this heading for “other activities”, and that are not de-
2 rived from user fees, \$1,500,000 shall be transferred to
3 and merged with the appropriation for “Department of
4 Health and Human Services—Office of Inspector Gen-
5 eral” for oversight of the programs and operations of the
6 Food and Drug Administration and shall be in addition
7 to funds otherwise made available for oversight of the
8 Food and Drug Administration: *Provided further*, That
9 funds may be transferred from one specified activity to
10 another with the prior approval of the Committees on Ap-
11 propriations of both Houses of Congress.

12 In addition, mammography user fees authorized by
13 42 U.S.C. 263b, export certification user fees authorized
14 by 21 U.S.C. 381, priority review user fees authorized by
15 21 U.S.C. 360n and 360ff, food and feed recall fees, food
16 reinspection fees, and voluntary qualified importer pro-
17 gram fees authorized by 21 U.S.C. 379j–31, outsourcing
18 facility fees authorized by 21 U.S.C. 379j–62, prescription
19 drug wholesale distributor licensing and inspection fees
20 authorized by 21 U.S.C. 353(e)(3), and third-party logis-
21 tics provider licensing and inspection fees authorized by
22 21 U.S.C. 360eee–3(c)(1), and third-party auditor fees
23 authorized by 21 U.S.C. 384d(c)(8), shall be credited to
24 this account, to remain available until expended.

1 BUILDINGS AND FACILITIES

2 For plans, construction, repair, improvement, exten-
3 sion, alteration, and purchase of fixed equipment or facili-
4 ties of or used by the Food and Drug Administration,
5 where not otherwise provided, \$8,788,000, to remain
6 available until expended.

7 INDEPENDENT AGENCIES

8 COMMODITY FUTURES TRADING COMMISSION

9 For necessary expenses to carry out the provisions
10 of the Commodity Exchange Act (7 U.S.C. 1 et seq.), in-
11 cluding the purchase and hire of passenger motor vehicles,
12 and the rental of space (to include multiple year leases),
13 in the District of Columbia and elsewhere, \$250,000,000,
14 including not to exceed \$3,000 for official reception and
15 representation expenses, and not to exceed \$25,000 for the
16 expenses for consultations and meetings hosted by the
17 Commission with foreign governmental and other regu-
18 latory officials, of which not less than \$50,000,000, to re-
19 main available until September 30, 2017, shall be for the
20 purchase of information technology and of which not less
21 than \$2,620,000 shall be for expenses of the Office of the
22 Inspector General: *Provided*, That notwithstanding the
23 limitations in 31 U.S.C. 1553, amounts provided under
24 this heading are available for the liquidation of obligations
25 equal to current year payments on leases entered into

1 prior to the date of enactment of this Act: *Provided fur-*
2 *ther*, That for the purpose of recording any obligations
3 that should have been recorded against accounts closed
4 pursuant to 31 U.S.C. 1552, these accounts may be re-
5 opened solely for the purpose of correcting any violations
6 of 31 U.S.C. 1501(a)(1), and balances canceled pursuant
7 to 31 U.S.C. 1552(a) in any accounts reopened pursuant
8 to this authority shall remain unavailable to liquidate any
9 outstanding obligations.

10 FARM CREDIT ADMINISTRATION

11 LIMITATION ON ADMINISTRATIVE EXPENSES

12 Not to exceed \$65,600,000 (from assessments col-
13 lected from farm credit institutions, including the Federal
14 Agricultural Mortgage Corporation) shall be obligated
15 during the current fiscal year for administrative expenses
16 as authorized under 12 U.S.C. 2249: *Provided*, That this
17 limitation shall not apply to expenses associated with re-
18 ceiverships: *Provided further*, That the agency may exceed
19 this limitation by up to 10 percent with notification to the
20 Committees on Appropriations of both Houses of Con-
21 gress.

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TITLE VII

GENERAL PROVISIONS

(INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

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

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

1 main available until expended: *Provided*, That none of the
2 funds made available by this Act or any other Act shall
3 be transferred to the Working Capital Fund without the
4 prior approval of the agency administrator: *Provided fur-*
5 *ther*, That none of the funds transferred to the Working
6 Capital Fund pursuant to this section shall be available
7 for obligation without written notification to and the prior
8 approval of the Committees on Appropriations of both
9 Houses of Congress: *Provided further*, That none of the
10 funds appropriated by this Act or made available to the
11 Department's Working Capital Fund shall be available for
12 obligation or expenditure to make any changes to the De-
13 partment's National Finance Center without written noti-
14 fication to and prior approval of the Committees on Ap-
15 propriations of both Houses of Congress as required by
16 section 717 of this Act: *Provided further*, That of annual
17 income amounts in the Working Capital Fund of the De-
18 partment of Agriculture allocated for the National Fi-
19 nance Center, the Secretary may reserve not more than
20 4 percent for the replacement or acquisition of capital
21 equipment, including equipment for the improvement and
22 implementation of a financial management plan, informa-
23 tion technology, and other systems of the National Fi-
24 nance Center or to pay any unforeseen, extraordinary cost
25 of the National Finance Center: *Provided further*, That

1 none of the amounts reserved shall be available for obliga-
2 tion unless the Secretary submits written notification of
3 the obligation to the Committees on Appropriations of
4 both Houses of Congress: *Provided further*, That the limi-
5 tation on the obligation of funds pending notification to
6 Congressional Committees shall not apply to any obliga-
7 tion that, as determined by the Secretary, is necessary to
8 respond to a declared state of emergency that significantly
9 impacts the operations of the National Finance Center;
10 or to evacuate employees of the National Finance Center
11 to a safe haven to continue operations of the National Fi-
12 nance Center.

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

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

1 puted on a similar basis for all agencies for which appro-
2 priations are provided in this Act.

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

11 SEC. 706. None of the funds made available to the
12 Department of Agriculture by this Act may be used to ac-
13 quire new information technology systems or significant
14 upgrades, as determined by the Office of the Chief Infor-
15 mation Officer, without the approval of the Chief Informa-
16 tion Officer and the concurrence of the Executive Informa-
17 tion Technology Investment Review Board: *Provided*, That
18 notwithstanding any other provision of law, none of the
19 funds appropriated or otherwise made available by this
20 Act may be transferred to the Office of the Chief Informa-
21 tion Officer without written notification to and the prior
22 approval of the Committees on Appropriations of both
23 Houses of Congress: *Provided further*, That, notwith-
24 standing section 11319 of title 40, United States Code,
25 none of the funds available to the Department of Agri-

1 culture for information technology shall be obligated for
2 projects, contracts, or other agreements over \$25,000
3 prior to receipt of written approval by the Chief Informa-
4 tion Officer: *Provided further*, That the Chief Information
5 Officer may authorize an agency to obligate funds without
6 written approval from the Chief Information Officer for
7 projects, contracts, or other agreements up to \$250,000
8 based upon the performance of an agency measured
9 against the performance plan requirements described in
10 the explanatory statement accompanying Public Law 113-
11 235.

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

17 SEC. 708. Notwithstanding any other provision of
18 law, any former RUS borrower that has repaid or prepaid
19 an insured, direct or guaranteed loan under the Rural
20 Electrification Act of 1936, or any not-for-profit utility
21 that is eligible to receive an insured or direct loan under
22 such Act, shall be eligible for assistance under section
23 313(b)(2)(B) of such Act in the same manner as a bor-
24 rower under such Act.

1 SEC. 709. Except as otherwise specifically provided
2 by law, not more than \$20,000,000 in unobligated bal-
3 ances from appropriations made available for salaries and
4 expenses in this Act for the Farm Service Agency shall
5 remain available through September 30, 2017, for infor-
6 mation technology expenses: *Provided*, That except as oth-
7 erwise specifically provided by law, unobligated balances
8 from appropriations made available for salaries and ex-
9 penses in this Act for the Rural Development mission area
10 shall remain available through September 30, 2017, for
11 information technology expenses.

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

17 SEC. 711. In the case of each program established
18 or amended by the Agricultural Act of 2014 (Public Law
19 113–79), other than by title I or subtitle A of title III
20 of such Act, or programs for which indefinite amounts
21 were provided in that Act, that is authorized or required
22 to be carried out using funds of the Commodity Credit
23 Corporation—

24 (1) such funds shall be available for salaries
25 and related administrative expenses, including tech-

1 nical assistance, associated with the implementation
2 of the program, without regard to the limitation on
3 the total amount of allotments and fund transfers
4 contained in section 11 of the Commodity Credit
5 Corporation Charter Act (15 U.S.C. 714i); and

6 (2) the use of such funds for such purpose shall
7 not be considered to be a fund transfer or allotment
8 for purposes of applying the limitation on the total
9 amount of allotments and fund transfers contained
10 in such section.

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

18 SEC. 713. None of the funds in this Act shall be avail-
19 able to pay indirect costs charged against any agricultural
20 research, education, or extension grant awards issued by
21 the National Institute of Food and Agriculture that exceed
22 30 percent of total Federal funds provided under each
23 award: *Provided*, That notwithstanding section 1462 of
24 the National Agricultural Research, Extension, and
25 Teaching Policy Act of 1977 (7 U.S.C. 3310), funds pro-

1 vided by this Act for grants awarded competitively by the
2 National Institute of Food and Agriculture shall be avail-
3 able to pay full allowable indirect costs for each grant
4 awarded under section 9 of the Small Business Act (15
5 U.S.C. 638).

6 SEC. 714. None of the funds appropriated or other-
7 wise made available by this or any other Act shall be used
8 to pay the salaries and expenses of personnel to carry out
9 the following:

10 (1) The Watershed Rehabilitation program au-
11 thorized by section 14(h)(1) of the Watershed and
12 Flood Protection Act (16 U.S.C. 1012(h)(1));

13 (2) The Environmental Quality Incentives Pro-
14 gram as authorized by sections 1240–1240H of the
15 Food Security Act of 1985 (16 U.S.C. 3839aa–
16 3839aa–8) in excess of \$1,329,000,000: *Provided,*
17 That this limitation shall apply only to funds pro-
18 vided by section 1241(a)(5)(C) of the Food Security
19 Act of 1985 (16 U.S.C. 3841(a)(5)(C));

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

1 (4) The Biorefinery, Renewable Chemical and
2 Biobased Product Manufacturing Assistance pro-
3 gram as authorized by section 9003 of the Farm Se-
4 curity and Rural Investment Act of 2002 (7 U.S.C.
5 8103) in excess of \$27,000,000 of the funding ap-
6 propriated by subsection (g)(1)(A)(ii) of that section
7 for fiscal year 2016.

8 SEC. 715. None of the funds appropriated or other-
9 wise made available by this or any other Act shall be used
10 to pay the salaries and expenses of personnel to carry out
11 a program under subsection (b)(2)(A)(viii) of section
12 14222 of Public Law 110–246 in excess of \$884,980,000,
13 as follows: Child Nutrition Programs Entitlement Com-
14 modities—\$465,000,000; State Option Contracts—
15 \$5,000,000; Removal of Defective Commodities—
16 \$2,500,000: *Provided*, That none of the funds made avail-
17 able in this Act or any other Act shall be used for salaries
18 and expenses to carry out in this fiscal year section
19 19(i)(1)(E) of the Richard B. Russell National School
20 Lunch Act, as amended, except in an amount that ex-
21 cludes the transfer of \$125,000,000 of the funds to be
22 transferred under subsection (e) of section 14222 of Pub-
23 lic Law 110–246, until October 1, 2016: *Provided further*,
24 That \$125,000,000 made available on October 1, 2016,
25 to carry out section 19(i)(1)(E) of the Richard B. Russell

1 National School Lunch Act, as amended, shall be excluded
2 from the limitation described in subsection (b)(2)(A)(ix)
3 of section 14222 of Public Law 110–246: *Provided further*,
4 That none of the funds appropriated or otherwise made
5 available by this or any other Act shall be used to pay
6 the salaries or expenses of any employee of the Depart-
7 ment of Agriculture or officer of the Commodity Credit
8 Corporation to carry out clause 3 of section 32 of the Agri-
9 cultural Adjustment Act of 1935 (Public Law 74–320, 7
10 U.S.C. 612c, as amended), or for any surplus removal ac-
11 tivities or price support activities under section 5 of the
12 Commodity Credit Corporation Charter Act: *Provided fur-*
13 *ther*, That the available unobligated balances under
14 (b)(2)(A)(viii) of section 14222 of Public Law 110–246
15 in excess of the limitation set forth in this section, except
16 for the amounts to be transferred pursuant to the first
17 proviso, are hereby permanently rescinded.

18 SEC. 716. None of the funds appropriated by this or
19 any other Act shall be used to pay the salaries and ex-
20 penses of personnel who prepare or submit appropriations
21 language as part of the President’s budget submission to
22 the Congress for programs under the jurisdiction of the
23 Appropriations Subcommittees on Agriculture, Rural De-
24 velopment, Food and Drug Administration, and Related
25 Agencies that assumes revenues or reflects a reduction

1 from the previous year due to user fees proposals that
2 have not been enacted into law prior to the submission
3 of the budget unless such budget submission identifies
4 which additional spending reductions should occur in the
5 event the user fees proposals are not enacted prior to the
6 date of the convening of a committee of conference for
7 the fiscal year 2017 appropriations Act.

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

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

1 (4) relocates an office or employees;

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

3 or

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

6 unless the Secretary of Agriculture, the Secretary of
7 Health and Human Services, or the Chairman of the Com-
8 modity Futures Trading Commission (as the case may be)
9 notifies in writing and receives approval from the Commit-
10 tees on Appropriations of both Houses of Congress at least
11 30 days in advance of the reprogramming of such funds
12 or the use of such authority.

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

24 (1) augments existing programs, projects, or ac-
25 tivities;

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

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

15 (c) The Secretary of Agriculture, the Secretary of
16 Health and Human Services, or the Chairman of the Com-
17 modity Futures Trading Commission shall notify in writ-
18 ing and receive approval from the Committees on Appro-
19 priations of both Houses of Congress before implementing
20 any program or activity not carried out during the pre-
21 vious fiscal year unless the program or activity is funded
22 by this Act or specifically funded by any other Act.

23 (d) None of the funds provided by this Act, or pro-
24 vided by previous Appropriations Acts to the agencies
25 funded by this Act that remain available for obligation or

1 expenditure in the current fiscal year, or provided from
2 any accounts in the Treasury derived by the collection of
3 fees available to the agencies funded by this Act, shall be
4 available for—

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

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

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

21 (e) As described in this section, no funds may be used
22 for any activities unless the Secretary of Agriculture, the
23 Secretary of Health and Human Services, or the Chair-
24 man of the Commodity Futures Trading Commission re-
25 ceives from the Committee on Appropriations of both

1 Houses of Congress written or electronic mail confirma-
2 tion of receipt of the notification as required in this sec-
3 tion.

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

10 SEC. 719. None of the funds appropriated or other-
11 wise made available to the Department of Agriculture, the
12 Food and Drug Administration, the Commodity Futures
13 Trading Commission, or the Farm Credit Administration
14 shall be used to transmit or otherwise make available re-
15 ports, questions, or responses to questions that are a re-
16 sult of information requested for the appropriations hear-
17 ing process to any non-Department of Agriculture, non-
18 Department of Health and Human Services, non-Com-
19 modity Futures Trading Commission, or non-Farm Credit
20 Administration employee.

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

1 fication within the text or audio of the prepackaged news
2 story that the prepackaged news story was prepared or
3 funded by that executive branch agency.

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

12 SEC. 722. None of the funds made available by this
13 Act may be used to pay the salaries and expenses of per-
14 sonnel who provide nonrecourse marketing assistance
15 loans for mohair under section 1201 of the Agricultural
16 Act of 2014 (Public Law 113–79).

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

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

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

12 SEC. 725. There is hereby appropriated \$1,996,000
13 to carry out section 1621 of Public Law 110–246.

14 SEC. 726. The Secretary shall establish an inter-
15 mediary loan packaging program based on the pilot pro-
16 gram in effect for fiscal year 2013 for packaging and re-
17 viewing section 502 single family direct loans. The Sec-
18 retary shall enter into agreements with current inter-
19 mediary organizations and with additional qualified inter-
20 mediary organizations. The Secretary shall work with
21 these organizations to increase effectiveness of the section
22 502 single family direct loan program in rural commu-
23 nities and shall set aside and make available from the na-
24 tional reserve section 502 loans an amount necessary to

1 support the work of such intermediaries and provide a pri-
2 ority for review of such loans.

3 SEC. 727. For loans and loan guarantees that do not
4 require budget authority and the program level has been
5 established in this Act, the Secretary of Agriculture may
6 increase the program level for such loans and loan guaran-
7 tees by not more than 25 percent: *Provided*, That prior
8 to the Secretary implementing such an increase, the Sec-
9 retary notifies, in writing, the Committees on Appropria-
10 tions of both Houses of Congress at least 15 days in ad-
11 vance.

12 SEC. 728. There is hereby appropriated for the
13 “Emergency Watershed Protection Program”,
14 \$157,000,000, to remain available until expended; for the
15 “Emergency Forestry Restoration Program”, \$6,000,000,
16 to remain available until expended; and for the “Emer-
17 gency Conservation Program”, \$108,000,000, to remain
18 available until expended: *Provided*, That \$37,000,000
19 made available for the “Emergency Watershed Protection
20 Program”; \$2,000,000 made available for the “Emergency
21 Forestry Restoration Program”; and \$91,000,000 made
22 available for the “Emergency Conservation Program”
23 under this section are for necessary expenses resulting
24 from a major disaster declared pursuant to the Robert T.
25 Stafford Disaster Relief and Emergency Assistance Act

1 (42 U.S.C. 5121 et seq.), and are designated by the Con-
2 gress as being for disaster relief pursuant to section
3 251(b)(2)(D) of the Balanced Budget and Emergency
4 Deficit Control Act of 1985.

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

18 SEC. 730. None of the funds made available by this
19 Act may be used to procure processed poultry products
20 imported into the United States from the People’s Repub-
21 lic of China for use in the school lunch program under
22 the Richard B. Russell National School Lunch Act (42
23 U.S.C. 1751 et seq.), the Child and Adult Food Care Pro-
24 gram under section 17 of such Act (42 U.S.C. 1766), the
25 Summer Food Service Program for Children under section

1 13 of such Act (42 U.S.C. 1761), or the school breakfast
2 program under the Child Nutrition Act of 1966 (42
3 U.S.C. 1771 et seq.).

4 SEC. 731. In response to an eligible community where
5 the drinking water supplies are inadequate due to a nat-
6 ural disaster, as determined by the Secretary, including
7 drought or severe weather, the Secretary may provide po-
8 table water through the Emergency Community Water As-
9 sistance Grant Program for an additional period of time
10 not to exceed 120 days beyond the established period pro-
11 vided under the Program in order to protect public health.

12 SEC. 732. Funds provided by this or any prior Appro-
13 priations Act for the Agriculture and Food Research Ini-
14 tiative under 7 U.S.C. 450i(b) shall be made available
15 without regard to section 7128 of the Agricultural Act of
16 2014 (7 U.S.C. 3371 note), under the matching require-
17 ments in laws in effect on the date before the date of en-
18 actment of such section: *Provided*, That the requirements
19 of 7 U.S.C. 450i(b)(9) shall continue to apply.

20 SEC. 733. (a) For the period beginning on the date
21 of enactment of this Act through school year 2016–2017,
22 with respect to the school lunch program established under
23 the Richard B. Russell National School Lunch Act (42
24 U.S.C. 1751 et seq.) or the school breakfast program es-
25 tablished under the Child Nutrition Act of 1966 (42

1 U.S.C. 1771 et seq.) and final regulations published by
2 the Department of Agriculture in the Federal Register on
3 January 26, 2012 (77 Fed. Reg. 4088 et seq.), the Sec-
4 retary shall allow States to grant an exemption from the
5 whole grain requirements that took effect on or after July
6 1, 2014, and the States shall establish a process for evalu-
7 ating and responding, in a reasonable amount of time, to
8 requests for an exemption: *Provided*, That school food au-
9 thorities demonstrate hardship, including financial hard-
10 ship, in procuring specific whole grain products which are
11 acceptable to the students and compliant with the whole
12 grain-rich requirements: *Provided further*, That school
13 food authorities shall comply with the applicable grain
14 component or standard with respect to the school lunch
15 or school breakfast program that was in effect prior to
16 July 1, 2014.

17 (b) None of the funds appropriated or otherwise
18 made available by this or any other Act shall be used to
19 pay the salaries and expenses of personnel to implement
20 any regulations under the Richard B. Russell National
21 School Lunch Act (42 U.S.C. 1751 et seq.), the Child Nu-
22 trition Act of 1966 (42 U.S.C. 1771 et seq.), the Healthy,
23 Hunger-Free Kids Act of 2010 (Public Law 111–296), or
24 any other law that would require a reduction in the quan-
25 tity of sodium contained in federally reimbursed meals,

1 foods, and snacks sold in schools below Target 1 (as de-
2 scribed in section 220.8(f)(3) of title 7, Code of Federal
3 Regulations (or successor regulations)) until the latest sci-
4 entific research establishes the reduction is beneficial for
5 children.

6 SEC. 734. None of the funds made available by this
7 or any other Act may be used to release or implement the
8 final version of the eighth edition of the Dietary Guide-
9 lines for Americans, revised pursuant to section 301 of
10 the National Nutrition Monitoring and Related Research
11 Act of 1990 (7 U.S.C. 5341), unless the Secretary of Agri-
12 culture and the Secretary of Health and Human Services
13 ensure that each revision to any nutritional or dietary in-
14 formation or guideline contained in the 2010 edition of
15 the Dietary Guidelines for Americans and each new nutri-
16 tional or dietary information or guideline to be included
17 in the eighth edition of the Dietary Guidelines for Ameri-
18 cans—

19 (1) is based on significant scientific agreement;

20 and

21 (2) is limited in scope to nutritional and dietary
22 information.

23 SEC. 735. (a) Not later than 30 days after the date
24 of the enactment of this Act, the Secretary of Agriculture
25 shall engage the National Academy of Medicine to conduct

1 a comprehensive study of the entire process used to estab-
2 lish the Advisory Committee for the Dietary Guidelines for
3 Americans and the subsequent development of the Dietary
4 Guidelines for Americans, most recently revised pursuant
5 to section 301 of the National Nutrition Monitoring and
6 Related Research Act of 1990 (7 U.S.C. 5341). The panel
7 of the National Academy of Medicine selected to conduct
8 the study shall include a balanced representation of indi-
9 viduals with broad experiences and viewpoints regarding
10 nutritional and dietary information.

11 (b) The study required by subsection (a) shall include
12 the following:

13 (1) An analysis of each of the following:

14 (A) How the Dietary Guidelines for Ameri-
15 cans can better prevent chronic disease, ensure
16 nutritional sufficiency for all Americans, and
17 accommodate a range of individual factors, in-
18 cluding age, gender, and metabolic health.

19 (B) How the advisory committee selection
20 process can be improved to provide more trans-
21 parency, eliminate bias, and include committee
22 members with a range of viewpoints.

23 (C) How the Nutrition Evidence Library is
24 compiled and utilized, including whether Nutri-
25 tion Evidence Library reviews and other sys-

1 tematic reviews and data analysis are conducted
2 according to rigorous and objective scientific
3 standards.

4 (D) How systematic reviews are conducted
5 on longstanding Dietary Guidelines for Ameri-
6 cans recommendations, including whether sci-
7 entific studies are included from scientists with
8 a range of viewpoints.

9 (2) Recommendations to improve the process
10 used to establish the Dietary Guidelines for Ameri-
11 cans and to ensure the Dietary Guidelines for Ameri-
12 icans reflect balanced sound science.

13 (c) There is hereby appropriated \$1,000,000 to con-
14 duct the study required by subsection (a).

15 SEC. 736. The unobligated balances identified by the
16 Treasury Appropriation Fund Symbol 12X0113 are re-
17 scinded.

18 SEC. 737. None of the funds made available by this
19 Act may be used by the Secretary of Agriculture, acting
20 through the Food and Nutrition Service, to commence any
21 new research and evaluation projects until the Secretary
22 submits to the Committees on Appropriations of both
23 Houses of Congress a research and evaluation plan for fis-
24 cal year 2016, prepared in coordination with the Research,
25 Education, and Economics mission area of the Depart-

1 ment of Agriculture, and a period of 30 days beginning
2 on the date of the submission of the plan expires to permit
3 Congressional review of the plan.

4 SEC. 738. Of the unobligated prior year funds identi-
5 fied by Treasury Appropriation Fund Symbol 12X1980
6 where obligations have been cancelled, \$13,000,000 is re-
7 scinded.

8 SEC. 739. The unobligated balances identified by the
9 Treasury Appropriation Fund Symbol 12X3318,
10 12X1010, 12X1090, 12X1907, 12X0402, 12X3508, and
11 12X3322 are rescinded.

12 SEC. 740. Section 166 of the Federal Agriculture Im-
13 provement and Reform Act of 1996 (7 U.S.C. 7286) is
14 amended—

15 (1) by striking “and title I of the Food, Con-
16 servation, and Energy Act of 2008” both places it
17 appears and inserting “title I of the Food, Conserva-
18 tion, and Energy Act of 2008, and Subtitle B of title
19 I of the Agricultural Act of 2014”; and

20 (2) by amending paragraph (3) of subsection
21 (c) to read as follows:

22 “(3) APPLICATION OF AUTHORITY.—Beginning
23 with the 2015 crop marketing year, the Secretary
24 shall carry out paragraph (1) under the same terms
25 and conditions as were in effect for the 2008 crop

1 year for loans made to producers under subtitle B
2 of title I of the Food, Conservation, and Energy Act
3 of 2008 (7 U.S.C. 8701 et seq.).”.

4 SEC. 741. (a) There is hereby appropriated
5 \$5,000,000 to provide competitive grants to State agencies
6 for subgrants to local educational agencies and schools to
7 purchase the equipment needed to serve healthier meals,
8 improve food safety, and to help support the establish-
9 ment, maintenance, or expansion of the school breakfast
10 program, to remain available until expended.

11 (b) There is hereby appropriated \$7,000,000 to carry
12 out section 749(g) of the Agriculture Appropriations Act
13 of 2010 (Public Law 111–80), to remain available until
14 expended.

15 SEC. 742. Of the unobligated balances identified by
16 the Treasury Appropriation Fund Symbol 12X1072,
17 \$20,000,000 is hereby rescinded: *Provided*, That no
18 amounts may be rescinded from amounts that were des-
19 ignated by Congress as an emergency requirement or for
20 disaster relief requirement pursuant to a Concurrent Res-
21 olution on the Budget or the Balanced Budget and Emer-
22 gency Deficit Control Act of 1985.

23 SEC. 743. In carrying out subsection (h) of section
24 502 of the Housing Act of 1949 (42 U.S.C. 1472), the
25 Secretary of Agriculture shall have the same authority

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

6 SEC. 744. There is hereby appropriated \$8,000,000,
7 to remain available until expended, to carry out section
8 6407 of the Farm Security and Rural Investment Act of
9 2002 (7 U.S.C. 8107a): *Provided*, That the Secretary
10 launch the program authorized by this section during the
11 2016 fiscal year and that it be carried out through the
12 Rural Utilities Service: *Provided further*, That, within 60
13 days of enactment of this Act, the Secretary shall provide
14 a report to the Committees on Appropriations of both
15 Houses of Congress on how the Rural Utilities Service will
16 implement section 6407 during the 2016 fiscal year.

17 SEC. 745. Of the unobligated balances of appropria-
18 tions in Public Law 108-199, Public Law 109-234, and
19 Public Law 110-28 made available for the “Emergency
20 Watershed Protection Program”, \$2,400,000 shall be
21 available for the purposes of such program for any dis-
22 aster occurring fiscal year 2016 or fiscal year 2017, and
23 shall remain available until expended.

24 SEC. 746. None of the funds made available by this
25 Act may be used to propose, promulgate, or implement

1 any rule, or take any other action with respect to, allowing
2 or requiring information intended for a prescribing health
3 care professional, in the case of a drug or biological prod-
4 uct subject to section 503(b)(1) of the Federal Food,
5 Drug, and Cosmetic Act (21 U.S.C. 353(b)(1)), to be dis-
6 tributed to such professional electronically (in lieu of in
7 paper form) unless and until a Federal law is enacted to
8 allow or require such distribution.

9 SEC. 747. None of the funds made available by this
10 Act may be used to implement, administer, or enforce the
11 final rule entitled “Food Labeling; Nutrition Labeling of
12 Standard Menu Items in Restaurants and Similar Retail
13 Food Establishments” published by the Food and Drug
14 Administration in the Federal Register on December 1,
15 2014 (79 Fed. Reg. 71156 et seq.) until the later of—

16 (1) December 1, 2016; or

17 (2) the date that is one year after the date on
18 which the Secretary of Health and Human Services
19 publishes Level 1 guidance with respect to nutrition
20 labeling of standard menu items in restaurants and
21 similar retail food establishments in accordance with
22 paragraphs (g)(1)(i), (g)(1)(ii), (g)(1)(iii), and
23 (g)(1)(iv) of section 10.115 of title 21, Code of Fed-
24 eral Regulations.

1 SEC. 748. In addition to funds appropriated in this
2 Act, there is hereby appropriated \$250,000,000, to remain
3 available until expended, under the heading “Food for
4 Peace Title II Grants”: *Provided*, That the funds made
5 available under this section shall be used for the purposes
6 set forth in the Food for Peace Act for both emergency
7 and non-emergency purposes: *Provided further*, That the
8 funds made available by this section used for emergency
9 programs may be prioritized to respond to emergency food
10 needs involving conflict in the Middle East and to address
11 other urgent food needs around the world: *Provided fur-*
12 *ther*, That of the funds made available under this section,
13 \$20,000,000 shall be used to reimburse the Commodity
14 Credit Corporation for the release of eligible commodities
15 under section 302(f)(2)(A) of the Bill Emerson Humanitarian Trust Act (7 U.S.C. 1736f-1).

17 SEC. 749. None of the funds made available by this
18 Act may be used to notify a sponsor or otherwise acknowl-
19 edge receipt of a submission for an exemption for inves-
20 tigational use of a drug or biological product under section
21 505(i) of the Federal Food, Drug, and Cosmetic Act (21
22 U.S.C. 355(i)) or section 351(a)(3) of the Public Health
23 Service Act (42 U.S.C. 262(a)(3)) in research in which
24 a human embryo is intentionally created or modified to
25 include a heritable genetic modification. Any such submis-

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

3 SEC. 750. None of the funds made available by this
4 or any other Act may be used to implement or enforce
5 any provision of the FDA Food Safety Modernization Act
6 (Public Law 111–353), including the amendments made
7 thereby, with respect to the regulation of the distribution,
8 sale, or receipt of dried spent grain byproducts of the alco-
9 holic beverage production process, irrespective of whether
10 such byproducts are solely intended for use as animal feed.

11 SEC. 751. (a) Of the unobligated balances from
12 amounts made available in fiscal year 2015 for the supple-
13 mental nutrition program as authorized by section 17 of
14 the Child Nutrition Act of 1966 (42 U.S.C. 1786),
15 \$220,000,000 are hereby rescinded.

16 (b) In addition to amounts provided elsewhere in this
17 Act, there is hereby appropriated for “Special Supple-
18 mental Nutrition Program for Women, Infants, and Chil-
19 dren”, \$220,000,000, to remain available until expended,
20 for management information systems, including WIC elec-
21 tronic benefit transfer systems and activities.

22 SEC. 752. (a) The Secretary of Agriculture shall—
23 (1) within 4 months of the date of enactment
24 of this Act, establish a prioritization process for
25 APHIS to conduct audits or reviews of countries or

1 regions that have received animal health status rec-
2 ognitions by APHIS and provide a description of
3 this process to the Committee on Appropriations of
4 the House, Committee on Appropriations of the Sen-
5 ate, Committee on Agriculture of the House, and
6 Committee on Agriculture, Nutrition, and Forestry
7 of the Senate;

8 (2) conduct audits in a manner that evaluates
9 the following factors in the country or region being
10 audited, as applicable:

11 (A) veterinary control and oversight;

12 (B) disease history and vaccination prac-
13 tices;

14 (C) livestock demographics and
15 traceability;

16 (D) epidemiological separation from poten-
17 tial sources of infection;

18 (E) surveillance practices;

19 (F) diagnostic laboratory capabilities; and

20 (G) emergency preparedness and response.

21 (3) promptly make publicly available the final
22 reports of any audits or reviews conducted pursuant
23 to subsection (2); and

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

4 SEC. 753. None of the funds made available by this
5 Act may be used to carry out any activities or incur any
6 expense related to the issuance of licenses under section
7 3 of the Animal Welfare Act (7 U.S.C. 2133), or the re-
8 newal of such licenses, to class B dealers who sell dogs
9 and cats for use in research, experiments, teaching, or
10 testing.

11 SEC. 754. No partially hydrogenated oils as defined
12 in the order published by the Food and Drug Administra-
13 tion in the Federal Register on June 17, 2015 (80 Fed.
14 Reg. 34650 et seq.) shall be deemed unsafe within the
15 meaning of section 409(a) and no food that is introduced
16 or delivered for introduction into interstate commerce that
17 bears or contains a partially hydrogenated oil shall be
18 deemed adulterated under sections 402(a)(1) or
19 402(a)(2)(C)(i) by virtue of bearing or containing a par-
20 tially hydrogenated oil until the compliance date as speci-
21 fied in such order (June 18, 2018).

22 SEC. 755. Notwithstanding any other provision of
23 law—

24 (1) the Secretary of Agriculture shall implement sec-
25 tion 12106 of the Agricultural Act of 2014 and the

1 amendments made by such section (21 U.S.C. 601 note;
2 Public Law 113–79), including any regulation or guidance
3 the Secretary of Agriculture issues to carry out such sec-
4 tion or the amendments made by such section; and

5 (2) the Secretary of Health and Human Services
6 shall implement section 403(t) of the Federal Food, Drug,
7 and Cosmetic Act (21 U.S.C. 343(t)), including any regu-
8 lation or guidance the Secretary of Health and Human
9 Services issues to carry out such section.

10 SEC. 756. There is hereby appropriated \$600,000 for
11 the purposes of section 727 of division A of Public Law
12 112–55.

13 SEC. 757. In addition to amounts otherwise made
14 available by this Act and notwithstanding the last sentence
15 of 16 U.S.C. 1310, there is appropriated \$4,000,000, to
16 remain available until expended, to implement non-renew-
17 able agreements on eligible lands, including flooded agri-
18 cultural lands, as determined by the Secretary, under the
19 Water Bank Act (16 U.S.C. 1301–1311).

20 SEC. 758. The Secretary shall set aside for Rural
21 Economic Area Partnership (REAP) Zones, until August
22 15, 2016, an amount of funds made available in title III
23 under the headings of Rural Housing Insurance Fund
24 Program Account, Mutual and Self-Help Housing Grants,
25 Rural Housing Assistance Grants, Rural Community Fa-

1 cilities Program Account, Rural Business Program Ac-
2 count, Rural Development Loan Fund Program Account,
3 and Rural Water and Waste Disposal Program Account,
4 equal to the amount obligated in REAP Zones with re-
5 spect to funds provided under such headings in the most
6 recent fiscal year any such funds were obligated under
7 such headings for REAP Zones.

8 SEC. 759. (a) Section 281 of the Agricultural Mar-
9 keting Act of 1946 (7 U.S.C. 1638) is amended—

10 (1) by striking paragraphs (1) and (7);

11 (2) by redesignating paragraphs (2), (3), (4),
12 (5), (6), (8), and (9) as paragraphs (1), (2), (3),
13 (4), (5), (6), and (7), respectively; and

14 (3) in paragraph (1)(A) (as so redesignated)—

15 (A) in clause (i), by striking “beef,” and “,
16 pork,”; and

17 (B) in clause (ii), by striking “ground
18 beef,” and “, ground pork,”.

19 (b) Section 282 of the Agricultural Marketing Act of
20 1946 (7 U.S.C. 1638a) is amended—

21 (1) in subsection (a)(2)—

22 (A) in the heading, by striking “BEEF,”
23 and “PORK,”;

1 (B) by striking “beef,” and “pork,” each
2 place it appears in subparagraphs (A), (B), (C),
3 and (D); and

4 (C) in subparagraph (E)—

5 (i) in the heading, by striking “BEEF,
6 PORK,”; and

7 (ii) by striking “ground beef, ground
8 pork,” each place it appears; and

9 (2) in subsection (f)(2)—

10 (A) by striking subparagraphs (B) and
11 (C); and

12 (B) by redesignating subparagraphs (D)
13 and (E) as subparagraphs (B) and (C), respec-
14 tively.

15 SEC. 760. The Secretary of Agriculture and the Sec-
16 retary’s designees are hereby granted the same access to
17 information and subject to the same requirements applica-
18 ble to the Secretary of Housing and Urban Development
19 as provided in section 453(j) of the Social Security Act
20 (42 U.S.C. 653(j)) and section 6103(l)(7)(D)(ix) of the
21 Internal Revenue Code of 1986 (26 U.S.C.
22 6103(l)(7)(D)(ix)) to verify the income for individuals par-
23 ticipating in sections 502, 504, 521, and 542 of the Hous-
24 ing Act of 1949 (42 U.S.C. 1472, 1474, 1490a, and
25 1490r).

1 SEC. 761. (a) During fiscal year 2016, the Food and
2 Drug Administration (FDA) shall not allow the introduc-
3 tion or delivery for introduction into interstate commerce
4 of any food that contains genetically engineered salmon
5 until FDA publishes final labeling guidelines for informing
6 consumers of such content; and

7 (b) Of the amounts made available to the Food and
8 Drug Administration, Salaries and Expenses, not less
9 than \$150,000 shall be used to develop labeling guidelines
10 and implement a program to disclose to consumers wheth-
11 er salmon offered for sale to consumers is a genetically
12 engineered variety.

13 SEC. 762. The Secretary may charge a fee for lenders
14 to access Department loan guarantee systems in connec-
15 tion with such lenders' participation in loan guarantee
16 programs of the Rural Housing Service: *Provided*, That
17 the funds collected from such fees shall be made available
18 to the Secretary without further appropriation and such
19 funds shall be deposited into the Rural Development Sala-
20 ries and Expense Account and shall remain available until
21 expended for obligation and expenditure by the Secretary
22 for administrative expenses of the Rural Housing Service
23 Loan Guarantee Program in addition to other available
24 funds: *Provided further*, That such fees collected shall not
25 exceed \$50 per loan.

1 SEC. 763. None of the funds made available by this
2 Act or any other Act may be used—

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

5 (2) to prohibit the transportation, processing,
6 sale, or use of industrial hemp that is grown or cul-
7 tivated in accordance with subsection section 7606
8 of the Agricultural Act of 2014, within or outside
9 the State in which the industrial hemp is grown or
10 cultivated.

11 SEC. 764. For an additional amount for “Animal and
12 Plant Health Inspection Service, Salaries and Expenses”,
13 \$5,500,000, to remain available until September 30, 2017,
14 for one-time control and management and associated ac-
15 tivities directly related to the multiple-agency response to
16 citrus greening.

17 SEC. 765. Section 529(b)(5) of the Federal Food,
18 Drug, and Cosmetic Act (21 U.S.C. 360ff(b)(5)) is
19 amended by striking “the last day” and all that follows
20 through the period at the end and inserting “September
21 30, 2016.”.

22 SEC. 766. Notwithstanding any other provision of
23 law, for purposes of applying the Federal Food, Drug, and
24 Cosmetic Act (21 U.S.C. 301 et seq.)—

1 (1) the acceptable market name of *Gadus*
2 *chalcogrammus*, formerly known as *Theragra*
3 *chalcogramma*, is “pollock”; and

4 (2) the term “Alaskan Pollock” or “‘Alaska
5 Pollock’” may be used in labeling to refer solely to
6 “pollock” harvested in the State waters of Alaska or
7 the exclusive economic zone (as that term is defined
8 in section 3 of the Magnuson-Stevens Fishery Con-
9 servation and Management Act (16 U.S.C. 1802))
10 adjacent to Alaska.

11 SEC. 767. None of the funds appropriated or other-
12 wise made available by this Act shall be used to pay the
13 salaries and expenses of personnel—

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

16 (2) to inspect horses under section 903 of the
17 Federal Agriculture Improvement and Reform Act of
18 1996 (7 U.S.C. 1901 note; Public Law 104–127); or

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

22 This division may be cited as the “Agriculture, Rural
23 Development, Food and Drug Administration, and Re-
24 lated Agencies Appropriations Act, 2016”.

1 **DIVISION B—COMMERCE, JUSTICE,**
2 **SCIENCE, AND RELATED AGENCIES**
3 **APPROPRIATIONS ACT, 2016**

4 TITLE I

5 DEPARTMENT OF COMMERCE

6 INTERNATIONAL TRADE ADMINISTRATION

7 OPERATIONS AND ADMINISTRATION

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

1 paragraph of section 2672 of title 28, United States Code,
2 when such claims arise in foreign countries; not to exceed
3 \$294,300 for official representation expenses abroad; pur-
4 chase of passenger motor vehicles for official use abroad,
5 not to exceed \$45,000 per vehicle; obtaining insurance on
6 official motor vehicles; and rental of tie lines,
7 \$493,000,000, to remain available until September 30,
8 2017, of which \$10,000,000 is to be derived from fees to
9 be retained and used by the International Trade Adminis-
10 tration, notwithstanding section 3302 of title 31, United
11 States Code: *Provided*, That, of amounts provided under
12 this heading, not less than \$16,400,000 shall be for China
13 antidumping and countervailing duty enforcement and
14 compliance activities: *Provided further*, That of the
15 amounts provided for the International Trade Administra-
16 tion under this title, \$5,000,000 shall not be available for
17 obligation or expenditure until 15 days after the Undersec-
18 retary of Commerce for International Trade submits to
19 the Committees on Appropriations of the House of Rep-
20 resentatives and the Senate the report and certification
21 detailed in the explanatory statement described in section
22 4 (in the matter preceding division A of this consolidated
23 Act): *Provided further*, That the provisions of the first sen-
24 tence of section 105(f) and all of section 108(c) of the
25 Mutual Educational and Cultural Exchange Act of 1961

1 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying
2 out these activities; and that for the purpose of this Act,
3 contributions under the provisions of the Mutual Edu-
4 cational and Cultural Exchange Act of 1961 shall include
5 payment for assessments for services provided as part of
6 these activities.

7 BUREAU OF INDUSTRY AND SECURITY

8 OPERATIONS AND ADMINISTRATION

9 For necessary expenses for export administration and
10 national security activities of the Department of Com-
11 merce, including costs associated with the performance of
12 export administration field activities both domestically and
13 abroad; full medical coverage for dependent members of
14 immediate families of employees stationed overseas; em-
15 ployment of citizens of the United States and aliens by
16 contract for services abroad; payment of tort claims, in
17 the manner authorized in the first paragraph of section
18 2672 of title 28, United States Code, when such claims
19 arise in foreign countries; not to exceed \$13,500 for offi-
20 cial representation expenses abroad; awards of compensa-
21 tion to informers under the Export Administration Act of
22 1979, and as authorized by section 1(b) of the Act of June
23 15, 1917 (40 Stat. 223; 22 U.S.C. 401(b)); and purchase
24 of passenger motor vehicles for official use and motor vehi-
25 cles for law enforcement use with special requirement vehi-

1 cles eligible for purchase without regard to any price limi-
2 tation otherwise established by law, \$112,500,000, to re-
3 main available until expended: *Provided*, That the provi-
4 sions of the first sentence of section 105(f) and all of sec-
5 tion 108(c) of the Mutual Educational and Cultural Ex-
6 change Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall
7 apply in carrying out these activities: *Provided further*,
8 That payments and contributions collected and accepted
9 for materials or services provided as part of such activities
10 may be retained for use in covering the cost of such activi-
11 ties, and for providing information to the public with re-
12 spect to the export administration and national security
13 activities of the Department of Commerce and other ex-
14 port control programs of the United States and other gov-
15 ernments.

16 ECONOMIC DEVELOPMENT ADMINISTRATION

17 ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

18 For grants for economic development assistance as
19 provided by the Public Works and Economic Development
20 Act of 1965, for trade adjustment assistance, and for
21 grants authorized by section 27 of the Stevenson-Wydler
22 Technology Innovation Act of 1980 (15 U.S.C. 3722),
23 \$222,000,000, to remain available until expended, of
24 which \$15,000,000 shall be for grants under such section
25 27.

1 SALARIES AND EXPENSES

2 For necessary expenses of administering the eco-
3 nomic development assistance programs as provided for by
4 law, \$39,000,000: *Provided*, That these funds may be used
5 to monitor projects approved pursuant to title I of the
6 Public Works Employment Act of 1976, title II of the
7 Trade Act of 1974, section 27 of the Stevenson-Wydler
8 Technology Innovation Act of 1980 (15 U.S.C. 3722), and
9 the Community Emergency Drought Relief Act of 1977.

10 MINORITY BUSINESS DEVELOPMENT AGENCY

11 MINORITY BUSINESS DEVELOPMENT

12 For necessary expenses of the Department of Com-
13 merce in fostering, promoting, and developing minority
14 business enterprise, including expenses of grants, con-
15 tracts, and other agreements with public or private organi-
16 zations, \$32,000,000.

17 ECONOMIC AND STATISTICAL ANALYSIS

18 SALARIES AND EXPENSES

19 For necessary expenses, as authorized by law, of eco-
20 nomic and statistical analysis programs of the Department
21 of Commerce, \$109,000,000, to remain available until
22 September 30, 2017.

1 BUREAU OF THE CENSUS

2 CURRENT SURVEYS AND PROGRAMS

3 For necessary expenses for collecting, compiling, ana-
4 lyzing, preparing and publishing statistics, provided for by
5 law, \$270,000,000: *Provided*, That, from amounts pro-
6 vided herein, funds may be used for promotion, outreach,
7 and marketing activities: *Provided further*, That the Bu-
8 reau of the Census shall collect and analyze data for the
9 Annual Social and Economic Supplement to the Current
10 Population Survey using the same health insurance ques-
11 tions included in previous years, in addition to the revised
12 questions implemented in the Current Population Survey
13 beginning in February 2014.

14 PERIODIC CENSUSES AND PROGRAMS

15 (INCLUDING TRANSFER OF FUNDS)

16 For necessary expenses for collecting, compiling, ana-
17 lyzing, preparing and publishing statistics for periodic cen-
18 suses and programs provided for by law, \$1,100,000,000,
19 to remain available until September 30, 2017: *Provided*,
20 That, from amounts provided herein, funds may be used
21 for promotion, outreach, and marketing activities: *Pro-*
22 *vided further*, That within the amounts appropriated,
23 \$1,551,000 shall be transferred to the “Office of Inspector
24 General” account for activities associated with carrying
25 out investigations and audits related to the Bureau of the

1 Census: *Provided further*, That not more than 50 percent
2 of the amounts made available under this heading for in-
3 formation technology related to 2020 census delivery, in-
4 cluding the Census Enterprise Data Collection and Proc-
5 essing (CEDCaP) program, may be obligated until the
6 Secretary submits to the Committees on Appropriations
7 of the House of Representatives and the Senate a plan
8 for expenditure that: (1) identifies for each CEDCaP
9 project/investment over \$25,000: (A) the functional and
10 performance capabilities to be delivered and the mission
11 benefits to be realized; (B) the estimated lifecycle cost, in-
12 cluding estimates for development as well as maintenance
13 and operations; and (C) key milestones to be met; (2) de-
14 tails for each project/investment: (A) reasons for any cost
15 and schedule variances; and (B) top risks and mitigation
16 strategies; and (3) has been submitted to the Government
17 Accountability Office.

18 NATIONAL TELECOMMUNICATIONS AND INFORMATION

19 ADMINISTRATION

20 SALARIES AND EXPENSES

21 For necessary expenses, as provided for by law, of
22 the National Telecommunications and Information Ad-
23 ministration (NTIA), \$39,500,000, to remain available
24 until September 30, 2017: *Provided*, That, notwith-
25 standing 31 U.S.C. 1535(d), the Secretary of Commerce

1 shall charge Federal agencies for costs incurred in spec-
2 trum management, analysis, operations, and related serv-
3 ices, and such fees shall be retained and used as offsetting
4 collections for costs of such spectrum services, to remain
5 available until expended: *Provided further*, That the Sec-
6 retary of Commerce is authorized to retain and use as off-
7 setting collections all funds transferred, or previously
8 transferred, from other Government agencies for all costs
9 incurred in telecommunications research, engineering, and
10 related activities by the Institute for Telecommunication
11 Sciences of NTLA, in furtherance of its assigned functions
12 under this paragraph, and such funds received from other
13 Government agencies shall remain available until ex-
14 pended.

15 PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING
16 AND CONSTRUCTION

17 For the administration of prior-year grants, recov-
18 eries and unobligated balances of funds previously appro-
19 priated are available for the administration of all open
20 grants until their expiration.

21 UNITED STATES PATENT AND TRADEMARK OFFICE
22 SALARIES AND EXPENSES
23 (INCLUDING TRANSFERS OF FUNDS)

24 For necessary expenses of the United States Patent
25 and Trademark Office (USPTO) provided for by law, in-

1 cluding defense of suits instituted against the Under Sec-
2 retary of Commerce for Intellectual Property and Director
3 of the USPTO, \$3,272,000,000, to remain available until
4 expended: *Provided*, That the sum herein appropriated
5 from the general fund shall be reduced as offsetting collec-
6 tions of fees and surcharges assessed and collected by the
7 USPTO under any law are received during fiscal year
8 2016, so as to result in a fiscal year 2016 appropriation
9 from the general fund estimated at \$0: *Provided further*,
10 That during fiscal year 2016, should the total amount of
11 such offsetting collections be less than \$3,272,000,000
12 this amount shall be reduced accordingly: *Provided fur-*
13 *ther*, That any amount received in excess of
14 \$3,272,000,000 in fiscal year 2016 and deposited in the
15 Patent and Trademark Fee Reserve Fund shall remain
16 available until expended: *Provided further*, That the Direc-
17 tor of USPTO shall submit a spending plan to the Com-
18 mittees on Appropriations of the House of Representatives
19 and the Senate for any amounts made available by the
20 preceding proviso and such spending plan shall be treated
21 as a reprogramming under section 505 of this Act and
22 shall not be available for obligation or expenditure except
23 in compliance with the procedures set forth in that section:
24 *Provided further*, That any amounts reprogrammed in ac-
25 cordance with the preceding proviso shall be transferred

1 to the United States Patent and Trademark Office “Sala-
2 ries and Expenses” account: *Provided further*, That from
3 amounts provided herein, not to exceed \$900 shall be
4 made available in fiscal year 2016 for official reception
5 and representation expenses: *Provided further*, That in fis-
6 cal year 2016 from the amounts made available for “Sala-
7 ries and Expenses” for the USPTO, the amounts nec-
8 essary to pay (1) the difference between the percentage
9 of basic pay contributed by the USPTO and employees
10 under section 8334(a) of title 5, United States Code, and
11 the normal cost percentage (as defined by section
12 8331(17) of that title) as provided by the Office of Per-
13 sonnel Management (OPM) for USPTO’s specific use, of
14 basic pay, of employees subject to subchapter III of chap-
15 ter 83 of that title, and (2) the present value of the other-
16 wise unfunded accruing costs, as determined by OPM for
17 USPTO’s specific use of post-retirement life insurance
18 and post-retirement health benefits coverage for all
19 USPTO employees who are enrolled in Federal Employees
20 Health Benefits (FEHB) and Federal Employees Group
21 Life Insurance (FEGLI), shall be transferred to the Civil
22 Service Retirement and Disability Fund, the FEGLI
23 Fund, and the FEHB Fund, as appropriate, and shall be
24 available for the authorized purposes of those accounts:
25 *Provided further*, That any differences between the present

1 value factors published in OPM's yearly 300 series benefit
2 letters and the factors that OPM provides for USPTO's
3 specific use shall be recognized as an imputed cost on
4 USPTO's financial statements, where applicable: *Provided*
5 *further*, That, notwithstanding any other provision of law,
6 all fees and surcharges assessed and collected by USPTO
7 are available for USPTO only pursuant to section 42(c)
8 of title 35, United States Code, as amended by section
9 22 of the Leahy-Smith America Invents Act (Public Law
10 112–29): *Provided further*, That within the amounts ap-
11 propriated, \$2,000,000 shall be transferred to the “Office
12 of Inspector General” account for activities associated
13 with carrying out investigations and audits related to the
14 USPTO.

15 NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY
16 SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES
17 (INCLUDING TRANSFER OF FUNDS)

18 For necessary expenses of the National Institute of
19 Standards and Technology (NIST), \$690,000,000, to re-
20 main available until expended, of which not to exceed
21 \$9,000,000 may be transferred to the “Working Capital
22 Fund”: *Provided*, That not to exceed \$5,000 shall be for
23 official reception and representation expenses: *Provided*
24 *further*, That NIST may provide local transportation for

1 summer undergraduate research fellowship program par-
2 ticipants.

3 INDUSTRIAL TECHNOLOGY SERVICES

4 For necessary expenses for industrial technology
5 services, \$155,000,000, to remain available until ex-
6 pended, of which \$130,000,000 shall be for the Hollings
7 Manufacturing Extension Partnership, and of which
8 \$25,000,000 shall be for the National Network for Manu-
9 facturing Innovation.

10 CONSTRUCTION OF RESEARCH FACILITIES

11 For construction of new research facilities, including
12 architectural and engineering design, and for renovation
13 and maintenance of existing facilities, not otherwise pro-
14 vided for the National Institute of Standards and Tech-
15 nology, as authorized by sections 13 through 15 of the
16 National Institute of Standards and Technology Act (15
17 U.S.C. 278c–278e), \$119,000,000, to remain available
18 until expended: *Provided*, That the Secretary of Commerce
19 shall include in the budget justification materials that the
20 Secretary submits to Congress in support of the Depart-
21 ment of Commerce budget (as submitted with the budget
22 of the President under section 1105(a) of title 31, United
23 States Code) an estimate for each National Institute of
24 Standards and Technology construction project having a
25 total multi-year program cost of more than \$5,000,000,

1 and simultaneously the budget justification materials shall
2 include an estimate of the budgetary requirements for
3 each such project for each of the 5 subsequent fiscal years.

4 NATIONAL OCEANIC AND ATMOSPHERIC
5 ADMINISTRATION
6 OPERATIONS, RESEARCH, AND FACILITIES
7 (INCLUDING TRANSFER OF FUNDS)

8 For necessary expenses of activities authorized by law
9 for the National Oceanic and Atmospheric Administration,
10 including maintenance, operation, and hire of aircraft and
11 vessels; grants, contracts, or other payments to nonprofit
12 organizations for the purposes of conducting activities
13 pursuant to cooperative agreements; and relocation of fa-
14 cilities, \$3,305,813,000, to remain available until Sep-
15 tember 30, 2017, except that funds provided for coopera-
16 tive enforcement shall remain available until September
17 30, 2018: *Provided*, That fees and donations received by
18 the National Ocean Service for the management of na-
19 tional marine sanctuaries may be retained and used for
20 the salaries and expenses associated with those activities,
21 notwithstanding section 3302 of title 31, United States
22 Code: *Provided further*, That in addition, \$130,164,000
23 shall be derived by transfer from the fund entitled “Pro-
24 mote and Develop Fishery Products and Research Per-
25 taining to American Fisheries”, which shall only be used

1 for fishery activities related to the Saltonstall-Kennedy
2 Grant Program, Cooperative Research, Annual Stock As-
3 sessments, Survey and Monitoring Projects, Interjurisdic-
4 tional Fisheries Grants, and Fish Information Networks:
5 *Provided further*, That of the \$3,453,477,000 provided for
6 in direct obligations under this heading, \$3,305,813,000
7 is appropriated from the general fund, \$130,164,000 is
8 provided by transfer and \$17,500,000 is derived from re-
9 coveries of prior year obligations: *Provided further*, That
10 the total amount available for National Oceanic and At-
11 mospheric Administration corporate services administra-
12 tive support costs shall not exceed \$226,300,000: *Provided*
13 *further*, That any deviation from the amounts designated
14 for specific activities in the explanatory statement de-
15 scribed in section 4 (in the matter preceding division A
16 of this consolidated Act), or any use of deobligated bal-
17 ances of funds provided under this heading in previous
18 years, shall be subject to the procedures set forth in sec-
19 tion 505 of this Act: *Provided further*, That in addition,
20 for necessary retired pay expenses under the Retired Serv-
21 iceman's Family Protection and Survivor Benefits Plan,
22 and for payments for the medical care of retired personnel
23 and their dependents under the Dependents Medical Care
24 Act (10 U.S.C. 55), such sums as may be necessary.

1 PROCUREMENT, ACQUISITION AND CONSTRUCTION

2 (INCLUDING TRANSFER OF FUNDS)

3 For procurement, acquisition and construction of
4 capital assets, including alteration and modification costs,
5 of the National Oceanic and Atmospheric Administration,
6 \$2,400,416,000, to remain available until September 30,
7 2018, except that funds provided for acquisition and con-
8 struction of vessels and construction of facilities shall re-
9 main available until expended: *Provided*, That of the
10 \$2,413,416,000 provided for in direct obligations under
11 this heading, \$2,400,416,000 is appropriated from the
12 general fund and \$13,000,000 is provided from recoveries
13 of prior year obligations: *Provided further*, That any devi-
14 ation from the amounts designated for specific activities
15 in the explanatory statement described in section 4 (in the
16 matter preceding division A of this consolidated Act), or
17 any use of deobligated balances of funds provided under
18 this heading in previous years, shall be subject to the pro-
19 cedures set forth in section 505 of this Act: *Provided fur-*
20 *ther*, That the Secretary of Commerce shall include in
21 budget justification materials that the Secretary submits
22 to Congress in support of the Department of Commerce
23 budget (as submitted with the budget of the President
24 under section 1105(a) of title 31, United States Code) an
25 estimate for each National Oceanic and Atmospheric Ad-

1 ministration procurement, acquisition or construction
2 project having a total of more than \$5,000,000 and simul-
3 taneously the budget justification shall include an estimate
4 of the budgetary requirements for each such project for
5 each of the 5 subsequent fiscal years: *Provided further,*
6 That within the amounts appropriated, \$80,050,000 shall
7 not be available for obligation or expenditure until 15 days
8 after the Under Secretary of Commerce for Oceans and
9 Atmosphere submits to the Committees on Appropriations
10 of the House of Representatives and the Senate a fleet
11 modernization and recapitalization plan: *Provided further,*
12 That, within the amounts appropriated, \$1,302,000 shall
13 be transferred to the “Office of Inspector General” ac-
14 count for activities associated with carrying out investiga-
15 tions and audits related to satellite procurement, acquisi-
16 tion and construction.

17 PACIFIC COASTAL SALMON RECOVERY

18 For necessary expenses associated with the restora-
19 tion of Pacific salmon populations, \$65,000,000, to re-
20 main available until September 30, 2017: *Provided, That,*
21 of the funds provided herein, the Secretary of Commerce
22 may issue grants to the States of Washington, Oregon,
23 Idaho, Nevada, California, and Alaska, and to the Feder-
24 ally recognized tribes of the Columbia River and Pacific
25 Coast (including Alaska), for projects necessary for con-

1 servation of salmon and steelhead populations that are
2 listed as threatened or endangered, or that are identified
3 by a State as at-risk to be so listed, for maintaining popu-
4 lations necessary for exercise of tribal treaty fishing rights
5 or native subsistence fishing, or for conservation of Pacific
6 coastal salmon and steelhead habitat, based on guidelines
7 to be developed by the Secretary of Commerce: *Provided*
8 *further*, That all funds shall be allocated based on sci-
9 entific and other merit principles and shall not be available
10 for marketing activities: *Provided further*, That funds dis-
11 bursed to States shall be subject to a matching require-
12 ment of funds or documented in-kind contributions of at
13 least 33 percent of the Federal funds.

14 FISHERMEN'S CONTINGENCY FUND

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

19 FISHERIES FINANCE PROGRAM ACCOUNT

20 Subject to section 502 of the Congressional Budget
21 Act of 1974, during fiscal year 2016, obligations of direct
22 loans may not exceed \$24,000,000 for Individual Fishing
23 Quota loans and not to exceed \$100,000,000 for tradi-
24 tional direct loans as authorized by the Merchant Marine
25 Act of 1936.

1 DEPARTMENTAL MANAGEMENT

2 SALARIES AND EXPENSES

3 For necessary expenses for the management of the
4 Department of Commerce provided for by law, including
5 not to exceed \$4,500 for official reception and representa-
6 tion, \$58,000,000: *Provided*, That within amounts pro-
7 vided, the Secretary of Commerce may use up to
8 \$2,500,000 to engage in activities to provide businesses
9 and communities with information about and referrals to
10 relevant Federal, State, and local government programs.

11 RENOVATION AND MODERNIZATION

12 For necessary expenses for the renovation and mod-
13 ernization of Department of Commerce facilities,
14 \$19,062,000, to remain available until expended.

15 OFFICE OF INSPECTOR GENERAL

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

19 GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 101. During the current fiscal year, applicable
22 appropriations and funds made available to the Depart-
23 ment of Commerce by this Act shall be available for the
24 activities specified in the Act of October 26, 1949 (15
25 U.S.C. 1514), to the extent and in the manner prescribed

1 by the Act, and, notwithstanding 31 U.S.C. 3324, may
2 be used for advanced payments not otherwise authorized
3 only upon the certification of officials designated by the
4 Secretary of Commerce that such payments are in the
5 public interest.

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

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

1 and equipment) not specifically provided for in this Act
2 or any other law appropriating funds for the Department
3 of Commerce.

4 SEC. 104. The requirements set forth by section 105
5 of the Commerce, Justice, Science, and Related Agencies
6 Appropriations Act, 2012 (Public Law 112–55), as
7 amended by section 105 of title I of division B of Public
8 Law 113–6, are hereby adopted by reference and made
9 applicable with respect to fiscal year 2016: *Provided*, That
10 the life cycle cost for the Joint Polar Satellite System is
11 \$11,322,125,000 and the life cycle cost for the Geo-
12 stationary Operational Environmental Satellite R-Series
13 Program is \$10,828,059,000.

14 SEC. 105. Notwithstanding any other provision of
15 law, the Secretary may furnish services (including but not
16 limited to utilities, telecommunications, and security serv-
17 ices) necessary to support the operation, maintenance, and
18 improvement of space that persons, firms, or organizations
19 are authorized, pursuant to the Public Buildings Coopera-
20 tive Use Act of 1976 or other authority, to use or occupy
21 in the Herbert C. Hoover Building, Washington, DC, or
22 other buildings, the maintenance, operation, and protec-
23 tion of which has been delegated to the Secretary from
24 the Administrator of General Services pursuant to the
25 Federal Property and Administrative Services Act of 1949

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

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

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

23 SEC. 108. The National Technical Information Serv-
24 ice shall not charge any customer for a copy of any report
25 or document generated by the Legislative Branch unless

1 the Service has provided information to the customer on
2 how an electronic copy of such report or document may
3 be accessed and downloaded for free online. Should a cus-
4 tomer still require the Service to provide a printed or dig-
5 ital copy of the report or document, the charge shall be
6 limited to recovering the Service's cost of processing, re-
7 producing, and delivering such report or document.

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

14 SEC. 110. (a) None of the funds made available by
15 this Act or any other appropriations Act may be used by
16 the Secretary of Commerce for management activities pur-
17 suant to the Fishery Management Plan for the Reef Fish
18 Resources of the Gulf of Mexico or any amendment to
19 such Plan unless such management is conducted beyond
20 the seaward boundary of a coastal State as set out under
21 subsection (b).

22 (b) Notwithstanding any other provision of law, for
23 the purpose of carrying out activities pursuant to the
24 Fishery Management Plan for the Reef Fish Resources
25 of the Gulf of Mexico or any amendment to such Plan,

1 the seaward boundary of a coastal State in the Gulf of
2 Mexico is a line 9 nautical miles seaward from the baseline
3 from which the territorial sea of the United States is
4 measured.

5 SEC. 111. To carry out the responsibilities of the Na-
6 tional Oceanic and Atmospheric Administration (NOAA),
7 the Administrator of NOAA is authorized to: (1) enter
8 into grants and cooperative agreements with; (2) use on
9 a non-reimbursable basis land, services, equipment, per-
10 sonnel, and facilities provided by; and (3) receive and ex-
11 pend funds made available on a consensual basis from: a
12 Federal agency, State or subdivision thereof, local govern-
13 ment, tribal government, territory, or possession or any
14 subdivisions thereof: *Provided*, That funds received for
15 permitting and related regulatory activities pursuant to
16 this section shall be deposited under the heading “Na-
17 tional Oceanic and Atmospheric Administration—Oper-
18 ations, Research, and Facilities” and shall remain avail-
19 able until September 30, 2018, for such purposes: *Pro-*
20 *vided further*, That all funds within this section and their
21 corresponding uses are subject to section 505 of this Act.

22 SEC. 112. Amounts provided by this Act or by any
23 prior appropriations Act that remain available for obliga-
24 tion, for necessary expenses of the programs of the Eco-
25 nomics and Statistics Administration of the Department

1 of Commerce, including amounts provided for programs
2 of the Bureau of Economic Analysis and the U.S. Census
3 Bureau, shall be available for expenses of cooperative
4 agreements with appropriate entities, including any Fed-
5 eral, State, or local governmental unit, or institution of
6 higher education, to aid and promote statistical, research,
7 and methodology activities which further the purposes for
8 which such amounts have been made available.

9 This title may be cited as the “Department of Com-
10 merce Appropriations Act, 2016”.

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

5 For expenses necessary for the administration of the
6 Department of Justice, \$111,500,000, of which not to ex-
7 ceed \$4,000,000 for security and construction of Depart-
8 ment of Justice facilities shall remain available until ex-
9 pended.

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

12 For necessary expenses for information sharing tech-
13 nology, including planning, development, deployment and
14 departmental direction, \$31,000,000, to remain available
15 until expended: *Provided*, That the Attorney General may
16 transfer up to \$35,400,000 to this account, from funds
17 available to the Department of Justice for information
18 technology, to remain available until expended, for enter-
19 prise-wide information technology initiatives: *Provided fur-*
20 *ther*, That the transfer authority in the preceding proviso
21 is in addition to any other transfer authority contained
22 in this Act.

1 ADMINISTRATIVE REVIEW AND APPEALS
2 (INCLUDING TRANSFER OF FUNDS)

3 For expenses necessary for the administration of par-
4 don and clemency petitions and immigration-related activi-
5 ties, \$426,791,000, of which \$4,000,000 shall be derived
6 by transfer from the Executive Office for Immigration Re-
7 view fees deposited in the “Immigration Examinations
8 Fee” account: *Provided*, That of the amount available for
9 the Executive Office for Immigration Review, not to ex-
10 ceed \$15,000,000 shall remain available until expended.

11 OFFICE OF INSPECTOR GENERAL

12 For necessary expenses of the Office of Inspector
13 General, \$93,709,000, including not to exceed \$10,000 to
14 meet unforeseen emergencies of a confidential character.

15 UNITED STATES PAROLE COMMISSION

16 SALARIES AND EXPENSES

17 For necessary expenses of the United States Parole
18 Commission as authorized, \$13,308,000: *Provided*, That,
19 notwithstanding any other provision of law, upon the expi-
20 ration of a term of office of a Commissioner, the Commis-
21 sioner may continue to act until a successor has been ap-
22 pointed.

1 LEGAL ACTIVITIES

2 SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

3 For expenses necessary for the legal activities of the
4 Department of Justice, not otherwise provided for, includ-
5 ing not to exceed \$20,000 for expenses of collecting evi-
6 dence, to be expended under the direction of, and to be
7 accounted for solely under the certificate of, the Attorney
8 General; and rent of private or Government-owned space
9 in the District of Columbia, \$893,000,000, of which not
10 to exceed \$20,000,000 for litigation support contracts
11 shall remain available until expended: *Provided*, That of
12 the amount provided for INTERPOL Washington dues
13 payments, not to exceed \$685,000 shall remain available
14 until expended: *Provided further*, That of the total amount
15 appropriated, not to exceed \$9,000 shall be available to
16 INTERPOL Washington for official reception and rep-
17 resentation expenses: *Provided further*, That notwith-
18 standing section 205 of this Act, upon a determination
19 by the Attorney General that emergent circumstances re-
20 quire additional funding for litigation activities of the Civil
21 Division, the Attorney General may transfer such amounts
22 to “Salaries and Expenses, General Legal Activities” from
23 available appropriations for the current fiscal year for the
24 Department of Justice, as may be necessary to respond
25 to such circumstances: *Provided further*, That any transfer

1 pursuant to the preceding proviso shall be treated as a
2 reprogramming under section 505 of this Act and shall
3 not be available for obligation or expenditure except in
4 compliance with the procedures set forth in that section:
5 *Provided further*, That of the amount appropriated, such
6 sums as may be necessary shall be available to the Civil
7 Rights Division for salaries and expenses associated with
8 the election monitoring program under section 8 of the
9 Voting Rights Act of 1965 (52 U.S.C. 10305) and to reim-
10 burse the Office of Personnel Management for such sala-
11 ries and expenses: *Provided further*, That of the amounts
12 provided under this heading for the election monitoring
13 program, \$3,390,000 shall remain available until ex-
14 pended.

15 In addition, for reimbursement of expenses of the De-
16 partment of Justice associated with processing cases
17 under the National Childhood Vaccine Injury Act of 1986,
18 not to exceed \$9,358,000, to be appropriated from the
19 Vaccine Injury Compensation Trust Fund.

20 SALARIES AND EXPENSES, ANTITRUST DIVISION

21 For expenses necessary for the enforcement of anti-
22 trust and kindred laws, \$164,977,000, to remain available
23 until expended: *Provided*, That notwithstanding any other
24 provision of law, fees collected for premerger notification
25 filings under the Hart-Scott-Rodino Antitrust Improve-

1 ments Act of 1976 (15 U.S.C. 18a), regardless of the year
2 of collection (and estimated to be \$124,000,000 in fiscal
3 year 2016), shall be retained and used for necessary ex-
4 penses in this appropriation, and shall remain available
5 until expended: *Provided further*, That the sum herein ap-
6 propriated from the general fund shall be reduced as such
7 offsetting collections are received during fiscal year 2016,
8 so as to result in a final fiscal year 2016 appropriation
9 from the general fund estimated at \$40,977,000.

10 SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

11 For necessary expenses of the Offices of the United
12 States Attorneys, including inter-governmental and coop-
13 erative agreements, \$2,000,000,000: *Provided*, That of the
14 total amount appropriated, not to exceed \$7,200 shall be
15 available for official reception and representation ex-
16 penses: *Provided further*, That not to exceed \$25,000,000
17 shall remain available until expended: *Provided further*,
18 That each United States Attorney shall establish or par-
19 ticipate in a task force on human trafficking.

20 UNITED STATES TRUSTEE SYSTEM FUND

21 For necessary expenses of the United States Trustee
22 Program, as authorized, \$225,908,000, to remain avail-
23 able until expended: *Provided*, That, notwithstanding any
24 other provision of law, deposits to the United States
25 Trustee System Fund and amounts herein appropriated

1 shall be available in such amounts as may be necessary
2 to pay refunds due depositors: *Provided further*, That, not-
3 withstanding any other provision of law, fees collected pur-
4 suant to section 589a(b) of title 28, United States Code,
5 shall be retained and used for necessary expenses in this
6 appropriation and shall remain available until expended:
7 *Provided further*, That to the extent that fees collected in
8 fiscal year 2016, net of amounts necessary to pay refunds
9 due depositors, exceed \$225,908,000, those excess
10 amounts shall be available in future fiscal years only to
11 the extent provided in advance in appropriations Acts:
12 *Provided further*, That the sum herein appropriated from
13 the general fund shall be reduced (1) as such fees are re-
14 ceived during fiscal year 2016, net of amounts necessary
15 to pay refunds due depositors, (estimated at
16 \$162,400,000) and (2) to the extent that any remaining
17 general fund appropriations can be derived from amounts
18 deposited in the Fund in previous fiscal years that are not
19 otherwise appropriated, so as to result in a final fiscal year
20 2016 appropriation from the general fund estimated at \$0.

21 SALARIES AND EXPENSES, FOREIGN CLAIMS

22 SETTLEMENT COMMISSION

23 For expenses necessary to carry out the activities of
24 the Foreign Claims Settlement Commission, including

1 services as authorized by section 3109 of title 5, United
2 States Code, \$2,374,000.

3 FEES AND EXPENSES OF WITNESSES

4 For fees and expenses of witnesses, for expenses of
5 contracts for the procurement and supervision of expert
6 witnesses, for private counsel expenses, including ad-
7 vances, and for expenses of foreign counsel, \$270,000,000,
8 to remain available until expended, of which not to exceed
9 \$16,000,000 is for construction of buildings for protected
10 witness safesites; not to exceed \$3,000,000 is for the pur-
11 chase and maintenance of armored and other vehicles for
12 witness security caravans; and not to exceed \$13,000,000
13 is for the purchase, installation, maintenance, and up-
14 grade of secure telecommunications equipment and a se-
15 cure automated information network to store and retrieve
16 the identities and locations of protected witnesses: *Pro-*
17 *vided*, That amounts made available under this heading
18 may not be transferred pursuant to section 205 of this
19 Act.

20 SALARIES AND EXPENSES, COMMUNITY RELATIONS

21 SERVICE

22 (INCLUDING TRANSFER OF FUNDS)

23 For necessary expenses of the Community Relations
24 Service, \$14,446,000: *Provided*, That notwithstanding sec-
25 tion 205 of this Act, upon a determination by the Attorney

1 General that emergent circumstances require additional
2 funding for conflict resolution and violence prevention ac-
3 tivities of the Community Relations Service, the Attorney
4 General may transfer such amounts to the Community Re-
5 lations Service, from available appropriations for the cur-
6 rent fiscal year for the Department of Justice, as may be
7 necessary to respond to such circumstances: *Provided fur-*
8 *ther*, That any transfer pursuant to the preceding proviso
9 shall be treated as a reprogramming under section 505
10 of this Act and shall not be available for obligation or ex-
11 penditure except in compliance with the procedures set
12 forth in that section.

13 ASSETS FORFEITURE FUND

14 For expenses authorized by subparagraphs (B), (F),
15 and (G) of section 524(c)(1) of title 28, United States
16 Code, \$20,514,000, to be derived from the Department
17 of Justice Assets Forfeiture Fund.

18 UNITED STATES MARSHALS SERVICE

19 SALARIES AND EXPENSES

20 For necessary expenses of the United States Mar-
21 shals Service, \$1,230,581,000, of which not to exceed
22 \$6,000 shall be available for official reception and rep-
23 resentation expenses, and not to exceed \$15,000,000 shall
24 remain available until expended.

1 CONSTRUCTION

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

6 FEDERAL PRISONER DETENTION

7 (INCLUDING TRANSFER OF FUNDS)

8 For necessary expenses related to United States pris-
9 oners in the custody of the United States Marshals Service
10 as authorized by section 4013 of title 18, United States
11 Code, \$1,454,414,000, to remain available until expended:
12 *Provided*, That not to exceed \$20,000,000 shall be consid-
13 ered “funds appropriated for State and local law enforce-
14 ment assistance” pursuant to section 4013(b) of title 18,
15 United States Code: *Provided further*, That the United
16 States Marshals Service shall be responsible for managing
17 the Justice Prisoner and Alien Transportation System:
18 *Provided further*, That any unobligated balances available
19 from funds appropriated under the heading “General Ad-
20 ministration, Detention Trustee” shall be transferred to
21 and merged with the appropriation under this heading.

1 NATIONAL SECURITY DIVISION

2 SALARIES AND EXPENSES

3 (INCLUDING TRANSFER OF FUNDS)

4 For expenses necessary to carry out the activities of
5 the National Security Division, \$95,000,000, of which not
6 to exceed \$5,000,000 for information technology systems
7 shall remain available until expended: *Provided*, That not-
8 withstanding section 205 of this Act, upon a determina-
9 tion by the Attorney General that emergent circumstances
10 require additional funding for the activities of the National
11 Security Division, the Attorney General may transfer such
12 amounts to this heading from available appropriations for
13 the current fiscal year for the Department of Justice, as
14 may be necessary to respond to such circumstances: *Pro-*
15 *vided further*, That any transfer pursuant to the preceding
16 proviso shall be treated as a reprogramming under section
17 505 of this Act and shall not be available for obligation
18 or expenditure except in compliance with the procedures
19 set forth in that section.

20 INTERAGENCY LAW ENFORCEMENT

21 INTERAGENCY CRIME AND DRUG ENFORCEMENT

22 For necessary expenses for the identification, inves-
23 tigation, and prosecution of individuals associated with the
24 most significant drug trafficking and affiliated money
25 laundering organizations not otherwise provided for, to in-

1 clude inter-governmental agreements with State and local
2 law enforcement agencies engaged in the investigation and
3 prosecution of individuals involved in organized crime drug
4 trafficking, \$512,000,000, of which \$50,000,000 shall re-
5 main available until expended: *Provided*, That any
6 amounts obligated from appropriations under this heading
7 may be used under authorities available to the organiza-
8 tions reimbursed from this appropriation.

9 FEDERAL BUREAU OF INVESTIGATION

10 SALARIES AND EXPENSES

11 For necessary expenses of the Federal Bureau of In-
12 vestigation for detection, investigation, and prosecution of
13 crimes against the United States, \$8,489,786,000, of
14 which not to exceed \$216,900,000 shall remain available
15 until expended: *Provided*, That not to exceed \$184,500
16 shall be available for official reception and representation
17 expenses.

18 CONSTRUCTION

19 For necessary expenses, to include the cost of equip-
20 ment, furniture, and information technology requirements,
21 related to construction or acquisition of buildings, facili-
22 ties and sites by purchase, or as otherwise authorized by
23 law; conversion, modification and extension of federally
24 owned buildings; and preliminary planning and design of

1 projects; \$308,982,000, to remain available until ex-
2 pended.

3 DRUG ENFORCEMENT ADMINISTRATION

4 SALARIES AND EXPENSES

5 For necessary expenses of the Drug Enforcement Ad-
6 ministration, including not to exceed \$70,000 to meet un-
7 foreseen emergencies of a confidential character pursuant
8 to section 530C of title 28, United States Code; and ex-
9 penses for conducting drug education and training pro-
10 grams, including travel and related expenses for partici-
11 pants in such programs and the distribution of items of
12 token value that promote the goals of such programs,
13 \$2,080,000,000, of which not to exceed \$75,000,000 shall
14 remain available until expended and not to exceed \$90,000
15 shall be available for official reception and representation
16 expenses.

17 BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND

18 EXPLOSIVES

19 SALARIES AND EXPENSES

20 For necessary expenses of the Bureau of Alcohol, To-
21 bacco, Firearms and Explosives, for training of State and
22 local law enforcement agencies with or without reimburse-
23 ment, including training in connection with the training
24 and acquisition of canines for explosives and fire
25 accelerants detection; and for provision of laboratory as-

1 sistance to State and local law enforcement agencies, with
2 or without reimbursement, \$1,240,000,000, of which not
3 to exceed \$36,000 shall be for official reception and rep-
4 resentation expenses, not to exceed \$1,000,000 shall be
5 available for the payment of attorneys' fees as provided
6 by section 924(d)(2) of title 18, United States Code, and
7 not to exceed \$20,000,000 shall remain available until ex-
8 pended: *Provided*, That none of the funds appropriated
9 herein shall be available to investigate or act upon applica-
10 tions for relief from Federal firearms disabilities under
11 section 925(c) of title 18, United States Code: *Provided*
12 *further*, That such funds shall be available to investigate
13 and act upon applications filed by corporations for relief
14 from Federal firearms disabilities under section 925(c) of
15 title 18, United States Code: *Provided further*, That no
16 funds made available by this or any other Act may be used
17 to transfer the functions, missions, or activities of the Bu-
18 reau of Alcohol, Tobacco, Firearms and Explosives to
19 other agencies or Departments.

20 FEDERAL PRISON SYSTEM

21 SALARIES AND EXPENSES

22 (INCLUDING TRANSFER OF FUNDS)

23 For necessary expenses of the Federal Prison System
24 for the administration, operation, and maintenance of
25 Federal penal and correctional institutions, and for the

1 provision of technical assistance and advice on corrections
2 related issues to foreign governments, \$6,948,500,000:
3 *Provided*, That the Attorney General may transfer to the
4 Department of Health and Human Services such amounts
5 as may be necessary for direct expenditures by that De-
6 partment for medical relief for inmates of Federal penal
7 and correctional institutions: *Provided further*, That the
8 Director of the Federal Prison System, where necessary,
9 may enter into contracts with a fiscal agent or fiscal inter-
10 mediary claims processor to determine the amounts pay-
11 able to persons who, on behalf of the Federal Prison Sys-
12 tem, furnish health services to individuals committed to
13 the custody of the Federal Prison System: *Provided fur-*
14 *ther*, That not to exceed \$5,400 shall be available for offi-
15 cial reception and representation expenses: *Provided fur-*
16 *ther*, That not to exceed \$50,000,000 shall remain avail-
17 able for necessary operations until September 30, 2017:
18 *Provided further*, That, of the amounts provided for con-
19 tract confinement, not to exceed \$20,000,000 shall remain
20 available until expended to make payments in advance for
21 grants, contracts and reimbursable agreements, and other
22 expenses: *Provided further*, That the Director of the Fed-
23 eral Prison System may accept donated property and serv-
24 ices relating to the operation of the prison card program
25 from a not-for-profit entity which has operated such pro-

1 gram in the past, notwithstanding the fact that such not-
2 for-profit entity furnishes services under contracts to the
3 Federal Prison System relating to the operation of pre-
4 release services, halfway houses, or other custodial facili-
5 ties.

6 BUILDINGS AND FACILITIES

7 For planning, acquisition of sites and construction of
8 new facilities; purchase and acquisition of facilities and re-
9 modeling, and equipping of such facilities for penal and
10 correctional use, including all necessary expenses incident
11 thereto, by contract or force account; and constructing,
12 remodeling, and equipping necessary buildings and facili-
13 ties at existing penal and correctional institutions, includ-
14 ing all necessary expenses incident thereto, by contract or
15 force account, \$530,000,000, to remain available until ex-
16 pended, of which \$444,000,000 shall be available only for
17 costs related to construction of new facilities: *Provided*,
18 That labor of United States prisoners may be used for
19 work performed under this appropriation.

20 FEDERAL PRISON INDUSTRIES, INCORPORATED

21 The Federal Prison Industries, Incorporated, is here-
22 by authorized to make such expenditures within the limits
23 of funds and borrowing authority available, and in accord
24 with the law, and to make such contracts and commit-
25 ments without regard to fiscal year limitations as provided

1 by section 9104 of title 31, United States Code, as may
2 be necessary in carrying out the program set forth in the
3 budget for the current fiscal year for such corporation.

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

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

20 STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES

21 OFFICE ON VIOLENCE AGAINST WOMEN

22 VIOLENCE AGAINST WOMEN PREVENTION AND
23 PROSECUTION PROGRAMS

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

1 lence against women, as authorized by the Omnibus Crime
2 Control and Safe Streets Act of 1968 (42 U.S.C. 3711
3 et seq.) (“the 1968 Act”); the Violent Crime Control and
4 Law Enforcement Act of 1994 (Public Law 103–322)
5 (“the 1994 Act”); the Victims of Child Abuse Act of 1990
6 (Public Law 101–647) (“the 1990 Act”); the Prosecu-
7 torial Remedies and Other Tools to end the Exploitation
8 of Children Today Act of 2003 (Public Law 108–21); the
9 Juvenile Justice and Delinquency Prevention Act of 1974
10 (42 U.S.C. 5601 et seq.) (“the 1974 Act”); the Victims
11 of Trafficking and Violence Protection Act of 2000 (Public
12 Law 106–386) (“the 2000 Act”); the Violence Against
13 Women and Department of Justice Reauthorization Act
14 of 2005 (Public Law 109–162) (“the 2005 Act”); the Vio-
15 lence Against Women Reauthorization Act of 2013 (Public
16 Law 113–4) (“the 2013 Act”); and the Rape Survivor
17 Child Custody Act of 2015 (Public Law 114–22) (“the
18 2015 Act”); and for related victims services,
19 \$480,000,000, to remain available until expended, of
20 which \$379,000,000 shall be derived by transfer from
21 amounts available for obligation in this Act from the Fund
22 established by section 1402 of chapter XIV of title II of
23 Public Law 98–473 (42 U.S.C. 10601), notwithstanding
24 section 1402(d) of such Act of 1984, and merged with the
25 amounts otherwise made available under this heading:

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

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

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

13 (3) \$5,000,000 is for the National Institute of
14 Justice for research and evaluation of violence
15 against women and related issues addressed by
16 grant programs of the Office on Violence Against
17 Women, which shall be transferred to “Research,
18 Evaluation and Statistics” for administration by the
19 Office of Justice Programs;

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

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

14 (5) \$51,000,000 is for grants to encourage ar-
15 rest policies as authorized by part U of the 1968
16 Act, of which \$4,000,000 is for a homicide reduction
17 initiative;

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

21 (7) \$34,000,000 is for rural domestic violence
22 and child abuse enforcement assistance grants, as
23 authorized by section 40295 of the 1994 Act;

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

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

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

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

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

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

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

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

11 (16) \$2,500,000 is for grants to assist tribal
12 governments in exercising special domestic violence
13 criminal jurisdiction, as authorized by section 904 of
14 the 2013 Act: *Provided*, That the grant conditions in
15 section 40002(b) of the 1994 Act shall apply to this
16 program; and

17 (17) \$2,500,000 for the purposes authorized
18 under the 2015 Act.

19 OFFICE OF JUSTICE PROGRAMS

20 RESEARCH, EVALUATION AND STATISTICS

21 For grants, contracts, cooperative agreements, and
22 other assistance authorized by title I of the Omnibus
23 Crime Control and Safe Streets Act of 1968 (“the 1968
24 Act”); the Juvenile Justice and Delinquency Prevention
25 Act of 1974 (“the 1974 Act”); the Missing Children’s As-

1 sistance Act (42 U.S.C. 5771 et seq.); the Prosecutorial
2 Remedies and Other Tools to end the Exploitation of Chil-
3 dren Today Act of 2003 (Public Law 108–21); the Justice
4 for All Act of 2004 (Public Law 108–405); the Violence
5 Against Women and Department of Justice Reauthoriza-
6 tion Act of 2005 (Public Law 109–162) (“the 2005 Act”);
7 the Victims of Child Abuse Act of 1990 (Public Law 101–
8 647); the Second Chance Act of 2007 (Public Law 110–
9 199); the Victims of Crime Act of 1984 (Public Law 98–
10 473); the Adam Walsh Child Protection and Safety Act
11 of 2006 (Public Law 109–248) (“the Adam Walsh Act”);
12 the PROTECT Our Children Act of 2008 (Public Law
13 110–401); subtitle D of title II of the Homeland Security
14 Act of 2002 (Public Law 107–296) (“the 2002 Act”); the
15 NICS Improvement Amendments Act of 2007 (Public
16 Law 110–180); the Violence Against Women Reauthoriza-
17 tion Act of 2013 (Public Law 113–4) (“the 2013 Act”);
18 and other programs, \$116,000,000, to remain available
19 until expended, of which—

20 (1) \$41,000,000 is for criminal justice statistics
21 programs, and other activities, as authorized by part
22 C of title I of the 1968 Act;

23 (2) \$36,000,000 is for research, development,
24 and evaluation programs, and other activities as au-

1 thorized by part B of title I of the 1968 Act and
2 subtitle D of title II of the 2002 Act;

3 (3) \$35,000,000 is for regional information
4 sharing activities, as authorized by part M of title I
5 of the 1968 Act; and

6 (4) \$4,000,000 is for activities to strengthen
7 and enhance the practice of forensic sciences, of
8 which \$3,000,000 is for transfer to the National In-
9 stitute of Standards and Technology to support Sci-
10 entific Area Committees.

11 STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

12 For grants, contracts, cooperative agreements, and
13 other assistance authorized by the Violent Crime Control
14 and Law Enforcement Act of 1994 (Public Law 103–322)
15 (“the 1994 Act”); the Omnibus Crime Control and Safe
16 Streets Act of 1968 (“the 1968 Act”); the Justice for All
17 Act of 2004 (Public Law 108–405); the Victims of Child
18 Abuse Act of 1990 (Public Law 101–647) (“the 1990
19 Act”); the Trafficking Victims Protection Reauthorization
20 Act of 2005 (Public Law 109–164); the Violence Against
21 Women and Department of Justice Reauthorization Act
22 of 2005 (Public Law 109–162) (“the 2005 Act”); the
23 Adam Walsh Child Protection and Safety Act of 2006
24 (Public Law 109–248) (“the Adam Walsh Act”); the Vic-
25 tims of Trafficking and Violence Protection Act of 2000

1 (Public Law 106–386); the NICS Improvement Amend-
2 ments Act of 2007 (Public Law 110–180); subtitle D of
3 title II of the Homeland Security Act of 2002 (Public Law
4 107–296) (“the 2002 Act”); the Second Chance Act of
5 2007 (Public Law 110–199); the Prioritizing Resources
6 and Organization for Intellectual Property Act of 2008
7 (Public Law 110–403); the Victims of Crime Act of 1984
8 (Public Law 98–473); the Mentally Ill Offender Treat-
9 ment and Crime Reduction Reauthorization and Improve-
10 ment Act of 2008 (Public Law 110–416); the Violence
11 Against Women Reauthorization Act of 2013 (Public Law
12 113–4) (“the 2013 Act”); and other programs,
13 \$1,408,500,000, to remain available until expended as fol-
14 lows—

15 (1) \$476,000,000 for the Edward Byrne Memo-
16 rial Justice Assistance Grant program as authorized
17 by subpart 1 of part E of title I of the 1968 Act
18 (except that section 1001(c), and the special rules
19 for Puerto Rico under section 505(g) of title I of the
20 1968 Act shall not apply for purposes of this Act),
21 of which, notwithstanding such subpart 1,
22 \$15,000,000 is for an Officer Robert Wilson III me-
23 morial initiative on Preventing Violence Against Law
24 Enforcement Officer Resilience and Survivability
25 (VALOR), \$4,000,000 is for use by the National In-

1 stitute of Justice for research targeted toward devel-
2 oping a better understanding of the domestic
3 radicalization phenomenon, and advancing evidence-
4 based strategies for effective intervention and pre-
5 vention, \$5,000,000 is for an initiative to support
6 evidence-based policing, \$2,500,000 is for an initia-
7 tive to enhance prosecutorial decision-making,
8 \$100,000,000 is for grants for law enforcement ac-
9 tivities associated with the presidential nominating
10 conventions, and \$2,400,000 is for the
11 operationalization, maintenance and expansion of the
12 National Missing and Unidentified Persons System;

13 (2) \$210,000,000 for the State Criminal Alien
14 Assistance Program, as authorized by section
15 241(i)(5) of the Immigration and Nationality Act (8
16 U.S.C. 1231(i)(5)): *Provided*, That no jurisdiction
17 shall request compensation for any cost greater than
18 the actual cost for Federal immigration and other
19 detainees housed in State and local detention facili-
20 ties;

21 (3) \$45,000,000 for victim services programs
22 for victims of trafficking, as authorized by section
23 107(b)(2) of Public Law 106–386, for programs au-
24 thorized under Public Law 109–164, or programs
25 authorized under Public Law 113–4;

1 (4) \$42,000,000 for Drug Courts, as authorized
2 by section 1001(a)(25)(A) of title I of the 1968 Act;

3 (5) \$10,000,000 for mental health courts and
4 adult and juvenile collaboration program grants, as
5 authorized by parts V and HH of title I of the 1968
6 Act, and the Mentally Ill Offender Treatment and
7 Crime Reduction Reauthorization and Improvement
8 Act of 2008 (Public Law 110–416);

9 (6) \$12,000,000 for grants for Residential Sub-
10 stance Abuse Treatment for State Prisoners, as au-
11 thorized by part S of title I of the 1968 Act;

12 (7) \$2,500,000 for the Capital Litigation Im-
13 provement Grant Program, as authorized by section
14 426 of Public Law 108–405, and for grants for
15 wrongful conviction review;

16 (8) \$13,000,000 for economic, high technology
17 and Internet crime prevention grants, including as
18 authorized by section 401 of Public Law 110–403;

19 (9) \$2,000,000 for a student loan repayment
20 assistance program pursuant to section 952 of Pub-
21 lic Law 110–315;

22 (10) \$20,000,000 for sex offender management
23 assistance, as authorized by the Adam Walsh Act,
24 and related activities;

1 (11) \$8,000,000 for an initiative relating to
2 children exposed to violence;

3 (12) \$22,500,000 for the matching grant pro-
4 gram for law enforcement armor vests, as authorized
5 by section 2501 of title I of the 1968 Act: *Provided*,
6 That \$1,500,000 is transferred directly to the Na-
7 tional Institute of Standards and Technology's Of-
8 fice of Law Enforcement Standards for research,
9 testing and evaluation programs;

10 (13) \$1,000,000 for the National Sex Offender
11 Public Website;

12 (14) \$6,500,000 for competitive and evidence-
13 based programs to reduce gun crime and gang vio-
14 lence;

15 (15) \$73,000,000 for grants to States to up-
16 grade criminal and mental health records for the
17 National Instant Criminal Background Check Sys-
18 tem, of which no less than \$25,000,000 shall be for
19 grants made under the authorities of the NICS Im-
20 provement Amendments Act of 2007 (Public Law
21 110–180);

22 (16) \$13,500,000 for Paul Coverdell Forensic
23 Sciences Improvement Grants under part BB of title
24 I of the 1968 Act;

1 (17) \$125,000,000 for DNA-related and foren-
2 sic programs and activities, of which—

3 (A) \$117,000,000 is for a DNA analysis
4 and capacity enhancement program and for
5 other local, State, and Federal forensic activi-
6 ties, including the purposes authorized under
7 section 2 of the DNA Analysis Backlog Elimini-
8 nation Act of 2000 (Public Law 106–546) (the
9 Debbie Smith DNA Backlog Grant Program):
10 *Provided*, That up to 4 percent of funds made
11 available under this paragraph may be used for
12 the purposes described in the DNA Training
13 and Education for Law Enforcement, Correc-
14 tional Personnel, and Court Officers program
15 (Public Law 108–405, section 303);

16 (B) \$4,000,000 is for the purposes de-
17 scribed in the Kirk Bloodsworth Post-Convic-
18 tion DNA Testing Program (Public Law 108–
19 405, section 412); and

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

23 (18) \$45,000,000 for a grant program for com-
24 munity-based sexual assault response reform;

1 (19) \$9,000,000 for the court-appointed special
2 advocate program, as authorized by section 217 of
3 the 1990 Act;

4 (20) \$30,000,000 for assistance to Indian
5 tribes;

6 (21) \$68,000,000 for offender reentry programs
7 and research, as authorized by the Second Chance
8 Act of 2007 (Public Law 110–199), without regard
9 to the time limitations specified at section 6(1) of
10 such Act, of which not to exceed \$6,000,000 is for
11 a program to improve State, local, and tribal proba-
12 tion or parole supervision efforts and strategies,
13 \$5,000,000 is for Children of Incarcerated Parents
14 Demonstrations to enhance and maintain parental
15 and family relationships for incarcerated parents as
16 a reentry or recidivism reduction strategy, and
17 \$4,000,000 is for additional replication sites employ-
18 ing the Project HOPE Opportunity Probation with
19 Enforcement model implementing swift and certain
20 sanctions in probation, and for a research project on
21 the effectiveness of the model: *Provided*, That up to
22 \$7,500,000 of funds made available in this para-
23 graph may be used for performance-based awards
24 for Pay for Success projects, of which up to
25 \$5,000,000 shall be for Pay for Success programs

1 implementing the Permanent Supportive Housing
2 Model;

3 (22) \$6,000,000 for a veterans treatment
4 courts program;

5 (23) \$13,000,000 for a program to monitor
6 prescription drugs and scheduled listed chemical
7 products;

8 (24) \$10,500,000 for prison rape prevention
9 and prosecution grants to States and units of local
10 government, and other programs, as authorized by
11 the Prison Rape Elimination Act of 2003 (Public
12 Law 108–79);

13 (25) \$75,000,000 for the Comprehensive School
14 Safety Initiative: *Provided*, That section 213 of this
15 Act shall not apply with respect to the amount made
16 available in this paragraph; and

17 (26) \$70,000,000 for initiatives to improve po-
18 lice-community relations, of which \$22,500,000 is
19 for a competitive matching grant program for pur-
20 chases of body-worn cameras for State, local and
21 tribal law enforcement, \$27,500,000 is for a justice
22 reinvestment initiative, for activities related to crimi-
23 nal justice reform and recidivism reduction,
24 \$5,000,000 is for research and statistics on body-
25 worn cameras and community trust issues, and

1 \$15,000,000 is for an Edward Byrne Memorial
2 criminal justice innovation program:

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

9 JUVENILE JUSTICE PROGRAMS

10 For grants, contracts, cooperative agreements, and
11 other assistance authorized by the Juvenile Justice and
12 Delinquency Prevention Act of 1974 (“the 1974 Act”); the
13 Omnibus Crime Control and Safe Streets Act of 1968
14 (“the 1968 Act”); the Violence Against Women and De-
15 partment of Justice Reauthorization Act of 2005 (Public
16 Law 109–162) (“the 2005 Act”); the Missing Children’s
17 Assistance Act (42 U.S.C. 5771 et seq.); the Prosecutorial
18 Remedies and Other Tools to end the Exploitation of Chil-
19 dren Today Act of 2003 (Public Law 108–21); the Victims
20 of Child Abuse Act of 1990 (Public Law 101–647) (“the
21 1990 Act”); the Adam Walsh Child Protection and Safety
22 Act of 2006 (Public Law 109–248) (“the Adam Walsh
23 Act”); the PROTECT Our Children Act of 2008 (Public
24 Law 110–401); the Violence Against Women Reauthoriza-
25 tion Act of 2013 (Public Law 113–4) (“the 2013 Act”);

1 and other juvenile justice programs, \$270,160,000, to re-
2 main available until expended as follows—

3 (1) \$58,000,000 for programs authorized by
4 section 221 of the 1974 Act, and for training and
5 technical assistance to assist small, nonprofit organi-
6 zations with the Federal grants process: *Provided*,
7 That of the amounts provided under this paragraph,
8 \$500,000 shall be for a competitive demonstration
9 grant program to support emergency planning
10 among State, local and tribal juvenile justice resi-
11 dential facilities;

12 (2) \$90,000,000 for youth mentoring grants;

13 (3) \$17,500,000 for delinquency prevention, as
14 authorized by section 505 of the 1974 Act, of which,
15 pursuant to sections 261 and 262 thereof—

16 (A) \$10,000,000 shall be for the Tribal
17 Youth Program;

18 (B) \$5,000,000 shall be for gang and
19 youth violence education, prevention and inter-
20 vention, and related activities;

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

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

4 (4) \$20,000,000 for programs authorized by
5 the Victims of Child Abuse Act of 1990;

6 (5) \$8,000,000 for community-based violence
7 prevention initiatives, including for public health ap-
8 proaches to reducing shootings and violence;

9 (6) \$72,160,000 for missing and exploited chil-
10 dren programs, including as authorized by sections
11 404(b) and 405(a) of the 1974 Act (except that sec-
12 tion 102(b)(4)(B) of the PROTECT Our Children
13 Act of 2008 (Public Law 110–401) shall not apply
14 for purposes of this Act);

15 (7) \$2,000,000 for child abuse training pro-
16 grams for judicial personnel and practitioners, as
17 authorized by section 222 of the 1990 Act; and

18 (8) \$2,500,000 for a program to improve juve-
19 nile indigent defense:

20 *Provided*, That not more than 10 percent of each amount
21 may be used for research, evaluation, and statistics activi-
22 ties designed to benefit the programs or activities author-
23 ized: *Provided further*, That not more than 2 percent of
24 the amounts designated under paragraphs (1) through (4)
25 and (7) may be used for training and technical assistance:

1 *Provided further*, That the two preceding provisos shall not
2 apply to grants and projects administered pursuant to sec-
3 tions 261 and 262 of the 1974 Act and to missing and
4 exploited children programs.

5 PUBLIC SAFETY OFFICER BENEFITS

6 (INCLUDING TRANSFER OF FUNDS)

7 For payments and expenses authorized under section
8 1001(a)(4) of title I of the Omnibus Crime Control and
9 Safe Streets Act of 1968, such sums as are necessary (in-
10 cluding amounts for administrative costs), to remain avail-
11 able until expended; and \$16,300,000 for payments au-
12 thorized by section 1201(b) of such Act and for edu-
13 cational assistance authorized by section 1218 of such Act,
14 to remain available until expended: *Provided*, That not-
15 withstanding section 205 of this Act, upon a determina-
16 tion by the Attorney General that emergent circumstances
17 require additional funding for such disability and edu-
18 cation payments, the Attorney General may transfer such
19 amounts to “Public Safety Officer Benefits” from avail-
20 able appropriations for the Department of Justice as may
21 be necessary to respond to such circumstances: *Provided*
22 *further*, That any transfer pursuant to the preceding pro-
23 viso shall be treated as a reprogramming under section
24 505 of this Act and shall not be available for obligation

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

3 COMMUNITY ORIENTED POLICING SERVICES
4 COMMUNITY ORIENTED POLICING SERVICES PROGRAMS
5 (INCLUDING TRANSFER OF FUNDS)

6 For activities authorized by the Violent Crime Con-
7 trol and Law Enforcement Act of 1994 (Public Law 103-
8 322); the Omnibus Crime Control and Safe Streets Act
9 of 1968 (“the 1968 Act”); and the Violence Against
10 Women and Department of Justice Reauthorization Act
11 of 2005 (Public Law 109-162) (“the 2005 Act”),
12 \$212,000,000, to remain available until expended: *Pro-*
13 *vided*, That any balances made available through prior
14 year deobligations shall only be available in accordance
15 with section 505 of this Act: *Provided further*, That of the
16 amount provided under this heading—

17 (1) \$11,000,000 is for anti-methamphetamine-
18 related activities, which shall be transferred to the
19 Drug Enforcement Administration upon enactment
20 of this Act;

21 (2) \$187,000,000 is for grants under section
22 1701 of title I of the 1968 Act (42 U.S.C. 3796dd)
23 for the hiring and rehiring of additional career law
24 enforcement officers under part Q of such title not-
25 withstanding subsection (i) of such section: *Pro-*

1 *vided*, That, notwithstanding section 1704(c) of such
2 title (42 U.S.C. 3796dd–3(e)), funding for hiring or
3 rehiring a career law enforcement officer may not
4 exceed \$125,000 unless the Director of the Office of
5 Community Oriented Policing Services grants a
6 waiver from this limitation: *Provided further*, That
7 within the amounts appropriated under this para-
8 graph, \$30,000,000 is for improving tribal law en-
9 forcement, including hiring, equipment, training, and
10 anti-methamphetamine activities: *Provided further*,
11 That of the amounts appropriated under this para-
12 graph, \$10,000,000 is for community policing devel-
13 opment activities in furtherance of the purposes in
14 section 1701: *Provided further*, That within the
15 amounts appropriated under this paragraph,
16 \$10,000,000 is for the collaborative reform model of
17 technical assistance in furtherance of the purposes
18 in section 1701;

19 (3) \$7,000,000 is for competitive grants to
20 State law enforcement agencies in States with high
21 seizures of precursor chemicals, finished meth-
22 amphetamine, laboratories, and laboratory dump sei-
23 zures: *Provided*, That funds appropriated under this
24 paragraph shall be utilized for investigative purposes
25 to locate or investigate illicit activities, including

1 precursor diversion, laboratories, or methamphet-
2 amine traffickers; and

3 (4) \$7,000,000 is for competitive grants to
4 statewide law enforcement agencies in States with
5 high rates of primary treatment admissions for her-
6 oin and other opioids: *Provided*, That these funds
7 shall be utilized for investigative purposes to locate
8 or investigate illicit activities, including activities re-
9 lated to the distribution of heroin or unlawful dis-
10 tribution of prescription opioids, or unlawful heroin
11 and prescription opioid traffickers through statewide
12 collaboration.

13 GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

14 (INCLUDING TRANSFER OF FUNDS)

15 SEC. 201. In addition to amounts otherwise made
16 available in this title for official reception and representa-
17 tion expenses, a total of not to exceed \$50,000 from funds
18 appropriated to the Department of Justice in this title
19 shall be available to the Attorney General for official re-
20 ception and representation expenses.

21 SEC. 202. None of the funds appropriated by this
22 title shall be available to pay for an abortion, except where
23 the life of the mother would be endangered if the fetus
24 were carried to term, or in the case of rape or incest: *Pro-*
25 *vided*, That should this prohibition be declared unconstitu-

1 tional by a court of competent jurisdiction, this section
2 shall be null and void.

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

6 SEC. 204. Nothing in the preceding section shall re-
7 move the obligation of the Director of the Bureau of Pris-
8 ons to provide escort services necessary for a female in-
9 mate to receive such service outside the Federal facility:
10 *Provided*, That nothing in this section in any way dimin-
11 ishes the effect of section 203 intended to address the phil-
12 osophical beliefs of individual employees of the Bureau of
13 Prisons.

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

24 SEC. 206. Funds appropriated by this or any other
25 Act, with respect to any fiscal year, under the heading

1 “Bureau of Alcohol, Tobacco, Firearms and Explosives,
2 Salaries and Expenses” shall be available for retention pay
3 for any employee who would otherwise be subject to a re-
4 duction in pay upon termination of the Bureau’s Per-
5 sonnel Management Demonstration Project (as trans-
6 ferred to the Attorney General by section 1115 of the
7 Homeland Security Act of 2002, Public Law 107–296 (28
8 U.S.C. 599B)): *Provided*, That such retention pay shall
9 comply with section 5363 of title 5, United States Code,
10 and related Office of Personnel Management regulations,
11 except as provided in this section: *Provided further*, That
12 such retention pay shall be paid at the employee’s rate
13 of pay immediately prior to the termination of the dem-
14 onstration project and shall not be subject to the limita-
15 tion set forth in section 5304(g)(1) of title 5, United
16 States Code, and related regulations.

17 SEC. 207. None of the funds made available under
18 this title may be used by the Federal Bureau of Prisons
19 or the United States Marshals Service for the purpose of
20 transporting an individual who is a prisoner pursuant to
21 conviction for crime under State or Federal law and is
22 classified as a maximum or high security prisoner, other
23 than to a prison or other facility certified by the Federal
24 Bureau of Prisons as appropriately secure for housing
25 such a prisoner.

1 SEC. 208. (a) None of the funds appropriated by this
2 Act may be used by Federal prisons to purchase cable tele-
3 vision services, or to rent or purchase audiovisual or elec-
4 tronic media or equipment used primarily for recreational
5 purposes.

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

10 SEC. 209. None of the funds made available under
11 this title shall be obligated or expended for any new or
12 enhanced information technology program having total es-
13 timated development costs in excess of \$100,000,000, un-
14 less the Deputy Attorney General and the investment re-
15 view board certify to the Committees on Appropriations
16 of the House of Representatives and the Senate that the
17 information technology program has appropriate program
18 management controls and contractor oversight mecha-
19 nisms in place, and that the program is compatible with
20 the enterprise architecture of the Department of Justice.

21 SEC. 210. The notification thresholds and procedures
22 set forth in section 505 of this Act shall apply to devi-
23 ations from the amounts designated for specific activities
24 in this Act and in the explanatory statement described in
25 section 4 (in the matter preceding division A of this con-

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

3 SEC. 211. None of the funds appropriated by this Act
4 may be used to plan for, begin, continue, finish, process,
5 or approve a public-private competition under the Office
6 of Management and Budget Circular A-76 or any suc-
7 cessor administrative regulation, directive, or policy for
8 work performed by employees of the Bureau of Prisons
9 or of Federal Prison Industries, Incorporated.

10 SEC. 212. Notwithstanding any other provision of
11 law, no funds shall be available for the salary, benefits,
12 or expenses of any United States Attorney assigned dual
13 or additional responsibilities by the Attorney General or
14 his designee that exempt that United States Attorney
15 from the residency requirements of section 545 of title 28,
16 United States Code.

17 SEC. 213. At the discretion of the Attorney General,
18 and in addition to any amounts that otherwise may be
19 available (or authorized to be made available) by law, with
20 respect to funds appropriated by this title under the head-
21 ings “Research, Evaluation and Statistics”, “State and
22 Local Law Enforcement Assistance”, and “Juvenile Jus-
23 tice Programs”—

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

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

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

14 SEC. 214. Upon request by a grantee for whom the
15 Attorney General has determined there is a fiscal hard-
16 ship, the Attorney General may, with respect to funds ap-
17 propriated in this or any other Act making appropriations
18 for fiscal years 2013 through 2016 for the following pro-
19 grams, waive the following requirements:

20 (1) For the adult and juvenile offender State
21 and local reentry demonstration projects under part
22 FF of title I of the Omnibus Crime Control and
23 Safe Streets Act of 1968 (42 U.S.C. 3797w(g)(1)),
24 the requirements under section 2976(g)(1) of such
25 part.

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

5 (3) For the prosecution drug treatment alter-
6 natives to prison program under part CC of title I
7 of such Act of 1968 (42 U.S.C. 3797q-3), the re-
8 quirements under section 2904 of such part.

9 (4) For grants to protect inmates and safe-
10 guard communities as authorized by section 6 of the
11 Prison Rape Elimination Act of 2003 (42 U.S.C.
12 15605(e)(3)), the requirements of section 6(e)(3) of
13 such Act.

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

19 SEC. 216. None of the funds made available under
20 this Act, other than for the national instant criminal back-
21 ground check system established under section 103 of the
22 Brady Handgun Violence Prevention Act (18 U.S.C. 922
23 note), may be used by a Federal law enforcement officer
24 to facilitate the transfer of an operable firearm to an indi-
25 vidual if the Federal law enforcement officer knows or sus-

1 pects that the individual is an agent of a drug cartel, un-
2 less law enforcement personnel of the United States con-
3 tinuously monitor or control the firearm at all times.

4 SEC. 217. (a) None of the income retained in the De-
5 partment of Justice Working Capital Fund pursuant to
6 title I of Public Law 102–140 (105 Stat. 784; 28 U.S.C.
7 527 note) shall be available for obligation during fiscal
8 year 2016, except up to \$40,000,000 may be obligated for
9 implementation of a unified Department of Justice finan-
10 cial management system.

11 (b) Not to exceed \$30,000,000 of the unobligated bal-
12 ances transferred to the capital account of the Department
13 of Justice Working Capital Fund pursuant to title I of
14 Public Law 102–140 (105 Stat. 784; 28 U.S.C. 527 note)
15 shall be available for obligation in fiscal year 2016, and
16 any use, obligation, transfer or allocation of such funds
17 shall be treated as a reprogramming of funds under sec-
18 tion 505 of this Act.

19 (c) Not to exceed \$10,000,000 of the excess unobli-
20 gated balances available under section 524(c)(8)(E) of
21 title 28, United States Code, shall be available for obliga-
22 tion during fiscal year 2016, and any use, obligation,
23 transfer or allocation of such funds shall be treated as a
24 reprogramming of funds under section 505 of this Act.

1 (d) Subsections (a) through (c) of this section shall
2 sunset on September 30, 2016.

3 SEC. 218. (a) Of the funds appropriated by this Act
4 under each of the headings “General Administration—Sal-
5 aries and Expenses”, “United States Marshals Service—
6 Salaries and Expenses”, “Federal Bureau of Investiga-
7 tion—Salaries and Expenses”, “Drug Enforcement Ad-
8 ministration—Salaries and Expenses”, and “Bureau of
9 Alcohol, Tobacco, Firearms and Explosives—Salaries and
10 Expenses”, \$20,000,000 shall not be available for obliga-
11 tion until the Attorney General demonstrates to the Com-
12 mittees on Appropriations of the House of Representatives
13 and the Senate that all recommendations included in the
14 Office of Inspector General of the Department of Justice,
15 Evaluation and Inspections Division Report 15–04 enti-
16 tled “The Handling of Sexual Harassment and Mis-
17 conduct Allegations by the Department’s Law Enforce-
18 ment Components”, dated March, 2015, have been imple-
19 mented or are in the process of being implemented.

20 (b) The Inspector General of the Department of Jus-
21 tice shall report to the Committees on Appropriations of
22 the House of Representatives and the Senate not later
23 than 90 days after the date of enactment of this Act on
24 the status of the Department’s implementation of rec-

1 ommendations included in the report specified in sub-
2 section (a).

3 SEC. 219. Discretionary funds that are made avail-
4 able in this Act for the Office of Justice Programs may
5 be used to participate in Performance Partnership Pilots
6 authorized under section 526 of division H of Public Law
7 113–76, section 524 of division G of Public Law 113–235,
8 and such authorities as are enacted for Performance Part-
9 nership Pilots in an appropriations Act for fiscal year
10 2016.

11 This title may be cited as the “Department of Justice
12 Appropriations Act, 2016”.

1 TITLE III

2 SCIENCE

3 OFFICE OF SCIENCE AND TECHNOLOGY POLICY

4 For necessary expenses of the Office of Science and
5 Technology Policy, in carrying out the purposes of the Na-
6 tional Science and Technology Policy, Organization, and
7 Priorities Act of 1976 (42 U.S.C. 6601 et seq.), hire of
8 passenger motor vehicles, and services as authorized by
9 section 3109 of title 5, United States Code, not to exceed
10 \$2,250 for official reception and representation expenses,
11 and rental of conference rooms in the District of Colum-
12 bia, \$5,555,000.

13 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

14 SCIENCE

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

1 aircraft, \$5,589,400,000, to remain available until Sep-
2 tember 30, 2017: *Provided*, That the formulation and de-
3 velopment costs (with development cost as defined under
4 section 30104 of title 51, United States Code) for the
5 James Webb Space Telescope shall not exceed
6 \$8,000,000,000: *Provided further*, That should the indi-
7 vidual identified under subsection (c)(2)(E) of section
8 30104 of title 51, United States Code, as responsible for
9 the James Webb Space Telescope determine that the de-
10 velopment cost of the program is likely to exceed that limi-
11 tation, the individual shall immediately notify the Admin-
12 istrator and the increase shall be treated as if it meets
13 the 30 percent threshold described in subsection (f) of sec-
14 tion 30104: *Provided further*, That, of the amounts pro-
15 vided, \$175,000,000 is for an orbiter with a lander to meet
16 the science goals for the Jupiter Europa mission as out-
17 lined in the most recent planetary science decadal survey:
18 *Provided further*, That the National Aeronautics and
19 Space Administration shall use the Space Launch System
20 as the launch vehicle for the Jupiter Europa mission, plan
21 for a launch no later than 2022, and include in the fiscal
22 year 2017 budget the 5-year funding profile necessary to
23 achieve these goals.

1 AERONAUTICS

2 For necessary expenses, not otherwise provided for,
3 in the conduct and support of aeronautics research and
4 development activities, including research, development,
5 operations, support, and services; maintenance and repair,
6 facility planning and design; space flight, spacecraft con-
7 trol, and communications activities; program manage-
8 ment; personnel and related costs, including uniforms or
9 allowances therefor, as authorized by sections 5901 and
10 5902 of title 5, United States Code; travel expenses; pur-
11 chase and hire of passenger motor vehicles; and purchase,
12 lease, charter, maintenance, and operation of mission and
13 administrative aircraft, \$640,000,000, to remain available
14 until September 30, 2017.

15 SPACE TECHNOLOGY

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

1 purchase, lease, charter, maintenance, and operation of
2 mission and administrative aircraft, \$686,500,000, to re-
3 main available until September 30, 2017: *Provided*, That
4 \$133,000,000 shall be for the RESTORE satellite serv-
5 icing program for completion of pre-formulation and initi-
6 ation of formulation activities for RESTORE and such
7 funds shall not support activities solely needed for the as-
8 teroid redirect mission.

9 EXPLORATION

10 For necessary expenses, not otherwise provided for,
11 in the conduct and support of exploration research and
12 development activities, including research, development,
13 operations, support, and services; maintenance and repair,
14 facility planning and design; space flight, spacecraft con-
15 trol, and communications activities; program manage-
16 ment; personnel and related costs, including uniforms or
17 allowances therefor, as authorized by sections 5901 and
18 5902 of title 5, United States Code; travel expenses; pur-
19 chase and hire of passenger motor vehicles; and purchase,
20 lease, charter, maintenance, and operation of mission and
21 administrative aircraft, \$4,030,000,000, to remain avail-
22 able until September 30, 2017: *Provided*, That not less
23 than \$1,270,000,000 shall be for the Orion Multi-Purpose
24 Crew Vehicle: *Provided further*, That not less than
25 \$2,000,000,000 shall be for the Space Launch System

1 (SLS) launch vehicle, which shall have a lift capability not
2 less than 130 metric tons and which shall have core ele-
3 ments and an enhanced upper stage developed simulta-
4 neously: *Provided further*, That of the amounts provided
5 for SLS, not less than \$85,000,000 shall be for enhanced
6 upper stage development: *Provided further*, That
7 \$410,000,000 shall be for exploration ground systems:
8 *Provided further*, That the National Aeronautics and
9 Space Administration shall provide to the Committees on
10 Appropriations of the House of Representatives and the
11 Senate, concurrent with the annual budget submission, a
12 5-year budget profile and funding projection that adheres
13 to a 70 percent Joint Confidence Level and is consistent
14 with the Key Decision Point C (KDP-C) for the SLS and
15 with the management agreement contained in the KDP-
16 C for the Orion Multi-Purpose Crew Vehicle: *Provided fur-*
17 *ther*, That \$350,000,000 shall be for exploration research
18 and development.

19 SPACE OPERATIONS

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

1 pair, facility planning and design; program management;
2 personnel and related costs, including uniforms or allow-
3 ances therefor, as authorized by sections 5901 and 5902
4 of title 5, United States Code; travel expenses; purchase
5 and hire of passenger motor vehicles; and purchase, lease,
6 charter, maintenance and operation of mission and admin-
7 istrative aircraft, \$5,029,200,000, to remain available
8 until September 30, 2017.

9 EDUCATION

10 For necessary expenses, not otherwise provided for,
11 in the conduct and support of aerospace and aeronautical
12 education research and development activities, including
13 research, development, operations, support, and services;
14 program management; personnel and related costs, includ-
15 ing uniforms or allowances therefor, as authorized by sec-
16 tions 5901 and 5902 of title 5, United States Code; travel
17 expenses; purchase and hire of passenger motor vehicles;
18 and purchase, lease, charter, maintenance, and operation
19 of mission and administrative aircraft, \$115,000,000, to
20 remain available until September 30, 2017, of which
21 \$18,000,000 shall be for the Experimental Program to
22 Stimulate Competitive Research and \$40,000,000 shall be
23 for the National Space Grant College program.

1 SAFETY, SECURITY AND MISSION SERVICES

2 For necessary expenses, not otherwise provided for,
3 in the conduct and support of science, aeronautics, space
4 technology, exploration, space operations and education
5 research and development activities, including research,
6 development, operations, support, and services; mainte-
7 nance and repair, facility planning and design; space
8 flight, spacecraft control, and communications activities;
9 program management; personnel and related costs, includ-
10 ing uniforms or allowances therefor, as authorized by sec-
11 tions 5901 and 5902 of title 5, United States Code; travel
12 expenses; purchase and hire of passenger motor vehicles;
13 not to exceed \$63,000 for official reception and represen-
14 tation expenses; and purchase, lease, charter, mainte-
15 nance, and operation of mission and administrative air-
16 craft, \$2,768,600,000, to remain available until Sep-
17 tember 30, 2017.

18 CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND

19 RESTORATION

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

1 ance and restoration, \$388,900,000, to remain available
2 until September 30, 2021: *Provided*, That proceeds from
3 leases deposited into this account shall be available for a
4 period of 5 years to the extent and in amounts as provided
5 in annual appropriations Acts: *Provided further*, That such
6 proceeds referred to in the preceding proviso shall be avail-
7 able for obligation for fiscal year 2016 in an amount not
8 to exceed \$9,470,300: *Provided further*, That each annual
9 budget request shall include an annual estimate of gross
10 receipts and collections and proposed use of all funds col-
11 lected pursuant to section 20145 of title 51, United States
12 Code.

13 OFFICE OF INSPECTOR GENERAL

14 For necessary expenses of the Office of Inspector
15 General in carrying out the Inspector General Act of 1978,
16 \$37,400,000, of which \$500,000 shall remain available
17 until September 30, 2017.

18 ADMINISTRATIVE PROVISIONS

19 (INCLUDING TRANSFERS OF FUNDS)

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

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

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

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

20 The unexpired balances for Commercial Spaceflight
21 Activities contained within the Exploration account may
22 be transferred to the Space Operations account for such
23 activities. Balances so transferred shall be merged with
24 the funds in the Space Operations account and shall be

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

3 For the closeout of all Space Shuttle contracts and
4 associated programs, amounts that have expired but have
5 not been cancelled in the Exploration, Space Operations,
6 Human Space Flight, Space Flight Capabilities, and Ex-
7 ploration Capabilities appropriations accounts shall re-
8 main available through fiscal year 2025 for the liquidation
9 of valid obligations incurred during the period of fiscal
10 year 2001 through fiscal year 2013.

11 NATIONAL SCIENCE FOUNDATION

12 RESEARCH AND RELATED ACTIVITIES

13 For necessary expenses in carrying out the National
14 Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.),
15 and Public Law 86–209 (42 U.S.C. 1880 et seq.); services
16 as authorized by section 3109 of title 5, United States
17 Code; maintenance and operation of aircraft and purchase
18 of flight services for research support; acquisition of air-
19 craft; and authorized travel; \$6,033,645,000, to remain
20 available until September 30, 2017, of which not to exceed
21 \$540,000,000 shall remain available until expended for
22 polar research and operations support, and for reimburse-
23 ment to other Federal agencies for operational and science
24 support and logistical and other related activities for the
25 United States Antarctic program: *Provided*, That receipts

1 for scientific support services and materials furnished by
2 the National Research Centers and other National Science
3 Foundation supported research facilities may be credited
4 to this appropriation.

5 MAJOR RESEARCH EQUIPMENT AND FACILITIES

6 CONSTRUCTION

7 For necessary expenses for the acquisition, construc-
8 tion, commissioning, and upgrading of major research
9 equipment, facilities, and other such capital assets pursu-
10 ant to the National Science Foundation Act of 1950 (42
11 U.S.C. 1861 et seq.), including authorized travel,
12 \$200,310,000, to remain available until expended.

13 EDUCATION AND HUMAN RESOURCES

14 For necessary expenses in carrying out science, math-
15 ematics and engineering education and human resources
16 programs and activities pursuant to the National Science
17 Foundation Act of 1950 (42 U.S.C. 1861 et seq.), includ-
18 ing services as authorized by section 3109 of title 5,
19 United States Code, authorized travel, and rental of con-
20 ference rooms in the District of Columbia, \$880,000,000,
21 to remain available until September 30, 2017.

22 AGENCY OPERATIONS AND AWARD MANAGEMENT

23 For agency operations and award management nec-
24 essary in carrying out the National Science Foundation
25 Act of 1950 (42 U.S.C. 1861 et seq.); services authorized

1 by section 3109 of title 5, United States Code; hire of pas-
2 senger motor vehicles; uniforms or allowances therefor, as
3 authorized by sections 5901 and 5902 of title 5, United
4 States Code; rental of conference rooms in the District of
5 Columbia; and reimbursement of the Department of
6 Homeland Security for security guard services;
7 \$330,000,000: *Provided*, That not to exceed \$8,280 is for
8 official reception and representation expenses: *Provided*
9 *further*, That contracts may be entered into under this
10 heading in fiscal year 2016 for maintenance and operation
11 of facilities and for other services to be provided during
12 the next fiscal year: *Provided further*, That of the amount
13 provided for costs associated with the acquisition, occu-
14 pancy, and related costs of new headquarters space, not
15 more than \$30,770,000 shall remain available until ex-
16 pended.

17 OFFICE OF THE NATIONAL SCIENCE BOARD

18 For necessary expenses (including payment of sala-
19 ries, authorized travel, hire of passenger motor vehicles,
20 the rental of conference rooms in the District of Columbia,
21 and the employment of experts and consultants under sec-
22 tion 3109 of title 5, United States Code) involved in car-
23 rying out section 4 of the National Science Foundation
24 Act of 1950 (42 U.S.C. 1863) and Public Law 86–209
25 (42 U.S.C. 1880 et seq.), \$4,370,000: *Provided*, That not

1 to exceed \$2,500 shall be available for official reception
2 and representation expenses.

3 OFFICE OF INSPECTOR GENERAL

4 For necessary expenses of the Office of Inspector
5 General as authorized by the Inspector General Act of
6 1978, \$15,160,000, of which \$400,000 shall remain avail-
7 able until September 30, 2017.

8 ADMINISTRATIVE PROVISION

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

18 This title may be cited as the “Science Appropria-
19 tions Act, 2016”.

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TITLE IV

RELATED AGENCIES

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, \$9,200,000: *Provided*, That none of the funds appropriated in this paragraph may be used to employ any individuals under Schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations exclusive of one special assistant for each Commissioner: *Provided further*, That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the chairperson, who is permitted 125 billable days: *Provided further*, That none of the funds appropriated in this paragraph shall be used for any activity or expense that is not explicitly authorized by section 3 of the Civil Rights Commission Act of 1983 (42 U.S.C. 1975a).

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission as authorized by title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Equal Pay Act of 1963, the

1 Americans with Disabilities Act of 1990, section 501 of
2 the Rehabilitation Act of 1973, the Civil Rights Act of
3 1991, the Genetic Information Non-Discrimination Act
4 (GINA) of 2008 (Public Law 110–233), the ADA Amend-
5 ments Act of 2008 (Public Law 110–325), and the Lilly
6 Ledbetter Fair Pay Act of 2009 (Public Law 111–2), in-
7 cluding services as authorized by section 3109 of title 5,
8 United States Code; hire of passenger motor vehicles as
9 authorized by section 1343(b) of title 31, United States
10 Code; nonmonetary awards to private citizens; and up to
11 \$29,500,000 for payments to State and local enforcement
12 agencies for authorized services to the Commission,
13 \$364,500,000: *Provided*, That the Commission is author-
14 ized to make available for official reception and represen-
15 tation expenses not to exceed \$2,250 from available funds:
16 *Provided further*, That the Commission may take no action
17 to implement any workforce repositioning, restructuring,
18 or reorganization until such time as the Committees on
19 Appropriations of the House of Representatives and the
20 Senate have been notified of such proposals, in accordance
21 with the reprogramming requirements of section 505 of
22 this Act: *Provided further*, That the Chair is authorized
23 to accept and use any gift or donation to carry out the
24 work of the Commission.

1 INTERNATIONAL TRADE COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses of the International Trade
4 Commission, including hire of passenger motor vehicles
5 and services as authorized by section 3109 of title 5,
6 United States Code, and not to exceed \$2,250 for official
7 reception and representation expenses, \$88,500,000, to re-
8 main available until expended.

9 LEGAL SERVICES CORPORATION

10 PAYMENT TO THE LEGAL SERVICES CORPORATION

11 For payment to the Legal Services Corporation to
12 carry out the purposes of the Legal Services Corporation
13 Act of 1974, \$385,000,000, of which \$352,000,000 is for
14 basic field programs and required independent audits;
15 \$5,000,000 is for the Office of Inspector General, of which
16 such amounts as may be necessary may be used to conduct
17 additional audits of recipients; \$19,000,000 is for manage-
18 ment and grants oversight; \$4,000,000 is for client self-
19 help and information technology; \$4,000,000 is for a Pro
20 Bono Innovation Fund; and \$1,000,000 is for loan repay-
21 ment assistance: *Provided*, That the Legal Services Cor-
22 poration may continue to provide locality pay to officers
23 and employees at a rate no greater than that provided by
24 the Federal Government to Washington, DC-based em-
25 ployees as authorized by section 5304 of title 5, United

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

8 ADMINISTRATIVE PROVISION—LEGAL SERVICES
9 CORPORATION

10 None of the funds appropriated in this Act to the
11 Legal Services Corporation shall be expended for any pur-
12 pose prohibited or limited by, or contrary to any of the
13 provisions of, sections 501, 502, 503, 504, 505, and 506
14 of Public Law 105–119, and all funds appropriated in this
15 Act to the Legal Services Corporation shall be subject to
16 the same terms and conditions set forth in such sections,
17 except that all references in sections 502 and 503 to 1997
18 and 1998 shall be deemed to refer instead to 2015 and
19 2016, respectively.

20 MARINE MAMMAL COMMISSION
21 SALARIES AND EXPENSES

22 For necessary expenses of the Marine Mammal Com-
23 mission as authorized by title II of the Marine Mammal
24 Protection Act of 1972 (16 U.S.C. 1361 et seq.),
25 \$3,431,000.

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

4 For necessary expenses of the Office of the United
5 States Trade Representative, including the hire of pas-
6 senger motor vehicles and the employment of experts and
7 consultants as authorized by section 3109 of title 5,
8 United States Code, \$54,500,000, of which \$1,000,000
9 shall remain available until expended: *Provided*, That not
10 to exceed \$124,000 shall be available for official reception
11 and representation expenses.

12 STATE JUSTICE INSTITUTE
13 SALARIES AND EXPENSES

14 For necessary expenses of the State Justice Institute,
15 as authorized by the State Justice Institute Authorization
16 Act of 1984 (42 U.S.C. 10701 et seq.) \$5,121,000, of
17 which \$500,000 shall remain available until September 30,
18 2017: *Provided*, That not to exceed \$2,250 shall be avail-
19 able for official reception and representation expenses:
20 *Provided further*, That, for the purposes of section 505
21 of this Act, the State Justice Institute shall be considered
22 an agency of the United States Government.

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TITLE V

GENERAL PROVISIONS

(INCLUDING RESCISSIONS)

(INCLUDING TRANSFER OF FUNDS)

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

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

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

SEC. 504. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

1 SEC. 505. None of the funds provided under this Act,
2 or provided under previous appropriations Acts to the
3 agencies funded by this Act that remain available for obli-
4 gation or expenditure in fiscal year 2016, or provided from
5 any accounts in the Treasury of the United States derived
6 by the collection of fees available to the agencies funded
7 by this Act, shall be available for obligation or expenditure
8 through a reprogramming of funds that: (1) creates or ini-
9 tiates a new program, project or activity; (2) eliminates
10 a program, project or activity; (3) increases funds or per-
11 sonnel by any means for any project or activity for which
12 funds have been denied or restricted; (4) relocates an of-
13 fice or employees; (5) reorganizes or renames offices, pro-
14 grams or activities; (6) contracts out or privatizes any
15 functions or activities presently performed by Federal em-
16 ployees; (7) augments existing programs, projects or ac-
17 tivities in excess of \$500,000 or 10 percent, whichever is
18 less, or reduces by 10 percent funding for any program,
19 project or activity, or numbers of personnel by 10 percent;
20 or (8) results from any general savings, including savings
21 from a reduction in personnel, which would result in a
22 change in existing programs, projects or activities as ap-
23 proved by Congress; unless the House and Senate Com-
24 mittees on Appropriations are notified 15 days in advance
25 of such reprogramming of funds by agencies (excluding

1 agencies of the Department of Justice) funded by this Act
2 and 45 days in advance of such reprogramming of funds
3 by agencies of the Department of Justice funded by this
4 Act.

5 SEC. 506. (a) If it has been finally determined by
6 a court or Federal agency that any person intentionally
7 affixed a label bearing a “Made in America” inscription,
8 or any inscription with the same meaning, to any product
9 sold in or shipped to the United States that is not made
10 in the United States, the person shall be ineligible to re-
11 ceive any contract or subcontract made with funds made
12 available in this Act, pursuant to the debarment, suspen-
13 sion, and ineligibility procedures described in sections
14 9.400 through 9.409 of title 48, Code of Federal Regula-
15 tions.

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

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

24 SEC. 507. (a) The Departments of Commerce and
25 Justice, the National Science Foundation, and the Na-

1 tional Aeronautics and Space Administration shall provide
2 to the Committees on Appropriations of the House of Rep-
3 resentatives and the Senate a quarterly report on the sta-
4 tus of balances of appropriations at the account level. For
5 unobligated, uncommitted balances and unobligated, com-
6 mitted balances the quarterly reports shall separately
7 identify the amounts attributable to each source year of
8 appropriation from which the balances were derived. For
9 balances that are obligated, but unexpended, the quarterly
10 reports shall separately identify amounts by the year of
11 obligation.

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

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

21 SEC. 508. Any costs incurred by a department or
22 agency funded under this Act resulting from, or to pre-
23 vent, personnel actions taken in response to funding re-
24 ductions included in this Act shall be absorbed within the
25 total budgetary resources available to such department or

1 agency: *Provided*, That the authority to transfer funds be-
2 tween appropriations accounts as may be necessary to
3 carry out this section is provided in addition to authorities
4 included elsewhere in this Act: *Provided further*, That use
5 of funds to carry out this section shall be treated as a
6 reprogramming of funds under section 505 of this Act and
7 shall not be available for obligation or expenditure except
8 in compliance with the procedures set forth in that section:
9 *Provided further*, That for the Department of Commerce,
10 this section shall also apply to actions taken for the care
11 and protection of loan collateral or grant property.

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

19 SEC. 510. Notwithstanding any other provision of
20 law, amounts deposited or available in the Fund estab-
21 lished by section 1402 of chapter XIV of title II of Public
22 Law 98-473 (42 U.S.C. 10601) in any fiscal year in ex-
23 cess of \$3,042,000,000 shall not be available for obligation
24 until the following fiscal year: *Provided*, That notwith-
25 standing section 1402(d) of such Act, of the amounts

1 available from the Fund for obligation, \$10,000,000 shall
2 remain available until expended to the Department of Jus-
3 tice Office of Inspector General for oversight and auditing
4 purposes.

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

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

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

19 SEC. 514. (a) The Inspectors General of the Depart-
20 ment of Commerce, the Department of Justice, the Na-
21 tional Aeronautics and Space Administration, the Na-
22 tional Science Foundation, and the Legal Services Cor-
23 poration shall conduct audits, pursuant to the Inspector
24 General Act (5 U.S.C. App.), of grants or contracts for
25 which funds are appropriated by this Act, and shall submit

1 reports to Congress on the progress of such audits, which
2 may include preliminary findings and a description of
3 areas of particular interest, within 180 days after initi-
4 ating such an audit and every 180 days thereafter until
5 any such audit is completed.

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

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

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

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

1 other manner to another person who has a financial inter-
2 est in the person awarded the grant or contract.

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

12 SEC. 515. (a) None of the funds appropriated or oth-
13 erwise made available under this Act may be used by the
14 Departments of Commerce and Justice, the National Aer-
15 onautics and Space Administration, or the National
16 Science Foundation to acquire a high-impact or moderate-
17 impact information system, as defined for security cat-
18 egorization in the National Institute of Standards and
19 Technology's (NIST) Federal Information Processing
20 Standard Publication 199, "Standards for Security Cat-
21 egorization of Federal Information and Information Sys-
22 tems" unless the agency has—

23 (1) reviewed the supply chain risk for the infor-
24 mation systems against criteria developed by NIST
25 to inform acquisition decisions for high-impact and

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

3 (2) reviewed the supply chain risk from the pre-
4 sumptive awardee against available and relevant
5 threat information provided by the Federal Bureau
6 of Investigation (FBI) and other appropriate agen-
7 cies; and

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

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

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

1 (2) determined that the acquisition of such sys-
2 tem is in the national interest of the United States;
3 and

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

8 (c) During fiscal year 2016—

9 (1) the FBI shall develop best practices for sup-
10 ply chain risk management; and

11 (2) the Departments of Commerce and Justice,
12 the National Aeronautics and Space Administration,
13 and the National Science Foundation shall incor-
14 porate such practices into their information tech-
15 nology procurement practices to the maximum ex-
16 tent practicable.

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

21 SEC. 517. (a) Notwithstanding any other provision
22 of law or treaty, none of the funds appropriated or other-
23 wise made available under this Act or any other Act may
24 be expended or obligated by a department, agency, or in-
25 strumentality of the United States to pay administrative

1 expenses or to compensate an officer or employee of the
2 United States in connection with requiring an export li-
3 cense for the export to Canada of components, parts, ac-
4 cessories or attachments for firearms listed in Category
5 I, section 121.1 of title 22, Code of Federal Regulations
6 (International Trafficking in Arms Regulations (ITAR),
7 part 121, as it existed on April 1, 2005) with a total value
8 not exceeding \$500 wholesale in any transaction, provided
9 that the conditions of subsection (b) of this section are
10 met by the exporting party for such articles.

11 (b) The foregoing exemption from obtaining an ex-
12 port license—

13 (1) does not exempt an exporter from filing any
14 Shipper's Export Declaration or notification letter
15 required by law, or from being otherwise eligible
16 under the laws of the United States to possess, ship,
17 transport, or export the articles enumerated in sub-
18 section (a); and

19 (2) does not permit the export without a license
20 of—

21 (A) fully automatic firearms and compo-
22 nents and parts for such firearms, other than
23 for end use by the Federal Government, or a
24 Provincial or Municipal Government of Canada;

1 (B) barrels, cylinders, receivers (frames) or
2 complete breech mechanisms for any firearm
3 listed in Category I, other than for end use by
4 the Federal Government, or a Provincial or Mu-
5 nicipal Government of Canada; or

6 (C) articles for export from Canada to an-
7 other foreign destination.

8 (e) In accordance with this section, the District Di-
9 rectors of Customs and postmasters shall permit the per-
10 manent or temporary export without a license of any un-
11 classified articles specified in subsection (a) to Canada for
12 end use in Canada or return to the United States, or tem-
13 porary import of Canadian-origin items from Canada for
14 end use in the United States or return to Canada for a
15 Canadian citizen.

16 (d) The President may require export licenses under
17 this section on a temporary basis if the President deter-
18 mines, upon publication first in the Federal Register, that
19 the Government of Canada has implemented or main-
20 tained inadequate import controls for the articles specified
21 in subsection (a), such that a significant diversion of such
22 articles has and continues to take place for use in inter-
23 national terrorism or in the escalation of a conflict in an-
24 other nation. The President shall terminate the require-

1 ments of a license when reasons for the temporary require-
2 ments have ceased.

3 SEC. 518. Notwithstanding any other provision of
4 law, no department, agency, or instrumentality of the
5 United States receiving appropriated funds under this Act
6 or any other Act shall obligate or expend in any way such
7 funds to pay administrative expenses or the compensation
8 of any officer or employee of the United States to deny
9 any application submitted pursuant to 22 U.S.C.
10 2778(b)(1)(B) and qualified pursuant to 27 CFR section
11 478.112 or .113, for a permit to import United States ori-
12 gin “curios or relics” firearms, parts, or ammunition.

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

16 (1) paragraph 2 of article 16.7 of the United
17 States-Singapore Free Trade Agreement;

18 (2) paragraph 4 of article 17.9 of the United
19 States-Australia Free Trade Agreement; or

20 (3) paragraph 4 of article 15.9 of the United
21 States-Morocco Free Trade Agreement.

22 SEC. 520. None of the funds made available in this
23 Act may be used to authorize or issue a national security
24 letter in contravention of any of the following laws author-
25 izing the Federal Bureau of Investigation to issue national

1 security letters: The Right to Financial Privacy Act; The
2 Electronic Communications Privacy Act; The Fair Credit
3 Reporting Act; The National Security Act of 1947; USA
4 PATRIOT Act; USA FREEDOM Act of 2015; and the
5 laws amended by these Acts.

6 SEC. 521. If at any time during any quarter, the pro-
7 gram manager of a project within the jurisdiction of the
8 Departments of Commerce or Justice, the National Aero-
9 nautics and Space Administration, or the National Science
10 Foundation totaling more than \$75,000,000 has reason-
11 able cause to believe that the total program cost has in-
12 creased by 10 percent or more, the program manager shall
13 immediately inform the respective Secretary, Adminis-
14 trator, or Director. The Secretary, Administrator, or Di-
15 rector shall notify the House and Senate Committees on
16 Appropriations within 30 days in writing of such increase,
17 and shall include in such notice: the date on which such
18 determination was made; a statement of the reasons for
19 such increases; the action taken and proposed to be taken
20 to control future cost growth of the project; changes made
21 in the performance or schedule milestones and the degree
22 to which such changes have contributed to the increase
23 in total program costs or procurement costs; new esti-
24 mates of the total project or procurement costs; and a
25 statement validating that the project's management struc-

1 ture is adequate to control total project or procurement
2 costs.

3 SEC. 522. Funds appropriated by this Act, or made
4 available by the transfer of funds in this Act, for intel-
5 ligence or intelligence related activities are deemed to be
6 specifically authorized by the Congress for purposes of sec-
7 tion 504 of the National Security Act of 1947 (50 U.S.C.
8 414) during fiscal year 2016 until the enactment of the
9 Intelligence Authorization Act for fiscal year 2016.

10 SEC. 523. None of the funds appropriated or other-
11 wise made available by this Act may be used to enter into
12 a contract in an amount greater than \$5,000,000 or to
13 award a grant in excess of such amount unless the pro-
14 spective contractor or grantee certifies in writing to the
15 agency awarding the contract or grant that, to the best
16 of its knowledge and belief, the contractor or grantee has
17 filed all Federal tax returns required during the three
18 years preceding the certification, has not been convicted
19 of a criminal offense under the Internal Revenue Code of
20 1986, and has not, more than 90 days prior to certifi-
21 cation, been notified of any unpaid Federal tax assessment
22 for which the liability remains unsatisfied, unless the as-
23 sessment is the subject of an installment agreement or
24 offer in compromise that has been approved by the Inter-
25 nal Revenue Service and is not in default, or the assess-

1 ment is the subject of a non-frivolous administrative or
2 judicial proceeding.

3 (RESCISSIONS)

4 SEC. 524. (a) Of the unobligated balances from prior
5 year appropriations available to the Department of Com-
6 merce’s Economic Development Administration, Economic
7 Development Assistance Programs, \$10,000,000 are re-
8 scinded, not later than September 30, 2016.

9 (b) Of the unobligated balances available to the De-
10 partment of Justice, the following funds are hereby re-
11 scinded, not later than September 30, 2016, from the fol-
12 lowing accounts in the specified amounts—

13 (1) “Working Capital Fund”, \$69,000,000;

14 (2) “United States Marshals Service, Federal
15 Prisoner Detention”, \$195,974,000;

16 (3) “Federal Bureau of Investigation, Salaries
17 and Expenses”, \$80,767,000 from fees collected to
18 defray expenses for the automation of fingerprint
19 identification and criminal justice information serv-
20 ices and associated costs;

21 (4) “State and Local Law Enforcement Activi-
22 ties, Office on Violence Against Women, Violence
23 Against Women Prevention and Prosecution Pro-
24 grams”, \$15,000,000;

1 (5) “State and Local Law Enforcement Activi-
2 ties, Office of Justice Programs”, \$40,000,000;

3 (6) “State and Local Law Enforcement Activi-
4 ties, Community Oriented Policing Services”,
5 \$10,000,000; and

6 (7) “Legal Activities, Assets Forfeiture Fund”,
7 \$458,000,000.

8 (c) The Departments of Commerce and Justice shall
9 submit to the Committees on Appropriations of the House
10 of Representatives and the Senate a report no later than
11 September 1, 2016, specifying the amount of each rescis-
12 sion made pursuant to subsections (a) and (b).

13 SEC. 525. None of the funds made available in this
14 Act may be used to purchase first class or premium airline
15 travel in contravention of sections 301–10.122 through
16 301–10.124 of title 41 of the Code of Federal Regulations.

17 SEC. 526. None of the funds made available in this
18 Act may be used to send or otherwise pay for the attend-
19 ance of more than 50 employees from a Federal depart-
20 ment or agency, who are stationed in the United States,
21 at any single conference occurring outside the United
22 States unless such conference is a law enforcement train-
23 ing or operational conference for law enforcement per-
24 sonnel and the majority of Federal employees in attend-

1 ance are law enforcement personnel stationed outside the
2 United States.

3 SEC. 527. None of the funds appropriated or other-
4 wise made available in this or any other Act may be used
5 to transfer, release, or assist in the transfer or release to
6 or within the United States, its territories, or possessions
7 Khalid Sheikh Mohammed or any other detainee who—

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

10 (2) is or was held on or after June 24, 2009,
11 at the United States Naval Station, Guantanamo
12 Bay, Cuba, by the Department of Defense.

13 SEC. 528. (a) None of the funds appropriated or oth-
14 erwise made available in this or any other Act may be used
15 to construct, acquire, or modify any facility in the United
16 States, its territories, or possessions to house any indi-
17 vidual described in subsection (c) for the purposes of de-
18 tention or imprisonment in the custody or under the effec-
19 tive control of the Department of Defense.

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

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

1 (1) is not a citizen of the United States or a
2 member of the Armed Forces of the United States;
3 and

4 (2) is—

5 (A) in the custody or under the effective
6 control of the Department of Defense; or

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

9 SEC. 529. To the extent practicable, funds made
10 available in this Act should be used to purchase light bulbs
11 that are “Energy Star” qualified or have the “Federal En-
12 ergy Management Program” designation.

13 SEC. 530. The Director of the Office of Management
14 and Budget shall instruct any department, agency, or in-
15 strumentality of the United States receiving funds appro-
16 priated under this Act to track undisbursed balances in
17 expired grant accounts and include in its annual perform-
18 ance plan and performance and accountability reports the
19 following:

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

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

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

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

10 SEC. 531. (a) None of the funds made available by
11 this Act may be used for the National Aeronautics and
12 Space Administration (NASA) or the Office of Science
13 and Technology Policy (OSTP) to develop, design, plan,
14 promulgate, implement, or execute a bilateral policy, pro-
15 gram, order, or contract of any kind to participate, col-
16 laborate, or coordinate bilaterally in any way with China
17 or any Chinese-owned company unless such activities are
18 specifically authorized by a law enacted after the date of
19 enactment of this Act.

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

23 (c) The limitations described in subsections (a) and
24 (b) shall not apply to activities which NASA or OSTP has
25 certified—

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

5 (2) will not involve knowing interactions with
6 officials who have been determined by the United
7 States to have direct involvement with violations of
8 human rights.

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

16 SEC. 532. None of the funds made available by this
17 Act may be used to pay the salaries or expenses of per-
18 sonnel to deny, or fail to act on, an application for the
19 importation of any model of shotgun if—

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

22 (2) no application for the importation of such
23 model of shotgun, in the same configuration, had
24 been denied by the Attorney General prior to Janu-
25 ary 1, 2011, on the basis that the shotgun was not

1 particularly suitable for or readily adaptable to
2 sporting purposes.

3 SEC. 533. (a) None of the funds made available in
4 this Act may be used to maintain or establish a computer
5 network unless such network blocks the viewing,
6 downloading, and exchanging of pornography.

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

12 SEC. 534. The Departments of Commerce and Jus-
13 tice, the National Aeronautics and Space Administration,
14 the National Science Foundation, the Commission on Civil
15 Rights, the Equal Employment Opportunity Commission,
16 the International Trade Commission, the Legal Services
17 Corporation, the Marine Mammal Commission, the Offices
18 of Science and Technology Policy and the United States
19 Trade Representative, and the State Justice Institute
20 shall submit spending plans, signed by the respective de-
21 partment or agency head, to the Committees on Appro-
22 priations of the House of Representatives and the Senate
23 within 45 days after the date of enactment of this Act.

24 SEC. 535. (a) The head of any executive branch de-
25 partment, agency, board, commission, or office funded by

1 this Act shall submit annual reports to the Inspector Gen-
2 eral or senior ethics official for any entity without an In-
3 spector General, regarding the costs and contracting pro-
4 cedures related to each conference held by any such de-
5 partment, agency, board, commission, or office during fis-
6 cal year 2016 for which the cost to the United States Gov-
7 ernment was more than \$100,000.

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

11 (1) a description of its purpose;

12 (2) the number of participants attending;

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

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

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

17 (C) the cost of employee or contractor
18 travel to and from the conference; and

19 (D) a discussion of the methodology used
20 to determine which costs relate to the con-
21 ference; and

22 (4) a description of the contracting procedures
23 used including—

24 (A) whether contracts were awarded on a
25 competitive basis; and

1 (B) a discussion of any cost comparison
2 conducted by the departmental component or
3 office in evaluating potential contractors for the
4 conference.

5 (c) Within 15 days of the date of a conference held
6 by any executive branch department, agency, board, com-
7 mission, or office funded by this Act during fiscal year
8 2016 for which the cost to the United States Government
9 was more than \$20,000, the head of any such department,
10 agency, board, commission, or office shall notify the In-
11 spector General or senior ethics official for any entity
12 without an Inspector General, of the date, location, and
13 number of employees attending such conference.

14 (d) A grant or contract funded by amounts appro-
15 priated by this Act may not be used for the purpose of
16 defraying the costs of a banquet or conference that is not
17 directly and programmatically related to the purpose for
18 which the grant or contract was awarded, such as a ban-
19 quet or conference held in connection with planning, train-
20 ing, assessment, review, or other routine purposes related
21 to a project funded by the grant or contract.

22 (e) None of the funds made available in this Act may
23 be used for travel and conference activities that are not
24 in compliance with Office of Management and Budget

1 Memorandum M-12-12 dated May 11, 2012 or any sub-
2 sequent revisions to that memorandum.

3 SEC. 536. None of the funds made available by this
4 Act may be obligated or expended to implement the Arms
5 Trade Treaty until the Senate approves a resolution of
6 ratification for the Treaty.

7 SEC. 537. The head of any executive branch depart-
8 ment, agency, board, commission, or office funded by this
9 Act shall require that all contracts within their purview
10 that provide award fees link such fees to successful acqui-
11 sition outcomes, specifying the terms of cost, schedule,
12 and performance.

13 SEC. 538. Notwithstanding any other provision of
14 this Act, none of the funds appropriated or otherwise
15 made available by this Act may be used to pay award or
16 incentive fees for contractor performance that has been
17 judged to be below satisfactory performance or for per-
18 formance that does not meet the basic requirements of a
19 contract.

20 SEC. 539. (a) None of the funds made available by
21 this Act may be used to relinquish the responsibility of
22 the National Telecommunications and Information Ad-
23 ministration, during fiscal year 2016, with respect to
24 Internet domain name system functions, including respon-

1 sibility with respect to the authoritative root zone file and
2 the Internet Assigned Numbers Authority functions.

3 (b) Notwithstanding any other law, subsection (a)
4 of this section shall not apply in fiscal year 2017.

5 SEC. 540. No funds provided in this Act shall be used
6 to deny an Inspector General funded under this Act timely
7 access to any records, documents, or other materials avail-
8 able to the department or agency over which that Inspec-
9 tor General has responsibilities under the Inspector Gen-
10 eral Act of 1978, or to prevent or impede that Inspector
11 General's access to such records, documents, or other ma-
12 terials, under any provision of law, except a provision of
13 law that expressly refers to the Inspector General and ex-
14 pressly limits the Inspector General's right of access. A
15 department or agency covered by this section shall provide
16 its Inspector General with access to all such records, docu-
17 ments, and other materials in a timely manner. Each In-
18 spector General shall ensure compliance with statutory
19 limitations on disclosure relevant to the information pro-
20 vided by the establishment over which that Inspector Gen-
21 eral has responsibilities under the Inspector General Act
22 of 1978. Each Inspector General covered by this section
23 shall report to the Committees on Appropriations of the
24 House of Representatives and the Senate within 5 cal-
25 endar days any failures to comply with this requirement.

1 SEC. 541. The Department of Commerce, the Na-
2 tional Aeronautics and Space Administration, and the Na-
3 tional Science Foundation shall provide a quarterly report
4 to the Committees on Appropriations of the House of Rep-
5 resentatives and the Senate on any official travel to China
6 by any employee of such Department or agency, including
7 the purpose of such travel.

8 SEC. 542. None of the funds made available in this
9 Act to the Department of Justice may be used, with re-
10 spect to any of the States of Alabama, Alaska, Arizona,
11 California, Colorado, Connecticut, Delaware, Florida,
12 Georgia, Hawaii, Illinois, Iowa, Kentucky, Louisiana,
13 Maine, Maryland, Massachusetts, Michigan, Minnesota,
14 Mississippi, Missouri, Montana, Nevada, New Hampshire,
15 New Jersey, New Mexico, New York, North Carolina,
16 Oklahoma, Oregon, Rhode Island, South Carolina, Ten-
17 nessee, Texas, Utah, Vermont, Virginia, Washington, Wis-
18 consin, and Wyoming, or with respect to the District of
19 Columbia, Guam, or Puerto Rico, to prevent any of them
20 from implementing their own laws that authorize the use,
21 distribution, possession, or cultivation of medical mari-
22 juana.

23 SEC. 543. None of the funds made available by this
24 Act may be used in contravention of section 7606 (“Legit-
25 imacy of Industrial Hemp Research”) of the Agricultural

1 Act of 2014 (Public Law 113–79) by the Department of
2 Justice or the Drug Enforcement Administration.

3 This division may be cited as the “Commerce, Jus-
4 tice, Science, and Related Agencies Appropriations Act,
5 2016”.

1 **DIVISION C—DEPARTMENT OF DEFENSE**
2 **APPROPRIATIONS ACT, 2016**

3 TITLE I

4 MILITARY PERSONNEL

5 MILITARY PERSONNEL, ARMY

6 For pay, allowances, individual clothing, subsistence,
7 interest on deposits, gratuities, permanent change of sta-
8 tion travel (including all expenses thereof for organiza-
9 tional movements), and expenses of temporary duty travel
10 between permanent duty stations, for members of the
11 Army on active duty (except members of reserve compo-
12 nents provided for elsewhere), cadets, and aviation cadets;
13 for members of the Reserve Officers' Training Corps; and
14 for payments pursuant to section 156 of Public Law 97–
15 377, as amended (42 U.S.C. 402 note), and to the Depart-
16 ment of Defense Military Retirement Fund,
17 \$41,045,562,000.

18 MILITARY PERSONNEL, NAVY

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

1 members of the Reserve Officers' Training Corps; and for
2 payments pursuant to section 156 of Public Law 97-377,
3 as amended (42 U.S.C. 402 note), and to the Department
4 of Defense Military Retirement Fund, \$27,835,183,000.

5 MILITARY PERSONNEL, MARINE CORPS

6 For pay, allowances, individual clothing, subsistence,
7 interest on deposits, gratuities, permanent change of sta-
8 tion travel (including all expenses thereof for organiza-
9 tional movements), and expenses of temporary duty travel
10 between permanent duty stations, for members of the Ma-
11 rine Corps on active duty (except members of the Reserve
12 provided for elsewhere); and for payments pursuant to sec-
13 tion 156 of Public Law 97-377, as amended (42 U.S.C.
14 402 note), and to the Department of Defense Military Re-
15 tirement Fund, \$12,859,152,000.

16 MILITARY PERSONNEL, AIR FORCE

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

1 377, as amended (42 U.S.C. 402 note), and to the Depart-
2 ment of Defense Military Retirement Fund,
3 \$27,679,066,000.

4 RESERVE PERSONNEL, ARMY

5 For pay, allowances, clothing, subsistence, gratuities,
6 travel, and related expenses for personnel of the Army Re-
7 serve on active duty under sections 10211, 10302, and
8 3038 of title 10, United States Code, or while serving on
9 active duty under section 12301(d) of title 10, United
10 States Code, in connection with performing duty specified
11 in section 12310(a) of title 10, United States Code, or
12 while undergoing reserve training, or while performing
13 drills or equivalent duty or other duty, and expenses au-
14 thorized by section 16131 of title 10, United States Code;
15 and for payments to the Department of Defense Military
16 Retirement Fund, \$4,463,164,000.

17 RESERVE PERSONNEL, NAVY

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

1 duty, and expenses authorized by section 16131 of title
2 10, United States Code; and for payments to the Depart-
3 ment of Defense Military Retirement Fund,
4 \$1,866,891,000.

5 RESERVE PERSONNEL, MARINE CORPS

6 For pay, allowances, clothing, subsistence, gratuities,
7 travel, and related expenses for personnel of the Marine
8 Corps Reserve on active duty under section 10211 of title
9 10, United States Code, or while serving on active duty
10 under section 12301(d) of title 10, United States Code,
11 in connection with performing duty specified in section
12 12310(a) of title 10, United States Code, or while under-
13 going reserve training, or while performing drills or equiv-
14 alent duty, and for members of the Marine Corps platoon
15 leaders class, and expenses authorized by section 16131
16 of title 10, United States Code; and for payments to the
17 Department of Defense Military Retirement Fund,
18 \$702,481,000.

19 RESERVE PERSONNEL, AIR FORCE

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

1 in section 12310(a) of title 10, United States Code, or
2 while undergoing reserve training, or while performing
3 drills or equivalent duty or other duty, and expenses au-
4 thorized by section 16131 of title 10, United States Code;
5 and for payments to the Department of Defense Military
6 Retirement Fund, \$1,682,942,000.

7 NATIONAL GUARD PERSONNEL, ARMY

8 For pay, allowances, clothing, subsistence, gratuities,
9 travel, and related expenses for personnel of the Army Na-
10 tional Guard while on duty under sections 10211, 10302,
11 or 12402 of title 10 or section 708 of title 32, United
12 States Code, or while serving on duty under section
13 12301(d) of title 10 or section 502(f) of title 32, United
14 States Code, in connection with performing duty specified
15 in section 12310(a) of title 10, United States Code, or
16 while undergoing training, or while performing drills or
17 equivalent duty or other duty, and expenses authorized by
18 section 16131 of title 10, United States Code; and for pay-
19 ments to the Department of Defense Military Retirement
20 Fund, \$7,892,327,000.

21 NATIONAL GUARD PERSONNEL, AIR FORCE

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

1 Code, or while serving on duty under section 12301(d) of
2 title 10 or section 502(f) of title 32, United States Code,
3 in connection with performing duty specified in section
4 12310(a) of title 10, United States Code, or while under-
5 going training, or while performing drills or equivalent
6 duty or other duty, and expenses authorized by section
7 16131 of title 10, United States Code; and for payments
8 to the Department of Defense Military Retirement Fund,
9 \$3,201,890,000.

10

TITLE II

11

OPERATION AND MAINTENANCE

12

OPERATION AND MAINTENANCE, ARMY

13 For expenses, not otherwise provided for, necessary
14 for the operation and maintenance of the Army, as author-
15 ized by law, \$32,399,440,000: *Provided*, That not to ex-
16 ceed \$12,478,000 can be used for emergencies and ex-
17 traordinary expenses, to be expended on the approval or
18 authority of the Secretary of the Army, and payments may
19 be made on his certificate of necessity for confidential mili-
20 tary purposes.

21

OPERATION AND MAINTENANCE, NAVY

22 For expenses, not otherwise provided for, necessary
23 for the operation and maintenance of the Navy and the
24 Marine Corps, as authorized by law, \$39,600,172,000:
25 *Provided*, That not to exceed \$15,055,000 can be used for

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

5 OPERATION AND MAINTENANCE, MARINE CORPS

6 For expenses, not otherwise provided for, necessary
7 for the operation and maintenance of the Marine Corps,
8 as authorized by law, \$5,718,074,000.

9 OPERATION AND MAINTENANCE, AIR FORCE

10 For expenses, not otherwise provided for, necessary
11 for the operation and maintenance of the Air Force, as
12 authorized by law, \$35,727,457,000: *Provided*, That not
13 to exceed \$7,699,000 can be used for emergencies and ex-
14 traordinary expenses, to be expended on the approval or
15 authority of the Secretary of the Air Force, and payments
16 may be made on his certificate of necessity for confidential
17 military purposes.

18 OPERATION AND MAINTENANCE, DEFENSE-WIDE

19 (INCLUDING TRANSFER OF FUNDS)

20 For expenses, not otherwise provided for, necessary
21 for the operation and maintenance of activities and agen-
22 cies of the Department of Defense (other than the military
23 departments), as authorized by law, \$32,105,040,000:
24 *Provided*, That not more than \$15,000,000 may be used
25 for the Combatant Commander Initiative Fund authorized

1 under section 166a of title 10, United States Code: *Pro-*
2 *vided further*, That not to exceed \$36,000,000 can be used
3 for emergencies and extraordinary expenses, to be ex-
4 pended on the approval or authority of the Secretary of
5 Defense, and payments may be made on his certificate of
6 necessity for confidential military purposes: *Provided fur-*
7 *ther*, That of the funds provided under this heading, not
8 less than \$35,045,000 shall be made available for the Pro-
9 curement Technical Assistance Cooperative Agreement
10 Program, of which not less than \$3,600,000 shall be avail-
11 able for centers defined in 10 U.S.C. 2411(1)(D): *Pro-*
12 *vided further*, That none of the funds appropriated or oth-
13 erwise made available by this Act may be used to plan
14 or implement the consolidation of a budget or appropria-
15 tions liaison office of the Office of the Secretary of De-
16 fense, the office of the Secretary of a military department,
17 or the service headquarters of one of the Armed Forces
18 into a legislative affairs or legislative liaison office: *Pro-*
19 *vided further*, That \$9,031,000, to remain available until
20 expended, is available only for expenses relating to certain
21 classified activities, and may be transferred as necessary
22 by the Secretary of Defense to operation and maintenance
23 appropriations or research, development, test and evalua-
24 tion appropriations, to be merged with and to be available
25 for the same time period as the appropriations to which

1 transferred: *Provided further*, That any ceiling on the in-
2 vestment item unit cost of items that may be purchased
3 with operation and maintenance funds shall not apply to
4 the funds described in the preceding proviso: *Provided fur-*
5 *ther*, That the transfer authority provided under this head-
6 ing is in addition to any other transfer authority provided
7 elsewhere in this Act.

8 OPERATION AND MAINTENANCE, ARMY RESERVE

9 For expenses, not otherwise provided for, necessary
10 for the operation and maintenance, including training, or-
11 ganization, and administration, of the Army Reserve; re-
12 pair of facilities and equipment; hire of passenger motor
13 vehicles; travel and transportation; care of the dead; re-
14 cruiting; procurement of services, supplies, and equip-
15 ment; and communications, \$2,646,911,000.

16 OPERATION AND MAINTENANCE, NAVY RESERVE

17 For expenses, not otherwise provided for, necessary
18 for the operation and maintenance, including training, or-
19 ganization, and administration, of the Navy Reserve; re-
20 pair of facilities and equipment; hire of passenger motor
21 vehicles; travel and transportation; care of the dead; re-
22 cruiting; procurement of services, supplies, and equip-
23 ment; and communications, \$998,481,000.

1 OPERATION AND MAINTENANCE, MARINE CORPS

2 RESERVE

3 For expenses, not otherwise provided for, necessary
4 for the operation and maintenance, including training, or-
5 ganization, and administration, of the Marine Corps Re-
6 serve; repair of facilities and equipment; hire of passenger
7 motor vehicles; travel and transportation; care of the dead;
8 recruiting; procurement of services, supplies, and equip-
9 ment; and communications, \$274,526,000.

10 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

11 For expenses, not otherwise provided for, necessary
12 for the operation and maintenance, including training, or-
13 ganization, and administration, of the Air Force Reserve;
14 repair of facilities and equipment; hire of passenger motor
15 vehicles; travel and transportation; care of the dead; re-
16 cruiting; procurement of services, supplies, and equip-
17 ment; and communications, \$2,980,768,000.

18 OPERATION AND MAINTENANCE, ARMY NATIONAL

19 GUARD

20 For expenses of training, organizing, and admin-
21 istering the Army National Guard, including medical and
22 hospital treatment and related expenses in non-Federal
23 hospitals; maintenance, operation, and repairs to struc-
24 tures and facilities; hire of passenger motor vehicles; per-
25 sonnel services in the National Guard Bureau; travel ex-

1 penses (other than mileage), as authorized by law for
2 Army personnel on active duty, for Army National Guard
3 division, regimental, and battalion commanders while in-
4 specting units in compliance with National Guard Bureau
5 regulations when specifically authorized by the Chief, Na-
6 tional Guard Bureau; supplying and equipping the Army
7 National Guard as authorized by law; and expenses of re-
8 pair, modification, maintenance, and issue of supplies and
9 equipment (including aircraft), \$6,595,483,000.

10 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

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

1 Bureau regulations when specifically authorized by the
2 Chief, National Guard Bureau, \$6,820,569,000.

3 UNITED STATES COURT OF APPEALS FOR THE ARMED
4 FORCES

5 For salaries and expenses necessary for the United
6 States Court of Appeals for the Armed Forces,
7 \$14,078,000, of which not to exceed \$5,000 may be used
8 for official representation purposes.

9 ENVIRONMENTAL RESTORATION, ARMY
10 (INCLUDING TRANSFER OF FUNDS)

11 For the Department of the Army, \$234,829,000, to
12 remain available until transferred: *Provided*, That the Sec-
13 retary of the Army shall, upon determining that such
14 funds are required for environmental restoration, reduc-
15 tion and recycling of hazardous waste, removal of unsafe
16 buildings and debris of the Department of the Army, or
17 for similar purposes, transfer the funds made available by
18 this appropriation to other appropriations made available
19 to the Department of the Army, to be merged with and
20 to be available for the same purposes and for the same
21 time period as the appropriations to which transferred:
22 *Provided further*, That upon a determination that all or
23 part of the funds transferred from this appropriation are
24 not necessary for the purposes provided herein, such
25 amounts may be transferred back to this appropriation:

1 *Provided further*, That the transfer authority provided
2 under this heading is in addition to any other transfer au-
3 thority provided elsewhere in this Act.

4 ENVIRONMENTAL RESTORATION, NAVY
5 (INCLUDING TRANSFER OF FUNDS)

6 For the Department of the Navy, \$300,000,000, to
7 remain available until transferred: *Provided*, That the Sec-
8 retary of the Navy shall, upon determining that such
9 funds are required for environmental restoration, reduc-
10 tion and recycling of hazardous waste, removal of unsafe
11 buildings and debris of the Department of the Navy, or
12 for similar purposes, transfer the funds made available by
13 this appropriation to other appropriations made available
14 to the Department of the Navy, to be merged with and
15 to be available for the same purposes and for the same
16 time period as the appropriations to which transferred:
17 *Provided further*, That upon a determination that all or
18 part of the funds transferred from this appropriation are
19 not necessary for the purposes provided herein, such
20 amounts may be transferred back to this appropriation:
21 *Provided further*, That the transfer authority provided
22 under this heading is in addition to any other transfer au-
23 thority provided elsewhere in this Act.

1 ENVIRONMENTAL RESTORATION, AIR FORCE

2 (INCLUDING TRANSFER OF FUNDS)

3 For the Department of the Air Force, \$368,131,000,
4 to remain available until transferred: *Provided*, That the
5 Secretary of the Air Force shall, upon determining that
6 such funds are required for environmental restoration, re-
7 duction and recycling of hazardous waste, removal of un-
8 safe buildings and debris of the Department of the Air
9 Force, or for similar purposes, transfer the funds made
10 available by this appropriation to other appropriations
11 made available to the Department of the Air Force, to be
12 merged with and to be available for the same purposes
13 and for the same time period as the appropriations to
14 which transferred: *Provided further*, That upon a deter-
15 mination that all or part of the funds transferred from
16 this appropriation are not necessary for the purposes pro-
17 vided herein, such amounts may be transferred back to
18 this appropriation: *Provided further*, That the transfer au-
19 thority provided under this heading is in addition to any
20 other transfer authority provided elsewhere in this Act.

21 ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

22 (INCLUDING TRANSFER OF FUNDS)

23 For the Department of Defense, \$8,232,000, to re-
24 main available until transferred: *Provided*, That the Sec-
25 retary of Defense shall, upon determining that such funds

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

16 ENVIRONMENTAL RESTORATION, FORMERLY USED
17 DEFENSE SITES
18 (INCLUDING TRANSFER OF FUNDS)

19 For the Department of the Army, \$231,217,000, to
20 remain available until transferred: *Provided*, That the Sec-
21 retary of the Army shall, upon determining that such
22 funds are required for environmental restoration, reduc-
23 tion and recycling of hazardous waste, removal of unsafe
24 buildings and debris at sites formerly used by the Depart-
25 ment of Defense, transfer the funds made available by this

1 appropriation to other appropriations made available to
2 the Department of the Army, to be merged with and to
3 be available for the same purposes and for the same time
4 period as the appropriations to which transferred: *Pro-*
5 *vided further*, That upon a determination that all or part
6 of the funds transferred from this appropriation are not
7 necessary for the purposes provided herein, such amounts
8 may be transferred back to this appropriation: *Provided*
9 *further*, That the transfer authority provided under this
10 heading is in addition to any other transfer authority pro-
11 vided elsewhere in this Act.

12 OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

13 For expenses relating to the Overseas Humanitarian,
14 Disaster, and Civic Aid programs of the Department of
15 Defense (consisting of the programs provided under sec-
16 tions 401, 402, 404, 407, 2557, and 2561 of title 10,
17 United States Code), \$103,266,000, to remain available
18 until September 30, 2017.

19 COOPERATIVE THREAT REDUCTION ACCOUNT

20 For assistance to the republics of the former Soviet
21 Union and, with appropriate authorization by the Depart-
22 ment of Defense and Department of State, to countries
23 outside of the former Soviet Union, including assistance
24 provided by contract or by grants, for facilitating the
25 elimination and the safe and secure transportation and

1 storage of nuclear, chemical and other weapons; for estab-
2 lishing programs to prevent the proliferation of weapons,
3 weapons components, and weapon-related technology and
4 expertise; for programs relating to the training and sup-
5 port of defense and military personnel for demilitarization
6 and protection of weapons, weapons components, and
7 weapons technology and expertise, and for defense and
8 military contacts, \$358,496,000, to remain available until
9 September 30, 2018.

1 TITLE III

2 PROCUREMENT

3 AIRCRAFT PROCUREMENT, ARMY

4 For construction, procurement, production, modifica-
5 tion, and modernization of aircraft, equipment, including
6 ordnance, ground handling equipment, spare parts, and
7 accessories therefor; specialized equipment and training
8 devices; expansion of public and private plants, including
9 the land necessary therefor, for the foregoing purposes,
10 and such lands and interests therein, may be acquired,
11 and construction prosecuted thereon prior to approval of
12 title; and procurement and installation of equipment, ap-
13 pliances, and machine tools in public and private plants;
14 reserve plant and Government and contractor-owned
15 equipment layaway; and other expenses necessary for the
16 foregoing purposes, \$5,866,367,000, to remain available
17 for obligation until September 30, 2018.

18 MISSILE PROCUREMENT, ARMY

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

1 and construction prosecuted thereon prior to approval of
2 title; and procurement and installation of equipment, ap-
3 pliances, and machine tools in public and private plants;
4 reserve plant and Government and contractor-owned
5 equipment layaway; and other expenses necessary for the
6 foregoing purposes, \$1,600,957,000, to remain available
7 for obligation until September 30, 2018.

8 PROCUREMENT OF WEAPONS AND TRACKED COMBAT
9 VEHICLES, ARMY

10 For construction, procurement, production, and
11 modification of weapons and tracked combat vehicles,
12 equipment, including ordnance, spare parts, and acces-
13 sories therefor; specialized equipment and training devices;
14 expansion of public and private plants, including the land
15 necessary therefor, for the foregoing purposes, and such
16 lands and interests therein, may be acquired, and con-
17 struction prosecuted thereon prior to approval of title; and
18 procurement and installation of equipment, appliances,
19 and machine tools in public and private plants; reserve
20 plant and Government and contractor-owned equipment
21 layaway; and other expenses necessary for the foregoing
22 purposes, \$1,951,646,000, to remain available for obliga-
23 tion until September 30, 2018.

1 PROCUREMENT OF AMMUNITION, ARMY

2 For construction, procurement, production, and
3 modification of ammunition, and accessories therefor; spe-
4 cialized equipment and training devices; expansion of pub-
5 lic and private plants, including ammunition facilities, au-
6 thorized by section 2854 of title 10, United States Code,
7 and the land necessary therefor, for the foregoing pur-
8 poses, and such lands and interests therein, may be ac-
9 quired, and construction prosecuted thereon prior to ap-
10 proval of title; and procurement and installation of equip-
11 ment, appliances, and machine tools in public and private
12 plants; reserve plant and Government and contractor-
13 owned equipment layaway; and other expenses necessary
14 for the foregoing purposes, \$1,245,426,000, to remain
15 available for obligation until September 30, 2018.

16 OTHER PROCUREMENT, ARMY

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

1 therein, may be acquired, and construction prosecuted
2 thereon prior to approval of title; and procurement and
3 installation of equipment, appliances, and machine tools
4 in public and private plants; reserve plant and Govern-
5 ment and contractor-owned equipment layaway; and other
6 expenses necessary for the foregoing purposes,
7 \$5,718,811,000, to remain available for obligation until
8 September 30, 2018.

9 AIRCRAFT PROCUREMENT, NAVY

10 For construction, procurement, production, modifica-
11 tion, and modernization of aircraft, equipment, including
12 ordnance, spare parts, and accessories therefor; specialized
13 equipment; expansion of public and private plants, includ-
14 ing the land necessary therefor, and such lands and inter-
15 ests therein, may be acquired, and construction prosecuted
16 thereon prior to approval of title; and procurement and
17 installation of equipment, appliances, and machine tools
18 in public and private plants; reserve plant and Govern-
19 ment and contractor-owned equipment layaway,
20 \$17,521,209,000, to remain available for obligation until
21 September 30, 2018.

22 WEAPONS PROCUREMENT, NAVY

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

1 and accessories therefor; expansion of public and private
2 plants, including the land necessary therefor, and such
3 lands and interests therein, may be acquired, and con-
4 struction prosecuted thereon prior to approval of title; and
5 procurement and installation of equipment, appliances,
6 and machine tools in public and private plants; reserve
7 plant and Government and contractor-owned equipment
8 layaway, \$3,049,542,000, to remain available for obliga-
9 tion until September 30, 2018.

10 PROCUREMENT OF AMMUNITION, NAVY AND MARINE
11 CORPS

12 For construction, procurement, production, and
13 modification of ammunition, and accessories therefor; spe-
14 cialized equipment and training devices; expansion of pub-
15 lic and private plants, including ammunition facilities, au-
16 thorized by section 2854 of title 10, United States Code,
17 and the land necessary therefor, for the foregoing pur-
18 poses, and such lands and interests therein, may be ac-
19 quired, and construction prosecuted thereon prior to ap-
20 proval of title; and procurement and installation of equip-
21 ment, appliances, and machine tools in public and private
22 plants; reserve plant and Government and contractor-
23 owned equipment layaway; and other expenses necessary
24 for the foregoing purposes, \$651,920,000, to remain avail-
25 able for obligation until September 30, 2018.

1 SHIPBUILDING AND CONVERSION, NAVY

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

14 Carrier Replacement Program, \$1,569,571,000;

15 Carrier Replacement Program (AP),
16 \$862,358,000;

17 Virginia Class Submarine, \$3,346,370,000;

18 Virginia Class Submarine (AP),
19 \$1,971,840,000;

20 CVN Refueling Overhauls, \$637,588,000;

21 CVN Refueling Overhauls (AP), \$14,951,000;

22 DDG-1000 Program, \$433,404,000;

23 DDG-51 Destroyer, \$4,132,650,000;

24 Littoral Combat Ship, \$1,331,591,000;

25 LPD-17, \$550,000,000;

1 Afloat Forward Staging Base, \$635,000,000;
2 LHA Replacement (AP), \$476,543,000;
3 LX(R) (AP), \$250,000,000;
4 Joint High Speed Vessel, \$225,000,000;
5 TAO Fleet Oiler, \$674,190,000;
6 T-ATS(X) Fleet Tug, \$75,000,000;
7 LCU Replacement, \$34,000,000;
8 Moored Training Ship (AP), \$138,200,000;
9 Ship to Shore Connector, \$210,630,000;
10 Service Craft, \$30,014,000;
11 LCAC Service Life Extension Program,
12 \$80,738,000;
13 YP Craft Maintenance/ROH/SLEP,
14 \$21,838,000; and
15 For outfitting, post delivery, conversions, and
16 first destination transportation, \$613,758,000.
17 Completion of Prior Year Shipbuilding Pro-
18 grams, \$389,305,000.
19 In all: \$18,704,539,000, to remain available for obli-
20 gation until September 30, 2020: *Provided*, That addi-
21 tional obligations may be incurred after September 30,
22 2020, for engineering services, tests, evaluations, and
23 other such budgeted work that must be performed in the
24 final stage of ship construction: *Provided further*, That
25 none of the funds provided under this heading for the con-

1 struction or conversion of any naval vessel to be con-
2 structed in shipyards in the United States shall be ex-
3 pended in foreign facilities for the construction of major
4 components of such vessel: *Provided further*, That none
5 of the funds provided under this heading shall be used
6 for the construction of any naval vessel in foreign ship-
7 yards.

8 OTHER PROCUREMENT, NAVY

9 For procurement, production, and modernization of
10 support equipment and materials not otherwise provided
11 for, Navy ordnance (except ordnance for new aircraft, new
12 ships, and ships authorized for conversion); the purchase
13 of passenger motor vehicles for replacement only; expan-
14 sion of public and private plants, including the land nec-
15 essary therefor, and such lands and interests therein, may
16 be acquired, and construction prosecuted thereon prior to
17 approval of title; and procurement and installation of
18 equipment, appliances, and machine tools in public and
19 private plants; reserve plant and Government and con-
20 tractor-owned equipment layaway, \$6,484,257,000, to re-
21 main available for obligation until September 30, 2018.

22 PROCUREMENT, MARINE CORPS

23 For expenses necessary for the procurement, manu-
24 facture, and modification of missiles, armament, military
25 equipment, spare parts, and accessories therefor; plant

1 equipment, appliances, and machine tools, and installation
2 thereof in public and private plants; reserve plant and
3 Government and contractor-owned equipment layaway; ve-
4 hicles for the Marine Corps, including the purchase of pas-
5 senger motor vehicles for replacement only; and expansion
6 of public and private plants, including land necessary
7 therefor, and such lands and interests therein, may be ac-
8 quired, and construction prosecuted thereon prior to ap-
9 proval of title, \$1,186,812,000, to remain available for ob-
10 ligation until September 30, 2018.

11 AIRCRAFT PROCUREMENT, AIR FORCE

12 For construction, procurement, and modification of
13 aircraft and equipment, including armor and armament,
14 specialized ground handling equipment, and training de-
15 vices, spare parts, and accessories therefor; specialized
16 equipment; expansion of public and private plants, Gov-
17 ernment-owned equipment and installation thereof in such
18 plants, erection of structures, and acquisition of land, for
19 the foregoing purposes, and such lands and interests
20 therein, may be acquired, and construction prosecuted
21 thereon prior to approval of title; reserve plant and Gov-
22 ernment and contractor-owned equipment layaway; and
23 other expenses necessary for the foregoing purposes in-
24 cluding rents and transportation of things,

1 \$15,756,853,000, to remain available for obligation until
2 September 30, 2018.

3 MISSILE PROCUREMENT, AIR FORCE

4 For construction, procurement, and modification of
5 missiles, rockets, and related equipment, including spare
6 parts and accessories therefor; ground handling equip-
7 ment, and training devices; expansion of public and pri-
8 vate plants, Government-owned equipment and installa-
9 tion thereof in such plants, erection of structures, and ac-
10 quisition of land, for the foregoing purposes, and such
11 lands and interests therein, may be acquired, and con-
12 struction prosecuted thereon prior to approval of title; re-
13 serve plant and Government and contractor-owned equip-
14 ment layaway; and other expenses necessary for the fore-
15 going purposes including rents and transportation of
16 things, \$2,912,131,000, to remain available for obligation
17 until September 30, 2018.

18 SPACE PROCUREMENT, AIR FORCE

19 For construction, procurement, and modification of
20 spacecraft, rockets, and related equipment, including
21 spare parts and accessories therefor; ground handling
22 equipment, and training devices; expansion of public and
23 private plants, Government-owned equipment and installa-
24 tion thereof in such plants, erection of structures, and ac-
25 quisition of land, for the foregoing purposes, and such

1 lands and interests therein, may be acquired, and con-
2 struction prosecuted thereon prior to approval of title; re-
3 serve plant and Government and contractor-owned equip-
4 ment layaway; and other expenses necessary for the fore-
5 going purposes including rents and transportation of
6 things, \$2,812,159,000, to remain available for obligation
7 until September 30, 2018.

8 PROCUREMENT OF AMMUNITION, AIR FORCE

9 For construction, procurement, production, and
10 modification of ammunition, and accessories therefor; spe-
11 cialized equipment and training devices; expansion of pub-
12 lic and private plants, including ammunition facilities, au-
13 thorized by section 2854 of title 10, United States Code,
14 and the land necessary therefor, for the foregoing pur-
15 poses, and such lands and interests therein, may be ac-
16 quired, and construction prosecuted thereon prior to ap-
17 proval of title; and procurement and installation of equip-
18 ment, appliances, and machine tools in public and private
19 plants; reserve plant and Government and contractor-
20 owned equipment layaway; and other expenses necessary
21 for the foregoing purposes, \$1,744,993,000, to remain
22 available for obligation until September 30, 2018.

23 OTHER PROCUREMENT, AIR FORCE

24 For procurement and modification of equipment (in-
25 cluding ground guidance and electronic control equipment,

1 and ground electronic and communication equipment),
2 and supplies, materials, and spare parts therefor, not oth-
3 erwise provided for; the purchase of passenger motor vehi-
4 cles for replacement only; lease of passenger motor vehi-
5 cles; and expansion of public and private plants, Govern-
6 ment-owned equipment and installation thereof in such
7 plants, erection of structures, and acquisition of land, for
8 the foregoing purposes, and such lands and interests
9 therein, may be acquired, and construction prosecuted
10 thereon, prior to approval of title; reserve plant and Gov-
11 ernment and contractor-owned equipment layaway,
12 \$18,311,882,000, to remain available for obligation until
13 September 30, 2018.

14 PROCUREMENT, DEFENSE-WIDE

15 For expenses of activities and agencies of the Depart-
16 ment of Defense (other than the military departments)
17 necessary for procurement, production, and modification
18 of equipment, supplies, materials, and spare parts there-
19 for, not otherwise provided for; the purchase of passenger
20 motor vehicles for replacement only; expansion of public
21 and private plants, equipment, and installation thereof in
22 such plants, erection of structures, and acquisition of land
23 for the foregoing purposes, and such lands and interests
24 therein, may be acquired, and construction prosecuted
25 thereon prior to approval of title; reserve plant and Gov-

1 ernment and contractor-owned equipment layaway,
2 \$5,245,443,000, to remain available for obligation until
3 September 30, 2018.

4 DEFENSE PRODUCTION ACT PURCHASES

5 For activities by the Department of Defense pursuant
6 to sections 108, 301, 302, and 303 of the Defense Produc-
7 tion Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, and
8 2093), \$76,680,000, to remain available until expended.

9 TITLE IV

10 RESEARCH, DEVELOPMENT, TEST AND

11 EVALUATION

12 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

13 ARMY

14 For expenses necessary for basic and applied sci-
15 entific research, development, test and evaluation, includ-
16 ing maintenance, rehabilitation, lease, and operation of fa-
17 cilities and equipment, \$7,565,327,000, to remain avail-
18 able for obligation until September 30, 2017.

19 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

20 NAVY

21 For expenses necessary for basic and applied sci-
22 entific research, development, test and evaluation, includ-
23 ing maintenance, rehabilitation, lease, and operation of fa-
24 cilities and equipment, \$18,117,677,000, to remain avail-
25 able for obligation until September 30, 2017: *Provided,*

1 That funds appropriated in this paragraph which are
2 available for the V-22 may be used to meet unique oper-
3 ational requirements of the Special Operations Forces.

4 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
5 AIR FORCE

6 For expenses necessary for basic and applied sci-
7 entific research, development, test and evaluation, includ-
8 ing maintenance, rehabilitation, lease, and operation of fa-
9 cilities and equipment, \$25,217,148,000, to remain avail-
10 able for obligation until September 30, 2017.

11 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
12 DEFENSE-WIDE

13 (INCLUDING TRANSFER OF FUNDS)

14 For expenses of activities and agencies of the Depart-
15 ment of Defense (other than the military departments),
16 necessary for basic and applied scientific research, devel-
17 opment, test and evaluation; advanced research projects
18 as may be designated and determined by the Secretary
19 of Defense, pursuant to law; maintenance, rehabilitation,
20 lease, and operation of facilities and equipment,
21 \$18,695,955,000, to remain available for obligation until
22 September 30, 2017: *Provided*, That, of the funds made
23 available in this paragraph, \$250,000,000 for the Defense
24 Rapid Innovation Program shall only be available for ex-
25 penses, not otherwise provided for, to include program

1 management and oversight, to conduct research, develop-
2 ment, test and evaluation to include proof of concept dem-
3 onstration; engineering, testing, and validation; and tran-
4 sition to full-scale production: *Provided further*, That the
5 Secretary of Defense may transfer funds provided herein
6 for the Defense Rapid Innovation Program to appropria-
7 tions for research, development, test and evaluation to ac-
8 complish the purpose provided herein: *Provided further*,
9 That this transfer authority is in addition to any other
10 transfer authority available to the Department of Defense:
11 *Provided further*, That the Secretary of Defense shall, not
12 fewer than 30 days prior to making transfers from this
13 appropriation, notify the congressional defense committees
14 in writing of the details of any such transfer.

15 OPERATIONAL TEST AND EVALUATION, DEFENSE

16 For expenses, not otherwise provided for, necessary
17 for the independent activities of the Director, Operational
18 Test and Evaluation, in the direction and supervision of
19 operational test and evaluation, including initial oper-
20 ational test and evaluation which is conducted prior to,
21 and in support of, production decisions; joint operational
22 testing and evaluation; and administrative expenses in
23 connection therewith, \$188,558,000, to remain available
24 for obligation until September 30, 2017.

1 TITLE V

2 REVOLVING AND MANAGEMENT FUNDS

3 DEFENSE WORKING CAPITAL FUNDS

4 For the Defense Working Capital Funds,
5 \$1,738,768,000.

6 NATIONAL DEFENSE SEALIFT FUND

7 For National Defense Sealift Fund programs,
8 projects, and activities, and for expenses of the National
9 Defense Reserve Fleet, as established by section 11 of the
10 Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744),
11 and for the necessary expenses to maintain and preserve
12 a U.S.-flag merchant fleet to serve the national security
13 needs of the United States, \$474,164,000, to remain avail-
14 able until expended: *Provided*, That none of the funds pro-
15 vided in this paragraph shall be used to award a new con-
16 tract that provides for the acquisition of any of the fol-
17 lowing major components unless such components are
18 manufactured in the United States: auxiliary equipment,
19 including pumps, for all shipboard services; propulsion
20 system components (engines, reduction gears, and propel-
21 lers); shipboard cranes; and spreaders for shipboard
22 cranes: *Provided further*, That the exercise of an option
23 in a contract awarded through the obligation of previously
24 appropriated funds shall not be considered to be the award
25 of a new contract: *Provided further*, That none of the

1 funds provided in this paragraph shall be used to award
2 a new contract for the construction, acquisition, or conver-
3 sion of vessels, including procurement of critical, long lead
4 time components and designs for vessels to be constructed
5 or converted in the future: *Provided further*, That the Sec-
6 retary of the military department responsible for such pro-
7 curement may waive the restrictions in the first proviso
8 on a case-by-case basis by certifying in writing to the
9 Committees on Appropriations of the House of Represent-
10 atives and the Senate that adequate domestic supplies are
11 not available to meet Department of Defense requirements
12 on a timely basis and that such an acquisition must be
13 made in order to acquire capability for national security
14 purposes.

15 TITLE VI

16 OTHER DEPARTMENT OF DEFENSE PROGRAMS

17 DEFENSE HEALTH PROGRAM

18 For expenses, not otherwise provided for, for medical
19 and health care programs of the Department of Defense
20 as authorized by law, \$32,329,490,000; of which
21 \$29,842,167,000 shall be for operation and maintenance,
22 of which not to exceed one percent shall remain available
23 for obligation until September 30, 2017, and of which up
24 to \$14,579,612,000 may be available for contracts entered
25 into under the TRICARE program; of which

1 \$365,390,000, to remain available for obligation until Sep-
2 tember 30, 2018, shall be for procurement; and of which
3 \$2,121,933,000, to remain available for obligation until
4 September 30, 2017, shall be for research, development,
5 test and evaluation: *Provided*, That, notwithstanding any
6 other provision of law, of the amount made available under
7 this heading for research, development, test and evalua-
8 tion, not less than \$8,000,000 shall be available for HIV
9 prevention educational activities undertaken in connection
10 with United States military training, exercises, and hu-
11 manitarian assistance activities conducted primarily in Af-
12 rican nations: *Provided further*, That of the funds provided
13 under this heading for research, development, test and
14 evaluation, not less than \$943,300,000 shall be made
15 available to the United States Army Medical Research and
16 Materiel Command to carry out the congressionally di-
17 rected medical research programs.

18 CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,

19 DEFENSE

20 For expenses, not otherwise provided for, necessary
21 for the destruction of the United States stockpile of lethal
22 chemical agents and munitions in accordance with the pro-
23 visions of section 1412 of the Department of Defense Au-
24 thorization Act, 1986 (50 U.S.C. 1521), and for the de-
25 struction of other chemical warfare materials that are not

1 in the chemical weapon stockpile, \$699,821,000, of which
2 \$118,198,000 shall be for operation and maintenance, of
3 which no less than \$50,743,000 shall be for the Chemical
4 Stockpile Emergency Preparedness Program, consisting of
5 \$21,289,000 for activities on military installations and
6 \$29,454,000, to remain available until September 30,
7 2017, to assist State and local governments; \$2,281,000
8 shall be for procurement, to remain available until Sep-
9 tember 30, 2018, of which \$2,281,000 shall be for the
10 Chemical Stockpile Emergency Preparedness Program to
11 assist State and local governments; and \$579,342,000, to
12 remain available until September 30, 2017, shall be for
13 research, development, test and evaluation, of which
14 \$569,339,000 shall only be for the Assembled Chemical
15 Weapons Alternatives program.

16 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,

17 DEFENSE

18 (INCLUDING TRANSFER OF FUNDS)

19 For drug interdiction and counter-drug activities of
20 the Department of Defense, for transfer to appropriations
21 available to the Department of Defense for military per-
22 sonnel of the reserve components serving under the provi-
23 sions of title 10 and title 32, United States Code; for oper-
24 ation and maintenance; for procurement; and for research,
25 development, test and evaluation, \$1,050,598,000, of

1 which \$716,109,000 shall be for counter-narcotics sup-
2 port; \$121,589,000 shall be for the drug demand reduc-
3 tion program; \$192,900,000 shall be for the National
4 Guard counter-drug program; and \$20,000,000 shall be
5 for the National Guard counter-drug schools program:
6 *Provided*, That the funds appropriated under this heading
7 shall be available for obligation for the same time period
8 and for the same purpose as the appropriation to which
9 transferred: *Provided further*, That upon a determination
10 that all or part of the funds transferred from this appro-
11 priation are not necessary for the purposes provided here-
12 in, such amounts may be transferred back to this appro-
13 priation: *Provided further*, That the transfer authority pro-
14 vided under this heading is in addition to any other trans-
15 fer authority contained elsewhere in this Act.

16 OFFICE OF THE INSPECTOR GENERAL

17 For expenses and activities of the Office of the In-
18 spector General in carrying out the provisions of the In-
19 spector General Act of 1978, as amended, \$312,559,000,
20 of which \$310,459,000 shall be for operation and mainte-
21 nance, of which not to exceed \$700,000 is available for
22 emergencies and extraordinary expenses to be expended on
23 the approval or authority of the Inspector General, and
24 payments may be made on the Inspector General's certifi-
25 cate of necessity for confidential military purposes; and

1 of which \$2,100,000, to remain available until September
2 30, 2017, shall be for research, development, test and eval-
3 uation.

4 TITLE VII

5 RELATED AGENCIES

6 CENTRAL INTELLIGENCE AGENCY RETIREMENT AND

7 DISABILITY SYSTEM FUND

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

13 INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

14 For necessary expenses of the Intelligence Commu-
15 nity Management Account, \$505,206,000.

1 TITLE VIII

2 GENERAL PROVISIONS

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

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

1 SEC. 8003. No part of any appropriation contained
2 in this Act shall remain available for obligation beyond
3 the current fiscal year, unless expressly so provided herein.

4 SEC. 8004. No more than 20 percent of the appro-
5 priations in this Act which are limited for obligation dur-
6 ing the current fiscal year shall be obligated during the
7 last 2 months of the fiscal year: *Provided*, That this sec-
8 tion shall not apply to obligations for support of active
9 duty training of reserve components or summer camp
10 training of the Reserve Officers' Training Corps.

11 (TRANSFER OF FUNDS)

12 SEC. 8005. Upon determination by the Secretary of
13 Defense that such action is necessary in the national inter-
14 est, he may, with the approval of the Office of Manage-
15 ment and Budget, transfer not to exceed \$4,500,000,000
16 of working capital funds of the Department of Defense
17 or funds made available in this Act to the Department
18 of Defense for military functions (except military con-
19 struction) between such appropriations or funds or any
20 subdivision thereof, to be merged with and to be available
21 for the same purposes, and for the same time period, as
22 the appropriation or fund to which transferred: *Provided*,
23 That such authority to transfer may not be used unless
24 for higher priority items, based on unforeseen military re-
25 quirements, than those for which originally appropriated

1 and in no case where the item for which funds are re-
2 quested has been denied by the Congress: *Provided further*,
3 That the Secretary of Defense shall notify the Congress
4 promptly of all transfers made pursuant to this authority
5 or any other authority in this Act: *Provided further*, That
6 no part of the funds in this Act shall be available to pre-
7 pare or present a request to the Committees on Appropria-
8 tions for reprogramming of funds, unless for higher pri-
9 ority items, based on unforeseen military requirements,
10 than those for which originally appropriated and in no
11 case where the item for which reprogramming is requested
12 has been denied by the Congress: *Provided further*, That
13 a request for multiple reprogrammings of funds using au-
14 thority provided in this section shall be made prior to June
15 30, 2016: *Provided further*, That transfers among military
16 personnel appropriations shall not be taken into account
17 for purposes of the limitation on the amount of funds that
18 may be transferred under this section.

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

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

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

13 SEC. 8007. (a) Not later than 60 days after enact-
14 ment of this Act, the Department of Defense shall submit
15 a report to the congressional defense committees to estab-
16 lish the baseline for application of reprogramming and
17 transfer authorities for fiscal year 2016: *Provided*, That
18 the report shall include—

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

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

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

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

5 (b) Notwithstanding section 8005 of this Act, none
6 of the funds provided in this Act shall be available for
7 reprogramming or transfer until the report identified in
8 subsection (a) is submitted to the congressional defense
9 committees, unless the Secretary of Defense certifies in
10 writing to the congressional defense committees that such
11 reprogramming or transfer is necessary as an emergency
12 requirement: *Provided*, That this subsection shall not
13 apply to transfers from the following appropriations ac-
14 counts:

15 (1) “Environmental Restoration, Army”;

16 (2) “Environmental Restoration, Navy”;

17 (3) “Environmental Restoration, Air Force”;

18 (4) “Environmental Restoration, Defense-
19 wide”; and

20 (5) “Environmental Restoration, Formerly
21 Used Defense Sites”.

22 (TRANSFER OF FUNDS)

23 SEC. 8008. During the current fiscal year, cash bal-
24 ances in working capital funds of the Department of De-
25 fense established pursuant to section 2208 of title 10,

1 United States Code, may be maintained in only such
2 amounts as are necessary at any time for cash disburse-
3 ments to be made from such funds: *Provided*, That trans-
4 fers may be made between such funds: *Provided further*,
5 That transfers may be made between working capital
6 funds and the “Foreign Currency Fluctuations, Defense”
7 appropriation and the “Operation and Maintenance” ap-
8 propriation accounts in such amounts as may be deter-
9 mined by the Secretary of Defense, with the approval of
10 the Office of Management and Budget, except that such
11 transfers may not be made unless the Secretary of Defense
12 has notified the Congress of the proposed transfer: *Pro-*
13 *vided further*, That except in amounts equal to the
14 amounts appropriated to working capital funds in this Act,
15 no obligations may be made against a working capital fund
16 to procure or increase the value of war reserve material
17 inventory, unless the Secretary of Defense has notified the
18 Congress prior to any such obligation.

19 SEC. 8009. Funds appropriated by this Act may not
20 be used to initiate a special access program without prior
21 notification 30 calendar days in advance to the congres-
22 sional defense committees.

23 SEC. 8010. None of the funds provided in this Act
24 shall be available to initiate: (1) a multiyear contract that
25 employs economic order quantity procurement in excess of

1 \$20,000,000 in any one year of the contract or that in-
2 cludes an unfunded contingent liability in excess of
3 \$20,000,000; or (2) a contract for advance procurement
4 leading to a multiyear contract that employs economic
5 order quantity procurement in excess of \$20,000,000 in
6 any one year, unless the congressional defense committees
7 have been notified at least 30 days in advance of the pro-
8 posed contract award: *Provided*, That no part of any ap-
9 propriation contained in this Act shall be available to ini-
10 tiate a multiyear contract for which the economic order
11 quantity advance procurement is not funded at least to
12 the limits of the Government's liability: *Provided further*,
13 That no part of any appropriation contained in this Act
14 shall be available to initiate multiyear procurement con-
15 tracts for any systems or component thereof if the value
16 of the multiyear contract would exceed \$500,000,000 un-
17 less specifically provided in this Act: *Provided further*,
18 That no multiyear procurement contract can be termi-
19 nated without 30-day prior notification to the congres-
20 sional defense committees: *Provided further*, That the exe-
21 cution of multiyear authority shall require the use of a
22 present value analysis to determine lowest cost compared
23 to an annual procurement: *Provided further*, That none of
24 the funds provided in this Act may be used for a multiyear

1 contract executed after the date of the enactment of this
2 Act unless in the case of any such contract—

3 (1) the Secretary of Defense has submitted to
4 Congress a budget request for full funding of units
5 to be procured through the contract and, in the case
6 of a contract for procurement of aircraft, that in-
7 cludes, for any aircraft unit to be procured through
8 the contract for which procurement funds are re-
9 quested in that budget request for production be-
10 yond advance procurement activities in the fiscal
11 year covered by the budget, full funding of procure-
12 ment of such unit in that fiscal year;

13 (2) cancellation provisions in the contract do
14 not include consideration of recurring manufacturing
15 costs of the contractor associated with the produc-
16 tion of unfunded units to be delivered under the con-
17 tract;

18 (3) the contract provides that payments to the
19 contractor under the contract shall not be made in
20 advance of incurred costs on funded units; and

21 (4) the contract does not provide for a price ad-
22 justment based on a failure to award a follow-on
23 contract.

24 SEC. 8011. Within the funds appropriated for the op-
25 eration and maintenance of the Armed Forces, funds are

1 hereby appropriated pursuant to section 401 of title 10,
2 United States Code, for humanitarian and civic assistance
3 costs under chapter 20 of title 10, United States Code.
4 Such funds may also be obligated for humanitarian and
5 civic assistance costs incidental to authorized operations
6 and pursuant to authority granted in section 401 of chap-
7 ter 20 of title 10, United States Code, and these obliga-
8 tions shall be reported as required by section 401(d) of
9 title 10, United States Code: *Provided*, That funds avail-
10 able for operation and maintenance shall be available for
11 providing humanitarian and similar assistance by using
12 Civic Action Teams in the Trust Territories of the Pacific
13 Islands and freely associated states of Micronesia, pursu-
14 ant to the Compact of Free Association as authorized by
15 Public Law 99–239: *Provided further*, That upon a deter-
16 mination by the Secretary of the Army that such action
17 is beneficial for graduate medical education programs con-
18 ducted at Army medical facilities located in Hawaii, the
19 Secretary of the Army may authorize the provision of med-
20 ical services at such facilities and transportation to such
21 facilities, on a nonreimbursable basis, for civilian patients
22 from American Samoa, the Commonwealth of the North-
23 ern Mariana Islands, the Marshall Islands, the Federated
24 States of Micronesia, Palau, and Guam.

1 SEC. 8012. (a) During fiscal year 2016, the civilian
2 personnel of the Department of Defense may not be man-
3 aged on the basis of any end-strength, and the manage-
4 ment of such personnel during that fiscal year shall not
5 be subject to any constraint or limitation (known as an
6 end-strength) on the number of such personnel who may
7 be employed on the last day of such fiscal year.

8 (b) The fiscal year 2017 budget request for the De-
9 partment of Defense as well as all justification material
10 and other documentation supporting the fiscal year 2017
11 Department of Defense budget request shall be prepared
12 and submitted to the Congress as if subsections (a) and
13 (b) of this provision were effective with regard to fiscal
14 year 2017.

15 (c) As required by section 1107 of the National De-
16 fense Authorization Act for Fiscal Year 2014 (Public Law
17 113–66; 10 U.S.C. 2358 note) civilian personnel at the
18 Department of Army Science and Technology Reinvention
19 Laboratories may not be managed on the basis of the
20 Table of Distribution and Allowances, and the manage-
21 ment of the workforce strength shall be done in a manner
22 consistent with the budget available with respect to such
23 Laboratories.

24 (d) Nothing in this section shall be construed to apply
25 to military (civilian) technicians.

1 SEC. 8013. None of the funds made available by this
2 Act shall be used in any way, directly or indirectly, to in-
3 fluence congressional action on any legislation or appro-
4 priation matters pending before the Congress.

5 SEC. 8014. None of the funds appropriated by this
6 Act shall be available for the basic pay and allowances of
7 any member of the Army participating as a full-time stu-
8 dent and receiving benefits paid by the Secretary of Vet-
9 erans Affairs from the Department of Defense Education
10 Benefits Fund when time spent as a full-time student is
11 credited toward completion of a service commitment: *Pro-*
12 *vided*, That this section shall not apply to those members
13 who have reenlisted with this option prior to October 1,
14 1987: *Provided further*, That this section applies only to
15 active components of the Army.

16 (TRANSFER OF FUNDS)

17 SEC. 8015. Funds appropriated in title III of this Act
18 for the Department of Defense Pilot Mentor-Protégé Pro-
19 gram may be transferred to any other appropriation con-
20 tained in this Act solely for the purpose of implementing
21 a Mentor-Protégé Program developmental assistance
22 agreement pursuant to section 831 of the National De-
23 fense Authorization Act for Fiscal Year 1991 (Public Law
24 101–510; 10 U.S.C. 2302 note), as amended, under the

1 authority of this provision or any other transfer authority
2 contained in this Act.

3 SEC. 8016. None of the funds in this Act may be
4 available for the purchase by the Department of Defense
5 (and its departments and agencies) of welded shipboard
6 anchor and mooring chain 4 inches in diameter and under
7 unless the anchor and mooring chain are manufactured
8 in the United States from components which are substan-
9 tially manufactured in the United States: *Provided*, That
10 for the purpose of this section, the term “manufactured”
11 shall include cutting, heat treating, quality control, testing
12 of chain and welding (including the forging and shot blast-
13 ing process): *Provided further*, That for the purpose of this
14 section substantially all of the components of anchor and
15 mooring chain shall be considered to be produced or manu-
16 factured in the United States if the aggregate cost of the
17 components produced or manufactured in the United
18 States exceeds the aggregate cost of the components pro-
19 duced or manufactured outside the United States: *Pro-*
20 *vided further*, That when adequate domestic supplies are
21 not available to meet Department of Defense requirements
22 on a timely basis, the Secretary of the service responsible
23 for the procurement may waive this restriction on a case-
24 by-case basis by certifying in writing to the Committees
25 on Appropriations that such an acquisition must be made

1 in order to acquire capability for national security pur-
2 poses.

3 SEC. 8017. Of the amounts appropriated for “Work-
4 ing Capital Fund, Army”, \$145,000,000 shall be available
5 to maintain competitive rates at the arsenals.

6 SEC. 8018. None of the funds available to the De-
7 partment of Defense may be used to demilitarize or dis-
8 pose of M–1 Carbines, M–1 Garand rifles, M–14 rifles,
9 .22 caliber rifles, .30 caliber rifles, or M–1911 pistols, or
10 to demilitarize or destroy small arms ammunition or am-
11 munition components that are not otherwise prohibited
12 from commercial sale under Federal law, unless the small
13 arms ammunition or ammunition components are certified
14 by the Secretary of the Army or designee as unserviceable
15 or unsafe for further use.

16 SEC. 8019. No more than \$500,000 of the funds ap-
17 propriated or made available in this Act shall be used dur-
18 ing a single fiscal year for any single relocation of an orga-
19 nization, unit, activity or function of the Department of
20 Defense into or within the National Capital Region: *Pro-*
21 *vided*, That the Secretary of Defense may waive this re-
22 striction on a case-by-case basis by certifying in writing
23 to the congressional defense committees that such a relo-
24 cation is required in the best interest of the Government.

1 SEC. 8020. Of the funds made available in this Act,
2 \$15,000,000 shall be available for incentive payments au-
3 thorized by section 504 of the Indian Financing Act of
4 1974 (25 U.S.C. 1544): *Provided*, That a prime contractor
5 or a subcontractor at any tier that makes a subcontract
6 award to any subcontractor or supplier as defined in sec-
7 tion 1544 of title 25, United States Code, or a small busi-
8 ness owned and controlled by an individual or individuals
9 defined under section 4221(9) of title 25, United States
10 Code, shall be considered a contractor for the purposes
11 of being allowed additional compensation under section
12 504 of the Indian Financing Act of 1974 (25 U.S.C.
13 1544) whenever the prime contract or subcontract amount
14 is over \$500,000 and involves the expenditure of funds
15 appropriated by an Act making appropriations for the De-
16 partment of Defense with respect to any fiscal year: *Pro-*
17 *vided further*, That notwithstanding section 1906 of title
18 41, United States Code, this section shall be applicable
19 to any Department of Defense acquisition of supplies or
20 services, including any contract and any subcontract at
21 any tier for acquisition of commercial items produced or
22 manufactured, in whole or in part, by any subcontractor
23 or supplier defined in section 1544 of title 25, United
24 States Code, or a small business owned and controlled by

1 an individual or individuals defined under section 4221(9)
2 of title 25, United States Code.

3 SEC. 8021. Funds appropriated by this Act for the
4 Defense Media Activity shall not be used for any national
5 or international political or psychological activities.

6 SEC. 8022. During the current fiscal year, the De-
7 partment of Defense is authorized to incur obligations of
8 not to exceed \$350,000,000 for purposes specified in sec-
9 tion 2350j(c) of title 10, United States Code, in anticipa-
10 tion of receipt of contributions, only from the Government
11 of Kuwait, under that section: *Provided*, That, upon re-
12 ceipt, such contributions from the Government of Kuwait
13 shall be credited to the appropriations or fund which in-
14 curred such obligations.

15 SEC. 8023. (a) Of the funds made available in this
16 Act, not less than \$39,500,000 shall be available for the
17 Civil Air Patrol Corporation, of which—

18 (1) \$27,400,000 shall be available from “Oper-
19 ation and Maintenance, Air Force” to support Civil
20 Air Patrol Corporation operation and maintenance,
21 readiness, counter-drug activities, and drug demand
22 reduction activities involving youth programs;

23 (2) \$10,400,000 shall be available from “Air-
24 craft Procurement, Air Force”; and

1 (3) \$1,700,000 shall be available from “Other
2 Procurement, Air Force” for vehicle procurement.

3 (b) The Secretary of the Air Force should waive reim-
4 bursement for any funds used by the Civil Air Patrol for
5 counter-drug activities in support of Federal, State, and
6 local government agencies.

7 SEC. 8024. (a) None of the funds appropriated in this
8 Act are available to establish a new Department of De-
9 fense (department) federally funded research and develop-
10 ment center (FFRDC), either as a new entity, or as a
11 separate entity administrated by an organization man-
12 aging another FFRDC, or as a nonprofit membership cor-
13 poration consisting of a consortium of other FFRDCs and
14 other nonprofit entities.

15 (b) No member of a Board of Directors, Trustees,
16 Overseers, Advisory Group, Special Issues Panel, Visiting
17 Committee, or any similar entity of a defense FFRDC,
18 and no paid consultant to any defense FFRDC, except
19 when acting in a technical advisory capacity, may be com-
20 pensated for his or her services as a member of such enti-
21 ty, or as a paid consultant by more than one FFRDC in
22 a fiscal year: *Provided*, That a member of any such entity
23 referred to previously in this subsection shall be allowed
24 travel expenses and per diem as authorized under the Fed-

1 eral Joint Travel Regulations, when engaged in the per-
2 formance of membership duties.

3 (c) Notwithstanding any other provision of law, none
4 of the funds available to the department from any source
5 during fiscal year 2016 may be used by a defense FFRDC,
6 through a fee or other payment mechanism, for construc-
7 tion of new buildings, for payment of cost sharing for
8 projects funded by Government grants, for absorption of
9 contract overruns, or for certain charitable contributions,
10 not to include employee participation in community service
11 and/or development: *Provided*, That up to 1 percent of
12 funds provided in this Act for support of defense FFRDCs
13 may be used for planning and design of scientific or engi-
14 neering facilities: *Provided further*, That the Secretary of
15 Defense shall notify the congressional defense committees
16 15 days in advance of exercising the authority in the pre-
17 vious proviso.

18 (d) Notwithstanding any other provision of law, of
19 the funds available to the department during fiscal year
20 2016, not more than 5,750 staff years of technical effort
21 (staff years) may be funded for defense FFRDCs: *Pro-*
22 *vided*, That, of the specific amount referred to previously
23 in this subsection, not more than 1,125 staff years may
24 be funded for the defense studies and analysis FFRDCs:
25 *Provided further*, That this subsection shall not apply to

1 staff years funded in the National Intelligence Program
2 (NIP) and the Military Intelligence Program (MIP).

3 (e) The Secretary of Defense shall, with the submis-
4 sion of the department's fiscal year 2017 budget request,
5 submit a report presenting the specific amounts of staff
6 years of technical effort to be allocated for each defense
7 FFRDC during that fiscal year and the associated budget
8 estimates.

9 (f) Notwithstanding any other provision of this Act,
10 the total amount appropriated in this Act for FFRDCs
11 is hereby reduced by \$65,000,000.

12 SEC. 8025. None of the funds appropriated or made
13 available in this Act shall be used to procure carbon, alloy,
14 or armor steel plate for use in any Government-owned fa-
15 cility or property under the control of the Department of
16 Defense which were not melted and rolled in the United
17 States or Canada: *Provided*, That these procurement re-
18 strictions shall apply to any and all Federal Supply Class
19 9515, American Society of Testing and Materials (ASTM)
20 or American Iron and Steel Institute (AISI) specifications
21 of carbon, alloy or armor steel plate: *Provided further*,
22 That the Secretary of the military department responsible
23 for the procurement may waive this restriction on a case-
24 by-case basis by certifying in writing to the Committees
25 on Appropriations of the House of Representatives and the

1 Senate that adequate domestic supplies are not available
2 to meet Department of Defense requirements on a timely
3 basis and that such an acquisition must be made in order
4 to acquire capability for national security purposes: *Pro-*
5 *vided further*, That these restrictions shall not apply to
6 contracts which are in being as of the date of the enact-
7 ment of this Act.

8 SEC. 8026. For the purposes of this Act, the term
9 “congressional defense committees” means the Armed
10 Services Committee of the House of Representatives, the
11 Armed Services Committee of the Senate, the Sub-
12 committee on Defense of the Committee on Appropriations
13 of the Senate, and the Subcommittee on Defense of the
14 Committee on Appropriations of the House of Representa-
15 tives.

16 SEC. 8027. During the current fiscal year, the De-
17 partment of Defense may acquire the modification, depot
18 maintenance and repair of aircraft, vehicles and vessels
19 as well as the production of components and other De-
20 fense-related articles, through competition between De-
21 partment of Defense depot maintenance activities and pri-
22 vate firms: *Provided*, That the Senior Acquisition Execu-
23 tive of the military department or Defense Agency con-
24 cerned, with power of delegation, shall certify that success-
25 ful bids include comparable estimates of all direct and in-

1 direct costs for both public and private bids: *Provided fur-*
2 *ther*, That Office of Management and Budget Circular A–
3 76 shall not apply to competitions conducted under this
4 section.

5 SEC. 8028. (a)(1) If the Secretary of Defense, after
6 consultation with the United States Trade Representative,
7 determines that a foreign country which is party to an
8 agreement described in paragraph (2) has violated the
9 terms of the agreement by discriminating against certain
10 types of products produced in the United States that are
11 covered by the agreement, the Secretary of Defense shall
12 rescind the Secretary's blanket waiver of the Buy Amer-
13 ican Act with respect to such types of products produced
14 in that foreign country.

15 (2) An agreement referred to in paragraph (1) is any
16 reciprocal defense procurement memorandum of under-
17 standing, between the United States and a foreign country
18 pursuant to which the Secretary of Defense has prospec-
19 tively waived the Buy American Act for certain products
20 in that country.

21 (b) The Secretary of Defense shall submit to the Con-
22 gress a report on the amount of Department of Defense
23 purchases from foreign entities in fiscal year 2016. Such
24 report shall separately indicate the dollar value of items
25 for which the Buy American Act was waived pursuant to

1 any agreement described in subsection (a)(2), the Trade
2 Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any
3 international agreement to which the United States is a
4 party.

5 (c) For purposes of this section, the term “Buy
6 American Act” means chapter 83 of title 41, United
7 States Code.

8 SEC. 8029. During the current fiscal year, amounts
9 contained in the Department of Defense Overseas Military
10 Facility Investment Recovery Account established by sec-
11 tion 2921(c)(1) of the National Defense Authorization Act
12 of 1991 (Public Law 101–510; 10 U.S.C. 2687 note) shall
13 be available until expended for the payments specified by
14 section 2921(c)(2) of that Act.

15 SEC. 8030. (a) Notwithstanding any other provision
16 of law, the Secretary of the Air Force may convey at no
17 cost to the Air Force, without consideration, to Indian
18 tribes located in the States of Nevada, Idaho, North Da-
19 kota, South Dakota, Montana, Oregon, Minnesota, and
20 Washington relocatable military housing units located at
21 Grand Forks Air Force Base, Malmstrom Air Force Base,
22 Mountain Home Air Force Base, Ellsworth Air Force
23 Base, and Minot Air Force Base that are excess to the
24 needs of the Air Force.

1 (b) The Secretary of the Air Force shall convey, at
2 no cost to the Air Force, military housing units under sub-
3 section (a) in accordance with the request for such units
4 that are submitted to the Secretary by the Operation
5 Walking Shield Program on behalf of Indian tribes located
6 in the States of Nevada, Idaho, North Dakota, South Da-
7 kota, Montana, Oregon, Minnesota, and Washington. Any
8 such conveyance shall be subject to the condition that the
9 housing units shall be removed within a reasonable period
10 of time, as determined by the Secretary.

11 (c) The Operation Walking Shield Program shall re-
12 solve any conflicts among requests of Indian tribes for
13 housing units under subsection (a) before submitting re-
14 quests to the Secretary of the Air Force under subsection
15 (b).

16 (d) In this section, the term “Indian tribe” means
17 any recognized Indian tribe included on the current list
18 published by the Secretary of the Interior under section
19 104 of the Federally Recognized Indian Tribe Act of 1994
20 (Public Law 103–454; 108 Stat. 4792; 25 U.S.C. 479a–
21 1).

22 SEC. 8031. During the current fiscal year, appropria-
23 tions which are available to the Department of Defense
24 for operation and maintenance may be used to purchase

1 items having an investment item unit cost of not more
2 than \$250,000.

3 SEC. 8032. None of the funds made available by this
4 Act may be used to—

5 (1) disestablish, or prepare to disestablish, a
6 Senior Reserve Officers' Training Corps program in
7 accordance with Department of Defense Instruction
8 Number 1215.08, dated June 26, 2006; or

9 (2) close, downgrade from host to extension
10 center, or place on probation a Senior Reserve Offi-
11 cers' Training Corps program in accordance with the
12 information paper of the Department of the Army
13 titled "Army Senior Reserve Officers' Training
14 Corps (SROTC) Program Review and Criteria",
15 dated January 27, 2014.

16 SEC. 8033. The Secretary of Defense shall issue reg-
17 ulations to prohibit the sale of any tobacco or tobacco-
18 related products in military resale outlets in the United
19 States, its territories and possessions at a price below the
20 most competitive price in the local community: *Provided,*
21 That such regulations shall direct that the prices of to-
22 bacco or tobacco-related products in overseas military re-
23 tail outlets shall be within the range of prices established
24 for military retail system stores located in the United
25 States.

1 SEC. 8034. (a) During the current fiscal year, none
2 of the appropriations or funds available to the Department
3 of Defense Working Capital Funds shall be used for the
4 purchase of an investment item for the purpose of acquir-
5 ing a new inventory item for sale or anticipated sale dur-
6 ing the current fiscal year or a subsequent fiscal year to
7 customers of the Department of Defense Working Capital
8 Funds if such an item would not have been chargeable
9 to the Department of Defense Business Operations Fund
10 during fiscal year 1994 and if the purchase of such an
11 investment item would be chargeable during the current
12 fiscal year to appropriations made to the Department of
13 Defense for procurement.

14 (b) The fiscal year 2017 budget request for the De-
15 partment of Defense as well as all justification material
16 and other documentation supporting the fiscal year 2017
17 Department of Defense budget shall be prepared and sub-
18 mitted to the Congress on the basis that any equipment
19 which was classified as an end item and funded in a pro-
20 curement appropriation contained in this Act shall be
21 budgeted for in a proposed fiscal year 2017 procurement
22 appropriation and not in the supply management business
23 area or any other area or category of the Department of
24 Defense Working Capital Funds.

1 SEC. 8035. None of the funds appropriated by this
2 Act for programs of the Central Intelligence Agency shall
3 remain available for obligation beyond the current fiscal
4 year, except for funds appropriated for the Reserve for
5 Contingencies, which shall remain available until Sep-
6 tember 30, 2017: *Provided*, That funds appropriated,
7 transferred, or otherwise credited to the Central Intel-
8 ligence Agency Central Services Working Capital Fund
9 during this or any prior or subsequent fiscal year shall
10 remain available until expended: *Provided further*, That
11 any funds appropriated or transferred to the Central Intel-
12 ligence Agency for advanced research and development ac-
13 quisition, for agent operations, and for covert action pro-
14 grams authorized by the President under section 503 of
15 the National Security Act of 1947 (50 U.S.C. 3093) shall
16 remain available until September 30, 2017.

17 SEC. 8036. Notwithstanding any other provision of
18 law, funds made available in this Act for the Defense In-
19 telligence Agency may be used for the design, develop-
20 ment, and deployment of General Defense Intelligence
21 Program intelligence communications and intelligence in-
22 formation systems for the Services, the Unified and Speci-
23 fied Commands, and the component commands.

24 SEC. 8037. Of the funds appropriated to the Depart-
25 ment of Defense under the heading “Operation and Main-

1 tenance, Defense-Wide”, not less than \$12,000,000 shall
2 be made available only for the mitigation of environmental
3 impacts, including training and technical assistance to
4 tribes, related administrative support, the gathering of in-
5 formation, documenting of environmental damage, and de-
6 veloping a system for prioritization of mitigation and cost
7 to complete estimates for mitigation, on Indian lands re-
8 sulting from Department of Defense activities.

9 SEC. 8038. (a) None of the funds appropriated in this
10 Act may be expended by an entity of the Department of
11 Defense unless the entity, in expending the funds, com-
12 plies with the Buy American Act. For purposes of this
13 subsection, the term “Buy American Act” means chapter
14 83 of title 41, United States Code.

15 (b) If the Secretary of Defense determines that a per-
16 son has been convicted of intentionally affixing a label
17 bearing a “Made in America” inscription to any product
18 sold in or shipped to the United States that is not made
19 in America, the Secretary shall determine, in accordance
20 with section 2410f of title 10, United States Code, wheth-
21 er the person should be debarred from contracting with
22 the Department of Defense.

23 (c) In the case of any equipment or products pur-
24 chased with appropriations provided under this Act, it is
25 the sense of the Congress that any entity of the Depart-

1 ment of Defense, in expending the appropriation, purchase
2 only American-made equipment and products, provided
3 that American-made equipment and products are cost-
4 competitive, quality competitive, and available in a timely
5 fashion.

6 SEC. 8039. None of the funds appropriated by this
7 Act and hereafter shall be available for a contract for stud-
8 ies, analysis, or consulting services entered into without
9 competition on the basis of an unsolicited proposal unless
10 the head of the activity responsible for the procurement
11 determines—

12 (1) as a result of thorough technical evaluation,
13 only one source is found fully qualified to perform
14 the proposed work;

15 (2) the purpose of the contract is to explore an
16 unsolicited proposal which offers significant sci-
17 entific or technological promise, represents the prod-
18 uct of original thinking, and was submitted in con-
19 fidence by one source; or

20 (3) the purpose of the contract is to take ad-
21 vantage of unique and significant industrial accom-
22 plishment by a specific concern, or to insure that a
23 new product or idea of a specific concern is given fi-
24 nancial support: *Provided*, That this limitation shall
25 not apply to contracts in an amount of less than

1 \$25,000, contracts related to improvements of equip-
2 ment that is in development or production, or con-
3 tracts as to which a civilian official of the Depart-
4 ment of Defense, who has been confirmed by the
5 Senate, determines that the award of such contract
6 is in the interest of the national defense.

7 SEC. 8040. (a) Except as provided in subsections (b)
8 and (c), none of the funds made available by this Act may
9 be used—

10 (1) to establish a field operating agency; or

11 (2) to pay the basic pay of a member of the
12 Armed Forces or civilian employee of the depart-
13 ment who is transferred or reassigned from a head-
14 quarters activity if the member or employee's place
15 of duty remains at the location of that headquarters.

16 (b) The Secretary of Defense or Secretary of a mili-
17 tary department may waive the limitations in subsection
18 (a), on a case-by-case basis, if the Secretary determines,
19 and certifies to the Committees on Appropriations of the
20 House of Representatives and the Senate that the grant-
21 ing of the waiver will reduce the personnel requirements
22 or the financial requirements of the department.

23 (c) This section does not apply to—

24 (1) field operating agencies funded within the
25 National Intelligence Program;

1 (2) an Army field operating agency established
2 to eliminate, mitigate, or counter the effects of im-
3 provised explosive devices, and, as determined by the
4 Secretary of the Army, other similar threats;

5 (3) an Army field operating agency established
6 to improve the effectiveness and efficiencies of bio-
7 metric activities and to integrate common biometric
8 technologies throughout the Department of Defense;
9 or

10 (4) an Air Force field operating agency estab-
11 lished to administer the Air Force Mortuary Affairs
12 Program and Mortuary Operations for the Depart-
13 ment of Defense and authorized Federal entities.

14 SEC. 8041. (a) None of the funds appropriated by
15 this Act shall be available to convert to contractor per-
16 formance an activity or function of the Department of De-
17 fense that, on or after the date of the enactment of this
18 Act, is performed by Department of Defense civilian em-
19 ployees unless—

20 (1) the conversion is based on the result of a
21 public-private competition that includes a most effi-
22 cient and cost effective organization plan developed
23 by such activity or function;

24 (2) the Competitive Sourcing Official deter-
25 mines that, over all performance periods stated in

1 the solicitation of offers for performance of the ac-
2 tivity or function, the cost of performance of the ac-
3 tivity or function by a contractor would be less costly
4 to the Department of Defense by an amount that
5 equals or exceeds the lesser of—

6 (A) 10 percent of the most efficient organi-
7 zation's personnel-related costs for performance
8 of that activity or function by Federal employ-
9 ees; or

10 (B) \$10,000,000; and

11 (3) the contractor does not receive an advan-
12 tage for a proposal that would reduce costs for the
13 Department of Defense by—

14 (A) not making an employer-sponsored
15 health insurance plan available to the workers
16 who are to be employed in the performance of
17 that activity or function under the contract; or

18 (B) offering to such workers an employer-
19 sponsored health benefits plan that requires the
20 employer to contribute less towards the pre-
21 mium or subscription share than the amount
22 that is paid by the Department of Defense for
23 health benefits for civilian employees under
24 chapter 89 of title 5, United States Code.

1 (b)(1) The Department of Defense, without regard
2 to subsection (a) of this section or subsection (a), (b), or
3 (c) of section 2461 of title 10, United States Code, and
4 notwithstanding any administrative regulation, require-
5 ment, or policy to the contrary shall have full authority
6 to enter into a contract for the performance of any com-
7 mercial or industrial type function of the Department of
8 Defense that—

9 (A) is included on the procurement list estab-
10 lished pursuant to section 2 of the Javits-Wagner-
11 O'Day Act (section 8503 of title 41, United States
12 Code);

13 (B) is planned to be converted to performance
14 by a qualified nonprofit agency for the blind or by
15 a qualified nonprofit agency for other severely handi-
16 capped individuals in accordance with that Act; or

17 (C) is planned to be converted to performance
18 by a qualified firm under at least 51 percent owner-
19 ship by an Indian tribe, as defined in section 4(e)
20 of the Indian Self-Determination and Education As-
21 sistance Act (25 U.S.C. 450b(e)), or a Native Ha-
22 waiian Organization, as defined in section 8(a)(15)
23 of the Small Business Act (15 U.S.C. 637(a)(15)).

1 (2) This section shall not apply to depot contracts
2 or contracts for depot maintenance as provided in sections
3 2469 and 2474 of title 10, United States Code.

4 (c) The conversion of any activity or function of the
5 Department of Defense under the authority provided by
6 this section shall be credited toward any competitive or
7 outsourcing goal, target, or measurement that may be es-
8 tablished by statute, regulation, or policy and is deemed
9 to be awarded under the authority of, and in compliance
10 with, subsection (h) of section 2304 of title 10, United
11 States Code, for the competition or outsourcing of com-
12 mercial activities.

13 (RESCISSIONS)

14 SEC. 8042. Of the funds appropriated in Department
15 of Defense Appropriations Acts, the following funds are
16 hereby rescinded from the following accounts and pro-
17 grams in the specified amounts: *Provided*, That no
18 amounts may be rescinded from amounts that were des-
19 igned by the Congress for Overseas Contingency Oper-
20 ations/Global War on Terrorism or as an emergency re-
21 quirement pursuant to the Concurrent Resolution on the
22 Budget or the Balanced Budget and Emergency Deficit
23 Control Act of 1985, as amended:

24 “Cooperative Threat Reduction Account”,
25 2014/2016, \$15,000,000;

1 “Aircraft Procurement, Army”, 2014/2016,
2 \$9,295,000;
3 “Other Procurement, Army”, 2014/2016,
4 \$40,000,000;
5 “Aircraft Procurement, Navy”, 2014/2016,
6 \$53,415,000;
7 “Weapons Procurement, Navy”, 2014/2016,
8 \$888,000;
9 “Aircraft Procurement, Air Force”, 2014/2016,
10 \$2,300,000;
11 “Procurement of Ammunition, Air Force”,
12 2014/2016, \$6,300,000;
13 “Other Procurement, Air Force”, 2014/2016,
14 \$90,000,000;
15 “Aircraft Procurement, Army”, 2015/2017,
16 \$25,000,000;
17 “Procurement of Weapons and Tracked Combat
18 Vehicles, Army”, 2015/2017, \$7,500,000;
19 “Other Procurement, Army”, 2015/2017,
20 \$30,000,000;
21 “Aircraft Procurement, Navy”, 2015/2017,
22 \$11,702,000;
23 “Weapons Procurement, Navy”, 2015/2017,
24 \$15,422,000;

1 “Procurement of Ammunition, Navy and Ma-
2 rine Corps”, 2015/2017, \$8,906,000;

3 “Procurement, Marine Corps”, 2015/2017,
4 \$66,477,000;

5 “Aircraft Procurement, Air Force”, 2015/2017,
6 \$199,046,000;

7 “Missile Procurement, Air Force”, 2015/2017,
8 \$212,000,000;

9 “Other Procurement, Air Force”, 2015/2017,
10 \$17,000,000;

11 “Research, Development, Test and Evaluation,
12 Army”, 2015/2016, \$9,299,000;

13 “Research, Development, Test and Evaluation,
14 Navy”, 2015/2016, \$228,387,000;

15 “Research, Development, Test and Evaluation,
16 Air Force”, 2015/2016, \$718,500,000; and

17 “Research, Development, Test and Evaluation,
18 Defense-Wide”, 2015/2016, \$2,500,000.

19 SEC. 8043. None of the funds available in this Act
20 may be used to reduce the authorized positions for mili-
21 tary technicians (dual status) of the Army National
22 Guard, Air National Guard, Army Reserve and Air Force
23 Reserve for the purpose of applying any administratively
24 imposed civilian personnel ceiling, freeze, or reduction on
25 military technicians (dual status), unless such reductions

1 are a direct result of a reduction in military force struc-
2 ture.

3 SEC. 8044. None of the funds appropriated or other-
4 wise made available in this Act may be obligated or ex-
5 pended for assistance to the Democratic People's Republic
6 of Korea unless specifically appropriated for that purpose.

7 SEC. 8045. Funds appropriated in this Act for oper-
8 ation and maintenance of the Military Departments, Com-
9 batant Commands and Defense Agencies shall be available
10 for reimbursement of pay, allowances and other expenses
11 which would otherwise be incurred against appropriations
12 for the National Guard and Reserve when members of the
13 National Guard and Reserve provide intelligence or coun-
14 terintelligence support to Combatant Commands, Defense
15 Agencies and Joint Intelligence Activities, including the
16 activities and programs included within the National Intel-
17 ligence Program and the Military Intelligence Program:
18 *Provided*, That nothing in this section authorizes deviation
19 from established Reserve and National Guard personnel
20 and training procedures.

21 SEC. 8046. (a) None of the funds available to the
22 Department of Defense for any fiscal year for drug inter-
23 diction or counter-drug activities may be transferred to
24 any other department or agency of the United States ex-
25 cept as specifically provided in an appropriations law.

1 (b) None of the funds available to the Central Intel-
2 ligence Agency for any fiscal year for drug interdiction or
3 counter-drug activities may be transferred to any other de-
4 partment or agency of the United States except as specifi-
5 cally provided in an appropriations law.

6 SEC. 8047. None of the funds appropriated by this
7 Act may be used for the procurement of ball and roller
8 bearings other than those produced by a domestic source
9 and of domestic origin: *Provided*, That the Secretary of
10 the military department responsible for such procurement
11 may waive this restriction on a case-by-case basis by certi-
12 fying in writing to the Committees on Appropriations of
13 the House of Representatives and the Senate, that ade-
14 quate domestic supplies are not available to meet Depart-
15 ment of Defense requirements on a timely basis and that
16 such an acquisition must be made in order to acquire ca-
17 pability for national security purposes: *Provided further*,
18 That this restriction shall not apply to the purchase of
19 “commercial items”, as defined by section 103 of title 41,
20 United States Code, except that the restriction shall apply
21 to ball or roller bearings purchased as end items.

22 SEC. 8048. None of the funds made available by this
23 Act for Evolved Expendable Launch Vehicle service com-
24 petitive procurements may be used unless the competitive
25 procurements are open for award to all certified providers

1 of Evolved Expendable Launch Vehicle-class systems: *Pro-*
2 *vided*, That the award shall be made to the provider that
3 offers the best value to the government: *Provided further*,
4 That notwithstanding any other provision of law, award
5 may be made to a launch service provider competing with
6 any certified launch vehicle in its inventory regardless of
7 the country of origin of the rocket engine that will be used
8 on its launch vehicle, in order to ensure robust competition
9 and continued assured access to space.

10 SEC. 8049. In addition to the amounts appropriated
11 or otherwise made available elsewhere in this Act,
12 \$44,000,000 is hereby appropriated to the Department of
13 Defense: *Provided*, That upon the determination of the
14 Secretary of Defense that it shall serve the national inter-
15 est, the Secretary shall make grants in the amounts speci-
16 fied as follows: \$20,000,000 to the United Service Organi-
17 zations and \$24,000,000 to the Red Cross.

18 SEC. 8050. None of the funds in this Act may be
19 used to purchase any supercomputer which is not manu-
20 factured in the United States, unless the Secretary of De-
21 fense certifies to the congressional defense committees
22 that such an acquisition must be made in order to acquire
23 capability for national security purposes that is not avail-
24 able from United States manufacturers.

1 SEC. 8051. Notwithstanding any other provision in
2 this Act, the Small Business Innovation Research program
3 and the Small Business Technology Transfer program set-
4 asides shall be taken proportionally from all programs,
5 projects, or activities to the extent they contribute to the
6 extramural budget.

7 SEC. 8052. None of the funds available to the De-
8 partment of Defense under this Act shall be obligated or
9 expended to pay a contractor under a contract with the
10 Department of Defense for costs of any amount paid by
11 the contractor to an employee when—

12 (1) such costs are for a bonus or otherwise in
13 excess of the normal salary paid by the contractor
14 to the employee; and

15 (2) such bonus is part of restructuring costs as-
16 sociated with a business combination.

17 (INCLUDING TRANSFER OF FUNDS)

18 SEC. 8053. During the current fiscal year, no more
19 than \$30,000,000 of appropriations made in this Act
20 under the heading “Operation and Maintenance, Defense-
21 Wide” may be transferred to appropriations available for
22 the pay of military personnel, to be merged with, and to
23 be available for the same time period as the appropriations
24 to which transferred, to be used in support of such per-
25 sonnel in connection with support and services for eligible

1 organizations and activities outside the Department of De-
2 fense pursuant to section 2012 of title 10, United States
3 Code.

4 SEC. 8054. During the current fiscal year, in the case
5 of an appropriation account of the Department of Defense
6 for which the period of availability for obligation has ex-
7 pired or which has closed under the provisions of section
8 1552 of title 31, United States Code, and which has a
9 negative unliquidated or unexpended balance, an obliga-
10 tion or an adjustment of an obligation may be charged
11 to any current appropriation account for the same purpose
12 as the expired or closed account if—

13 (1) the obligation would have been properly
14 chargeable (except as to amount) to the expired or
15 closed account before the end of the period of avail-
16 ability or closing of that account;

17 (2) the obligation is not otherwise properly
18 chargeable to any current appropriation account of
19 the Department of Defense; and

20 (3) in the case of an expired account, the obli-
21 gation is not chargeable to a current appropriation
22 of the Department of Defense under the provisions
23 of section 1405(b)(8) of the National Defense Au-
24 thorization Act for Fiscal Year 1991, Public Law
25 101–510, as amended (31 U.S.C. 1551 note): *Pro-*

1 *vided*, That in the case of an expired account, if sub-
2 sequent review or investigation discloses that there
3 was not in fact a negative unliquidated or unex-
4 pended balance in the account, any charge to a cur-
5 rent account under the authority of this section shall
6 be reversed and recorded against the expired ac-
7 count: *Provided further*, That the total amount
8 charged to a current appropriation under this sec-
9 tion may not exceed an amount equal to 1 percent
10 of the total appropriation for that account.

11 SEC. 8055. (a) Notwithstanding any other provision
12 of law, the Chief of the National Guard Bureau may per-
13 mit the use of equipment of the National Guard Distance
14 Learning Project by any person or entity on a space-avail-
15 able, reimbursable basis. The Chief of the National Guard
16 Bureau shall establish the amount of reimbursement for
17 such use on a case-by-case basis.

18 (b) Amounts collected under subsection (a) shall be
19 credited to funds available for the National Guard Dis-
20 tance Learning Project and be available to defray the costs
21 associated with the use of equipment of the project under
22 that subsection. Such funds shall be available for such
23 purposes without fiscal year limitation.

24 SEC. 8056. None of the funds available to the De-
25 partment of Defense may be obligated to modify command

1 and control relationships to give Fleet Forces Command
2 operational and administrative control of United States
3 Navy forces assigned to the Pacific fleet: *Provided*, That
4 the command and control relationships which existed on
5 October 1, 2004, shall remain in force unless changes are
6 specifically authorized in a subsequent Act: *Provided fur-*
7 *ther*, That this section does not apply to administrative
8 control of Navy Air and Missile Defense Command.

9 (INCLUDING TRANSFER OF FUNDS)

10 SEC. 8057. Of the funds appropriated in this Act
11 under the heading “Operation and Maintenance, Defense-
12 wide”, \$25,000,000 shall be for continued implementation
13 and expansion of the Sexual Assault Special Victims’
14 Counsel Program: *Provided*, That the funds are made
15 available for transfer to the Department of the Army, the
16 Department of the Navy, and the Department of the Air
17 Force: *Provided further*, That funds transferred shall be
18 merged with and available for the same purposes and for
19 the same time period as the appropriations to which the
20 funds are transferred: *Provided further*, That this transfer
21 authority is in addition to any other transfer authority
22 provided in this Act.

23 SEC. 8058. None of the funds appropriated in title
24 IV of this Act may be used to procure end-items for deliv-
25 ery to military forces for operational training, operational

1 use or inventory requirements: *Provided*, That this restric-
2 tion does not apply to end-items used in development,
3 prototyping, and test activities preceding and leading to
4 acceptance for operational use: *Provided further*, That this
5 restriction does not apply to programs funded within the
6 National Intelligence Program: *Provided further*, That the
7 Secretary of Defense may waive this restriction on a case-
8 by-case basis by certifying in writing to the Committees
9 on Appropriations of the House of Representatives and the
10 Senate that it is in the national security interest to do
11 so.

12 SEC. 8059. (a) The Secretary of Defense may, on a
13 case-by-case basis, waive with respect to a foreign country
14 each limitation on the procurement of defense items from
15 foreign sources provided in law if the Secretary determines
16 that the application of the limitation with respect to that
17 country would invalidate cooperative programs entered
18 into between the Department of Defense and the foreign
19 country, or would invalidate reciprocal trade agreements
20 for the procurement of defense items entered into under
21 section 2531 of title 10, United States Code, and the
22 country does not discriminate against the same or similar
23 defense items produced in the United States for that coun-
24 try.

25 (b) Subsection (a) applies with respect to—

1 (1) contracts and subcontracts entered into on
2 or after the date of the enactment of this Act; and

3 (2) options for the procurement of items that
4 are exercised after such date under contracts that
5 are entered into before such date if the option prices
6 are adjusted for any reason other than the applica-
7 tion of a waiver granted under subsection (a).

8 (c) Subsection (a) does not apply to a limitation re-
9 garding construction of public vessels, ball and roller bear-
10 ings, food, and clothing or textile materials as defined by
11 section XI (chapters 50–65) of the Harmonized Tariff
12 Schedule of the United States and products classified
13 under headings 4010, 4202, 4203, 6401 through 6406,
14 6505, 7019, 7218 through 7229, 7304.41 through
15 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109,
16 8211, 8215, and 9404.

17 SEC. 8060. Notwithstanding any other provision of
18 law, none of the funds appropriated or otherwise made
19 available by this or any other Act may be used to consoli-
20 date or relocate any element of a United States Air Force
21 Rapid Engineer Deployable Heavy Operational Repair
22 Squadron Engineer (RED HORSE) outside of the United
23 States until the Secretary of the Air Force—

24 (1) completes an analysis and comparison of
25 the cost and infrastructure investment required to

1 consolidate or relocate a RED HORSE squadron
2 outside of the United States versus within the
3 United States;

4 (2) provides to the congressional defense com-
5 mittees a report detailing the findings of the cost
6 analysis; and

7 (3) certifies in writing to the congressional de-
8 fense committees that the preferred site for the con-
9 solidation or relocation yields the greatest savings
10 for the Air Force:

11 *Provided*, That the term “United States” in this section
12 does not include any territory or possession of the United
13 States.

14 SEC. 8061. None of the funds appropriated or other-
15 wise made available by this or other Department of De-
16 fense Appropriations Acts may be obligated or expended
17 for the purpose of performing repairs or maintenance to
18 military family housing units of the Department of De-
19 fense, including areas in such military family housing
20 units that may be used for the purpose of conducting offi-
21 cial Department of Defense business.

22 SEC. 8062. Notwithstanding any other provision of
23 law, funds appropriated in this Act under the heading
24 “Research, Development, Test and Evaluation, Defense-
25 Wide” for any new start advanced concept technology

1 demonstration project or joint capability demonstration
2 project may only be obligated 45 days after a report, in-
3 cluding a description of the project, the planned acquisi-
4 tion and transition strategy and its estimated annual and
5 total cost, has been provided in writing to the congres-
6 sional defense committees: *Provided*, That the Secretary
7 of Defense may waive this restriction on a case-by-case
8 basis by certifying to the congressional defense committees
9 that it is in the national interest to do so.

10 SEC. 8063. The Secretary of Defense shall continue
11 to provide a classified quarterly report to the House and
12 Senate Appropriations Committees, Subcommittees on
13 Defense on certain matters as directed in the classified
14 annex accompanying this Act.

15 SEC. 8064. Notwithstanding section 12310(b) of title
16 10, United States Code, a Reserve who is a member of
17 the National Guard serving on full-time National Guard
18 duty under section 502(f) of title 32, United States Code,
19 may perform duties in support of the ground-based ele-
20 ments of the National Ballistic Missile Defense System.

21 SEC. 8065. None of the funds provided in this Act
22 may be used to transfer to any nongovernmental entity
23 ammunition held by the Department of Defense that has
24 a center-fire cartridge and a United States military no-
25 menclature designation of “armor penetrator”, “armor

1 piercing (AP)”, “armor piercing incendiary (API)”, or
2 “armor-piercing incendiary tracer (API-T)”, except to an
3 entity performing demilitarization services for the Depart-
4 ment of Defense under a contract that requires the entity
5 to demonstrate to the satisfaction of the Department of
6 Defense that armor piercing projectiles are either: (1) ren-
7 dered incapable of reuse by the demilitarization process;
8 or (2) used to manufacture ammunition pursuant to a con-
9 tract with the Department of Defense or the manufacture
10 of ammunition for export pursuant to a License for Per-
11 manent Export of Unclassified Military Articles issued by
12 the Department of State.

13 SEC. 8066. Notwithstanding any other provision of
14 law, the Chief of the National Guard Bureau, or his des-
15 ignee, may waive payment of all or part of the consider-
16 ation that otherwise would be required under section 2667
17 of title 10, United States Code, in the case of a lease of
18 personal property for a period not in excess of 1 year to
19 any organization specified in section 508(d) of title 32,
20 United States Code, or any other youth, social, or fra-
21 ternal nonprofit organization as may be approved by the
22 Chief of the National Guard Bureau, or his designee, on
23 a case-by-case basis.

24 SEC. 8067. None of the funds appropriated by this
25 Act shall be used for the support of any nonappropriated

1 funds activity of the Department of Defense that procures
2 malt beverages and wine with nonappropriated funds for
3 resale (including such alcoholic beverages sold by the
4 drink) on a military installation located in the United
5 States unless such malt beverages and wine are procured
6 within that State, or in the case of the District of Colum-
7 bia, within the District of Columbia, in which the military
8 installation is located: *Provided*, That, in a case in which
9 the military installation is located in more than one State,
10 purchases may be made in any State in which the installa-
11 tion is located: *Provided further*, That such local procure-
12 ment requirements for malt beverages and wine shall
13 apply to all alcoholic beverages only for military installa-
14 tions in States which are not contiguous with another
15 State: *Provided further*, That alcoholic beverages other
16 than wine and malt beverages, in contiguous States and
17 the District of Columbia shall be procured from the most
18 competitive source, price and other factors considered.

19 (INCLUDING TRANSFER OF FUNDS)

20 SEC. 8068. Of the amounts appropriated in this Act
21 under the heading “Operation and Maintenance, Army”,
22 \$76,611,750 shall remain available until expended: *Pro-*
23 *vided*, That, notwithstanding any other provision of law,
24 the Secretary of Defense is authorized to transfer such
25 funds to other activities of the Federal Government: *Pro-*

1 *vided further*, That the Secretary of Defense is authorized
2 to enter into and carry out contracts for the acquisition
3 of real property, construction, personal services, and oper-
4 ations related to projects carrying out the purposes of this
5 section: *Provided further*, That contracts entered into
6 under the authority of this section may provide for such
7 indemnification as the Secretary determines to be nec-
8 essary: *Provided further*, That projects authorized by this
9 section shall comply with applicable Federal, State, and
10 local law to the maximum extent consistent with the na-
11 tional security, as determined by the Secretary of Defense.

12 SEC. 8069. (a) None of the funds appropriated in this
13 or any other Act may be used to take any action to mod-
14 ify—

15 (1) the appropriations account structure for the
16 National Intelligence Program budget, including
17 through the creation of a new appropriation or new
18 appropriation account;

19 (2) how the National Intelligence Program
20 budget request is presented in the unclassified P-1,
21 R-1, and O-1 documents supporting the Depart-
22 ment of Defense budget request;

23 (3) the process by which the National Intel-
24 ligence Program appropriations are apportioned to
25 the executing agencies; or

1 (4) the process by which the National Intel-
2 ligence Program appropriations are allotted, obli-
3 gated and disbursed.

4 (b) Nothing in section (a) shall be construed to pro-
5 hibit the merger of programs or changes to the National
6 Intelligence Program budget at or below the Expenditure
7 Center level, provided such change is otherwise in accord-
8 ance with paragraphs (a)(1)–(3).

9 (c) The Director of National Intelligence and the Sec-
10 retary of Defense may jointly, only for the purposes of
11 achieving auditable financial statements and improving
12 fiscal reporting, study and develop detailed proposals for
13 alternative financial management processes. Such study
14 shall include a comprehensive counterintelligence risk as-
15 sessment to ensure that none of the alternative processes
16 will adversely affect counterintelligence.

17 (d) Upon development of the detailed proposals de-
18 fined under subsection (c), the Director of National Intel-
19 ligence and the Secretary of Defense shall—

20 (1) provide the proposed alternatives to all af-
21 fected agencies;

22 (2) receive certification from all affected agen-
23 cies attesting that the proposed alternatives will help
24 achieve auditability, improve fiscal reporting, and
25 will not adversely affect counterintelligence; and

1 (3) not later than 30 days after receiving all
2 necessary certifications under paragraph (2), present
3 the proposed alternatives and certifications to the
4 congressional defense and intelligence committees.

5 (e) This section shall not be construed to alter or af-
6 fect the application of section 1633 of the National De-
7 fense Authorization Act for Fiscal Year 2016 to the
8 amounts made available by this Act.

9 SEC. 8070. In addition to amounts provided else-
10 where in this Act, \$5,000,000 is hereby appropriated to
11 the Department of Defense, to remain available for obliga-
12 tion until expended: *Provided*, That notwithstanding any
13 other provision of law, that upon the determination of the
14 Secretary of Defense that it shall serve the national inter-
15 est, these funds shall be available only for a grant to the
16 Fisher House Foundation, Inc., only for the construction
17 and furnishing of additional Fisher Houses to meet the
18 needs of military family members when confronted with
19 the illness or hospitalization of an eligible military bene-
20 ficiary.

21 (INCLUDING TRANSFER OF FUNDS)

22 SEC. 8071. Of the amounts appropriated in this Act
23 under the headings “Procurement, Defense-Wide” and
24 “Research, Development, Test and Evaluation, Defense-
25 Wide”, \$487,595,000 shall be for the Israeli Cooperative

1 Programs: *Provided*, That of this amount, \$55,000,000
2 shall be for the Secretary of Defense to provide to the Gov-
3 ernment of Israel for the procurement of the Iron Dome
4 defense system to counter short-range rocket threats, sub-
5 ject to the U.S.-Israel Iron Dome Procurement Agree-
6 ment, as amended; \$286,526,000 shall be for the Short
7 Range Ballistic Missile Defense (SRBMD) program, in-
8 cluding cruise missile defense research and development
9 under the SRBMD program, of which \$150,000,000 shall
10 be for production activities of SRBMD missiles in the
11 United States and in Israel to meet Israel's defense re-
12 quirements consistent with each nation's laws, regulations,
13 and procedures, of which not more than \$90,000,000, sub-
14 ject to previously established transfer procedures, may be
15 obligated or expended until establishment of a U.S.-Israeli
16 production agreement for SRBMD; \$89,550,000 shall be
17 for an upper-tier component to the Israeli Missile Defense
18 Architecture, of which not more than \$15,000,000, subject
19 to previously established transfer procedures, may be obli-
20 gated or expended until establishment of a U.S.-Israeli
21 production agreement; and \$56,519,000 shall be for the
22 Arrow System Improvement Program including develop-
23 ment of a long range, ground and airborne, detection
24 suite: *Provided further*, That funds made available under
25 this provision for production of missiles and missile com-

1 ponents may be transferred to appropriations available for
2 the procurement of weapons and equipment, to be merged
3 with and to be available for the same time period and the
4 same purposes as the appropriation to which transferred:
5 *Provided further*, That the transfer authority provided
6 under this provision is in addition to any other transfer
7 authority contained in this Act.

8 (INCLUDING TRANSFER OF FUNDS)

9 SEC. 8072. Of the amounts appropriated in this Act
10 under the heading “Shipbuilding and Conversion, Navy”,
11 \$389,305,000 shall be available until September 30, 2016,
12 to fund prior year shipbuilding cost increases: *Provided*,
13 That upon enactment of this Act, the Secretary of the
14 Navy shall transfer funds to the following appropriations
15 in the amounts specified: *Provided further*, That the
16 amounts transferred shall be merged with and be available
17 for the same purposes as the appropriations to which
18 transferred to:

19 (1) Under the heading “Shipbuilding and Con-
20 version, Navy”, 2008/2016: Carrier Replacement
21 Program \$123,760,000;

22 (2) Under the heading “Shipbuilding and Con-
23 version, Navy”, 2009/2016: LPD-17 Amphibious
24 Transport Dock Program \$22,860,000;

1 (3) Under the heading “Shipbuilding and Con-
2 version, Navy”, 2012/2016: CVN Refueling Over-
3 hauls Program \$20,029,000;

4 (4) Under the heading “Shipbuilding and Con-
5 version, Navy”, 2012/2016: DDG–51 Destroyer
6 \$75,014,000;

7 (5) Under the heading “Shipbuilding and Con-
8 version, Navy”, 2012/2016: Littoral Combat Ship
9 \$82,674,000;

10 (6) Under the heading “Shipbuilding and Con-
11 version, Navy”, 2012/2016: LPD–17 Amphibious
12 Transport Dock Program \$38,733,000;

13 (7) Under the heading “Shipbuilding and Con-
14 version, Navy”, 2012/2016: Joint High Speed Vessel
15 \$22,597,000; and

16 (8) Under the heading “Shipbuilding and Con-
17 version, Navy”, 2013/2016: Joint High Speed Vessel
18 \$3,638,000.

19 SEC. 8073. Funds appropriated by this Act, or made
20 available by the transfer of funds in this Act, for intel-
21 ligence activities are deemed to be specifically authorized
22 by the Congress for purposes of section 504 of the Na-
23 tional Security Act of 1947 (50 U.S.C. 3094) during fiscal
24 year 2016 until the enactment of the Intelligence Author-
25 ization Act for Fiscal Year 2016.

1 SEC. 8074. None of the funds provided in this Act
2 shall be available for obligation or expenditure through a
3 reprogramming of funds that creates or initiates a new
4 program, project, or activity unless such program, project,
5 or activity must be undertaken immediately in the interest
6 of national security and only after written prior notifica-
7 tion to the congressional defense committees.

8 SEC. 8075. The budget of the President for fiscal
9 year 2017 submitted to the Congress pursuant to section
10 1105 of title 31, United States Code, shall include sepa-
11 rate budget justification documents for costs of United
12 States Armed Forces' participation in contingency oper-
13 ations for the Military Personnel accounts, the Operation
14 and Maintenance accounts, the Procurement accounts,
15 and the Research, Development, Test and Evaluation ac-
16 counts: *Provided*, That these documents shall include a de-
17 scription of the funding requested for each contingency op-
18 eration, for each military service, to include all Active and
19 Reserve components, and for each appropriations account:
20 *Provided further*, That these documents shall include esti-
21 mated costs for each element of expense or object class,
22 a reconciliation of increases and decreases for each contin-
23 gency operation, and programmatic data including, but
24 not limited to, troop strength for each Active and Reserve
25 component, and estimates of the major weapons systems

1 deployed in support of each contingency: *Provided further*,
2 That these documents shall include budget exhibits OP–
3 5 and OP–32 (as defined in the Department of Defense
4 Financial Management Regulation) for all contingency op-
5 erations for the budget year and the two preceding fiscal
6 years.

7 SEC. 8076. None of the funds in this Act may be
8 used for research, development, test, evaluation, procure-
9 ment or deployment of nuclear armed interceptors of a
10 missile defense system.

11 SEC. 8077. Notwithstanding any other provision of
12 this Act, to reflect savings due to favorable foreign ex-
13 change rates, the total amount appropriated in this Act
14 is hereby reduced by \$1,500,789,000.

15 SEC. 8078. None of the funds appropriated or made
16 available in this Act shall be used to reduce or disestablish
17 the operation of the 53rd Weather Reconnaissance Squad-
18 ron of the Air Force Reserve, if such action would reduce
19 the WC–130 Weather Reconnaissance mission below the
20 levels funded in this Act: *Provided*, That the Air Force
21 shall allow the 53rd Weather Reconnaissance Squadron to
22 perform other missions in support of national defense re-
23 quirements during the non-hurricane season.

24 SEC. 8079. None of the funds provided in this Act
25 shall be available for integration of foreign intelligence in-

1 formation unless the information has been lawfully col-
2 lected and processed during the conduct of authorized for-
3 eign intelligence activities: *Provided*, That information
4 pertaining to United States persons shall only be handled
5 in accordance with protections provided in the Fourth
6 Amendment of the United States Constitution as imple-
7 mented through Executive Order No. 12333.

8 (INCLUDING TRANSFER OF FUNDS)

9 SEC. 8080. The Secretary of Defense may transfer
10 funds from any available Department of the Navy appro-
11 priation to any available Navy ship construction appro-
12 priation for the purpose of liquidating necessary changes
13 resulting from inflation, market fluctuations, or rate ad-
14 justments for any ship construction program appropriated
15 in law: *Provided*, That the Secretary may transfer not to
16 exceed \$20,000,000 under the authority provided by this
17 section: *Provided further*, That the Secretary may not
18 transfer any funds until 30 days after the proposed trans-
19 fer has been reported to the Committees on Appropria-
20 tions of the House of Representatives and the Senate, un-
21 less a response from the Committees is received sooner:
22 *Provided further*, That any funds transferred pursuant to
23 this section shall retain the same period of availability as
24 when originally appropriated: *Provided further*, That the
25 transfer authority provided by this section is in addition

1 to any other transfer authority contained elsewhere in this
2 Act.

3 SEC. 8081. (a) None of the funds appropriated by
4 this Act may be used to transfer research and develop-
5 ment, acquisition, or other program authority relating to
6 current tactical unmanned aerial vehicles (TUAVs) from
7 the Army.

8 (b) The Army shall retain responsibility for and oper-
9 ational control of the MQ-1C Gray Eagle Unmanned Aer-
10 ial Vehicle (UAV) in order to support the Secretary of De-
11 fense in matters relating to the employment of unmanned
12 aerial vehicles.

13 SEC. 8082. Up to \$15,000,000 of the funds appro-
14 priated under the heading “Operation and Maintenance,
15 Navy” may be made available for the Asia Pacific Re-
16 gional Initiative Program for the purpose of enabling the
17 Pacific Command to execute Theater Security Cooperation
18 activities such as humanitarian assistance, and payment
19 of incremental and personnel costs of training and exer-
20 cising with foreign security forces: *Provided*, That funds
21 made available for this purpose may be used, notwith-
22 standing any other funding authorities for humanitarian
23 assistance, security assistance or combined exercise ex-
24 penses: *Provided further*, That funds may not be obligated
25 to provide assistance to any foreign country that is other-

1 wise prohibited from receiving such type of assistance
2 under any other provision of law.

3 SEC. 8083. None of the funds appropriated by this
4 Act for programs of the Office of the Director of National
5 Intelligence shall remain available for obligation beyond
6 the current fiscal year, except for funds appropriated for
7 research and technology, which shall remain available until
8 September 30, 2017.

9 SEC. 8084. For purposes of section 1553(b) of title
10 31, United States Code, any subdivision of appropriations
11 made in this Act under the heading “Shipbuilding and
12 Conversion, Navy” shall be considered to be for the same
13 purpose as any subdivision under the heading “Ship-
14 building and Conversion, Navy” appropriations in any
15 prior fiscal year, and the 1 percent limitation shall apply
16 to the total amount of the appropriation.

17 SEC. 8085. (a) Not later than 60 days after the date
18 of enactment of this Act, the Director of National Intel-
19 ligence shall submit a report to the congressional intel-
20 ligence committees to establish the baseline for application
21 of reprogramming and transfer authorities for fiscal year
22 2016: *Provided*, That the report shall include—

23 (1) a table for each appropriation with a sepa-
24 rate column to display the President’s budget re-
25 quest, adjustments made by Congress, adjustments

1 due to enacted rescissions, if appropriate, and the
2 fiscal year enacted level;

3 (2) a delineation in the table for each appro-
4 priation by Expenditure Center and project; and

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

7 (b) None of the funds provided for the National Intel-
8 ligence Program in this Act shall be available for re-
9 programming or transfer until the report identified in sub-
10 section (a) is submitted to the congressional intelligence
11 committees, unless the Director of National Intelligence
12 certifies in writing to the congressional intelligence com-
13 mittees that such reprogramming or transfer is necessary
14 as an emergency requirement.

15 SEC. 8086. None of the funds made available by this
16 Act may be used to eliminate, restructure, or realign Army
17 Contracting Command–New Jersey or make dispropor-
18 tionate personnel reductions at any Army Contracting
19 Command–New Jersey sites without 30-day prior notifica-
20 tion to the congressional defense committees.

21 SEC. 8087. None of the funds made available by this
22 Act may be used to retire, divest, realign, or transfer RQ–
23 4B Global Hawk aircraft, or to disestablish or convert
24 units associated with such aircraft.

1 SEC. 8088. None of the funds made available by this
2 Act for excess defense articles, assistance under section
3 1206 of the National Defense Authorization Act for Fiscal
4 Year 2006 (Public Law 109–163; 119 Stat. 3456), or
5 peacekeeping operations for the countries designated an-
6 nually to be in violation of the standards of the Child Sol-
7 diers Prevention Act of 2008 (Public Law 110–457; 22
8 U.S.C. 2370e–1) may be used to support any military
9 training or operation that includes child soldiers, as de-
10 fined by the Child Soldiers Prevention Act of 2008, unless
11 such assistance is otherwise permitted under section 404
12 of the Child Soldiers Prevention Act of 2008.

13 (INCLUDING TRANSFER OF FUNDS)

14 SEC. 8089. Of the funds appropriated in the Intel-
15 ligence Community Management Account for the Program
16 Manager for the Information Sharing Environment,
17 \$20,000,000 is available for transfer by the Director of
18 National Intelligence to other departments and agencies
19 for purposes of Government-wide information sharing ac-
20 tivities: *Provided*, That funds transferred under this provi-
21 sion are to be merged with and available for the same pur-
22 poses and time period as the appropriation to which trans-
23 ferred: *Provided further*, That the Office of Management
24 and Budget must approve any transfers made under this
25 provision.

1 SEC. 8090. (a) None of the funds provided for the
2 National Intelligence Program in this or any prior appro-
3 priations Act shall be available for obligation or expendi-
4 ture through a reprogramming or transfer of funds in ac-
5 cordance with section 102A(d) of the National Security
6 Act of 1947 (50 U.S.C. 3024(d)) that—

7 (1) creates a new start effort;

8 (2) terminates a program with appropriated
9 funding of \$10,000,000 or more;

10 (3) transfers funding into or out of the Na-
11 tional Intelligence Program; or

12 (4) transfers funding between appropriations,
13 unless the congressional intelligence committees are
14 notified 30 days in advance of such reprogramming
15 of funds; this notification period may be reduced for
16 urgent national security requirements.

17 (b) None of the funds provided for the National Intel-
18 ligence Program in this or any prior appropriations Act
19 shall be available for obligation or expenditure through a
20 reprogramming or transfer of funds in accordance with
21 section 102A(d) of the National Security Act of 1947 (50
22 U.S.C. 3024(d)) that results in a cumulative increase or
23 decrease of the levels specified in the classified annex ac-
24 companying the Act unless the congressional intelligence
25 committees are notified 30 days in advance of such re-

1 programming of funds; this notification period may be re-
2 duced for urgent national security requirements.

3 SEC. 8091. The Director of National Intelligence
4 shall submit to Congress each year, at or about the time
5 that the President's budget is submitted to Congress that
6 year under section 1105(a) of title 31, United States
7 Code, a future-years intelligence program (including asso-
8 ciated annexes) reflecting the estimated expenditures and
9 proposed appropriations included in that budget. Any such
10 future-years intelligence program shall cover the fiscal
11 year with respect to which the budget is submitted and
12 at least the four succeeding fiscal years.

13 SEC. 8092. For the purposes of this Act, the term
14 "congressional intelligence committees" means the Perma-
15 nent Select Committee on Intelligence of the House of
16 Representatives, the Select Committee on Intelligence of
17 the Senate, the Subcommittee on Defense of the Com-
18 mittee on Appropriations of the House of Representatives,
19 and the Subcommittee on Defense of the Committee on
20 Appropriations of the Senate.

21 SEC. 8093. The Department of Defense shall con-
22 tinue to report incremental contingency operations costs
23 for Operation Inherent Resolve, Operation Freedom's Sen-
24 tinel, and any named successor operations, on a monthly
25 basis and any other operation designated and identified

1 by the Secretary of Defense for the purposes of section
2 127a of title 10, United States Code, on a semi-annual
3 basis in the Cost of War Execution Report as prescribed
4 in the Department of Defense Financial Management
5 Regulation Department of Defense Instruction 7000.14,
6 Volume 12, Chapter 23 “Contingency Operations”, Annex
7 1, dated September 2005.

8 (INCLUDING TRANSFER OF FUNDS)

9 SEC. 8094. During the current fiscal year, not to ex-
10 ceed \$11,000,000 from each of the appropriations made
11 in title II of this Act for “Operation and Maintenance,
12 Army”, “Operation and Maintenance, Navy”, and “Oper-
13 ation and Maintenance, Air Force” may be transferred by
14 the military department concerned to its central fund es-
15 tablished for Fisher Houses and Suites pursuant to sec-
16 tion 2493(d) of title 10, United States Code.

17 (INCLUDING TRANSFER OF FUNDS)

18 SEC. 8095. Funds appropriated by this Act for oper-
19 ation and maintenance may be available for the purpose
20 of making remittances and transfer to the Defense Acqui-
21 sition Workforce Development Fund in accordance with
22 section 1705 of title 10, United States Code.

23 SEC. 8096. (a) Any agency receiving funds made
24 available in this Act, shall, subject to subsections (b) and
25 (c), post on the public Web site of that agency any report

1 required to be submitted by the Congress in this or any
2 other Act, upon the determination by the head of the agen-
3 cy that it shall serve the national interest.

4 (b) Subsection (a) shall not apply to a report if—

5 (1) the public posting of the report com-
6 promises national security; or

7 (2) the report contains proprietary information.

8 (c) The head of the agency posting such report shall
9 do so only after such report has been made available to
10 the requesting Committee or Committees of Congress for
11 no less than 45 days.

12 SEC. 8097. (a) None of the funds appropriated or
13 otherwise made available by this Act may be expended for
14 any Federal contract for an amount in excess of
15 \$1,000,000, unless the contractor agrees not to—

16 (1) enter into any agreement with any of its
17 employees or independent contractors that requires,
18 as a condition of employment, that the employee or
19 independent contractor agree to resolve through ar-
20 bitration any claim under title VII of the Civil
21 Rights Act of 1964 or any tort related to or arising
22 out of sexual assault or harassment, including as-
23 sault and battery, intentional infliction of emotional
24 distress, false imprisonment, or negligent hiring, su-
25 pervision, or retention; or

1 (2) take any action to enforce any provision of
2 an existing agreement with an employee or inde-
3 pendent contractor that mandates that the employee
4 or independent contractor resolve through arbitra-
5 tion any claim under title VII of the Civil Rights Act
6 of 1964 or any tort related to or arising out of sex-
7 ual assault or harassment, including assault and
8 battery, intentional infliction of emotional distress,
9 false imprisonment, or negligent hiring, supervision,
10 or retention.

11 (b) None of the funds appropriated or otherwise
12 made available by this Act may be expended for any Fed-
13 eral contract unless the contractor certifies that it requires
14 each covered subcontractor to agree not to enter into, and
15 not to take any action to enforce any provision of, any
16 agreement as described in paragraphs (1) and (2) of sub-
17 section (a), with respect to any employee or independent
18 contractor performing work related to such subcontract.
19 For purposes of this subsection, a “covered subcon-
20 tractor” is an entity that has a subcontract in excess of
21 \$1,000,000 on a contract subject to subsection (a).

22 (c) The prohibitions in this section do not apply with
23 respect to a contractor’s or subcontractor’s agreements
24 with employees or independent contractors that may not
25 be enforced in a court of the United States.

1 (d) The Secretary of Defense may waive the applica-
2 tion of subsection (a) or (b) to a particular contractor or
3 subcontractor for the purposes of a particular contract or
4 subcontract if the Secretary or the Deputy Secretary per-
5 sonally determines that the waiver is necessary to avoid
6 harm to national security interests of the United States,
7 and that the term of the contract or subcontract is not
8 longer than necessary to avoid such harm. The determina-
9 tion shall set forth with specificity the grounds for the
10 waiver and for the contract or subcontract term selected,
11 and shall state any alternatives considered in lieu of a
12 waiver and the reasons each such alternative would not
13 avoid harm to national security interests of the United
14 States. The Secretary of Defense shall transmit to Con-
15 gress, and simultaneously make public, any determination
16 under this subsection not less than 15 business days be-
17 fore the contract or subcontract addressed in the deter-
18 mination may be awarded.

19 (INCLUDING TRANSFER OF FUNDS)

20 SEC. 8098. From within the funds appropriated for
21 operation and maintenance for the Defense Health Pro-
22 gram in this Act, up to \$121,000,000, shall be available
23 for transfer to the Joint Department of Defense-Depart-
24 ment of Veterans Affairs Medical Facility Demonstration
25 Fund in accordance with the provisions of section 1704

1 of the National Defense Authorization Act for Fiscal Year
2 2010, Public Law 111–84: *Provided*, That for purposes
3 of section 1704(b), the facility operations funded are oper-
4 ations of the integrated Captain James A. Lovell Federal
5 Health Care Center, consisting of the North Chicago Vet-
6 erans Affairs Medical Center, the Navy Ambulatory Care
7 Center, and supporting facilities designated as a combined
8 Federal medical facility as described by section 706 of
9 Public Law 110–417: *Provided further*, That additional
10 funds may be transferred from funds appropriated for op-
11 eration and maintenance for the Defense Health Program
12 to the Joint Department of Defense-Department of Vet-
13 erans Affairs Medical Facility Demonstration Fund upon
14 written notification by the Secretary of Defense to the
15 Committees on Appropriations of the House of Represent-
16 atives and the Senate.

17 SEC. 8099. Appropriations available to the Depart-
18 ment of Defense may be used for the purchase of heavy
19 and light armored vehicles for the physical security of per-
20 sonnel or for force protection purposes up to a limit of
21 \$450,000 per vehicle, notwithstanding price or other limi-
22 tations applicable to the purchase of passenger carrying
23 vehicles.

24 SEC. 8100. None of the funds appropriated or other-
25 wise made available by this Act or any other Act may be

1 used by the Department of Defense or a component there-
2 of in contravention of the provisions of section 130h of
3 title 10, United States Code (as added by section 1671
4 of the National Defense Authorization Act for Fiscal Year
5 2016).

6 SEC. 8101. The Secretary of Defense shall report
7 quarterly the numbers of civilian personnel end strength
8 by appropriation account for each and every appropriation
9 account used to finance Federal civilian personnel salaries
10 to the congressional defense committees within 15 days
11 after the end of each fiscal quarter.

12 (INCLUDING TRANSFER OF FUNDS)

13 SEC. 8102. Upon a determination by the Director of
14 National Intelligence that such action is necessary and in
15 the national interest, the Director may, with the approval
16 of the Office of Management and Budget, transfer not to
17 exceed \$1,500,000,000 of the funds made available in this
18 Act for the National Intelligence Program: *Provided*, That
19 such authority to transfer may not be used unless for
20 higher priority items, based on unforeseen intelligence re-
21 quirements, than those for which originally appropriated
22 and in no case where the item for which funds are re-
23 quested has been denied by the Congress: *Provided further*,
24 That a request for multiple reprogrammings of funds

1 using authority provided in this section shall be made
2 prior to June 30, 2016.

3 SEC. 8103. None of the funds appropriated or other-
4 wise made available in this or any other Act may be used
5 to transfer, release, or assist in the transfer or release to
6 or within the United States, its territories, or possessions
7 Khalid Sheikh Mohammed or any other detainee who—

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

10 (2) is or was held on or after June 24, 2009,
11 at United States Naval Station, Guantánamo Bay,
12 Cuba, by the Department of Defense.

13 SEC. 8104. (a) None of the funds appropriated or
14 otherwise made available in this or any other Act may be
15 used to construct, acquire, or modify any facility in the
16 United States, its territories, or possessions to house any
17 individual described in subsection (c) for the purposes of
18 detention or imprisonment in the custody or under the ef-
19 fective control of the Department of Defense.

20 (b) The prohibition in subsection (a) shall not apply
21 to any modification of facilities at United States Naval
22 Station, Guantánamo Bay, Cuba.

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

1 (1) is not a citizen of the United States or a
2 member of the Armed Forces of the United States;
3 and

4 (2) is—

5 (A) in the custody or under the effective
6 control of the Department of Defense; or

7 (B) otherwise under detention at United
8 States Naval Station, Guantánamo Bay, Cuba.

9 SEC. 8105. None of the funds appropriated or other-
10 wise made available in this Act may be used to transfer
11 any individual detained at United States Naval Station
12 Guantánamo Bay, Cuba, to the custody or control of the
13 individual's country of origin, any other foreign country,
14 or any other foreign entity except in accordance with sec-
15 tions 1033 and 1034 of the National Defense Authoriza-
16 tion Act for Fiscal Year 2016.

17 SEC. 8106. None of the funds made available by this
18 Act may be used in contravention of the War Powers Res-
19 olution (50 U.S.C. 1541 et seq.).

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 8107. Of the amounts appropriated for “Oper-
22 ation and Maintenance, Navy”, up to \$1,000,000 shall be
23 available for transfer to the John C. Stennis Center for
24 Public Service Development Trust Fund established under

1 section 116 of the John C. Stennis Center for Public Serv-
2 ice Training and Development Act (2 U.S.C. 1105).

3 SEC. 8108. None of the funds made available by this
4 Act may be used by the Department of Defense or any
5 other Federal agency to lease or purchase new light duty
6 vehicles, for any executive fleet, or for any agency's fleet
7 inventory, except in accordance with Presidential Memo-
8 randum-Federal Fleet Performance, dated May 24, 2011.

9 SEC. 8109. (a) None of the funds appropriated or
10 otherwise made available by this or any other Act may
11 be used by the Secretary of Defense, or any other official
12 or officer of the Department of Defense, to enter into a
13 contract, memorandum of understanding, or cooperative
14 agreement with, or make a grant to, or provide a loan
15 or loan guarantee to Rosoboronexport or any subsidiary
16 of Rosoboronexport.

17 (b) The Secretary of Defense may waive the limita-
18 tion in subsection (a) if the Secretary, in consultation with
19 the Secretary of State and the Director of National Intel-
20 ligence, determines that it is in the vital national security
21 interest of the United States to do so, and certifies in writ-
22 ing to the congressional defense committees that, to the
23 best of the Secretary's knowledge:

24 (1) Rosoboronexport has ceased the transfer of
25 lethal military equipment to, and the maintenance of

1 existing lethal military equipment for, the Govern-
2 ment of the Syrian Arab Republic;

3 (2) The armed forces of the Russian Federation
4 have withdrawn from Crimea, other than armed
5 forces present on military bases subject to agree-
6 ments in force between the Government of the Rus-
7 sian Federation and the Government of Ukraine;
8 and

9 (3) Agents of the Russian Federation have
10 ceased taking active measures to destabilize the con-
11 trol of the Government of Ukraine over eastern
12 Ukraine.

13 (c) The Inspector General of the Department of De-
14 fense shall conduct a review of any action involving
15 Rosoboronexport with respect to a waiver issued by the
16 Secretary of Defense pursuant to subsection (b), and not
17 later than 90 days after the date on which such a waiver
18 is issued by the Secretary of Defense, the Inspector Gen-
19 eral shall submit to the congressional defense committees
20 a report containing the results of the review conducted
21 with respect to such waiver.

22 SEC. 8110. None of the funds made available in this
23 Act may be used for the purchase or manufacture of a
24 flag of the United States unless such flags are treated as

1 covered items under section 2533a(b) of title 10, United
2 States Code.

3 SEC. 8111. (a) Of the funds appropriated in this Act
4 for the Department of Defense, amounts may be made
5 available, under such regulations as the Secretary of De-
6 fense may prescribe, to local military commanders ap-
7 pointed by the Secretary, or by an officer or employee des-
8 ignated by the Secretary, to provide at their discretion ex
9 gratia payments in amounts consistent with subsection (d)
10 of this section for damage, personal injury, or death that
11 is incident to combat operations of the Armed Forces in
12 a foreign country.

13 (b) An ex gratia payment under this section may be
14 provided only if—

15 (1) the prospective foreign civilian recipient is
16 determined by the local military commander to be
17 friendly to the United States;

18 (2) a claim for damages would not be compen-
19 sable under chapter 163 of title 10, United States
20 Code (commonly known as the “Foreign Claims
21 Act”); and

22 (3) the property damage, personal injury, or
23 death was not caused by action by an enemy.

24 (c) NATURE OF PAYMENTS.—Any payments provided
25 under a program under subsection (a) shall not be consid-

1 ered an admission or acknowledgement of any legal obliga-
2 tion to compensate for any damage, personal injury, or
3 death.

4 (d) AMOUNT OF PAYMENTS.—If the Secretary of De-
5 fense determines a program under subsection (a) to be ap-
6 propriate in a particular setting, the amounts of pay-
7 ments, if any, to be provided to civilians determined to
8 have suffered harm incident to combat operations of the
9 Armed Forces under the program should be determined
10 pursuant to regulations prescribed by the Secretary and
11 based on an assessment, which should include such factors
12 as cultural appropriateness and prevailing economic condi-
13 tions.

14 (e) LEGAL ADVICE.—Local military commanders
15 shall receive legal advice before making ex gratia pay-
16 ments under this subsection. The legal advisor, under reg-
17 ulations of the Department of Defense, shall advise on
18 whether an ex gratia payment is proper under this section
19 and applicable Department of Defense regulations.

20 (f) WRITTEN RECORD.—A written record of any ex
21 gratia payment offered or denied shall be kept by the local
22 commander and on a timely basis submitted to the appro-
23 priate office in the Department of Defense as determined
24 by the Secretary of Defense.

1 (g) REPORT.—The Secretary of Defense shall report
2 to the congressional defense committees on an annual
3 basis the efficacy of the ex gratia payment program in-
4 cluding the number of types of cases considered, amounts
5 offered, the response from ex gratia payment recipients,
6 and any recommended modifications to the program.

7 SEC. 8112. None of the funds available in this Act
8 to the Department of Defense, other than appropriations
9 made for necessary or routine refurbishments, upgrades
10 or maintenance activities, shall be used to reduce or to
11 prepare to reduce the number of deployed and non-de-
12 ployed strategic delivery vehicles and launchers below the
13 levels set forth in the report submitted to Congress in ac-
14 cordance with section 1042 of the National Defense Au-
15 thorization Act for Fiscal Year 2012.

16 SEC. 8113. The Secretary of Defense shall post grant
17 awards on a public Web site in a searchable format.

18 SEC. 8114. None of the funds made available by this
19 Act may be used to realign forces at Lajes Air Force Base,
20 Azores, Portugal, until the Secretary of Defense certifies
21 to the congressional defense committees that the Secretary
22 of Defense has determined, based on an analysis of oper-
23 ational requirements, that Lajes Air Force Base is not an
24 optimal location for the Joint Intelligence Analysis Com-
25 plex.

1 SEC. 8115. None of the funds made available by this
2 Act may be used to fund the performance of a flight dem-
3 onstration team at a location outside of the United States:
4 *Provided*, That this prohibition applies only if a perform-
5 ance of a flight demonstration team at a location within
6 the United States was canceled during the current fiscal
7 year due to insufficient funding.

8 SEC. 8116. None of the funds made available by this
9 Act may be used by the National Security Agency to—

10 (1) conduct an acquisition pursuant to section
11 702 of the Foreign Intelligence Surveillance Act of
12 1978 for the purpose of targeting a United States
13 person; or

14 (2) acquire, monitor, or store the contents (as
15 such term is defined in section 2510(8) of title 18,
16 United States Code) of any electronic communica-
17 tion of a United States person from a provider of
18 electronic communication services to the public pur-
19 suant to section 501 of the Foreign Intelligence Sur-
20 veillance Act of 1978.

21 (INCLUDING TRANSFER OF FUNDS)

22 SEC. 8117. In addition to amounts provided else-
23 where in this Act for basic allowance for housing for mili-
24 tary personnel, including active duty, reserve and National
25 Guard personnel, \$300,000,000 is hereby appropriated to

1 the Department of Defense and made available for trans-
2 fer only to military personnel accounts: *Provided*, That the
3 transfer authority provided under this heading is in addi-
4 tion to any other transfer authority provided elsewhere in
5 this Act.

6 SEC. 8118. None of the funds made available by this
7 Act may be obligated or expended to implement the Arms
8 Trade Treaty until the Senate approves a resolution of
9 ratification for the Treaty.

10 SEC. 8119. None of the funds made available in this
11 or any other Act may be used to pay the salary of any
12 officer or employee of any agency funded by this Act who
13 approves or implements the transfer of administrative re-
14 sponsibilities or budgetary resources of any program,
15 project, or activity financed by this Act to the jurisdiction
16 of another Federal agency not financed by this Act with-
17 out the express authorization of Congress: *Provided*, That
18 this limitation shall not apply to transfers of funds ex-
19 pressly provided for in Defense Appropriations Acts, or
20 provisions of Acts providing supplemental appropriations
21 for the Department of Defense.

22 SEC. 8120. None of the funds appropriated or other-
23 wise made available by this Act may be used in contraven-
24 tion of section 1054 of the National Defense Authorization
25 Act for Fiscal Year 2016, regarding transfer of AH-64

1 Apache helicopters from the Army National Guard to reg-
2 ular Army.

3 SEC. 8121. None of the funds made available in this
4 Act may be obligated for activities authorized under sec-
5 tion 1208 of the Ronald W. Reagan National Defense Au-
6 thorization Act for Fiscal Year 2005 (Public Law 112-
7 81; 125 Stat. 1621) to initiate support for, or expand sup-
8 port to, foreign forces, irregular forces, groups, or individ-
9 uals unless the congressional defense committees are noti-
10 fied in accordance with the direction contained in the clas-
11 sified annex accompanying this Act, not less than 15 days
12 before initiating such support: *Provided*, That none of the
13 funds made available in this Act may be used under sec-
14 tion 1208 for any activity that is not in support of an
15 ongoing military operation being conducted by United
16 States Special Operations Forces to combat terrorism:
17 *Provided further*, That the Secretary of Defense may waive
18 the prohibitions in this section if the Secretary determines
19 that such waiver is required by extraordinary cir-
20 cumstances and, by not later than 72 hours after making
21 such waiver, notifies the congressional defense committees
22 of such waiver.

23 SEC. 8122. None of the funds made available by this
24 Act may be used with respect to Iraq in contravention of
25 the War Powers Resolution (50 U.S.C. 1541 et seq.), in-

1 cluding for the introduction of United States armed forces
2 into hostilities in Iraq, into situations in Iraq where immi-
3 nent involvement in hostilities is clearly indicated by the
4 circumstances, or into Iraqi territory, airspace, or waters
5 while equipped for combat, in contravention of the con-
6 gressional consultation and reporting requirements of sec-
7 tions 3 and 4 of such Resolution (50 U.S.C. 1542 and
8 1543).

9 SEC. 8123. None of the funds made available by this
10 Act may be used to divest, retire, transfer, or place in stor-
11 age or on backup aircraft inventory status, or prepare to
12 divest, retire, transfer, or place in storage or on backup
13 aircraft inventory status, any A-10 aircraft, or to dis-
14 establish any units of the active or reserve component as-
15 sociated with such aircraft.

16 SEC. 8124. Of the funds provided for “Research, De-
17 velopment, Test and Evaluation, Defense-Wide” in this
18 Act, not less than \$2,800,000 shall be used to support
19 the Department’s activities related to the implementation
20 of the Digital Accountability and Transparency Act (Pub-
21 lic Law 113–101; 31 U.S.C. 6101 note) and to support
22 the implementation of a uniform procurement instrument
23 identifier as described in subpart 4.16 of Title 48, Code
24 of Federal Regulations, to include changes in business
25 processes, workforce, or information technology.

1 SEC. 8125. None of the funds provided in this Act
2 for the T-AO(X) program shall be used to award a new
3 contract that provides for the acquisition of the following
4 components unless those components are manufactured in
5 the United States: Auxiliary equipment (including pumps)
6 for shipboard services; propulsion equipment (including
7 engines, reduction gears, and propellers); shipboard
8 cranes; and spreaders for shipboard cranes: *Provided*,
9 That the Secretary of the military department responsible
10 for such procurement may waive these restrictions on a
11 case-by-case basis by certifying in writing to the Commit-
12 tees on Appropriations of the House of Representatives
13 and the Senate that adequate domestic supplies are not
14 available to meet Department of Defense requirements on
15 a timely and cost competitive basis and that such an ac-
16 quisition must be made in order to acquire capability for
17 national security purposes.

18 SEC. 8126. The amounts appropriated in title II of
19 this Act are hereby reduced by \$389,000,000 to reflect
20 excess cash balances in Department of Defense Working
21 Capital Funds, as follows:

- 22 (1) From “Operation and Maintenance, Army”,
23 \$138,000,000;
- 24 (2) From “Operation and Maintenance, Air
25 Force”, \$251,000,000.

1 (RESCISSION)

2 SEC. 8127. Of the unobligated balances available to
3 the Department of Defense, the following funds are per-
4 manently rescinded from the following accounts and pro-
5 grams in the specified amounts to reflect excess cash bal-
6 ances in Department of Defense Working Capital Funds:
7 *Provided*, That no amounts may be rescinded from
8 amounts that were designated by the Congress for Over-
9 seas Contingency Operations/Global War on Terrorism or
10 as an emergency requirement pursuant to the Concurrent
11 Resolution on the Budget or the Balanced Budget and
12 Emergency Deficit Control Act of 1985, as amended:

13 From “Defense Working Capital Fund, De-
14 fense, X”, \$1,037,000,000.

15 SEC. 8128. Notwithstanding any other provision of
16 this Act, to reflect savings due to lower than anticipated
17 fuel costs, the total amount appropriated in title II of this
18 Act is hereby reduced by \$2,576,000,000.

19 SEC. 8129. None of the funds made available by this
20 Act may be used to divest or retire, or to prepare to divest
21 or retire, KC-10 aircraft.

22 SEC. 8130. None of the funds made available by this
23 Act may be used to divest, retire, transfer, or place in stor-
24 age or on backup aircraft inventory status, or prepare to

1 divest, retire, transfer, or place in storage or on backup
2 aircraft inventory status, any EC-130H aircraft.

3 SEC. 8131. None of the funds made available by this
4 Act may be used for Government Travel Charge Card ex-
5 penses by military or civilian personnel of the Department
6 of Defense for gaming, or for entertainment that includes
7 topless or nude entertainers or participants, as prohibited
8 by Department of Defense FMR, Volume 9, Chapter 3
9 and Department of Defense Instruction 1015.10 (encl-
10 sure 3, 14a and 14b).

11 SEC. 8132. None of the funds made available by this
12 Act may be used to propose, plan for, or execute a new
13 or additional Base Realignment and Closure (BRAC)
14 round.

1 TITLE IX
2 OVERSEAS CONTINGENCY OPERATIONS/GLOBAL
3 WAR ON TERRORISM
4 MILITARY PERSONNEL
5 MILITARY PERSONNEL, ARMY

6 For an additional amount for “Military Personnel,
7 Army”, \$1,846,356,000: *Provided*, That such amount is
8 designated by the Congress for Overseas Contingency Op-
9 erations/Global War on Terrorism pursuant to section
10 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
11 Deficit Control Act of 1985.

12 MILITARY PERSONNEL, NAVY

13 For an additional amount for “Military Personnel,
14 Navy”, \$251,011,000: *Provided*, That such amount is des-
15 ignated by the Congress for Overseas Contingency Oper-
16 ations/Global War on Terrorism pursuant to section
17 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
18 Deficit Control Act of 1985.

19 MILITARY PERSONNEL, MARINE CORPS

20 For an additional amount for “Military Personnel,
21 Marine Corps”, \$171,079,000: *Provided*, That such
22 amount is designated by the Congress for Overseas Con-
23 tingency Operations/Global War on Terrorism pursuant to
24 section 251(b)(2)(A)(ii) of the Balanced Budget and
25 Emergency Deficit Control Act of 1985.

1 MILITARY PERSONNEL, AIR FORCE

2 For an additional amount for “Military Personnel,
3 Air Force”, \$726,126,000: *Provided*, That such amount
4 is designated by the Congress for Overseas Contingency
5 Operations/Global War on Terrorism pursuant to section
6 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
7 Deficit Control Act of 1985.

8 RESERVE PERSONNEL, ARMY

9 For an additional amount for “Reserve Personnel,
10 Army”, \$24,462,000: *Provided*, That such amount is des-
11 ignated by the Congress for Overseas Contingency Oper-
12 ations/Global War on Terrorism pursuant to section
13 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
14 Deficit Control Act of 1985.

15 RESERVE PERSONNEL, NAVY

16 For an additional amount for “Reserve Personnel,
17 Navy”, \$12,693,000: *Provided*, That such amount is des-
18 ignated by the Congress for Overseas Contingency Oper-
19 ations/Global War on Terrorism pursuant to section
20 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
21 Deficit Control Act of 1985.

22 RESERVE PERSONNEL, MARINE CORPS

23 For an additional amount for “Reserve Personnel,
24 Marine Corps”, \$3,393,000: *Provided*, That such amount
25 is designated by the Congress for Overseas Contingency

1 Operations/Global War on Terrorism pursuant to section
2 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
3 Deficit Control Act of 1985.

4 RESERVE PERSONNEL, AIR FORCE

5 For an additional amount for “Reserve Personnel,
6 Air Force”, \$18,710,000: *Provided*, That such amount is
7 designated by the Congress for Overseas Contingency Op-
8 erations/Global War on Terrorism pursuant to section
9 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985.

11 NATIONAL GUARD PERSONNEL, ARMY

12 For an additional amount for “National Guard Per-
13 sonnel, Army”, \$166,015,000: *Provided*, That such
14 amount is designated by the Congress for Overseas Con-
15 tingency Operations/Global War on Terrorism pursuant to
16 section 251(b)(2)(A)(ii) of the Balanced Budget and
17 Emergency Deficit Control Act of 1985.

18 NATIONAL GUARD PERSONNEL, AIR FORCE

19 For an additional amount for “National Guard Per-
20 sonnel, Air Force”, \$2,828,000: *Provided*, That such
21 amount is designated by the Congress for Overseas Con-
22 tingency Operations/Global War on Terrorism pursuant to
23 section 251(b)(2)(A)(ii) of the Balanced Budget and
24 Emergency Deficit Control Act of 1985.

1 OPERATION AND MAINTENANCE

2 OPERATION AND MAINTENANCE, ARMY

3 For an additional amount for “Operation and Main-
4 tenance, Army”, \$14,994,833,000: *Provided*, That such
5 amount is designated by the Congress for Overseas Con-
6 tingency Operations/Global War on Terrorism pursuant to
7 section 251(b)(2)(A)(ii) of the Balanced Budget and
8 Emergency Deficit Control Act of 1985.

9 OPERATION AND MAINTENANCE, NAVY

10 For an additional amount for “Operation and Main-
11 tenance, Navy”, \$7,169,611,000: *Provided*, That such
12 amount is designated by the Congress for Overseas Con-
13 tingency Operations/Global War on Terrorism pursuant to
14 section 251(b)(2)(A)(ii) of the Balanced Budget and
15 Emergency Deficit Control Act of 1985.

16 OPERATION AND MAINTENANCE, MARINE CORPS

17 For an additional amount for “Operation and Main-
18 tenance, Marine Corps”, \$1,372,534,000: *Provided*, That
19 such amount is designated by the Congress for Overseas
20 Contingency Operations/Global War on Terrorism pursu-
21 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
22 and Emergency Deficit Control Act of 1985.

23 OPERATION AND MAINTENANCE, AIR FORCE

24 For an additional amount for “Operation and Main-
25 tenance, Air Force”, \$11,128,813,000: *Provided*, That

1 such amount is designated by the Congress for Overseas
2 Contingency Operations/Global War on Terrorism pursu-
3 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
4 and Emergency Deficit Control Act of 1985.

5 OPERATION AND MAINTENANCE, DEFENSE-WIDE

6 For an additional amount for “Operation and Main-
7 tenance, Defense-Wide”, \$5,665,633,000: *Provided*, That
8 of the funds provided under this heading, not to exceed
9 \$1,160,000,000, to remain available until September 30,
10 2017, shall be for payments to reimburse key cooperating
11 nations for logistical, military, and other support, includ-
12 ing access, provided to United States military and stability
13 operations in Afghanistan and to counter the Islamic
14 State of Iraq and the Levant: *Provided further*, That such
15 reimbursement payments may be made in such amounts
16 as the Secretary of Defense, with the concurrence of the
17 Secretary of State, and in consultation with the Director
18 of the Office of Management and Budget, may determine,
19 based on documentation determined by the Secretary of
20 Defense to adequately account for the support provided,
21 and such determination is final and conclusive upon the
22 accounting officers of the United States, and 15 days fol-
23 lowing notification to the appropriate congressional com-
24 mittees: *Provided further*, That these funds may be used
25 for the purpose of providing specialized training and pro-

1 curing supplies and specialized equipment and providing
2 such supplies and loaning such equipment on a non-reim-
3 bursable basis to coalition forces supporting United States
4 military and stability operations in Afghanistan and to
5 counter the Islamic State of Iraq and the Levant, and 15
6 days following notification to the appropriate congres-
7 sional committees: *Provided further*, That these funds may
8 be used to support the Governments of Jordan and Leb-
9 anon, in such amounts as the Secretary of Defense may
10 determine, to enhance the ability of the armed forces of
11 Jordan to increase or sustain security along its borders
12 and the ability of the armed forces of Lebanon to increase
13 or sustain security along its borders, upon 15 days prior
14 written notification to the congressional defense commit-
15 tees outlining the amounts intended to be provided and
16 the nature of the expenses incurred: *Provided further*,
17 That of the funds provided under this heading, up to
18 \$30,000,000 shall be for Operation Observant Compass:
19 *Provided further*, That the Secretary of Defense shall pro-
20 vide quarterly reports to the congressional defense com-
21 mittees on the use of funds provided in this paragraph:
22 *Provided further*, That such amount is designated by the
23 Congress for Overseas Contingency Operations/Global
24 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of

1 the Balanced Budget and Emergency Deficit Control Act
2 of 1985.

3 OPERATION AND MAINTENANCE, ARMY RESERVE

4 For an additional amount for “Operation and Main-
5 tenance, Army Reserve”, \$99,559,000: *Provided*, That
6 such amount is designated by the Congress for Overseas
7 Contingency Operations/Global War on Terrorism pursu-
8 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
9 and Emergency Deficit Control Act of 1985.

10 OPERATION AND MAINTENANCE, NAVY RESERVE

11 For an additional amount for “Operation and Main-
12 tenance, Navy Reserve”, \$31,643,000: *Provided*, That
13 such amount is designated by the Congress for Overseas
14 Contingency Operations/Global War on Terrorism pursu-
15 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
16 and Emergency Deficit Control Act of 1985.

17 OPERATION AND MAINTENANCE, MARINE CORPS

18 RESERVE

19 For an additional amount for “Operation and Main-
20 tenance, Marine Corps Reserve”, \$3,455,000: *Provided*,
21 That such amount is designated by the Congress for Over-
22 seas Contingency Operations/Global War on Terrorism
23 pursuant to section 251(b)(2)(A)(ii) of the Balanced
24 Budget and Emergency Deficit Control Act of 1985.

1 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

2 For an additional amount for “Operation and Main-
3 tenance, Air Force Reserve”, \$58,106,000: *Provided*, That
4 such amount is designated by the Congress for Overseas
5 Contingency Operations/Global War on Terrorism pursu-
6 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
7 and Emergency Deficit Control Act of 1985.

8 OPERATION AND MAINTENANCE, ARMY NATIONAL
9 GUARD

10 For an additional amount for “Operation and Main-
11 tenance, Army National Guard”, \$135,845,000: *Provided*,
12 That such amount is designated by the Congress for Over-
13 seas Contingency Operations/Global War on Terrorism
14 pursuant to section 251(b)(2)(A)(ii) of the Balanced
15 Budget and Emergency Deficit Control Act of 1985.

16 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

17 For an additional amount for “Operation and Main-
18 tenance, Air National Guard”, \$19,900,000: *Provided*,
19 That such amount is designated by the Congress for Over-
20 seas Contingency Operations/Global War on Terrorism
21 pursuant to section 251(b)(2)(A)(ii) of the Balanced
22 Budget and Emergency Deficit Control Act of 1985.

1 COUNTERTERRORISM PARTNERSHIPS FUND

2 (INCLUDING TRANSFER OF FUNDS)

3 For the “Counterterrorism Partnerships Fund”,
4 \$1,100,000,000, to remain available until September 30,
5 2017: *Provided*, That such funds shall be available to pro-
6 vide support and assistance to foreign security forces or
7 other groups or individuals to conduct, support, or facili-
8 tate counterterrorism and crisis response activities: *Pro-*
9 *vided further*, That the Secretary of Defense shall transfer
10 the funds provided herein to other appropriations provided
11 for in this Act to be merged with and to be available for
12 the same purposes and subject to the same authorities and
13 for the same time period as the appropriation to which
14 transferred: *Provided further*, That the transfer authority
15 under this heading is in addition to any other transfer au-
16 thority provided elsewhere in this Act: *Provided further*,
17 That the funds available under this heading are available
18 for transfer only to the extent that the Secretary of De-
19 fense submits a prior approval reprogramming request to
20 the congressional defense committees: *Provided further*,
21 That the Secretary of Defense shall comply with the ap-
22 propriate vetting standards and procedures established in
23 division C of the Consolidated and Further Continuing
24 Appropriations Act of 2015 (Public Law 113–235) for any
25 recipient of training, equipment, or other assistance: *Pro-*

1 *vided further*, That the amount provided under this head-
2 ing is designated by the Congress for Overseas Contin-
3 gency Operations/Global War on Terrorism pursuant to
4 section 251(b)(2)(A)(ii) of the Balanced Budget and
5 Emergency Deficit Control Act of 1985.

6 AFGHANISTAN SECURITY FORCES FUND

7 For the “Afghanistan Security Forces Fund”,
8 \$3,652,257,000, to remain available until September 30,
9 2017: *Provided*, That such funds shall be available to the
10 Secretary of Defense, notwithstanding any other provision
11 of law, for the purpose of allowing the Commander, Com-
12 bined Security Transition Command—Afghanistan, or the
13 Secretary’s designee, to provide assistance, with the con-
14 currence of the Secretary of State, to the security forces
15 of Afghanistan, including the provision of equipment, sup-
16 plies, services, training, facility and infrastructure repair,
17 renovation, construction, and funding: *Provided further*,
18 That the Secretary of Defense may obligate and expend
19 funds made available to the Department of Defense in this
20 title for additional costs associated with existing projects
21 previously funded with amounts provided under the head-
22 ing “Afghanistan Infrastructure Fund” in prior Acts: *Pro-*
23 *vided further*, That such costs shall be limited to contract
24 changes resulting from inflation, market fluctuation, rate
25 adjustments, and other necessary contract actions to com-

1 plete existing projects, and associated supervision and ad-
2 ministration costs and costs for design during construc-
3 tion: *Provided further*, That the Secretary may not use
4 more than \$50,000,000 under the authority provided in
5 this section: *Provided further*, That the Secretary shall no-
6 tify in advance such contract changes and adjustments in
7 annual reports to the congressional defense committees:
8 *Provided further*, That the authority to provide assistance
9 under this heading is in addition to any other authority
10 to provide assistance to foreign nations: *Provided further*,
11 That contributions of funds for the purposes provided
12 herein from any person, foreign government, or inter-
13 national organization may be credited to this Fund, to re-
14 main available until expended, and used for such purposes:
15 *Provided further*, That the Secretary of Defense shall no-
16 tify the congressional defense committees in writing upon
17 the receipt and upon the obligation of any contribution,
18 delineating the sources and amounts of the funds received
19 and the specific use of such contributions: *Provided fur-*
20 *ther*, That the Secretary of Defense shall, not fewer than
21 15 days prior to obligating from this appropriation ac-
22 count, notify the congressional defense committees in writ-
23 ing of the details of any such obligation: *Provided further*,
24 That the Secretary of Defense shall notify the congres-
25 sional defense committees of any proposed new projects

1 or transfer of funds between budget sub-activity groups
2 in excess of \$20,000,000: *Provided further*, That the
3 United States may accept equipment procured using funds
4 provided under this heading in this or prior Acts that was
5 transferred to the security forces of Afghanistan and re-
6 turned by such forces to the United States: *Provided fur-*
7 *ther*, That equipment procured using funds provided under
8 this heading in this or prior Acts, and not yet transferred
9 to the security forces of Afghanistan or transferred to the
10 security forces of Afghanistan and returned by such forces
11 to the United States, may be treated as stocks of the De-
12 partment of Defense upon written notification to the con-
13 gressional defense committees: *Provided further*, That of
14 the funds provided under this heading, not less than
15 \$10,000,000 shall be for recruitment and retention of
16 women in the Afghanistan National Security Forces, and
17 the recruitment and training of female security personnel:
18 *Provided further*, That such amount is designated by the
19 Congress for Overseas Contingency Operations/Global
20 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
21 the Balanced Budget and Emergency Deficit Control Act
22 of 1985.

23 IRAQ TRAIN AND EQUIP FUND

24 For the “Iraq Train and Equip Fund”,
25 \$715,000,000, to remain available until September 30,

1 2017: *Provided*, That such funds shall be available to the
2 Secretary of Defense, in coordination with the Secretary
3 of State, to provide assistance, including training; equip-
4 ment; logistics support, supplies, and services; stipends;
5 infrastructure repair, renovation, and sustainment, to
6 military and other security forces of or associated with the
7 Government of Iraq, including Kurdish and tribal security
8 forces or other local security forces, with a national secu-
9 rity mission, to counter the Islamic State of Iraq and the
10 Levant: *Provided further*, That the Secretary of Defense
11 shall ensure that prior to providing assistance to elements
12 of any forces such elements are appropriately vetted, in-
13 cluding at a minimum, assessing such elements for asso-
14 ciations with terrorist groups or groups associated with
15 the Government of Iran; and receiving commitments from
16 such elements to promote respect for human rights and
17 the rule of law: *Provided further*, That the Secretary of
18 Defense may accept and retain contributions, including as-
19 sistance in-kind, from foreign governments, including the
20 Government of Iraq, and other entities, to carry out assist-
21 ance authorized under this heading: *Provided further*,
22 That contributions of funds for the purposes provided
23 herein from any foreign government or other entities, may
24 be credited to this Fund, to remain available until ex-
25 pended, and used for such purposes: *Provided further*,

1 That not more than 25 percent of the funds appropriated
2 under this heading may be obligated or expended until not
3 fewer than 15 days after: (1) the Secretary of Defense
4 submits a report to the appropriate congressional commit-
5 tees, describing the plan for the provision of such training
6 and assistance and the forces designated to receive such
7 assistance; and (2) the President submits a report to the
8 appropriate congressional committees on how assistance
9 provided under this heading supports a larger regional
10 strategy: *Provided further*, That of the amount provided
11 under this heading, not more than 60 percent may be obli-
12 gated or expended until not fewer than 15 days after the
13 date on which the Secretary of Defense certifies to the
14 appropriate congressional committees that an amount
15 equal to not less than 40 percent of the amount provided
16 under this heading has been contributed by other coun-
17 tries and entities for the purposes for which funds are pro-
18 vided under this heading, of which at least 50 percent
19 shall have been contributed or provided by the Govern-
20 ment of Iraq: *Provided further*, That the limitation in the
21 preceding proviso shall not apply if the Secretary of De-
22 fense determines, in writing, that the national security ob-
23 jectives of the United States will be compromised by the
24 application of the limitation to such assistance, and noti-
25 fies the appropriate congressional committees not less

1 than 15 days in advance of the exemption taking effect,
2 including a justification for the Secretary's determination
3 and a description of the assistance to be exempted from
4 the application of such limitation: *Provided further*, That
5 the Secretary of Defense may waive a provision of law re-
6 lating to the acquisition of items and support services or
7 sections 40 and 40A of the Arms Export Control Act (22
8 U.S.C. 2780 and 2785) if the Secretary determines such
9 provisions of law would prohibit, restrict, delay or other-
10 wise limit the provision of such assistance and a notice
11 of and justification for such waiver is submitted to the
12 appropriate congressional committees: *Provided further*,
13 That the term "appropriate congressional committees"
14 under this heading means the "congressional defense com-
15 mittees", the Committees on Appropriations and Foreign
16 Relations of the Senate and the Committees on Appropria-
17 tions and Foreign Affairs of the House of Representatives:
18 *Provided further*, That amounts made available under this
19 heading are designated by the Congress for Overseas Con-
20 tingency Operations/Global War on Terrorism pursuant to
21 section 251(b)(2)(A)(ii) of the Balanced Budget and
22 Emergency Deficit Control Act of 1985.

1 pursuant to section 251(b)(2)(A)(ii) of the Balanced
2 Budget and Emergency Deficit Control Act of 1985.

3 PROCUREMENT OF AMMUNITION, ARMY

4 For an additional amount for “Procurement of Am-
5 munition, Army”, \$222,040,000, to remain available until
6 September 30, 2018: *Provided*, That such amount is des-
7 ignated by the Congress for Overseas Contingency Oper-
8 ations/Global War on Terrorism pursuant to section
9 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985.

11 OTHER PROCUREMENT, ARMY

12 For an additional amount for “Other Procurement,
13 Army”, \$1,175,596,000, to remain available until Sep-
14 tember 30, 2018: *Provided*, That such amount is des-
15 ignated by the Congress for Overseas Contingency Oper-
16 ations/Global War on Terrorism pursuant to section
17 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
18 Deficit Control Act of 1985.

19 AIRCRAFT PROCUREMENT, NAVY

20 For an additional amount for “Aircraft Procurement,
21 Navy”, \$210,990,000, to remain available until September
22 30, 2018: *Provided*, That such amount is designated by
23 the Congress for Overseas Contingency Operations/Global
24 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of

1 the Balanced Budget and Emergency Deficit Control Act
2 of 1985.

3 PROCUREMENT OF AMMUNITION, NAVY AND MARINE
4 CORPS

5 For an additional amount for “Procurement of Am-
6 munition, Navy and Marine Corps”, \$117,966,000, to re-
7 main available until September 30, 2018: *Provided*, That
8 such amount is designated by the Congress for Overseas
9 Contingency Operations/Global War on Terrorism pursu-
10 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
11 and Emergency Deficit Control Act of 1985.

12 OTHER PROCUREMENT, NAVY

13 For an additional amount for “Other Procurement,
14 Navy”, \$12,186,000, to remain available until September
15 30, 2018: *Provided*, That such amount is designated by
16 the Congress for Overseas Contingency Operations/Global
17 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
18 the Balanced Budget and Emergency Deficit Control Act
19 of 1985.

20 PROCUREMENT, MARINE CORPS

21 For an additional amount for “Procurement, Marine
22 Corps”, \$56,934,000, to remain available until September
23 30, 2018: *Provided*, That such amount is designated by
24 the Congress for Overseas Contingency Operations/Global
25 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of

1 the Balanced Budget and Emergency Deficit Control Act
2 of 1985.

3 AIRCRAFT PROCUREMENT, AIR FORCE

4 For an additional amount for “Aircraft Procurement,
5 Air Force”, \$128,900,000, to remain available until Sep-
6 tember 30, 2018: *Provided*, That such amount is des-
7 ignated by the Congress for Overseas Contingency Oper-
8 ations/Global War on Terrorism pursuant to section
9 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985.

11 MISSILE PROCUREMENT, AIR FORCE

12 For an additional amount for “Missile Procurement,
13 Air Force”, \$289,142,000, to remain available until Sep-
14 tember 30, 2018: *Provided*, That such amount is des-
15 ignated by the Congress for Overseas Contingency Oper-
16 ations/Global War on Terrorism pursuant to section
17 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
18 Deficit Control Act of 1985.

19 PROCUREMENT OF AMMUNITION, AIR FORCE

20 For an additional amount for “Procurement of Am-
21 muniton, Air Force”, \$228,874,000, to remain available
22 until September 30, 2018: *Provided*, That such amount
23 is designated by the Congress for Overseas Contingency
24 Operations/Global War on Terrorism pursuant to section

1 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
2 Deficit Control Act of 1985.

3 OTHER PROCUREMENT, AIR FORCE

4 For an additional amount for “Other Procurement,
5 Air Force”, \$3,477,001,000, to remain available until
6 September 30, 2018: *Provided*, That such amount is des-
7 ignated by the Congress for Overseas Contingency Oper-
8 ations/Global War on Terrorism pursuant to section
9 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985.

11 PROCUREMENT, DEFENSE-WIDE

12 For an additional amount for “Procurement, De-
13 fense-Wide”, \$173,918,000, to remain available until Sep-
14 tember 30, 2018: *Provided*, That such amount is des-
15 ignated by the Congress for Overseas Contingency Oper-
16 ations/Global War on Terrorism pursuant to section
17 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
18 Deficit Control Act of 1985.

19 NATIONAL GUARD AND RESERVE EQUIPMENT ACCOUNT

20 For procurement of rotary-wing aircraft; combat, tac-
21 tical and support vehicles; other weapons; and other pro-
22 curement items for the reserve components of the Armed
23 Forces, \$1,000,000,000, to remain available for obligation
24 until September 30, 2018: *Provided*, That the Chiefs of
25 National Guard and Reserve components shall, not later

1 than 30 days after enactment of this Act, individually sub-
2 mit to the congressional defense committees the mod-
3 ernization priority assessment for their respective Na-
4 tional Guard or Reserve component: *Provided further*,
5 That none of the funds made available by this paragraph
6 may be used to procure manned fixed wing aircraft, or
7 procure or modify missiles, munitions, or ammunition:
8 *Provided further*, That such amount is designated by the
9 Congress for Overseas Contingency Operations/Global
10 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
11 the Balanced Budget and Emergency Deficit Control Act
12 of 1985.

13 RESEARCH, DEVELOPMENT, TEST AND
14 EVALUATION
15 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
16 ARMY

17 For an additional amount for “Research, Develop-
18 ment, Test and Evaluation, Army”, \$1,500,000, to remain
19 available until September 30, 2017: *Provided*, That such
20 amount is designated by the Congress for Overseas Con-
21 tingency Operations/Global War on Terrorism pursuant to
22 section 251(b)(2)(A)(ii) of the Balanced Budget and
23 Emergency Deficit Control Act of 1985.

1 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
2 NAVY

3 For an additional amount for “Research, Develop-
4 ment, Test and Evaluation, Navy”, \$35,747,000, to re-
5 main available until September 30, 2017: *Provided*, That
6 such amount is designated by the Congress for Overseas
7 Contingency Operations/Global War on Terrorism pursu-
8 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
9 and Emergency Deficit Control Act of 1985.

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

12 For an additional amount for “Research, Develop-
13 ment, Test and Evaluation, Air Force”, \$17,100,000, to
14 remain available until September 30, 2017: *Provided*,
15 That such amount is designated by the Congress for Over-
16 seas Contingency Operations/Global War on Terrorism
17 pursuant to section 251(b)(2)(A)(ii) of the Balanced
18 Budget and Emergency Deficit Control Act of 1985.

19 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
20 DEFENSE-WIDE

21 For an additional amount for “Research, Develop-
22 ment, Test and Evaluation, Defense-Wide”,
23 \$177,087,000, to remain available until September 30,
24 2017: *Provided*, That such amount is designated by the
25 Congress for Overseas Contingency Operations/Global

1 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
2 the Balanced Budget and Emergency Deficit Control Act
3 of 1985.

4 REVOLVING AND MANAGEMENT FUNDS

5 DEFENSE WORKING CAPITAL FUNDS

6 For an additional amount for “Defense Working
7 Capital Funds”, \$88,850,000: *Provided*, That such
8 amount is designated by the Congress for Overseas Con-
9 tingency Operations/Global War on Terrorism pursuant to
10 section 251(b)(2)(A)(ii) of the Balanced Budget and
11 Emergency Deficit Control Act of 1985.

12 OTHER DEPARTMENT OF DEFENSE PROGRAMS

13 DEFENSE HEALTH PROGRAM

14 For an additional amount for “Defense Health Pro-
15 gram”, \$272,704,000, which shall be for operation and
16 maintenance: *Provided*, That such amount is designated
17 by the Congress for Overseas Contingency Operations/
18 Global War on Terrorism pursuant to section
19 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
20 Deficit Control Act of 1985.

21 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,

22 DEFENSE

23 For an additional amount for “Drug Interdiction and
24 Counter-Drug Activities, Defense”, \$186,000,000: *Pro-*
25 *vided*, That such amount is designated by the Congress

1 for Overseas Contingency Operations/Global War on Ter-
2 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
3 anced Budget and Emergency Deficit Control Act of 1985.

4 JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND
5 (INCLUDING TRANSFER OF FUNDS)

6 For the “Joint Improvised Explosive Device Defeat
7 Fund”, \$349,464,000, to remain available until Sep-
8 tember 30, 2018: *Provided*, That such funds shall be avail-
9 able to the Secretary of Defense, notwithstanding any
10 other provision of law, for the purpose of allowing the Di-
11 rector of the Joint Improvised Explosive Device Defeat
12 Organization to investigate, develop and provide equip-
13 ment, supplies, services, training, facilities, personnel and
14 funds to assist United States forces in the defeat of impro-
15 vised explosive devices: *Provided further*, That the Sec-
16 retary of Defense may transfer funds provided herein to
17 appropriations for military personnel; operation and main-
18 tenance; procurement; research, development, test and
19 evaluation; and defense working capital funds to accom-
20 plish the purpose provided herein: *Provided further*, That
21 this transfer authority is in addition to any other transfer
22 authority available to the Department of Defense: *Pro-*
23 *vided further*, That the Secretary of Defense shall, not
24 fewer than 15 days prior to making transfers from this
25 appropriation, notify the congressional defense committees

1 in writing of the details of any such transfer: *Provided*
2 *further*, That such amount is designated by the Congress
3 for Overseas Contingency Operations/Global War on Ter-
4 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
5 anced Budget and Emergency Deficit Control Act of 1985.

6 OFFICE OF THE INSPECTOR GENERAL

7 For an additional amount for the “Office of the In-
8 spector General”, \$10,262,000: *Provided*, That such
9 amount is designated by the Congress for Overseas Con-
10 tingency Operations/Global War on Terrorism pursuant to
11 section 251(b)(2)(A)(ii) of the Balanced Budget and
12 Emergency Deficit Control Act of 1985.

13 GENERAL PROVISIONS—THIS TITLE

14 SEC. 9001. Notwithstanding any other provision of
15 law, funds made available in this title are in addition to
16 amounts appropriated or otherwise made available for the
17 Department of Defense for fiscal year 2016.

18 (INCLUDING TRANSFER OF FUNDS)

19 SEC. 9002. Upon the determination of the Secretary
20 of Defense that such action is necessary in the national
21 interest, the Secretary may, with the approval of the Of-
22 fice of Management and Budget, transfer up to
23 \$4,500,000,000 between the appropriations or funds made
24 available to the Department of Defense in this title: *Pro-*
25 *vided*, That the Secretary shall notify the Congress

1 promptly of each transfer made pursuant to the authority
2 in this section: *Provided further*, That the authority pro-
3 vided in this section is in addition to any other transfer
4 authority available to the Department of Defense and is
5 subject to the same terms and conditions as the authority
6 provided in section 8005 of this Act.

7 SEC. 9003. Supervision and administration costs and
8 costs for design during construction associated with a con-
9 struction project funded with appropriations available for
10 operation and maintenance or the “Afghanistan Security
11 Forces Fund” provided in this Act and executed in direct
12 support of overseas contingency operations in Afghani-
13 stan, may be obligated at the time a construction contract
14 is awarded: *Provided*, That, for the purpose of this section,
15 supervision and administration costs and costs for design
16 during construction include all in-house Government costs.

17 SEC. 9004. From funds made available in this title,
18 the Secretary of Defense may purchase for use by military
19 and civilian employees of the Department of Defense in
20 the United States Central Command area of responsi-
21 bility: (1) passenger motor vehicles up to a limit of
22 \$75,000 per vehicle; and (2) heavy and light armored vehi-
23 cles for the physical security of personnel or for force pro-
24 tection purposes up to a limit of \$450,000 per vehicle, not-

1 withstanding price or other limitations applicable to the
2 purchase of passenger carrying vehicles.

3 SEC. 9005. Not to exceed \$5,000,000 of the amounts
4 appropriated by this title under the heading “Operation
5 and Maintenance, Army” may be used, notwithstanding
6 any other provision of law, to fund the Commanders’
7 Emergency Response Program (CERP), for the purpose
8 of enabling military commanders in Afghanistan to re-
9 spond to urgent, small-scale, humanitarian relief and re-
10 construction requirements within their areas of responsi-
11 bility: *Provided*, That each project (including any ancillary
12 or related elements in connection with such project) exe-
13 cuted under this authority shall not exceed \$2,000,000:
14 *Provided further*, That not later than 45 days after the
15 end of each 6 months of the fiscal year, the Secretary of
16 Defense shall submit to the congressional defense commit-
17 tees a report regarding the source of funds and the alloca-
18 tion and use of funds during that 6-month period that
19 were made available pursuant to the authority provided
20 in this section or under any other provision of law for the
21 purposes described herein: *Provided further*, That, not
22 later than 30 days after the end of each fiscal year quar-
23 ter, the Army shall submit to the congressional defense
24 committees quarterly commitment, obligation, and expend-
25 iture data for the CERP in Afghanistan: *Provided further*,

1 That, not less than 15 days before making funds available
2 pursuant to the authority provided in this section or under
3 any other provision of law for the purposes described here-
4 in for a project with a total anticipated cost for completion
5 of \$500,000 or more, the Secretary shall submit to the
6 congressional defense committees a written notice con-
7 taining each of the following:

8 (1) The location, nature and purpose of the
9 proposed project, including how the project is in-
10 tended to advance the military campaign plan for
11 the country in which it is to be carried out.

12 (2) The budget, implementation timeline with
13 milestones, and completion date for the proposed
14 project, including any other CERP funding that has
15 been or is anticipated to be contributed to the com-
16 pletion of the project.

17 (3) A plan for the sustainment of the proposed
18 project, including the agreement with either the host
19 nation, a non-Department of Defense agency of the
20 United States Government or a third-party contrib-
21 utor to finance the sustainment of the activities and
22 maintenance of any equipment or facilities to be pro-
23 vided through the proposed project.

24 SEC. 9006. Funds available to the Department of De-
25 fense for operation and maintenance may be used, not-

1 withstanding any other provision of law, to provide sup-
2 plies, services, transportation, including airlift and sealift,
3 and other logistical support to coalition forces supporting
4 military and stability operations in Afghanistan and to
5 counter the Islamic State of Iraq and the Levant: *Pro-*
6 *vided*, That the Secretary of Defense shall provide quar-
7 terly reports to the congressional defense committees re-
8 garding support provided under this section.

9 SEC. 9007. None of the funds appropriated or other-
10 wise made available by this or any other Act shall be obli-
11 gated or expended by the United States Government for
12 a purpose as follows:

13 (1) To establish any military installation or
14 base for the purpose of providing for the permanent
15 stationing of United States Armed Forces in Iraq.

16 (2) To exercise United States control over any
17 oil resource of Iraq.

18 (3) To establish any military installation or
19 base for the purpose of providing for the permanent
20 stationing of United States Armed Forces in Af-
21 ghanistan.

22 SEC. 9008. None of the funds made available in this
23 Act may be used in contravention of the following laws
24 enacted or regulations promulgated to implement the
25 United Nations Convention Against Torture and Other

1 Cruel, Inhuman or Degrading Treatment or Punishment
2 (done at New York on December 10, 1984):

3 (1) Section 2340A of title 18, United States
4 Code.

5 (2) Section 2242 of the Foreign Affairs Reform
6 and Restructuring Act of 1998 (division G of Public
7 Law 105–277; 112 Stat. 2681–822; 8 U.S.C. 1231
8 note) and regulations prescribed thereto, including
9 regulations under part 208 of title 8, Code of Fed-
10 eral Regulations, and part 95 of title 22, Code of
11 Federal Regulations.

12 (3) Sections 1002 and 1003 of the Department
13 of Defense, Emergency Supplemental Appropriations
14 to Address Hurricanes in the Gulf of Mexico, and
15 Pandemic Influenza Act, 2006 (Public Law 109–
16 148).

17 SEC. 9009. None of the funds provided for the “Af-
18 ghanistan Security Forces Fund” (ASFF) may be obli-
19 gated prior to the approval of a financial and activity plan
20 by the Afghanistan Resources Oversight Council (AROC)
21 of the Department of Defense: *Provided*, That the AROC
22 must approve the requirement and acquisition plan for any
23 service requirements in excess of \$50,000,000 annually
24 and any non-standard equipment requirements in excess
25 of \$100,000,000 using ASFF: *Provided further*, That the

1 Department of Defense must certify to the congressional
2 defense committees that the AROC has convened and ap-
3 proved a process for ensuring compliance with the require-
4 ments in the preceding proviso and accompanying report
5 language for the ASFF.

6 SEC. 9010. Funds made available in this title to the
7 Department of Defense for operation and maintenance
8 may be used to purchase items having an investment unit
9 cost of not more than \$250,000: *Provided*, That, upon de-
10 termination by the Secretary of Defense that such action
11 is necessary to meet the operational requirements of a
12 Commander of a Combatant Command engaged in contin-
13 gency operations overseas, such funds may be used to pur-
14 chase items having an investment item unit cost of not
15 more than \$500,000.

16 SEC. 9011. From funds made available to the De-
17 partment of Defense in this title under the heading “Oper-
18 ation and Maintenance, Air Force”, up to \$80,000,000
19 may be used by the Secretary of Defense, notwithstanding
20 any other provision of law, to support United States Gov-
21 ernment transition activities in Iraq by funding the oper-
22 ations and activities of the Office of Security Cooperation
23 in Iraq and security assistance teams, including life sup-
24 port, transportation and personal security, and facilities
25 renovation and construction, and site closeout activities

1 prior to returning sites to the Government of Iraq: *Pro-*
2 *vided*, That to the extent authorized under the National
3 Defense Authorization Act for Fiscal Year 2016, the oper-
4 ations and activities that may be carried out by the Office
5 of Security Cooperation in Iraq may, with the concurrence
6 of the Secretary of State, include non-operational training
7 activities in support of Iraqi Minister of Defense and
8 Counter Terrorism Service personnel in an institutional
9 environment to address capability gaps, integrate proc-
10 esses relating to intelligence, air sovereignty, combined
11 arms, logistics and maintenance, and to manage and inte-
12 grate defense-related institutions: *Provided further*, That
13 not later than 30 days following the enactment of this Act,
14 the Secretary of Defense and the Secretary of State shall
15 submit to the congressional defense committees a plan for
16 transitioning any such training activities that they deter-
17 mine are needed after the end of fiscal year 2016, to exist-
18 ing or new contracts for the sale of defense articles or
19 defense services consistent with the provisions of the Arms
20 Export Control Act (22 U.S.C. 2751 et seq.): *Provided*
21 *further*, That, not less than 15 days before making funds
22 available pursuant to the authority provided in this sec-
23 tion, the Secretary of Defense shall submit to the congres-
24 sional defense committees a written notice containing a
25 detailed justification and timeline for the operations and

1 activities of the Office of Security Cooperation in Iraq at
2 each site where such operations and activities will be con-
3 ducted during fiscal year 2016: *Provided further*, That
4 amounts made available by this section are designated by
5 the Congress for Overseas Contingency Operations/Global
6 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
7 the Balanced Budget and Emergency Deficit Control Act
8 of 1985.

9 SEC. 9012. Up to \$600,000,000 of funds appro-
10 priated by this Act for the Counterterrorism Partnerships
11 Fund may be used to provide assistance to the Govern-
12 ment of Jordan to support the armed forces of Jordan
13 and to enhance security along its borders.

14 SEC. 9013. None of the funds made available by this
15 Act under the heading “Iraq Train and Equip Fund” may
16 be used to procure or transfer man-portable air defense
17 systems.

18 SEC. 9014. For the “Ukraine Security Assistance Ini-
19 tiative”, \$250,000,000 is hereby appropriated, to remain
20 available until September 30, 2016: *Provided*, That such
21 funds shall be available to the Secretary of Defense, in
22 coordination with the Secretary of State, to provide assist-
23 ance, including training; equipment; lethal weapons of a
24 defensive nature; logistics support, supplies and services;
25 sustainment; and intelligence support to the military and

1 national security forces of Ukraine, and for replacement
2 of any weapons or defensive articles provided to the Gov-
3 ernment of Ukraine from the inventory of the United
4 States: *Provided further*, That the Secretary of Defense
5 shall, not less than 15 days prior to obligating funds pro-
6 vided under this heading, notify the congressional defense
7 committees in writing of the details of any such obligation:
8 *Provided further*, That the United States may accept
9 equipment procured using funds provided under this head-
10 ing in this or prior Acts that was transferred to the secu-
11 rity forces of Ukraine and returned by such forces to the
12 United States: *Provided further*, That equipment procured
13 using funds provided under this heading in this or prior
14 Acts, and not yet transferred to the military or National
15 Security Forces of Ukraine or returned by such forces to
16 the United States, may be treated as stocks of the Depart-
17 ment of Defense upon written notification to the congres-
18 sional defense committees: *Provided further*, That amounts
19 made available by this section are designated by the Con-
20 gress for Overseas Contingency Operations/Global War on
21 Terrorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
22 anced Budget and Emergency Deficit Control Act of 1985.

23 SEC. 9015. Funds appropriated in this title shall be
24 available for replacement of funds for items provided to
25 the Government of Ukraine from the inventory of the

1 United States to the extent specifically provided for in sec-
2 tion 9014 of this Act.

3 SEC. 9016. None of the funds made available by this
4 Act under section 9014 for “Assistance and Sustainment
5 to the Military and National Security Forces of Ukraine”
6 may be used to procure or transfer man-portable air de-
7 fense systems.

8 SEC. 9017. (a) None of the funds appropriated or
9 otherwise made available by this Act under the heading
10 “Operation and Maintenance, Defense-Wide” for pay-
11 ments under section 1233 of Public Law 110–181 for re-
12 imbursement to the Government of Pakistan may be made
13 available unless the Secretary of Defense, in coordination
14 with the Secretary of State, certifies to the congressional
15 defense committees that the Government of Pakistan is—

16 (1) cooperating with the United States in
17 counterterrorism efforts against the Haqqani Net-
18 work, the Quetta Shura Taliban, Lashkar e-Tayyiba,
19 Jaish-e-Mohammed, Al Qaeda, and other domestic
20 and foreign terrorist organizations, including taking
21 steps to end support for such groups and prevent
22 them from basing and operating in Pakistan and
23 carrying out cross border attacks into neighboring
24 countries;

1 (2) not supporting terrorist activities against
2 United States or coalition forces in Afghanistan, and
3 Pakistan's military and intelligence agencies are not
4 intervening extra-judicially into political and judicial
5 processes in Pakistan;

6 (3) dismantling improvised explosive device
7 (IED) networks and interdicting precursor chemicals
8 used in the manufacture of IEDs;

9 (4) preventing the proliferation of nuclear-re-
10 lated material and expertise;

11 (5) implementing policies to protect judicial
12 independence and due process of law;

13 (6) issuing visas in a timely manner for United
14 States visitors engaged in counterterrorism efforts
15 and assistance programs in Pakistan; and

16 (7) providing humanitarian organizations access
17 to detainees, internally displaced persons, and other
18 Pakistani civilians affected by the conflict.

19 (b) The Secretary of Defense, in coordination with
20 the Secretary of State, may waive the restriction in sub-
21 section (a) on a case-by-case basis by certifying in writing
22 to the congressional defense committees that it is in the
23 national security interest to do so: *Provided*, That if the
24 Secretary of Defense, in coordination with the Secretary
25 of State, exercises such waiver authority, the Secretaries

1 shall report to the congressional defense committees on
2 both the justification for the waiver and on the require-
3 ments of this section that the Government of Pakistan was
4 not able to meet: *Provided further*, That such report may
5 be submitted in classified form if necessary.

6 (INCLUDING TRANSFER OF FUNDS)

7 SEC. 9018. In addition to amounts otherwise made
8 available in this Act, \$500,000,000 is hereby appropriated
9 to the Department of Defense and made available for
10 transfer only to the operation and maintenance, military
11 personnel, and procurement accounts, to improve the intel-
12 ligence, surveillance, and reconnaissance capabilities of the
13 Department of Defense: *Provided*, That the transfer au-
14 thority provided in this section is in addition to any other
15 transfer authority provided elsewhere in this Act: *Provided*
16 *further*, That not later than 30 days prior to exercising
17 the transfer authority provided in this section, the Sec-
18 retary of Defense shall submit a report to the congres-
19 sional defense committees on the proposed uses of these
20 funds: *Provided further*, That the funds provided in this
21 section may not be transferred to any program, project,
22 or activity specifically limited or denied by this Act: *Pro-*
23 *vided further*, That amounts made available by this section
24 are designated by the Congress for Overseas Contingency
25 Operations/Global War on Terrorism pursuant to section

1 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
2 Deficit Control Act of 1985: *Provided further*, That the
3 authority to provide funding under this section shall termi-
4 nate on September 30, 2016.

5 SEC. 9019. None of the funds made available by this
6 Act may be used with respect to Syria in contravention
7 of the War Powers Resolution (50 U.S.C. 1541 et seq.),
8 including for the introduction of United States armed or
9 military forces into hostilities in Syria, into situations in
10 Syria where imminent involvement in hostilities is clearly
11 indicated by the circumstances, or into Syrian territory,
12 airspace, or waters while equipped for combat, in con-
13 travention of the congressional consultation and reporting
14 requirements of sections 3 and 4 of that law (50 U.S.C.
15 1542 and 1543).

16 SEC. 9020. None of the funds in this Act may be
17 made available for the transfer of additional C-130 cargo
18 aircraft to the Afghanistan National Security Forces or
19 the Afghanistan Air Force until the Department of De-
20 fense provides a report to the congressional defense com-
21 mittees of the Afghanistan Air Force's medium airlift re-
22 quirements. The report should identify Afghanistan's abil-
23 ity to utilize and maintain existing medium lift aircraft
24 in the inventory and the best alternative platform, if nec-

1 essary, to provide additional support to the Afghanistan
2 Air Force's current medium airlift capacity.

3 (RESCISSION)

4 SEC. 9021. Of the funds appropriated in Department
5 of Defense Appropriations Acts, the following funds are
6 hereby rescinded from the following accounts and pro-
7 grams in the specified amounts: *Provided*, That such
8 amounts are designated by the Congress for Overseas
9 Contingency Operations/Global War on Terrorism pursu-
10 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
11 and Emergency Deficit Control Act of 1985, as amended:

12 "Afghanistan Security Forces Fund", 2015/
13 2016, \$400,000,000.

14 This division may be cited as the "Department of De-
15 fense Appropriations Act, 2016".

1 **DIVISION D—ENERGY AND WATER DEVEL-**
2 **OPMENT AND RELATED AGENCIES AP-**
3 **PROPRIATIONS ACT, 2016**

4 TITLE I

5 CORPS OF ENGINEERS—CIVIL

6 DEPARTMENT OF THE ARMY

7 CORPS OF ENGINEERS—CIVIL

8 The following appropriations shall be expended under
9 the direction of the Secretary of the Army and the super-
10 vision of the Chief of Engineers for authorized civil func-
11 tions of the Department of the Army pertaining to river
12 and harbor, flood and storm damage reduction, shore pro-
13 tection, aquatic ecosystem restoration, and related efforts.

14 INVESTIGATIONS

15 For expenses necessary where authorized by law for
16 the collection and study of basic information pertaining
17 to river and harbor, flood and storm damage reduction,
18 shore protection, aquatic ecosystem restoration, and re-
19 lated needs; for surveys and detailed studies, and plans
20 and specifications of proposed river and harbor, flood and
21 storm damage reduction, shore protection, and aquatic
22 ecosystem restoration projects, and related efforts prior to
23 construction; for restudy of authorized projects; and for
24 miscellaneous investigations, and, when authorized by law,
25 surveys and detailed studies, and plans and specifications

1 of projects prior to construction, \$121,000,000, to remain
2 available until expended: *Provided*, That the Secretary
3 may initiate up to, but not more than, 10 new study starts
4 during fiscal year 2016: *Provided further*, That the new
5 study starts will consist of seven studies where the major-
6 ity of the benefits are derived from navigation transpor-
7 tation savings or from flood and storm damage reduction
8 and three studies where the majority of benefits are de-
9 rived from environmental restoration: *Provided further*,
10 That the Secretary shall not deviate from the new starts
11 proposed in the work plan, once the plan has been sub-
12 mitted to the Committees on Appropriations of the House
13 of Representatives and the Senate.

14 CONSTRUCTION

15 For expenses necessary for the construction of river
16 and harbor, flood and storm damage reduction, shore pro-
17 tection, aquatic ecosystem restoration, and related
18 projects authorized by law; for conducting detailed studies,
19 and plans and specifications, of such projects (including
20 those involving participation by States, local governments,
21 or private groups) authorized or made eligible for selection
22 by law (but such detailed studies, and plans and specifica-
23 tions, shall not constitute a commitment of the Govern-
24 ment to construction); \$1,862,250,000, to remain avail-
25 able until expended; of which such sums as are necessary

1 to cover the Federal share of construction costs for facili-
2 ties under the Dredged Material Disposal Facilities pro-
3 gram shall be derived from the Harbor Maintenance Trust
4 Fund as authorized by Public Law 104–303; and of which
5 such sums as are necessary to cover one-half of the costs
6 of construction, replacement, rehabilitation, and expansion
7 of inland waterways projects shall be derived from the In-
8 land Waterways Trust Fund, except as otherwise specifi-
9 cally provided for in law: *Provided*, That the Secretary
10 may initiate up to, but not more than, six new construc-
11 tion starts during fiscal year 2016: *Provided further*, That
12 the new construction starts will consist of five projects
13 where the majority of the benefits are derived from naviga-
14 tion transportation savings or from flood and storm dam-
15 age reduction and one project where the majority of the
16 benefits are derived from environmental restoration: *Pro-*
17 *vided further*, That for new construction projects, project
18 cost sharing agreements shall be executed as soon as prac-
19 ticable but no later than August 31, 2016: *Provided fur-*
20 *ther*, That no allocation for a new start shall be considered
21 final and no work allowance shall be made until the Sec-
22 retary provides to the Committees on Appropriations of
23 the House of Representatives and the Senate an out-year
24 funding scenario demonstrating the affordability of the se-
25 lected new starts and the impacts on other projects: *Pro-*

1 *vided further*, That the Secretary may not deviate from
2 the new starts proposed in the work plan, once the plan
3 has been submitted to the Committees on Appropriations
4 of the House of Representatives and the Senate.

5 MISSISSIPPI RIVER AND TRIBUTARIES

6 For expenses necessary for flood damage reduction
7 projects and related efforts in the Mississippi River allu-
8 vial valley below Cape Girardeau, Missouri, as authorized
9 by law, \$345,000,000, to remain available until expended,
10 of which such sums as are necessary to cover the Federal
11 share of eligible operation and maintenance costs for in-
12 land harbors shall be derived from the Harbor Mainte-
13 nance Trust Fund.

14 OPERATION AND MAINTENANCE

15 For expenses necessary for the operation, mainte-
16 nance, and care of existing river and harbor, flood and
17 storm damage reduction, aquatic ecosystem restoration,
18 and related projects authorized by law; providing security
19 for infrastructure owned or operated by the Corps, includ-
20 ing administrative buildings and laboratories; maintaining
21 harbor channels provided by a State, municipality, or
22 other public agency that serve essential navigation needs
23 of general commerce, where authorized by law; surveying
24 and charting northern and northwestern lakes and con-
25 necting waters; clearing and straightening channels; and

1 removing obstructions to navigation, \$3,137,000,000, to
2 remain available until expended, of which such sums as
3 are necessary to cover the Federal share of eligible oper-
4 ation and maintenance costs for coastal harbors and chan-
5 nels, and for inland harbors shall be derived from the Har-
6 bor Maintenance Trust Fund; of which such sums as be-
7 come available from the special account for the Corps of
8 Engineers established by the Land and Water Conserva-
9 tion Fund Act of 1965 shall be derived from that account
10 for resource protection, research, interpretation, and
11 maintenance activities related to resource protection in the
12 areas at which outdoor recreation is available; and of
13 which such sums as become available from fees collected
14 under section 217 of Public Law 104–303 shall be used
15 to cover the cost of operation and maintenance of the
16 dredged material disposal facilities for which such fees
17 have been collected: *Provided*, That 1 percent of the total
18 amount of funds provided for each of the programs,
19 projects, or activities funded under this heading shall not
20 be allocated to a field operating activity prior to the begin-
21 ning of the fourth quarter of the fiscal year and shall be
22 available for use by the Chief of Engineers to fund such
23 emergency activities as the Chief of Engineers determines
24 to be necessary and appropriate, and that the Chief of En-
25 gineers shall allocate during the fourth quarter any re-

1 maining funds which have not been used for emergency
2 activities proportionally in accordance with the amounts
3 provided for the programs, projects, or activities.

4 REGULATORY PROGRAM

5 For expenses necessary for administration of laws
6 pertaining to regulation of navigable waters and wetlands,
7 \$200,000,000, to remain available until September 30,
8 2017.

9 FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

10 For expenses necessary to clean up contamination
11 from sites in the United States resulting from work per-
12 formed as part of the Nation's early atomic energy pro-
13 gram, \$112,000,000, to remain available until expended.

14 FLOOD CONTROL AND COASTAL EMERGENCIES

15 For expenses necessary to prepare for flood, hurri-
16 cane, and other natural disasters and support emergency
17 operations, repairs, and other activities in response to
18 such disasters as authorized by law, \$28,000,000, to re-
19 main available until expended.

20 EXPENSES

21 For expenses necessary for the supervision and gen-
22 eral administration of the civil works program in the head-
23 quarters of the Corps of Engineers and the offices of the
24 Division Engineers; and for costs of management and op-
25 eration of the Humphreys Engineer Center Support Activ-

1 ity, the Institute for Water Resources, the United States
2 Army Engineer Research and Development Center, and
3 the United States Army Corps of Engineers Finance Cen-
4 ter allocable to the civil works program, \$179,000,000, to
5 remain available until September 30, 2017, of which not
6 to exceed \$5,000 may be used for official reception and
7 representation purposes and only during the current fiscal
8 year: *Provided*, That no part of any other appropriation
9 provided in this title shall be available to fund the civil
10 works activities of the Office of the Chief of Engineers
11 or the civil works executive direction and management ac-
12 tivities of the division offices: *Provided further*, That any
13 Flood Control and Coastal Emergencies appropriation
14 may be used to fund the supervision and general adminis-
15 tration of emergency operations, repairs, and other activi-
16 ties in response to any flood, hurricane, or other natural
17 disaster.

18 OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY

19 FOR CIVIL WORKS

20 For the Office of the Assistant Secretary of the Army
21 for Civil Works as authorized by 10 U.S.C. 3016(b)(3),
22 \$4,750,000, to remain available until September 30, 2017:
23 *Provided*, That not more than 50 percent of such amount
24 may be obligated or expended until the Assistant Sec-
25 retary submits to the Committees on Appropriations of

1 both Houses of Congress a work plan that allocates at
2 least 95 percent of the additional funding provided under
3 each heading in this title (as designated under such head-
4 ing in the explanatory statement described in section 4
5 (in the matter preceding division A of this consolidated
6 Act)) to specific programs, projects, or activities.

7 GENERAL PROVISIONS—CORPS OF
8 ENGINEERS—CIVIL
9 (INCLUDING TRANSFER OF FUNDS)

10 SEC. 101. (a) None of the funds provided in title I
11 of this Act, or provided by previous appropriations Acts
12 to the agencies or entities funded in title I of this Act
13 that remain available for obligation or expenditure in fiscal
14 year 2016, shall be available for obligation or expenditure
15 through a reprogramming of funds that:

16 (1) creates or initiates a new program, project,
17 or activity;

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

19 (3) increases funds or personnel for any pro-
20 gram, project, or activity for which funds have been
21 denied or restricted by this Act, unless prior ap-
22 proval is received from the House and Senate Com-
23 mittees on Appropriations;

24 (4) proposes to use funds directed for a specific
25 activity for a different purpose, unless prior approval

1 is received from the House and Senate Committees
2 on Appropriations;

3 (5) augments or reduces existing programs,
4 projects, or activities in excess of the amounts con-
5 tained in paragraphs (6) through (10), unless prior
6 approval is received from the House and Senate
7 Committees on Appropriations;

8 (6) INVESTIGATIONS.—For a base level over
9 \$100,000, reprogramming of 25 percent of the base
10 amount up to a limit of \$150,000 per project, study
11 or activity is allowed: *Provided*, That for a base level
12 less than \$100,000, the reprogramming limit is
13 \$25,000: *Provided further*, That up to \$25,000 may
14 be reprogrammed into any continuing study or activ-
15 ity that did not receive an appropriation for existing
16 obligations and concomitant administrative expenses;

17 (7) CONSTRUCTION.—For a base level over
18 \$2,000,000, reprogramming of 15 percent of the
19 base amount up to a limit of \$3,000,000 per project,
20 study or activity is allowed: *Provided*, That for a
21 base level less than \$2,000,000, the reprogramming
22 limit is \$300,000: *Provided further*, That up to
23 \$3,000,000 may be reprogrammed for settled con-
24 tractor claims, changed conditions, or real estate de-
25 ficiency judgments: *Provided further*, That up to

1 \$300,000 may be reprogrammed into any continuing
2 study or activity that did not receive an appropria-
3 tion for existing obligations and concomitant admin-
4 istrative expenses;

5 (8) OPERATION AND MAINTENANCE.—Unlim-
6 ited reprogramming authority is granted for the
7 Corps to be able to respond to emergencies: *Pro-*
8 *vided*, That the Chief of Engineers shall notify the
9 House and Senate Committees on Appropriations of
10 these emergency actions as soon thereafter as prac-
11 ticable: *Provided further*, That for a base level over
12 \$1,000,000, reprogramming of 15 percent of the
13 base amount up to a limit of \$5,000,000 per project,
14 study, or activity is allowed: *Provided further*, That
15 for a base level less than \$1,000,000, the re-
16 programming limit is \$150,000: *Provided further*,
17 That \$150,000 may be reprogrammed into any con-
18 tinuing study or activity that did not receive an ap-
19 propriation;

20 (9) MISSISSIPPI RIVER AND TRIBUTARIES.—
21 The reprogramming guidelines in paragraphs (6),
22 (7), and (8) shall apply to the Investigations, Con-
23 struction, and Operation and Maintenance portions
24 of the Mississippi River and Tributaries Account, re-
25 spectively; and

1 (10) FORMERLY UTILIZED SITES REMEDIAL AC-
2 TION PROGRAM.—Reprogramming of up to 15 per-
3 cent of the base of the receiving project is permitted.

4 (b) DE MINIMUS REPROGRAMMINGS.—In no case
5 should a reprogramming for less than \$50,000 be sub-
6 mitted to the House and Senate Committees on Appro-
7 priations.

8 (c) CONTINUING AUTHORITIES PROGRAM.—Sub-
9 section (a)(1) shall not apply to any project or activity
10 funded under the continuing authorities program.

11 (d) Not later than 60 days after the date of enact-
12 ment of this Act, the Secretary shall submit a report to
13 the House and Senate Committees on Appropriations to
14 establish the baseline for application of reprogramming
15 and transfer authorities for the current fiscal year which
16 shall include:

17 (1) A table for each appropriation with a sepa-
18 rate column to display the President's budget re-
19 quest, adjustments made by Congress, adjustments
20 due to enacted rescissions, if applicable, and the fis-
21 cal year enacted level;

22 (2) A delineation in the table for each appro-
23 priation both by object class and program, project
24 and activity as detailed in the budget appendix for
25 the respective appropriations; and

1 (3) An identification of items of special congres-
2 sional interest.

3 SEC. 102. The Secretary shall allocate funds made
4 available in this Act solely in accordance with the provi-
5 sions of this Act and the explanatory statement described
6 in section 4 (in the matter preceding division A of this
7 consolidated Act), including the determination and des-
8 ignation of new starts.

9 SEC. 103. None of the funds made available in this
10 title may be used to award or modify any contract that
11 commits funds beyond the amounts appropriated for that
12 program, project, or activity that remain unobligated, ex-
13 cept that such amounts may include any funds that have
14 been made available through reprogramming pursuant to
15 section 101.

16 SEC. 104. The Secretary of the Army may transfer
17 to the Fish and Wildlife Service, and the Fish and Wildlife
18 Service may accept and expend, up to \$5,400,000 of funds
19 provided in this title under the heading “Operation and
20 Maintenance” to mitigate for fisheries lost due to Corps
21 of Engineers projects.

22 SEC. 105. None of the funds made available in this
23 or any other Act making appropriations for Energy and
24 Water Development for any fiscal year may be used by
25 the Corps of Engineers during the fiscal year ending Sep-

1 tember 30, 2016, to develop, adopt, implement, admin-
2 ister, or enforce any change to the regulations in effect
3 on October 1, 2012, pertaining to the definitions of the
4 terms “fill material” or “discharge of fill material” for the
5 purposes of the Federal Water Pollution Control Act (33
6 U.S.C. 1251 et seq.).

7 SEC. 106. None of the funds in this Act shall be used
8 for an open lake placement alternative of dredged mate-
9 rial, after evaluating the least costly, environmentally ac-
10 ceptable manner for the disposal or management of
11 dredged material originating from Lake Erie or tributaries
12 thereto, unless it is approved under a State water quality
13 certification pursuant to 33 U.S.C. 1341.

14 SEC. 107. (a) Not later than 180 days after the date
15 of enactment of this Act, the Secretary shall execute a
16 transfer agreement with the South Florida Water Manage-
17 ment District for the project identified as the “Ten Mile
18 Creek Water Preserve Area Critical Restoration Project”,
19 carried out under section 528(b)(3) of the Water Re-
20 sources Development Act of 1996 (110 Stat. 3768).

21 (b) The transfer agreement under subsection (a) shall
22 require the South Florida Water Management District to
23 operate the transferred project as an environmental res-
24 toration project to provide water storage and water treat-
25 ment options.

1 (c) Upon execution of the transfer agreement under
2 subsection (a), the Ten Mile Creek Water Preserve Area
3 Critical Restoration Project shall no longer be authorized
4 as a Federal project.

5 SEC. 108. None of the funds made available in this
6 title may be used for any acquisition that is not consistent
7 with 48 CFR 225.7007.

8 SEC. 109. None of the funds made available by this
9 Act may be used to continue the study conducted by the
10 Army Corps of Engineers pursuant to section 5018(a)(1)
11 of the Water Resources Development Act of 2007 (Public
12 Law 110–114).

13 SEC. 110. None of the funds made available by this
14 Act may be used to require a permit for the discharge
15 of dredged or fill material under the Federal Water Pollu-
16 tion Control Act (33 U.S.C. 1251, et seq.) for the activi-
17 ties identified in subparagraphs (A) and (C) of section
18 404(f)(1) of the Act (33 U.S.C. 1344(f)(1)(A), (C)).

1 TITLE II
2 DEPARTMENT OF THE INTERIOR
3 CENTRAL UTAH PROJECT

4 CENTRAL UTAH PROJECT COMPLETION ACCOUNT

5 For carrying out activities authorized by the Central
6 Utah Project Completion Act, \$10,000,000, to remain
7 available until expended, of which \$1,000,000 shall be de-
8 posited into the Utah Reclamation Mitigation and Con-
9 servation Account for use by the Utah Reclamation Miti-
10 gation and Conservation Commission: *Provided*, That of
11 the amount provided under this heading, \$1,350,000 shall
12 be available until September 30, 2017, for expenses nec-
13 essary in carrying out related responsibilities of the Sec-
14 retary of the Interior: *Provided further*, That for fiscal
15 year 2016, of the amount made available to the Commis-
16 sion under this Act or any other Act, the Commission may
17 use an amount not to exceed \$1,500,000 for administra-
18 tive expenses.

19 BUREAU OF RECLAMATION

20 The following appropriations shall be expended to
21 execute authorized functions of the Bureau of Reclama-
22 tion:

1 WATER AND RELATED RESOURCES

2 (INCLUDING TRANSFERS OF FUNDS)

3 For management, development, and restoration of
4 water and related natural resources and for related activi-
5 ties, including the operation, maintenance, and rehabilita-
6 tion of reclamation and other facilities, participation in
7 fulfilling related Federal responsibilities to Native Ameri-
8 cans, and related grants to, and cooperative and other
9 agreements with, State and local governments, federally
10 recognized Indian tribes, and others, \$1,118,972,000, to
11 remain available until expended, of which \$22,000 shall
12 be available for transfer to the Upper Colorado River
13 Basin Fund and \$5,899,000 shall be available for transfer
14 to the Lower Colorado River Basin Development Fund;
15 of which such amounts as may be necessary may be ad-
16 vanced to the Colorado River Dam Fund: *Provided*, That
17 such transfers may be increased or decreased within the
18 overall appropriation under this heading: *Provided further*,
19 That of the total appropriated, the amount for program
20 activities that can be financed by the Reclamation Fund
21 or the Bureau of Reclamation special fee account estab-
22 lished by 16 U.S.C. 6806 shall be derived from that Fund
23 or account: *Provided further*, That funds contributed
24 under 43 U.S.C. 395 are available until expended for the
25 purposes for which the funds were contributed: *Provided*

1 *further*, That funds advanced under 43 U.S.C. 397a shall
2 be credited to this account and are available until ex-
3 pended for the same purposes as the sums appropriated
4 under this heading: *Provided further*, That of the amounts
5 provided herein, funds may be used for high-priority
6 projects which shall be carried out by the Youth Conserva-
7 tion Corps, as authorized by 16 U.S.C. 1706.

8 CENTRAL VALLEY PROJECT RESTORATION FUND

9 For carrying out the programs, projects, plans, habi-
10 tat restoration, improvement, and acquisition provisions of
11 the Central Valley Project Improvement Act, \$49,528,000,
12 to be derived from such sums as may be collected in the
13 Central Valley Project Restoration Fund pursuant to sec-
14 tions 3407(d), 3404(c)(3), and 3405(f) of Public Law
15 102–575, to remain available until expended: *Provided*,
16 That the Bureau of Reclamation is directed to assess and
17 collect the full amount of the additional mitigation and
18 restoration payments authorized by section 3407(d) of
19 Public Law 102–575: *Provided further*, That none of the
20 funds made available under this heading may be used for
21 the acquisition or leasing of water for in-stream purposes
22 if the water is already committed to in-stream purposes
23 by a court adopted decree or order.

1 CALIFORNIA BAY-DELTA RESTORATION
2 (INCLUDING TRANSFERS OF FUNDS)

3 For carrying out activities authorized by the Water
4 Supply, Reliability, and Environmental Improvement Act,
5 consistent with plans to be approved by the Secretary of
6 the Interior, \$37,000,000, to remain available until ex-
7 pended, of which such amounts as may be necessary to
8 carry out such activities may be transferred to appropriate
9 accounts of other participating Federal agencies to carry
10 out authorized purposes: *Provided*, That funds appro-
11 priated herein may be used for the Federal share of the
12 costs of CALFED Program management: *Provided fur-*
13 *ther*, That CALFED implementation shall be carried out
14 in a balanced manner with clear performance measures
15 demonstrating concurrent progress in achieving the goals
16 and objectives of the Program.

17 POLICY AND ADMINISTRATION

18 For expenses necessary for policy, administration,
19 and related functions in the Office of the Commissioner,
20 the Denver office, and offices in the five regions of the
21 Bureau of Reclamation, to remain available until Sep-
22 tember 30, 2017, \$59,500,000, to be derived from the
23 Reclamation Fund and be nonreimbursable as provided in
24 43 U.S.C. 377: *Provided*, That no part of any other appro-

1 priation in this Act shall be available for activities or func-
2 tions budgeted as policy and administration expenses.

3 ADMINISTRATIVE PROVISION

4 Appropriations for the Bureau of Reclamation shall
5 be available for purchase of not to exceed five passenger
6 motor vehicles, which are for replacement only.

7 GENERAL PROVISIONS—DEPARTMENT OF THE
8 INTERIOR

9 SEC. 201. (a) None of the funds provided in title II
10 of this Act for Water and Related Resources, or provided
11 by previous appropriations Acts to the agencies or entities
12 funded in title II of this Act for Water and Related Re-
13 sources that remain available for obligation or expenditure
14 in fiscal year 2016, shall be available for obligation or ex-
15 penditure through a reprogramming of funds that—

16 (1) initiates or creates a new program, project,
17 or activity;

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

19 (3) increases funds for any program, project, or
20 activity for which funds have been denied or re-
21 stricted by this Act, unless prior approval is received
22 from the Committees on Appropriations of the
23 House of Representatives and the Senate;

24 (4) restarts or resumes any program, project or
25 activity for which funds are not provided in this Act,

1 unless prior approval is received from the Commit-
2 tees on Appropriations of the House of Representa-
3 tives and the Senate;

4 (5) transfers funds in excess of the following
5 limits, unless prior approval is received from the
6 Committees on Appropriations of the House of Rep-
7 resentatives and the Senate:

8 (A) 15 percent for any program, project or
9 activity for which \$2,000,000 or more is avail-
10 able at the beginning of the fiscal year; or

11 (B) \$300,000 for any program, project or
12 activity for which less than \$2,000,000 is avail-
13 able at the beginning of the fiscal year;

14 (6) transfers more than \$500,000 from either
15 the Facilities Operation, Maintenance, and Rehabili-
16 tation category or the Resources Management and
17 Development category to any program, project, or
18 activity in the other category, unless prior approval
19 is received from the Committees on Appropriations
20 of the House of Representatives and the Senate; or

21 (7) transfers, where necessary to discharge legal
22 obligations of the Bureau of Reclamation, more than
23 \$5,000,000 to provide adequate funds for settled
24 contractor claims, increased contractor earnings due
25 to accelerated rates of operations, and real estate de-

1 iciency judgments, unless prior approval is received
2 from the Committees on Appropriations of the
3 House of Representatives and the Senate.

4 (b) Subsection (a)(5) shall not apply to any transfer
5 of funds within the Facilities Operation, Maintenance, and
6 Rehabilitation category.

7 (c) For purposes of this section, the term transfer
8 means any movement of funds into or out of a program,
9 project, or activity.

10 (d) The Bureau of Reclamation shall submit reports
11 on a quarterly basis to the Committees on Appropriations
12 of the House of Representatives and the Senate detailing
13 all the funds reprogrammed between programs, projects,
14 activities, or categories of funding. The first quarterly re-
15 port shall be submitted not later than 60 days after the
16 date of enactment of this Act.

17 SEC. 202. (a) None of the funds appropriated or oth-
18 erwise made available by this Act may be used to deter-
19 mine the final point of discharge for the interceptor drain
20 for the San Luis Unit until development by the Secretary
21 of the Interior and the State of California of a plan, which
22 shall conform to the water quality standards of the State
23 of California as approved by the Administrator of the En-
24 vironmental Protection Agency, to minimize any detri-
25 mental effect of the San Luis drainage waters.

1 (b) The costs of the Kesterson Reservoir Cleanup
2 Program and the costs of the San Joaquin Valley Drain-
3 age Program shall be classified by the Secretary of the
4 Interior as reimbursable or nonreimbursable and collected
5 until fully repaid pursuant to the “Cleanup Program—
6 Alternative Repayment Plan” and the “SJVDP—Alter-
7 native Repayment Plan” described in the report entitled
8 “Repayment Report, Kesterson Reservoir Cleanup Pro-
9 gram and San Joaquin Valley Drainage Program, Feb-
10 ruary 1995”, prepared by the Department of the Interior,
11 Bureau of Reclamation. Any future obligations of funds
12 by the United States relating to, or providing for, drainage
13 service or drainage studies for the San Luis Unit shall
14 be fully reimbursable by San Luis Unit beneficiaries of
15 such service or studies pursuant to Federal reclamation
16 law.

17 SEC. 203. The Reclamation Safety of Dams Act of
18 1978 is amended by—

19 (1) striking “Construction” and inserting “Ex-
20 cept as provided in section 5B, construction” in sec-
21 tion 3; and

22 (2) inserting after section 5A (43 U.S.C. 509a)
23 the following:

24 “SEC. 5B. Notwithstanding section 3, if the Sec-
25 retary, in her judgment, determines that additional project

1 benefits, including but not limited to additional conserva-
2 tion storage capacity, are necessary and in the interests
3 of the United States and the project and are feasible and
4 not inconsistent with the purposes of this Act, the Sec-
5 retary is authorized to develop additional project benefits
6 through the construction of new or supplementary works
7 on a project in conjunction with the Secretary's activities
8 under section 2 of this Act and subject to the conditions
9 described in the feasibility study, provided a cost share
10 agreement related to the additional project benefits is
11 reached among non-Federal and Federal funding partici-
12 pants and the costs associated with developing the addi-
13 tional project benefits are allocated exclusively among
14 beneficiaries of the additional project benefits and repaid
15 consistent with all provisions of Federal Reclamation law
16 (the Act of June 17, 1902, 43 U.S.C. 371 et seq.) and
17 acts supplemental to and amendatory of that Act.”.

18 SEC. 204. Section 5 of the Reclamation Safety of
19 Dams Act of 1978 (43 U.S.C. 509) is amended in the
20 first sentence—

21 (a) by inserting “and effective October 1, 2015, not
22 to exceed an additional \$1,100,000,000 (October 1, 2003,
23 price levels),” after “(October 1, 2003, price levels),”;

24 (b) in the proviso—

1 (1) by striking “\$1,250,000” and inserting
2 “\$20,000,000”; and

3 (2) by striking “Congress” and inserting “Com-
4 mittee on Natural Resources of the House of Rep-
5 resentatives and the Committee on Energy and Nat-
6 ural Resources of the Senate”; and

7 (3) by adding at the end the following: “For
8 modification expenditures between \$1,800,000 and
9 \$20,000,000 (October 1, 2015, price levels), the Sec-
10 retary of the Interior shall, at least 30 days before
11 the date on which the funds are expended, submit
12 written notice of the expenditures to the Committee
13 on Natural Resources of the House of Representa-
14 tives and Committee on Energy and Natural Re-
15 sources of the Senate that provides a summary of
16 the project, the cost of the project, and any alter-
17 natives that were considered.”.

18 SEC. 205. The Secretary of the Interior, acting
19 through the Commissioner of Reclamation, shall—

20 (1) complete the feasibility studies described in
21 clauses (i)(I) and (ii)(II) of section 103(d)(1)(A) of
22 Public Law 108–361 (118 Stat. 1684) and submit
23 such studies to the appropriate committees of the
24 House of Representatives and the Senate not later
25 than December 31, 2015;

1 (2) complete the feasibility studies described in
2 clauses (i)(II) and (ii)(I) of section 103(d)(1)(A) of
3 Public Law 108–361 and submit such studies to the
4 appropriate committees of the House of Representa-
5 tives and the Senate not later than November 30,
6 2016;

7 (3) complete the feasibility study described in
8 section 103(f)(1)(A) of Public Law 108–361 (118
9 Stat. 1694) and submit such study to the appro-
10 priate committees of the House of Representatives
11 and the Senate not later than December 31, 2017;
12 and

13 (4) provide a progress report on the status of
14 the feasibility studies referred to in paragraphs (1)
15 through (3) to the appropriate committees of the
16 House of Representatives and the Senate not later
17 than 90 days after the date of the enactment of this
18 Act and each 180 days thereafter until December
19 31, 2017, as applicable. The report shall include
20 timelines for study completion, draft environmental
21 impact statements, final environmental impact state-
22 ments, and Records of Decision.

23 SEC. 206. Section 9504(e) of the Secure Water Act
24 of 2009 (42 U.S.C. 10364(e)) is amended by striking
25 “\$300,000,000” and inserting “\$350,000,000”.

1 SEC. 207. Title I of Public Law 108–361 (the Califed
2 Bay-Delta Authorization Act) (118 Stat. 1681), as
3 amended by section 210 of Public Law 111–85, is amend-
4 ed by striking “2016” each place it appears and inserting
5 “2017”.

1 TITLE III
2 DEPARTMENT OF ENERGY
3 ENERGY PROGRAMS
4 ENERGY EFFICIENCY AND RENEWABLE ENERGY
5 (INCLUDING TRANSFER OF FUNDS)

6 For Department of Energy expenses including the
7 purchase, construction, and acquisition of plant and cap-
8 ital equipment, and other expenses necessary for energy
9 efficiency and renewable energy activities in carrying out
10 the purposes of the Department of Energy Organization
11 Act (42 U.S.C. 7101 et seq.), including the acquisition or
12 condemnation of any real property or any facility or for
13 plant or facility acquisition, construction, or expansion,
14 \$2,073,000,000, to remain available until expended: *Pro-*
15 *vided*, That of such amount, \$155,000,000 shall be avail-
16 able until September 30, 2017, for program direction: *Pro-*
17 *vided further*, That of the amount provided under this
18 heading, the Secretary may transfer up to \$45,000,000
19 to the Defense Production Act Fund for activities of the
20 Department of Energy pursuant to the Defense Produc-
21 tion Act of 1950 (50 U.S.C. App. 2061, et seq.).

22 ELECTRICITY DELIVERY AND ENERGY RELIABILITY
23 For Department of Energy expenses including the
24 purchase, construction, and acquisition of plant and cap-
25 ital equipment, and other expenses necessary for elec-

1 tricity delivery and energy reliability activities in carrying
2 out the purposes of the Department of Energy Organiza-
3 tion Act (42 U.S.C. 7101 et seq.), including the acquisi-
4 tion or condemnation of any real property or any facility
5 or for plant or facility acquisition, construction, or expan-
6 sion, \$206,000,000, to remain available until expended:
7 *Provided*, That of such amount, \$28,000,000 shall be
8 available until September 30, 2017, for program direction.

9 NUCLEAR ENERGY

10 For Department of Energy expenses including the
11 purchase, construction, and acquisition of plant and cap-
12 ital equipment, and other expenses necessary for nuclear
13 energy activities in carrying out the purposes of the De-
14 partment of Energy Organization Act (42 U.S.C. 7101 et
15 seq.), including the acquisition or condemnation of any
16 real property or any facility or for plant or facility acquisi-
17 tion, construction, or expansion, \$986,161,000, to remain
18 available until expended: *Provided*, That of such amount,
19 \$80,000,000 shall be available until September 30, 2017,
20 for program direction including official reception and rep-
21 resentation expenses not to exceed \$10,000.

22 FOSSIL ENERGY RESEARCH AND DEVELOPMENT

23 For Department of Energy expenses necessary in car-
24 rying out fossil energy research and development activi-
25 ties, under the authority of the Department of Energy Or-

1 ganization Act (42 U.S.C. 7101 et seq.), including the ac-
2 quisition of interest, including defeasible and equitable in-
3 terests in any real property or any facility or for plant
4 or facility acquisition or expansion, and for conducting in-
5 quiries, technological investigations and research con-
6 cerning the extraction, processing, use, and disposal of
7 mineral substances without objectionable social and envi-
8 ronmental costs (30 U.S.C. 3, 1602, and 1603),
9 \$632,000,000, to remain available until expended: *Pro-*
10 *vided*, That of such amount \$114,202,000 shall be avail-
11 able until September 30, 2017, for program direction.

12 NAVAL PETROLEUM AND OIL SHALE RESERVES

13 For Department of Energy expenses necessary to
14 carry out naval petroleum and oil shale reserve activities,
15 \$17,500,000, to remain available until expended: *Pro-*
16 *vided*, That notwithstanding any other provision of law,
17 unobligated funds remaining from prior years shall be
18 available for all naval petroleum and oil shale reserve ac-
19 tivities.

20 STRATEGIC PETROLEUM RESERVE

21 For Department of Energy expenses necessary for
22 Strategic Petroleum Reserve facility development and op-
23 erations and program management activities pursuant to
24 the Energy Policy and Conservation Act (42 U.S.C. 6201
25 et seq.), \$212,000,000, to remain available until expended.

1 NORTHEAST HOME HEATING OIL RESERVE

2 For Department of Energy expenses necessary for
3 Northeast Home Heating Oil Reserve storage, operation,
4 and management activities pursuant to the Energy Policy
5 and Conservation Act (42 U.S.C. 6201 et seq.),
6 \$7,600,000, to remain available until expended.

7 ENERGY INFORMATION ADMINISTRATION

8 For Department of Energy expenses necessary in car-
9 rying out the activities of the Energy Information Admin-
10 istration, \$122,000,000, to remain available until ex-
11 pended.

12 NON-DEFENSE ENVIRONMENTAL CLEANUP

13 For Department of Energy expenses, including the
14 purchase, construction, and acquisition of plant and cap-
15 ital equipment and other expenses necessary for non-de-
16 fense environmental cleanup activities in carrying out the
17 purposes of the Department of Energy Organization Act
18 (42 U.S.C. 7101 et seq.), including the acquisition or con-
19 demnation of any real property or any facility or for plant
20 or facility acquisition, construction, or expansion,
21 \$255,000,000, to remain available until expended.

22 URANIUM ENRICHMENT DECONTAMINATION AND
23 DECOMMISSIONING FUND

24 For Department of Energy expenses necessary in car-
25 rying out uranium enrichment facility decontamination

1 and decommissioning, remedial actions, and other activi-
2 ties of title II of the Atomic Energy Act of 1954, and
3 title X, subtitle A, of the Energy Policy Act of 1992,
4 \$673,749,000, to be derived from the Uranium Enrich-
5 ment Decontamination and Decommissioning Fund, to re-
6 main available until expended, of which \$32,959,000 shall
7 be available in accordance with title X, subtitle A, of the
8 Energy Policy Act of 1992.

9 SCIENCE

10 For Department of Energy expenses including the
11 purchase, construction, and acquisition of plant and cap-
12 ital equipment, and other expenses necessary for science
13 activities in carrying out the purposes of the Department
14 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-
15 cluding the acquisition or condemnation of any real prop-
16 erty or facility or for plant or facility acquisition, construc-
17 tion, or expansion, and purchase of not more than 17 pas-
18 senger motor vehicles for replacement only, including one
19 ambulance and one bus, \$5,350,200,000, to remain avail-
20 able until expended: *Provided*, That of such amount,
21 \$185,000,000 shall be available until September 30, 2017,
22 for program direction: *Provided further*, That of such
23 amount, not more than \$115,000,000 shall be made avail-
24 able for the in-kind contributions and related support ac-
25 tivities of ITER: *Provided further*, That not later than

1 May 2, 2016, the Secretary of Energy shall submit to the
2 Committees on Appropriations of both Houses of Congress
3 a report recommending either that the United States re-
4 main a partner in the ITER project after October 2017
5 or terminate participation, which shall include, as applica-
6 ble, an estimate of either the full cost, by fiscal year, of
7 all future Federal funding requirements for construction,
8 operation, and maintenance of ITER or the cost of termi-
9 nation.

10 ADVANCED RESEARCH PROJECTS AGENCY—ENERGY

11 For Department of Energy expenses necessary in car-
12 rying out the activities authorized by section 5012 of the
13 America COMPETES Act (Public Law 110–69),
14 \$291,000,000, to remain available until expended: *Pro-*
15 *vided*, That of such amount, \$29,250,000 shall be avail-
16 able until September 30, 2017, for program direction.

17 TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE
18 PROGRAM

19 Such sums as are derived from amounts received
20 from borrowers pursuant to section 1702(b) of the Energy
21 Policy Act of 2005 under this heading in prior Acts, shall
22 be collected in accordance with section 502(7) of the Con-
23 gressional Budget Act of 1974: *Provided*, That for nec-
24 essary administrative expenses to carry out this Loan
25 Guarantee program, \$42,000,000 is appropriated, to re-

1 rying out the purposes of the Department of Energy Orga-
2 nization Act (42 U.S.C. 7101 et seq.), \$248,142,000, to
3 remain available until September 30, 2017, including the
4 hire of passenger motor vehicles and official reception and
5 representation expenses not to exceed \$30,000, plus such
6 additional amounts as necessary to cover increases in the
7 estimated amount of cost of work for others notwith-
8 standing the provisions of the Anti-Deficiency Act (31
9 U.S.C. 1511 et seq.): *Provided*, That such increases in
10 cost of work are offset by revenue increases of the same
11 or greater amount: *Provided further*, That moneys received
12 by the Department for miscellaneous revenues estimated
13 to total \$117,171,000 in fiscal year 2016 may be retained
14 and used for operating expenses within this account, as
15 authorized by section 201 of Public Law 95–238, notwith-
16 standing the provisions of 31 U.S.C. 3302: *Provided fur-*
17 *ther*, That the sum herein appropriated shall be reduced
18 as collections are received during the fiscal year so as to
19 result in a final fiscal year 2016 appropriation from the
20 general fund estimated at not more than \$130,971,000:
21 *Provided further*, That of the total amount made available
22 under this heading, \$31,297,000 is for Energy Policy and
23 Systems Analysis.

1 OFFICE OF THE INSPECTOR GENERAL

2 For expenses necessary for the Office of the Inspector
3 General in carrying out the provisions of the Inspector
4 General Act of 1978, \$46,424,000, to remain available
5 until September 30, 2017.

6 ATOMIC ENERGY DEFENSE ACTIVITIES

7 NATIONAL NUCLEAR SECURITY

8 ADMINISTRATION

9 WEAPONS ACTIVITIES

10 For Department of Energy expenses, including the
11 purchase, construction, and acquisition of plant and cap-
12 ital equipment and other incidental expenses necessary for
13 atomic energy defense weapons activities in carrying out
14 the purposes of the Department of Energy Organization
15 Act (42 U.S.C. 7101 et seq.), including the acquisition or
16 condemnation of any real property or any facility or for
17 plant or facility acquisition, construction, or expansion,
18 \$8,846,948,000, to remain available until expended: *Pro-*
19 *vided*, That of such amount, \$97,118,000 shall be avail-
20 able until September 30, 2017, for program direction: *Pro-*
21 *vided further*, That funding made available under this
22 heading may be made available for project engineering and
23 design for the Albuquerque Complex Project.

1 DEFENSE NUCLEAR NONPROLIFERATION

2 For Department of Energy expenses, including the
3 purchase, construction, and acquisition of plant and cap-
4 ital equipment and other incidental expenses necessary for
5 defense nuclear nonproliferation activities, in carrying out
6 the purposes of the Department of Energy Organization
7 Act (42 U.S.C. 7101 et seq.), including the acquisition or
8 condemnation of any real property or any facility or for
9 plant or facility acquisition, construction, or expansion,
10 \$1,940,302,000, to remain available until expended.

11 NAVAL REACTORS

12 For Department of Energy expenses necessary for
13 naval reactors activities to carry out the Department of
14 Energy Organization Act (42 U.S.C. 7101 et seq.), includ-
15 ing the acquisition (by purchase, condemnation, construc-
16 tion, or otherwise) of real property, plant, and capital
17 equipment, facilities, and facility expansion,
18 \$1,375,496,000, to remain available until expended: *Pro-*
19 *vided*, That of such amount, \$42,504,000 shall be avail-
20 able until September 30, 2017, for program direction.

21 FEDERAL SALARIES AND EXPENSES

22 (INCLUDING RESCISSION OF FUNDS)

23 For expenses necessary for Federal Salaries and Ex-
24 penses in the National Nuclear Security Administration,
25 \$383,666,000, to remain available until September 30,

1 2017, including official reception and representation ex-
2 penses not to exceed \$12,000: *Provided*, That of the unob-
3 ligated balances from prior year appropriations available
4 under this heading, \$19,900,000 is hereby rescinded: *Pro-*
5 *vided further*, That no amounts may be rescinded from
6 amounts that were designated by the Congress as an
7 emergency requirement pursuant to a concurrent resolu-
8 tion on the budget or the Balanced Budget and Emer-
9 gency Deficit Control Act of 1985.

10 ENVIRONMENTAL AND OTHER DEFENSE

11 ACTIVITIES

12 DEFENSE ENVIRONMENTAL CLEANUP

13 For Department of Energy expenses, including the
14 purchase, construction, and acquisition of plant and cap-
15 ital equipment and other expenses necessary for atomic
16 energy defense environmental cleanup activities in car-
17 rying out the purposes of the Department of Energy Orga-
18 nization Act (42 U.S.C. 7101 et seq.), including the acqui-
19 sition or condemnation of any real property or any facility
20 or for plant or facility acquisition, construction, or expan-
21 sion, and the purchase of not to exceed one fire apparatus
22 pumper truck and one armored vehicle for replacement
23 only, \$5,289,742,000, to remain available until expended:
24 *Provided*, That of such amount \$281,951,000 shall be
25 available until September 30, 2017, for program direction.

1 OTHER DEFENSE ACTIVITIES

2 For Department of Energy expenses, including the
3 purchase, construction, and acquisition of plant and cap-
4 ital equipment and other expenses, necessary for atomic
5 energy defense, other defense activities, and classified ac-
6 tivities, in carrying out the purposes of the Department
7 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-
8 cluding the acquisition or condemnation of any real prop-
9 erty or any facility or for plant or facility acquisition, con-
10 struction, or expansion, \$776,425,000, to remain available
11 until expended: *Provided*, That of such amount,
12 \$249,137,000 shall be available until September 30, 2017,
13 for program direction.

14 POWER MARKETING ADMINISTRATIONS

15 BONNEVILLE POWER ADMINISTRATION FUND

16 Expenditures from the Bonneville Power Administra-
17 tion Fund, established pursuant to Public Law 93-454,
18 are approved for the Shoshone Paiute Trout Hatchery, the
19 Spokane Tribal Hatchery, the Snake River Sockeye Weirs
20 and, in addition, for official reception and representation
21 expenses in an amount not to exceed \$5,000: *Provided*,
22 That during fiscal year 2016, no new direct loan obliga-
23 tions may be made.

1 OPERATION AND MAINTENANCE, SOUTHEASTERN POWER
2 ADMINISTRATION

3 For expenses necessary for operation and mainte-
4 nance of power transmission facilities and for marketing
5 electric power and energy, including transmission wheeling
6 and ancillary services, pursuant to section 5 of the Flood
7 Control Act of 1944 (16 U.S.C. 825s), as applied to the
8 southeastern power area, \$6,900,000, including official re-
9 ception and representation expenses in an amount not to
10 exceed \$1,500, to remain available until expended: *Pro-*
11 *vided*, That notwithstanding 31 U.S.C. 3302 and section
12 5 of the Flood Control Act of 1944, up to \$6,900,000 col-
13 lected by the Southeastern Power Administration from the
14 sale of power and related services shall be credited to this
15 account as discretionary offsetting collections, to remain
16 available until expended for the sole purpose of funding
17 the annual expenses of the Southeastern Power Adminis-
18 tration: *Provided further*, That the sum herein appro-
19 priated for annual expenses shall be reduced as collections
20 are received during the fiscal year so as to result in a final
21 fiscal year 2016 appropriation estimated at not more than
22 \$0: *Provided further*, That notwithstanding 31 U.S.C.
23 3302, up to \$66,500,000 collected by the Southeastern
24 Power Administration pursuant to the Flood Control Act
25 of 1944 to recover purchase power and wheeling expenses

1 shall be credited to this account as offsetting collections,
2 to remain available until expended for the sole purpose
3 of making purchase power and wheeling expenditures:
4 *Provided further*, That for purposes of this appropriation,
5 annual expenses means expenditures that are generally re-
6 covered in the same year that they are incurred (excluding
7 purchase power and wheeling expenses).

8 OPERATION AND MAINTENANCE, SOUTHWESTERN
9 POWER ADMINISTRATION

10 For expenses necessary for operation and mainte-
11 nance of power transmission facilities and for marketing
12 electric power and energy, for construction and acquisition
13 of transmission lines, substations and appurtenant facili-
14 ties, and for administrative expenses, including official re-
15 ception and representation expenses in an amount not to
16 exceed \$1,500 in carrying out section 5 of the Flood Con-
17 trol Act of 1944 (16 U.S.C. 825s), as applied to the
18 Southwestern Power Administration, \$47,361,000, to re-
19 main available until expended: *Provided*, That notwith-
20 standing 31 U.S.C. 3302 and section 5 of the Flood Con-
21 trol Act of 1944 (16 U.S.C. 825s), up to \$35,961,000 col-
22 lected by the Southwestern Power Administration from
23 the sale of power and related services shall be credited to
24 this account as discretionary offsetting collections, to re-
25 main available until expended, for the sole purpose of

1 funding the annual expenses of the Southwestern Power
2 Administration: *Provided further*, That the sum herein ap-
3 propriated for annual expenses shall be reduced as collec-
4 tions are received during the fiscal year so as to result
5 in a final fiscal year 2016 appropriation estimated at not
6 more than \$11,400,000: *Provided further*, That notwith-
7 standing 31 U.S.C. 3302, up to \$63,000,000 collected by
8 the Southwestern Power Administration pursuant to the
9 Flood Control Act of 1944 to recover purchase power and
10 wheeling expenses shall be credited to this account as off-
11 setting collections, to remain available until expended for
12 the sole purpose of making purchase power and wheeling
13 expenditures: *Provided further*, That for purposes of this
14 appropriation, annual expenses means expenditures that
15 are generally recovered in the same year that they are in-
16 curred (excluding purchase power and wheeling expenses).

17 CONSTRUCTION, REHABILITATION, OPERATION AND
18 MAINTENANCE, WESTERN AREA POWER ADMINIS-
19 TRATION

20 For carrying out the functions authorized by title III,
21 section 302(a)(1)(E) of the Act of August 4, 1977 (42
22 U.S.C. 7152), and other related activities including con-
23 servation and renewable resources programs as author-
24 ized, \$307,714,000, including official reception and rep-
25 resentation expenses in an amount not to exceed \$1,500,

1 to remain available until expended, of which \$302,000,000
2 shall be derived from the Department of the Interior Rec-
3 lamation Fund: *Provided*, That notwithstanding 31 U.S.C.
4 3302, section 5 of the Flood Control Act of 1944 (16
5 U.S.C. 825s), and section 1 of the Interior Department
6 Appropriation Act, 1939 (43 U.S.C. 392a), up to
7 \$214,342,000 collected by the Western Area Power Ad-
8 ministration from the sale of power and related services
9 shall be credited to this account as discretionary offsetting
10 collections, to remain available until expended, for the sole
11 purpose of funding the annual expenses of the Western
12 Area Power Administration: *Provided further*, That the
13 sum herein appropriated for annual expenses shall be re-
14 duced as collections are received during the fiscal year so
15 as to result in a final fiscal year 2016 appropriation esti-
16 mated at not more than \$93,372,000, of which
17 \$87,658,000 is derived from the Reclamation Fund: *Pro-*
18 *vided further*, That notwithstanding 31 U.S.C. 3302, up
19 to \$352,813,000 collected by the Western Area Power Ad-
20 ministration pursuant to the Flood Control Act of 1944
21 and the Reclamation Project Act of 1939 to recover pur-
22 chase power and wheeling expenses shall be credited to
23 this account as offsetting collections, to remain available
24 until expended for the sole purpose of making purchase
25 power and wheeling expenditures: *Provided further*, That

1 for purposes of this appropriation, annual expenses means
2 expenditures that are generally recovered in the same year
3 that they are incurred (excluding purchase power and
4 wheeling expenses).

5 FALCON AND AMISTAD OPERATING AND MAINTENANCE
6 FUND

7 For operation, maintenance, and emergency costs for
8 the hydroelectric facilities at the Falcon and Amistad
9 Dams, \$4,490,000, to remain available until expended,
10 and to be derived from the Falcon and Amistad Operating
11 and Maintenance Fund of the Western Area Power Ad-
12 ministration, as provided in section 2 of the Act of June
13 18, 1954 (68 Stat. 255): *Provided*, That notwithstanding
14 the provisions of that Act and of 31 U.S.C. 3302, up to
15 \$4,262,000 collected by the Western Area Power Adminis-
16 tration from the sale of power and related services from
17 the Falcon and Amistad Dams shall be credited to this
18 account as discretionary offsetting collections, to remain
19 available until expended for the sole purpose of funding
20 the annual expenses of the hydroelectric facilities of these
21 Dams and associated Western Area Power Administration
22 activities: *Provided further*, That the sum herein appro-
23 priated for annual expenses shall be reduced as collections
24 are received during the fiscal year so as to result in a final
25 fiscal year 2016 appropriation estimated at not more than

1 \$228,000: *Provided further*, That for purposes of this ap-
2 propriation, annual expenses means expenditures that are
3 generally recovered in the same year that they are in-
4 curred: *Provided further*, That for fiscal year 2016, the
5 Administrator of the Western Area Power Administration
6 may accept up to \$460,000 in funds contributed by United
7 States power customers of the Falcon and Amistad Dams
8 for deposit into the Falcon and Amistad Operating and
9 Maintenance Fund, and such funds shall be available for
10 the purpose for which contributed in like manner as if said
11 sums had been specifically appropriated for such purpose:
12 *Provided further*, That any such funds shall be available
13 without further appropriation and without fiscal year limi-
14 tation for use by the Commissioner of the United States
15 Section of the International Boundary and Water Com-
16 mission for the sole purpose of operating, maintaining, re-
17 pairing, rehabilitating, replacing, or upgrading the hydro-
18 electric facilities at these Dams in accordance with agree-
19 ments reached between the Administrator, Commissioner,
20 and the power customers.

21 FEDERAL ENERGY REGULATORY COMMISSION

22 SALARIES AND EXPENSES

23 For expenses necessary for the Federal Energy Regu-
24 latory Commission to carry out the provisions of the De-
25 partment of Energy Organization Act (42 U.S.C. 7101 et

1 tivity if the program, project, or activity has not been
2 funded by Congress.

3 (b)(1) Unless the Secretary of Energy notifies the
4 Committees on Appropriations of both Houses of Congress
5 at least 3 full business days in advance, none of the funds
6 made available in this title may be used to—

7 (A) make a grant allocation or discretionary
8 grant award totaling \$1,000,000 or more;

9 (B) make a discretionary contract award or
10 Other Transaction Agreement totaling \$1,000,000
11 or more, including a contract covered by the Federal
12 Acquisition Regulation;

13 (C) issue a letter of intent to make an alloca-
14 tion, award, or Agreement in excess of the limits in
15 subparagraph (A) or (B); or

16 (D) announce publicly the intention to make an
17 allocation, award, or Agreement in excess of the lim-
18 its in subparagraph (A) or (B).

19 (2) The Secretary of Energy shall submit to the Com-
20 mittees on Appropriations of both Houses of Congress
21 within 15 days of the conclusion of each quarter a report
22 detailing each grant allocation or discretionary grant
23 award totaling less than \$1,000,000 provided during the
24 previous quarter.

1 (3) The notification required by paragraph (1) and
2 the report required by paragraph (2) shall include the re-
3 cipient of the award, the amount of the award, the fiscal
4 year for which the funds for the award were appropriated,
5 the account and program, project, or activity from which
6 the funds are being drawn, the title of the award, and
7 a brief description of the activity for which the award is
8 made.

9 (c) The Department of Energy may not, with respect
10 to any program, project, or activity that uses budget au-
11 thority made available in this title under the heading “De-
12 partment of Energy—Energy Programs”, enter into a
13 multiyear contract, award a multiyear grant, or enter into
14 a multiyear cooperative agreement unless—

15 (1) the contract, grant, or cooperative agree-
16 ment is funded for the full period of performance as
17 anticipated at the time of award; or

18 (2) the contract, grant, or cooperative agree-
19 ment includes a clause conditioning the Federal Gov-
20 ernment’s obligation on the availability of future
21 year budget authority and the Secretary notifies the
22 Committees on Appropriations of both Houses of
23 Congress at least 3 days in advance.

24 (d) Except as provided in subsections (e), (f), and (g),
25 the amounts made available by this title shall be expended

1 as authorized by law for the programs, projects, and ac-
2 tivities specified in the “Final Bill” column in the “De-
3 partment of Energy” table included under the heading
4 “Title III—Department of Energy” in the explanatory
5 statement described in section 4 (in the matter preceding
6 division A of this consolidated Act).

7 (e) The amounts made available by this title may be
8 reprogrammed for any program, project, or activity, and
9 the Department shall notify the Committees on Appropria-
10 tions of both Houses of Congress at least 30 days prior
11 to the use of any proposed reprogramming that would
12 cause any program, project, or activity funding level to
13 increase or decrease by more than \$5,000,000 or 10 per-
14 cent, whichever is less, during the time period covered by
15 this Act.

16 (f) None of the funds provided in this title shall be
17 available for obligation or expenditure through a re-
18 programming of funds that—

19 (1) creates, initiates, or eliminates a program,
20 project, or activity;

21 (2) increases funds or personnel for any pro-
22 gram, project, or activity for which funds are denied
23 or restricted by this Act; or

1 (3) reduces funds that are directed to be used
2 for a specific program, project, or activity by this
3 Act.

4 (g)(1) The Secretary of Energy may waive any re-
5 quirement or restriction in this section that applies to the
6 use of funds made available for the Department of Energy
7 if compliance with such requirement or restriction would
8 pose a substantial risk to human health, the environment,
9 welfare, or national security.

10 (2) The Secretary of Energy shall notify the Commit-
11 tees on Appropriations of both Houses of Congress of any
12 waiver under paragraph (1) as soon as practicable, but
13 not later than 3 days after the date of the activity to which
14 a requirement or restriction would otherwise have applied.
15 Such notice shall include an explanation of the substantial
16 risk under paragraph (1) that permitted such waiver.

17 SEC. 302. The unexpended balances of prior appro-
18 priations provided for activities in this Act may be avail-
19 able to the same appropriation accounts for such activities
20 established pursuant to this title. Available balances may
21 be merged with funds in the applicable established ac-
22 counts and thereafter may be accounted for as one fund
23 for the same time period as originally enacted.

24 SEC. 303. Funds appropriated by this or any other
25 Act, or made available by the transfer of funds in this

1 Act, for intelligence activities are deemed to be specifically
2 authorized by the Congress for purposes of section 504
3 of the National Security Act of 1947 (50 U.S.C. 3094)
4 during fiscal year 2016 until the enactment of the Intel-
5 ligence Authorization Act for fiscal year 2016.

6 SEC. 304. None of the funds made available in this
7 title shall be used for the construction of facilities classi-
8 fied as high-hazard nuclear facilities under 10 CFR Part
9 830 unless independent oversight is conducted by the Of-
10 fice of Independent Enterprise Assessments to ensure the
11 project is in compliance with nuclear safety requirements.

12 SEC. 305. None of the funds made available in this
13 title may be used to approve critical decision-2 or critical
14 decision-3 under Department of Energy Order 413.3B, or
15 any successive departmental guidance, for construction
16 projects where the total project cost exceeds
17 \$100,000,000, until a separate independent cost estimate
18 has been developed for the project for that critical deci-
19 sion.

20 SEC. 306. Notwithstanding section 301(c) of this Act,
21 none of the funds made available under the heading “De-
22 partment of Energy—Energy Programs—Science” in this
23 or any subsequent Energy and Water Development and
24 Related Agencies appropriations Act for any fiscal year
25 may be used for a multiyear contract, grant, cooperative

1 agreement, or Other Transaction Agreement of
2 \$1,000,000 or less unless the contract, grant, cooperative
3 agreement, or Other Transaction Agreement is funded for
4 the full period of performance as anticipated at the time
5 of award.

6 SEC. 307. (a) None of the funds made available in
7 this or any prior Act under the heading “Defense Nuclear
8 Nonproliferation” may be made available to enter into new
9 contracts with, or new agreements for Federal assistance
10 to, the Russian Federation.

11 (b) The Secretary of Energy may waive the prohibi-
12 tion in subsection (a) if the Secretary determines that
13 such activity is in the national security interests of the
14 United States. This waiver authority may not be dele-
15 gated.

16 (c) A waiver under subsection (b) shall not be effec-
17 tive until 15 days after the date on which the Secretary
18 submits to the Committees on Appropriations of both
19 Houses of Congress, in classified form if necessary, a re-
20 port on the justification for the waiver.

21 SEC. 308. (a) NEW REGIONAL RESERVES.—The Sec-
22 retary of Energy may not establish any new regional pe-
23 troleum product reserve unless funding for the proposed
24 regional petroleum product reserve is explicitly requested

1 in advance in an annual budget submission and approved
2 by the Congress in an appropriations Act.

3 (b) The budget request or notification shall include—

4 (1) the justification for the new reserve;

5 (2) a cost estimate for the establishment, oper-
6 ation, and maintenance of the reserve, including
7 funding sources;

8 (3) a detailed plan for operation of the reserve,
9 including the conditions upon which the products
10 may be released;

11 (4) the location of the reserve; and

12 (5) the estimate of the total inventory of the re-
13 serve.

14 SEC. 309. Of the amounts made available by this Act
15 for “National Nuclear Security Administration—Weapons
16 Activities”, up to \$50,000,000 may be reprogrammed
17 within such account for Domestic Uranium Enrichment,
18 subject to the notice requirement in section 301(e).

19 SEC. 310. (a) Unobligated balances available from
20 appropriations are hereby rescinded from the following ac-
21 counts of the Department of Energy in the specified
22 amounts:

23 (1) “Energy Programs—Energy Efficiency and Re-
24 newable Energy”, \$1,355,149.00 from Public Law 110–

1 161; \$627,299.24 from Public Law 111–8; and
2 \$1,824,051.94 from Public Law 111–85.

3 (2) “Energy Programs—Science”, \$3,200,000.00.

4 (b) No amounts may be rescinded by this section
5 from amounts that were designated by the Congress as
6 an emergency requirement pursuant to a concurrent reso-
7 lution on the budget or the Balanced Budget and Emer-
8 gency Deficit Control Act of 1985.

9 SEC. 311. Notwithstanding any other provision of
10 law, the provisions of 40 U.S.C. 11319 shall not apply
11 to funds appropriated in this title to Federally Funded
12 Research and Development Centers sponsored by the De-
13 partment of Energy.

14 SEC. 312. None of the funds made available in this
15 Act may be used—

16 (1) to implement or enforce section 430.32(x)
17 of title 10, Code of Federal Regulations; or

18 (2) to implement or enforce the standards es-
19 tablished by the tables contained in section
20 325(i)(1)(B) of the Energy Policy and Conservation
21 Act (42 U.S.C. 6295(i)(1)(B)) with respect to
22 BPAR incandescent reflector lamps, BR incandes-
23 cent reflector lamps, and ER incandescent reflector
24 lamps.

1 SEC. 313. (a) Of the funds appropriated in prior Acts
2 under the headings “Fossil Energy Research and Develop-
3 ment” and “Clean Coal Technology” for prior solicitations
4 under the Clean Coal Power Initiative and FutureGen, not
5 less than \$160,000,000 from projects selected under such
6 solicitations that have not reached financial close and have
7 not secured funding sufficient to construct the project
8 prior to 30 days after the date of enactment of this Act
9 shall be deobligated, if necessary, shall be utilized for pre-
10 viously selected demonstration projects under such solici-
11 tations that have reached financial close or have otherwise
12 secured funding sufficient to construct the project prior
13 to 30 days after the date of enactment of this Act, and
14 shall be allocated among such projects in proportion to
15 the total financial contribution by the recipients to those
16 projects stipulated in their respective cooperative agree-
17 ments.

18 (b) Funds utilized pursuant to subsection (a) shall
19 be administered in accordance with the provisions in the
20 Act in which the funds for those demonstration projects
21 were originally appropriated, except that financial assist-
22 ance for costs in excess of those estimated as of the date
23 of award of the original financial assistance may be pro-
24 vided in excess of the proportion of costs borne by the

1 Government in the original agreement and shall not be
2 limited to 25 percent of the original financial assistance.

3 (c) No amounts may be repurposed pursuant to this
4 section from amounts that were designated by the Con-
5 gress as an emergency requirement pursuant to a concur-
6 rent resolution on the budget or the Balanced Budget and
7 Emergency Deficit Control Act of 1985.

8 (d) This section shall be fully implemented not later
9 than 60 days after the date of enactment of this Act.

1 TITLE IV
2 INDEPENDENT AGENCIES
3 APPALACHIAN REGIONAL COMMISSION

4 For expenses necessary to carry out the programs au-
5 thorized by the Appalachian Regional Development Act of
6 1965, notwithstanding 40 U.S.C. 14704, and for expenses
7 necessary for the Federal Co-Chairman and the Alternate
8 on the Appalachian Regional Commission, for payment of
9 the Federal share of the administrative expenses of the
10 Commission, including services as authorized by 5 U.S.C.
11 3109, and hire of passenger motor vehicles, \$146,000,000,
12 to remain available until expended.

13 DEFENSE NUCLEAR FACILITIES SAFETY BOARD
14 SALARIES AND EXPENSES

15 For expenses necessary for the Defense Nuclear Fa-
16 cilities Safety Board in carrying out activities authorized
17 by the Atomic Energy Act of 1954, as amended by Public
18 Law 100–456, section 1441, \$29,150,000, to remain
19 available until September 30, 2017.

20 DELTA REGIONAL AUTHORITY
21 SALARIES AND EXPENSES

22 For expenses necessary for the Delta Regional Au-
23 thority and to carry out its activities, as authorized by
24 the Delta Regional Authority Act of 2000, notwith-
25 standing sections 382C(b)(2), 382F(d), 382M, and 382N

1 of said Act, \$25,000,000, to remain available until ex-
2 pended.

3 DENALI COMMISSION

4 For expenses necessary for the Denali Commission
5 including the purchase, construction, and acquisition of
6 plant and capital equipment as necessary and other ex-
7 penses, \$11,000,000, to remain available until expended,
8 notwithstanding the limitations contained in section
9 306(g) of the Denali Commission Act of 1998: *Provided*,
10 That funds shall be available for construction projects in
11 an amount not to exceed 80 percent of total project cost
12 for distressed communities, as defined by section 307 of
13 the Denali Commission Act of 1998 (division C, title III,
14 Public Law 105–277), as amended by section 701 of ap-
15 pendix D, title VII, Public Law 106–113 (113 Stat.
16 1501A–280), and an amount not to exceed 50 percent for
17 non-distressed communities.

18 NORTHERN BORDER REGIONAL COMMISSION

19 For expenses necessary for the Northern Border Re-
20 gional Commission in carrying out activities authorized by
21 subtitle V of title 40, United States Code, \$7,500,000, to
22 remain available until expended: *Provided*, That such
23 amounts shall be available for administrative expenses,
24 notwithstanding section 15751(b) of title 40, United
25 States Code.

1 SOUTHEAST CRESCENT REGIONAL COMMISSION

2 For expenses necessary for the Southeast Crescent
3 Regional Commission in carrying out activities authorized
4 by subtitle V of title 40, United States Code, \$250,000,
5 to remain available until expended.

6 NUCLEAR REGULATORY COMMISSION

7 SALARIES AND EXPENSES

8 For expenses necessary for the Commission in car-
9 rying out the purposes of the Energy Reorganization Act
10 of 1974 and the Atomic Energy Act of 1954,
11 \$990,000,000, including official representation expenses
12 not to exceed \$25,000, to remain available until expended:
13 *Provided*, That of the amount appropriated herein, not
14 more than \$7,500,000 may be made available for salaries,
15 travel, and other support costs for the Office of the Com-
16 mission, to remain available until September 30, 2017, of
17 which, notwithstanding section 201(a)(2)(c) of the Energy
18 Reorganization Act of 1974 (42 U.S.C. 5841(a)(2)(c)),
19 the use and expenditure shall only be approved by a major-
20 ity vote of the Commission: *Provided further*, That reve-
21 nues from licensing fees, inspection services, and other
22 services and collections estimated at \$872,864,000 in fis-
23 cal year 2016 shall be retained and used for necessary
24 salaries and expenses in this account, notwithstanding 31
25 U.S.C. 3302, and shall remain available until expended:

1 *Provided further*, That the sum herein appropriated shall
2 be reduced by the amount of revenues received during fis-
3 cal year 2016 so as to result in a final fiscal year 2016
4 appropriation estimated at not more than \$117,136,000:
5 *Provided further*, That of the amounts appropriated under
6 this heading, \$10,000,000 shall be for university research
7 and development in areas relevant to their respective orga-
8 nization's mission, and \$5,000,000 shall be for a Nuclear
9 Science and Engineering Grant Program that will support
10 multiyear projects that do not align with programmatic
11 missions but are critical to maintaining the discipline of
12 nuclear science and engineering.

13 OFFICE OF INSPECTOR GENERAL

14 For expenses necessary for the Office of Inspector
15 General in carrying out the provisions of the Inspector
16 General Act of 1978, \$12,136,000, to remain available
17 until September 30, 2017: *Provided*, That revenues from
18 licensing fees, inspection services, and other services and
19 collections estimated at \$10,060,000 in fiscal year 2016
20 shall be retained and be available until September 30,
21 2017, for necessary salaries and expenses in this account,
22 notwithstanding section 3302 of title 31, United States
23 Code: *Provided further*, That the sum herein appropriated
24 shall be reduced by the amount of revenues received dur-
25 ing fiscal year 2016 so as to result in a final fiscal year

1 2016 appropriation estimated at not more than
2 \$2,076,000: *Provided further*, That of the amounts appro-
3 priated under this heading, \$958,000 shall be for Inspec-
4 tor General services for the Defense Nuclear Facilities
5 Safety Board, which shall not be available from fee reve-
6 nues.

7 NUCLEAR WASTE TECHNICAL REVIEW BOARD

8 SALARIES AND EXPENSES

9 For expenses necessary for the Nuclear Waste Tech-
10 nical Review Board, as authorized by Public Law 100-
11 203, section 5051, \$3,600,000, to be derived from the Nu-
12 clear Waste Fund, to remain available until September 30,
13 2017.

14 GENERAL PROVISIONS—INDEPENDENT

15 AGENCIES

16 SEC. 401. The Nuclear Regulatory Commission shall
17 comply with the July 5, 2011, version of Chapter VI of
18 its Internal Commission Procedures when responding to
19 Congressional requests for information.

20 SEC. 402. (a) The amounts made available by this
21 title for the Nuclear Regulatory Commission may be re-
22 programmed for any program, project, or activity, and the
23 Commission shall notify the Committees on Appropria-
24 tions of both Houses of Congress at least 30 days prior
25 to the use of any proposed reprogramming that would

1 cause any program funding level to increase or decrease
2 by more than \$500,000 or 10 percent, whichever is less,
3 during the time period covered by this Act.

4 (b)(1) The Nuclear Regulatory Commission may
5 waive the notification requirement in (a) if compliance
6 with such requirement would pose a substantial risk to
7 human health, the environment, welfare, or national secu-
8 rity.

9 (2) The Nuclear Regulatory Commission shall notify
10 the Committees on Appropriations of both Houses of Con-
11 gress of any waiver under paragraph (1) as soon as prac-
12 ticable, but not later than 3 days after the date of the
13 activity to which a requirement or restriction would other-
14 wise have applied. Such notice shall include an explanation
15 of the substantial risk under paragraph (1) that permitted
16 such waiver and shall provide a detailed report to the
17 Committees of such waiver and changes to funding levels
18 to programs, projects, or activities.

19 (c) Except as provided in subsections (a), (b), and
20 (d), the amounts made available by this title for “Nuclear
21 Regulatory Commission—Salaries and Expenses” shall be
22 expended as directed in the explanatory statement de-
23 scribed in section 4 (in the matter preceding division A
24 of this consolidated Act).

1 (d) None of the funds provided for the Nuclear Regu-
2 latory Commission shall be available for obligation or ex-
3 penditure through a reprogramming of funds that in-
4 creases funds or personnel for any program, project, or
5 activity for which funds are denied or restricted by this
6 Act.

7 (e) The Commission shall provide a monthly report
8 to the Committees on Appropriations of both Houses of
9 Congress, which includes the following for each program,
10 project, or activity, including any prior year appropria-
11 tions—

- 12 (1) total budget authority;
- 13 (2) total unobligated balances; and
- 14 (3) total unliquidated obligations.

15 SEC. 403. Public Law 105–277, division A, section
16 101(g) (title III, section 329(a), (b)) is amended by insert-
17 ing, in subsection (b), after “State law” and before the
18 period the following: “or for the construction and repair
19 of barge mooring points and barge landing sites to facili-
20 tate pumping fuel from fuel transport barges into bulk
21 fuel storage tanks.”.

1 TITLE V

2 GENERAL PROVISIONS

3 SEC. 501. None of the funds appropriated by this Act
4 may be used in any way, directly or indirectly, to influence
5 congressional action on any legislation or appropriation
6 matters pending before Congress, other than to commu-
7 nicate to Members of Congress as described in 18 U.S.C.
8 1913.

9 SEC. 502. (a) None of the funds made available in
10 title III of this Act may be transferred to any department,
11 agency, or instrumentality of the United States Govern-
12 ment, except pursuant to a transfer made by or transfer
13 authority provided in this Act or any other appropriations
14 Act for any fiscal year, transfer authority referenced in
15 the explanatory statement described in section 4 (in the
16 matter preceding division A of this consolidated Act), or
17 any authority whereby a department, agency, or instru-
18 mentality of the United States Government may provide
19 goods or services to another department, agency, or in-
20 strumentality.

21 (b) None of the funds made available for any depart-
22 ment, agency, or instrumentality of the United States
23 Government may be transferred to accounts funded in title
24 III of this Act, except pursuant to a transfer made by or
25 transfer authority provided in this Act or any other appro-

1 priations Act for any fiscal year, transfer authority ref-
2 erenced in the explanatory statement described in section
3 4 (in the matter preceding division A of this consolidated
4 Act), or any authority whereby a department, agency, or
5 instrumentality of the United States Government may
6 provide goods or services to another department, agency,
7 or instrumentality.

8 (c) The head of any relevant department or agency
9 funded in this Act utilizing any transfer authority shall
10 submit to the Committees on Appropriations of both
11 Houses of Congress a semiannual report detailing the
12 transfer authorities, except for any authority whereby a
13 department, agency, or instrumentality of the United
14 States Government may provide goods or services to an-
15 other department, agency, or instrumentality, used in the
16 previous 6 months and in the year-to-date. This report
17 shall include the amounts transferred and the purposes
18 for which they were transferred, and shall not replace or
19 modify existing notification requirements for each author-
20 ity.

21 SEC. 503. None of the funds made available by this
22 Act may be used in contravention of Executive Order No.
23 12898 of February 11, 1994 (Federal Actions to Address
24 Environmental Justice in Minority Populations and Low-
25 Income Populations).

1 This division may be cited as the “Energy and Water
2 Development and Related Agencies Appropriations Act,
3 2016”.

1 **DIVISION E—FINANCIAL SERVICES AND**
2 **GENERAL GOVERNMENT APPROPRIA-**
3 **TIONS ACT, 2016**

4 TITLE I

5 DEPARTMENT OF THE TREASURY

6 DEPARTMENTAL OFFICES

7 SALARIES AND EXPENSES

8 For necessary expenses of the Departmental Offices
9 including operation and maintenance of the Treasury
10 Building and Annex; hire of passenger motor vehicles;
11 maintenance, repairs, and improvements of, and purchase
12 of commercial insurance policies for, real properties leased
13 or owned overseas, when necessary for the performance
14 of official business; executive direction program activities;
15 international affairs and economic policy activities; domes-
16 tic finance and tax policy activities, including technical as-
17 sistance to Puerto Rico; and Treasury-wide management
18 policies and programs activities, \$222,500,000: *Provided,*
19 That of the amount appropriated under this heading—

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

22 (2) not to exceed \$258,000 is for unforeseen
23 emergencies of a confidential nature to be allocated
24 and expended under the direction of the Secretary of

1 the Treasury and to be accounted for solely on the
2 Secretary's certificate; and

3 (3) not to exceed \$22,200,000 shall remain
4 available until September 30, 2017, for—

5 (A) the Treasury-wide Financial Statement
6 Audit and Internal Control Program;

7 (B) information technology modernization
8 requirements;

9 (C) the audit, oversight, and administra-
10 tion of the Gulf Coast Restoration Trust Fund;
11 and

12 (D) the development and implementation
13 of programs within the Office of Critical Infra-
14 structure Protection and Compliance Policy, in-
15 cluding entering into cooperative agreements.

16 OFFICE OF TERRORISM AND FINANCIAL INTELLIGENCE

17 SALARIES AND EXPENSES

18 For the necessary expenses of the Office of Terrorism
19 and Financial Intelligence to safeguard the financial sys-
20 tem against illicit use and to combat rogue nations, ter-
21 rorist facilitators, weapons of mass destruction
22 proliferators, money launderers, drug kingpins, and other
23 national security threats, \$117,000,000: *Provided*, That of
24 the amount appropriated under this heading: (1) not to
25 exceed \$27,100,000 is available for administrative ex-

1 penses; and (2) \$5,000,000, to remain available until Sep-
2 tember 30, 2017.

3 DEPARTMENT-WIDE SYSTEMS AND CAPITAL
4 INVESTMENTS PROGRAMS
5 (INCLUDING TRANSFER OF FUNDS)

6 For development and acquisition of automatic data
7 processing equipment, software, and services and for re-
8 pairs and renovations to buildings owned by the Depart-
9 ment of the Treasury, \$5,000,000, to remain available
10 until September 30, 2018: *Provided*, That these funds
11 shall be transferred to accounts and in amounts as nec-
12 essary to satisfy the requirements of the Department's of-
13 fices, bureaus, and other organizations: *Provided further*,
14 That this transfer authority shall be in addition to any
15 other transfer authority provided in this Act: *Provided fur-*
16 *ther*, That none of the funds appropriated under this head-
17 ing shall be used to support or supplement "Internal Rev-
18 enue Service, Operations Support" or "Internal Revenue
19 Service, Business Systems Modernization".

20 OFFICE OF INSPECTOR GENERAL
21 SALARIES AND EXPENSES

22 For necessary expenses of the Office of Inspector
23 General in carrying out the provisions of the Inspector
24 General Act of 1978, \$35,416,000, including hire of pas-
25 senger motor vehicles; of which not to exceed \$100,000

1 shall be available for unforeseen emergencies of a con-
2 fidential nature, to be allocated and expended under the
3 direction of the Inspector General of the Treasury; of
4 which up to \$2,800,000 to remain available until Sep-
5 tember 30, 2017, shall be for audits and investigations
6 conducted pursuant to section 1608 of the Resources and
7 Ecosystems Sustainability, Tourist Opportunities, and Re-
8 vived Economies of the Gulf Coast States Act of 2012 (33
9 U.S.C. 1321 note); and of which not to exceed \$1,000
10 shall be available for official reception and representation
11 expenses.

12 TREASURY INSPECTOR GENERAL FOR TAX

13 ADMINISTRATION

14 SALARIES AND EXPENSES

15 For necessary expenses of the Treasury Inspector
16 General for Tax Administration in carrying out the In-
17 spector General Act of 1978, as amended, including pur-
18 chase and hire of passenger motor vehicles (31 U.S.C.
19 1343(b)); and services authorized by 5 U.S.C. 3109, at
20 such rates as may be determined by the Inspector General
21 for Tax Administration; \$167,275,000, of which
22 \$5,000,000 shall remain available until September 30,
23 2017; of which not to exceed \$6,000,000 shall be available
24 for official travel expenses; of which not to exceed
25 \$500,000 shall be available for unforeseen emergencies of

1 a confidential nature, to be allocated and expended under
2 the direction of the Inspector General for Tax Administra-
3 tion; and of which not to exceed \$1,500 shall be available
4 for official reception and representation expenses.

5 SPECIAL INSPECTOR GENERAL FOR THE TROUBLED

6 ASSET RELIEF PROGRAM

7 SALARIES AND EXPENSES

8 For necessary expenses of the Office of the Special
9 Inspector General in carrying out the provisions of the
10 Emergency Economic Stabilization Act of 2008 (Public
11 Law 110–343), \$40,671,000.

12 FINANCIAL CRIMES ENFORCEMENT NETWORK

13 SALARIES AND EXPENSES

14 For necessary expenses of the Financial Crimes En-
15 forcement Network, including hire of passenger motor ve-
16 hicles; travel and training expenses of non-Federal and
17 foreign government personnel to attend meetings and
18 training concerned with domestic and foreign financial in-
19 telligence activities, law enforcement, and financial regula-
20 tion; services authorized by 5 U.S.C. 3109; not to exceed
21 \$10,000 for official reception and representation expenses;
22 and for assistance to Federal law enforcement agencies,
23 with or without reimbursement, \$112,979,000, of which
24 not to exceed \$34,335,000 shall remain available until
25 September 30, 2018.

1 TREASURY FORFEITURE FUND

2 (RESCISSION)

3 Of the unobligated balances available under this
4 heading, \$700,000,000 are rescinded.

5 BUREAU OF THE FISCAL SERVICE

6 SALARIES AND EXPENSES

7 For necessary expenses of operations of the Bureau
8 of the Fiscal Service, \$363,850,000; of which not to ex-
9 ceed \$4,210,000, to remain available until September 30,
10 2018, is for information systems modernization initiatives;
11 of which \$5,000 shall be available for official reception and
12 representation expenses; and of which not to exceed
13 \$19,800,000, to remain available until September 30,
14 2018, is to support the Department's activities related to
15 implementation of the Digital Accountability and Trans-
16 parency Act (DATA Act; Public Law 113–101), including
17 changes in business processes, workforce, or information
18 technology to support high quality, transparent Federal
19 spending information.

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, \$106,439,000; 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.

14 UNITED STATES MINT

15 UNITED STATES MINT PUBLIC ENTERPRISE FUND

16 Pursuant to section 5136 of title 31, United States
17 Code, the United States Mint is provided funding through
18 the United States Mint Public Enterprise Fund for costs
19 associated with the production of circulating coins, numis-
20 matic coins, and protective services, including both oper-
21 ating expenses and capital investments: *Provided*, That
22 the aggregate amount of new liabilities and obligations in-
23 curred during fiscal year 2016 under such section 5136
24 for circulating coinage and protective service capital in-

1 vestments of the United States Mint shall not exceed
2 \$20,000,000.

3 COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS
4 FUND PROGRAM ACCOUNT

5 To carry out the Riegle Community Development and
6 Regulatory Improvements Act of 1994 (subtitle A of title
7 I of Public Law 103–325), including services authorized
8 by section 3109 of title 5, United States Code, but at rates
9 for individuals not to exceed the per diem rate equivalent
10 to the rate for EX–3, \$233,523,000. Of the amount ap-
11 propriated under this heading—

12 (1) not less than \$153,423,000, notwith-
13 standing section 108(e) of Public Law 103–325 (12
14 U.S.C. 4707(e)) with regard to Small and/or Emerg-
15 ing Community Development Financial Institutions
16 Assistance awards, is available until September 30,
17 2017, for financial assistance and technical assist-
18 ance under subparagraphs (A) and (B) of section
19 108(a)(1), respectively, of Public Law 103–325 (12
20 U.S.C. 4707(a)(1)(A) and (B)), of which up to
21 \$3,102,500 may be used for the cost of direct loans:
22 *Provided*, That the cost of direct and guaranteed
23 loans, including the cost of modifying such loans,
24 shall be as defined in section 502 of the Congres-
25 sional Budget Act of 1974: *Provided further*, That

1 these funds are available to subsidize gross obliga-
2 tions for the principal amount of direct loans not to
3 exceed \$25,000,000;

4 (2) not less than \$15,500,000, notwithstanding
5 section 108(e) of Public Law 103–325 (12 U.S.C.
6 4707(e)), is available until September 30, 2017, for
7 financial assistance, technical assistance, training
8 and outreach programs designed to benefit Native
9 American, Native Hawaiian, and Alaskan Native
10 communities and provided primarily through quali-
11 fied community development lender organizations
12 with experience and expertise in community develop-
13 ment banking and lending in Indian country, Native
14 American organizations, tribes and tribal organiza-
15 tions, and other suitable providers;

16 (3) not less than \$19,000,000 is available until
17 September 30, 2017, for the Bank Enterprise Award
18 program;

19 (4) not less than \$22,000,000, notwithstanding
20 subsections (d) and (e) of section 108 of Public Law
21 103–325 (12 U.S.C. 4707(d) and (e)), is available
22 until September 30, 2017, for a Healthy Food Fi-
23 nancing Initiative to provide financial assistance,
24 technical assistance, training, and outreach to com-
25 munity development financial institutions for the

1 purpose of offering affordable financing and tech-
2 nical assistance to expand the availability of healthy
3 food options in distressed communities;

4 (5) up to \$23,600,000 is available until Sep-
5 tember 30, 2016, for administrative expenses, in-
6 cluding administration of CDFI fund programs and
7 the New Markets Tax Credit Program, of which not
8 less than \$1,000,000 is for capacity building to ex-
9 pand CDFI investments in underserved rural areas,
10 and up to \$300,000 is for administrative expenses to
11 carry out the direct loan program; and

12 (6) during fiscal year 2016, none of the funds
13 available under this heading are available for the
14 cost, as defined in section 502 of the Congressional
15 Budget Act of 1974, of commitments to guarantee
16 bonds and notes under section 114A of the Riegle
17 Community Development and Regulatory Improve-
18 ment Act of 1994 (12 U.S.C. 4713a): *Provided*,
19 That commitments to guarantee bonds and notes
20 under such section 114A shall not exceed
21 \$750,000,000: *Provided further*, That such section
22 114A shall remain in effect until September 30,
23 2016.

1 INTERNAL REVENUE SERVICE

2 TAXPAYER SERVICES

3 For necessary expenses of the Internal Revenue Serv-
4 ice to provide taxpayer services, including pre-filing assist-
5 ance and education, filing and account services, taxpayer
6 advocacy services, and other services as authorized by 5
7 U.S.C. 3109, at such rates as may be determined by the
8 Commissioner, \$2,156,554,000, of which not less than
9 \$6,500,000 shall be for the Tax Counseling for the Elderly
10 Program, of which not less than \$12,000,000 shall be
11 available for low-income taxpayer clinic grants, and of
12 which not less than \$15,000,000, to remain available until
13 September 30, 2017, shall be available for a Community
14 Volunteer Income Tax Assistance matching grants pro-
15 gram for tax return preparation assistance, of which not
16 less than \$206,000,000 shall be available for operating ex-
17 penses of the Taxpayer Advocate Service: *Provided*, That
18 of the amounts made available for the Taxpayer Advocate
19 Service, not less than \$5,000,000 shall be for identity
20 theft casework.

21 ENFORCEMENT

22 For necessary expenses for tax enforcement activities
23 of the Internal Revenue Service to determine and collect
24 owed taxes, to provide legal and litigation support, to con-
25 duct criminal investigations, to enforce criminal statutes

1 related to violations of internal revenue laws and other fi-
2 nancial crimes, to purchase and hire passenger motor vehi-
3 cles (31 U.S.C. 1343(b)), and to provide other services
4 as authorized by 5 U.S.C. 3109, at such rates as may be
5 determined by the Commissioner, \$4,860,000,000, of
6 which not to exceed \$50,000,000 shall remain available
7 until September 30, 2017, and of which not less than
8 \$60,257,000 shall be for the Interagency Crime and Drug
9 Enforcement program.

10 OPERATIONS SUPPORT

11 For necessary expenses of the Internal Revenue Serv-
12 ice to support taxpayer services and enforcement pro-
13 grams, including rent payments; facilities services; print-
14 ing; postage; physical security; headquarters and other
15 IRS-wide administration activities; research and statistics
16 of income; telecommunications; information technology de-
17 velopment, enhancement, operations, maintenance, and se-
18 curity; the hire of passenger motor vehicles (31 U.S.C.
19 1343(b)); the operations of the Internal Revenue Service
20 Oversight Board; and other services as authorized by 5
21 U.S.C. 3109, at such rates as may be determined by the
22 Commissioner; \$3,638,446,000, of which not to exceed
23 \$50,000,000 shall remain available until September 30,
24 2017; of which not to exceed \$10,000,000 shall remain
25 available until expended for acquisition of equipment and

1 construction, repair and renovation of facilities; of which
2 not to exceed \$1,000,000 shall remain available until Sep-
3 tember 30, 2018, for research; of which not to exceed
4 \$20,000 shall be for official reception and representation
5 expenses: *Provided*, That not later than 30 days after the
6 end of each quarter, the Internal Revenue Service shall
7 submit a report to the Committees on Appropriations of
8 the House of Representatives and the Senate and the
9 Comptroller General of the United States detailing the
10 cost and schedule performance for its major information
11 technology investments, including the purpose and life-
12 cycle stages of the investments; the reasons for any cost
13 and schedule variances; the risks of such investments and
14 strategies the Internal Revenue Service is using to miti-
15 gate such risks; and the expected developmental mile-
16 stones to be achieved and costs to be incurred in the next
17 quarter: *Provided further*, That the Internal Revenue Serv-
18 ice shall include, in its budget justification for fiscal year
19 2017, a summary of cost and schedule performance infor-
20 mation for its major information technology systems.

21 BUSINESS SYSTEMS MODERNIZATION

22 For necessary expenses of the Internal Revenue Serv-
23 ice's business systems modernization program,
24 \$290,000,000, to remain available until September 30,
25 2018, for the capital asset acquisition of information tech-

1 nology systems, including management and related con-
2 tractual costs of said acquisitions, including related Inter-
3 nal Revenue Service labor costs, and contractual costs as-
4 sociated with operations authorized by 5 U.S.C. 3109:
5 *Provided*, That not later than 30 days after the end of
6 each quarter, the Internal Revenue Service shall submit
7 a report to the Committees on Appropriations of the
8 House of Representatives and the Senate and the Comp-
9 troller General of the United States detailing the cost and
10 schedule performance for CADE 2 and Modernized e-File
11 information technology investments, including the pur-
12 poses and life-cycle stages of the investments; the reasons
13 for any cost and schedule variances; the risks of such in-
14 vestments and the strategies the Internal Revenue Service
15 is using to mitigate such risks; and the expected develop-
16 mental milestones to be achieved and costs to be incurred
17 in the next quarter.

18 ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE

19 SERVICE

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 101. Not to exceed 5 percent of any appropria-
22 tion made available in this Act to the Internal Revenue
23 Service may be transferred to any other Internal Revenue
24 Service appropriation upon the advance approval of the
25 Committees on Appropriations.

1 SEC. 102. The Internal Revenue Service shall main-
2 tain an employee training program, which shall include the
3 following topics: taxpayers' rights, dealing courteously
4 with taxpayers, cross-cultural relations, ethics, and the im-
5 partial application of tax law.

6 SEC. 103. The Internal Revenue Service shall insti-
7 tute and enforce policies and procedures that will safe-
8 guard the confidentiality of taxpayer information and pro-
9 tect taxpayers against identity theft.

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

19 SEC. 105. None of the funds made available to the
20 Internal Revenue Service by this Act may be used to make
21 a video unless the Service-Wide Video Editorial Board de-
22 termines in advance that making the video is appropriate,
23 taking into account the cost, topic, tone, and purpose of
24 the video.

1 SEC. 106. The Internal Revenue Service shall issue
2 a notice of confirmation of any address change relating
3 to an employer making employment tax payments, and
4 such notice shall be sent to both the employer's former
5 and new address and an officer or employee of the Internal
6 Revenue Service shall give special consideration to an
7 offer-in-compromise from a taxpayer who has been the vic-
8 tim of fraud by a third party payroll tax preparer.

9 SEC. 107. None of the funds made available under
10 this Act may be used by the Internal Revenue Service to
11 target citizens of the United States for exercising any
12 right guaranteed under the First Amendment to the Con-
13 stitution of the United States.

14 SEC. 108. None of the funds made available in this
15 Act may be used by the Internal Revenue Service to target
16 groups for regulatory scrutiny based on their ideological
17 beliefs.

18 SEC. 109. None of funds made available by this Act
19 to the Internal Revenue Service shall be obligated or ex-
20 pended on conferences that do not adhere to the proce-
21 dures, verification processes, documentation requirements,
22 and policies issued by the Chief Financial Officer, Human
23 Capital Office, and Agency-Wide Shared Services as a re-
24 sult of the recommendations in the report published on
25 May 31, 2013, by the Treasury Inspector General for Tax

1 Administration entitled “Review of the August 2010 Small
2 Business/Self-Employed Division’s Conference in Ana-
3 heim, California” (Reference Number 2013–10–037).

4 SEC. 110. None of the funds made available in this
5 Act to the Internal Revenue Service may be obligated or
6 expended—

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

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

14 SEC. 111. None of the funds made available by this
15 Act may be used in contravention of section 6103 of the
16 Internal Revenue Code of 1986 (relating to confidentiality
17 and disclosure of returns and return information).

18 SEC. 112. Except to the extent provided in section
19 6014, 6020, or 6201(d) of the Internal Revenue Code of
20 1986, no funds in this or any other Act shall be available
21 to the Secretary of the Treasury to provide to any person
22 a proposed final return or statement for use by such per-
23 son to satisfy a filing or reporting requirement under such
24 Code.

1 SEC. 113. 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, 2017,
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. 114. 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. 115. 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”, and
17 “Alcohol and Tobacco Tax and Trade Bureau” may be
18 transferred between such appropriations upon the advance
19 approval of the Committees on Appropriations of the
20 House of Representatives and the Senate: *Provided*, That,
21 upon advance approval of such Committees, not to exceed
22 2 percent of any such appropriations may be transferred
23 to the “Office of Terrorism and Financial Intelligence”:
24 *Provided further*, That no transfer under this section may

1 increase or decrease any such appropriation by more than
2 2 percent.

3 SEC. 116. Not to exceed 2 percent of any appropria-
4 tion made available in this Act to the Internal Revenue
5 Service may be transferred to the Treasury Inspector Gen-
6 eral for Tax Administration's appropriation upon the ad-
7 vance approval of the Committees on Appropriations of
8 the House of Representatives and the Senate: *Provided*,
9 That no transfer may increase or decrease any such appro-
10 priation by more than 2 percent.

11 SEC. 117. None of the funds appropriated in this Act
12 or otherwise available to the Department of the Treasury
13 or the Bureau of Engraving and Printing may be used
14 to redesign the \$1 Federal Reserve note.

15 SEC. 118. The Secretary of the Treasury may trans-
16 fer funds from the "Bureau of the Fiscal Service-Salaries
17 and Expenses" to the Debt Collection Fund as necessary
18 to cover the costs of debt collection: *Provided*, That such
19 amounts shall be reimbursed to such salaries and expenses
20 account from debt collections received in the Debt Collec-
21 tion Fund.

22 SEC. 119. None of the funds appropriated or other-
23 wise made available by this or any other Act may be used
24 by the United States Mint to construct or operate any mu-
25 seum without the explicit approval of the Committees on

1 Appropriations of the House of Representatives and the
2 Senate, the House Committee on Financial Services, and
3 the Senate Committee on Banking, Housing, and Urban
4 Affairs.

5 SEC. 120. None of the funds appropriated or other-
6 wise made available by this or any other Act or source
7 to the Department of the Treasury, the Bureau of Engrav-
8 ing and Printing, and the United States Mint, individually
9 or collectively, may be used to consolidate any or all func-
10 tions of the Bureau of Engraving and Printing and the
11 United States Mint without the explicit approval of the
12 House Committee on Financial Services; the Senate Com-
13 mittee on Banking, Housing, and Urban Affairs; and the
14 Committees on Appropriations of the House of Represent-
15 atives and the Senate.

16 SEC. 121. Funds appropriated by this Act, or made
17 available by the transfer of funds in this Act, for the De-
18 partment of the Treasury's intelligence or intelligence re-
19 lated activities are deemed to be specifically authorized by
20 the Congress for purposes of section 504 of the National
21 Security Act of 1947 (50 U.S.C. 414) during fiscal year
22 2016 until the enactment of the Intelligence Authorization
23 Act for Fiscal Year 2016.

24 SEC. 122. Not to exceed \$5,000 shall be made avail-
25 able from the Bureau of Engraving and Printing's Indus-

1 trial Revolving Fund for necessary official reception and
2 representation expenses.

3 SEC. 123. The Secretary of the Treasury shall submit
4 a Capital Investment Plan to the Committees on Appro-
5 priations of the Senate and the House of Representatives
6 not later than 30 days following the submission of the an-
7 nual budget submitted by the President: *Provided*, That
8 such Capital Investment Plan shall include capital invest-
9 ment spending from all accounts within the Department
10 of the Treasury, including but not limited to the Depart-
11 ment-wide Systems and Capital Investment Programs ac-
12 count, Treasury Franchise Fund account, and the Treas-
13 ury Forfeiture Fund account: *Provided further*, That such
14 Capital Investment Plan shall include expenditures occur-
15 ring in previous fiscal years for each capital investment
16 project that has not been fully completed.

17 SEC. 124. (a) Not later than 60 days after the end
18 of each quarter, the Office of Financial Stability and the
19 Office of Financial Research shall submit reports on their
20 activities to the Committees on Appropriations of the
21 House of Representatives and the Senate, the Committee
22 on Financial Services of the House of Representatives and
23 the Senate Committee on Banking, Housing, and Urban
24 Affairs.

1 (b) The reports required under subsection (a) shall
2 include—

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

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

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

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

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

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

19 SEC. 125. Within 45 days after the date of enactment
20 of this Act, the Secretary of the Treasury shall submit
21 an itemized report to the Committees on Appropriations
22 of the House of Representatives and the Senate on the
23 amount of total funds charged to each office by the Fran-
24 chise Fund including the amount charged for each service
25 provided by the Franchise Fund to each office, a detailed

1 description of the services, a detailed explanation of how
2 each charge for each service is calculated, and a descrip-
3 tion of the role customers have in governing in the Fran-
4 chise Fund.

5 SEC. 126. The Secretary of the Treasury, in consulta-
6 tion with the appropriate agencies, departments, bureaus,
7 and commissions that have expertise in terrorism and
8 complex financial instruments, shall provide a report to
9 the Committees on Appropriations of the House of Rep-
10 resentatives and Senate, the Committee on Financial Serv-
11 ices of the House of Representatives, and the Committee
12 on Banking, Housing, and Urban Affairs of the Senate
13 not later than 90 days after the date of enactment of this
14 Act on economic warfare and financial terrorism.

15 SEC. 127. During fiscal year 2016—

16 (1) none of the funds made available in this or
17 any other Act may be used by the Department of
18 the Treasury, including the Internal Revenue Serv-
19 ice, to issue, revise, or finalize any regulation, rev-
20 enue ruling, or other guidance not limited to a par-
21 ticular taxpayer relating to the standard which is
22 used to determine whether an organization is oper-
23 ated exclusively for the promotion of social welfare
24 for purposes of section 501(c)(4) of the Internal
25 Revenue Code of 1986 (including the proposed regu-

1 lations published at 78 Fed. Reg. 71535 (November
2 29, 2013)); and

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

9 This title may be cited as the “Department of the
10 Treasury Appropriations Act, 2016”.

1 TITLE II
2 EXECUTIVE OFFICE OF THE PRESIDENT AND
3 FUNDS APPROPRIATED TO THE PRESIDENT
4 THE WHITE HOUSE
5 SALARIES AND EXPENSES

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

19 EXECUTIVE RESIDENCE AT THE WHITE HOUSE
20 OPERATING EXPENSES

21 For necessary expenses of the Executive Residence
22 at the White House, \$12,723,000, to be expended and ac-
23 counted for as provided by 3 U.S.C. 105, 109, 110, and
24 112–114.

1 REIMBURSABLE EXPENSES

2 For the reimbursable expenses of the Executive Resi-
3 dence at the White House, such sums as may be nec-
4 essary: *Provided*, That all reimbursable operating expenses
5 of the Executive Residence shall be made in accordance
6 with the provisions of this paragraph: *Provided further*,
7 That, notwithstanding any other provision of law, such
8 amount for reimbursable operating expenses shall be the
9 exclusive authority of the Executive Residence to incur ob-
10 ligations and to receive offsetting collections, for such ex-
11 penses: *Provided further*, That the Executive Residence
12 shall require each person sponsoring a reimbursable polit-
13 ical event to pay in advance an amount equal to the esti-
14 mated cost of the event, and all such advance payments
15 shall be credited to this account and remain available until
16 expended: *Provided further*, That the Executive Residence
17 shall require the national committee of the political party
18 of the President to maintain on deposit \$25,000, to be
19 separately accounted for and available for expenses relat-
20 ing to reimbursable political events sponsored by such
21 committee during such fiscal year: *Provided further*, That
22 the Executive Residence shall ensure that a written notice
23 of any amount owed for a reimbursable operating expense
24 under this paragraph is submitted to the person owing
25 such amount within 60 days after such expense is in-

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

1 nonpolitical: *Provided further*, That no provision of this
2 paragraph may be construed to exempt the Executive Res-
3 idence from any other applicable requirement of sub-
4 chapter I or II of chapter 37 of title 31, United States
5 Code.

6 WHITE HOUSE REPAIR AND RESTORATION

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

12 COUNCIL OF ECONOMIC ADVISERS

13 SALARIES AND EXPENSES

14 For necessary expenses of the Council of Economic
15 Advisers in carrying out its functions under the Employ-
16 ment Act of 1946 (15 U.S.C. 1021 et seq.), \$4,195,000.

17 NATIONAL SECURITY COUNCIL AND HOMELAND

18 SECURITY COUNCIL

19 SALARIES AND EXPENSES

20 For necessary expenses of the National Security
21 Council and the Homeland Security Council, including
22 services as authorized by 5 U.S.C. 3109, \$12,800,000.

1 OFFICE OF ADMINISTRATION

2 SALARIES AND EXPENSES

3 For necessary expenses of the Office of Administra-
4 tion, including services as authorized by 5 U.S.C. 3109
5 and 3 U.S.C. 107, and hire of passenger motor vehicles,
6 \$96,116,000, of which not to exceed \$7,994,000 shall re-
7 main available until expended for continued modernization
8 of information resources within the Executive Office of the
9 President.

10 OFFICE OF MANAGEMENT AND BUDGET

11 SALARIES AND EXPENSES

12 For necessary expenses of the Office of Management
13 and Budget, including hire of passenger motor vehicles
14 and services as authorized by 5 U.S.C. 3109, to carry out
15 the provisions of chapter 35 of title 44, United States
16 Code, and to prepare and submit the budget of the United
17 States Government, in accordance with section 1105(a) of
18 title 31, United States Code, \$95,000,000, of which not
19 to exceed \$3,000 shall be available for official representa-
20 tion expenses: *Provided*, That none of the funds appro-
21 priated in this Act for the Office of Management and
22 Budget may be used for the purpose of reviewing any agri-
23 cultural marketing orders or any activities or regulations
24 under the provisions of the Agricultural Marketing Agree-
25 ment Act of 1937 (7 U.S.C. 601 et seq.): *Provided further*,

1 That none of the funds made available for the Office of
2 Management and Budget by this Act may be expended for
3 the altering of the transcript of actual testimony of wit-
4 nesses, except for testimony of officials of the Office of
5 Management and Budget, before the Committees on Ap-
6 propriations or their subcommittees: *Provided further,*
7 That of the funds made available for the Office of Man-
8 agement and Budget by this Act, no less than one full-
9 time equivalent senior staff position shall be dedicated
10 solely to the Office of the Intellectual Property Enforce-
11 ment Coordinator: *Provided further,* That none of the
12 funds provided in this or prior Acts shall be used, directly
13 or indirectly, by the Office of Management and Budget,
14 for evaluating or determining if water resource project or
15 study reports submitted by the Chief of Engineers acting
16 through the Secretary of the Army are in compliance with
17 all applicable laws, regulations, and requirements relevant
18 to the Civil Works water resource planning process: *Pro-*
19 *vided further,* That the Office of Management and Budget
20 shall have not more than 60 days in which to perform
21 budgetary policy reviews of water resource matters on
22 which the Chief of Engineers has reported: *Provided fur-*
23 *ther,* That the Director of the Office of Management and
24 Budget shall notify the appropriate authorizing and ap-
25 propriating committees when the 60-day review is initi-

1 ated: *Provided further*, That if water resource reports have
2 not been transmitted to the appropriate authorizing and
3 appropriating committees within 15 days after the end of
4 the Office of Management and Budget review period based
5 on the notification from the Director, Congress shall as-
6 sume Office of Management and Budget concurrence with
7 the report and act accordingly.

8 OFFICE OF NATIONAL DRUG CONTROL POLICY
9 SALARIES AND EXPENSES

10 For necessary expenses of the Office of National
11 Drug Control Policy; for research activities pursuant to
12 the Office of National Drug Control Policy Reauthoriza-
13 tion Act of 2006 (Public Law 109–469); not to exceed
14 \$10,000 for official reception and representation expenses;
15 and for participation in joint projects or in the provision
16 of services on matters of mutual interest with nonprofit,
17 research, or public organizations or agencies, with or with-
18 out reimbursement, \$20,047,000: *Provided*, That the Of-
19 fice is authorized to accept, hold, administer, and utilize
20 gifts, both real and personal, public and private, without
21 fiscal year limitation, for the purpose of aiding or facili-
22 tating the work of the Office.

1 FEDERAL DRUG CONTROL PROGRAMS

2 HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

3 (INCLUDING TRANSFERS OF FUNDS)

4 For necessary expenses of the Office of National
5 Drug Control Policy's High Intensity Drug Trafficking
6 Areas Program, \$250,000,000, to remain available until
7 September 30, 2017, for drug control activities consistent
8 with the approved strategy for each of the designated
9 High Intensity Drug Trafficking Areas ("HIDTAs"), of
10 which not less than 51 percent shall be transferred to
11 State and local entities for drug control activities and shall
12 be obligated not later than 120 days after enactment of
13 this Act: *Provided*, That up to 49 percent may be trans-
14 ferred to Federal agencies and departments in amounts
15 determined by the Director of the Office of National Drug
16 Control Policy, of which up to \$2,700,000 may be used
17 for auditing services and associated activities: *Provided*
18 *further*, That, notwithstanding the requirements of Public
19 Law 106-58, any unexpended funds obligated prior to fis-
20 cal year 2014 may be used for any other approved activi-
21 ties of that HIDTA, subject to reprogramming require-
22 ments: *Provided further*, That each HIDTA designated as
23 of September 30, 2015, shall be funded at not less than
24 the fiscal year 2015 base level, unless the Director submits
25 to the Committees on Appropriations of the House of Rep-

1 representatives and the Senate justification for changes to
2 those levels based on clearly articulated priorities and pub-
3 lished Office of National Drug Control Policy performance
4 measures of effectiveness: *Provided further*, That the Di-
5 rector shall notify the Committees on Appropriations of
6 the initial allocation of fiscal year 2016 funding among
7 HIDTAs not later than 45 days after enactment of this
8 Act, and shall notify the Committees of planned uses of
9 discretionary HIDTA funding, as determined in consulta-
10 tion with the HIDTA Directors, not later than 90 days
11 after enactment of this Act: *Provided further*, That upon
12 a determination that all or part of the funds so transferred
13 from this appropriation are not necessary for the purposes
14 provided herein and upon notification to the Committees
15 on Appropriations of the House of Representatives and the
16 Senate, such amounts may be transferred back to this ap-
17 propriation.

18 OTHER FEDERAL DRUG CONTROL PROGRAMS

19 (INCLUDING TRANSFERS OF FUNDS)

20 For other drug control activities authorized by the
21 Office of National Drug Control Policy Reauthorization
22 Act of 2006 (Public Law 109–469), \$109,810,000, to re-
23 main available until expended, which shall be available as
24 follows: \$95,000,000 for the Drug-Free Communities Pro-
25 gram, of which \$2,000,000 shall be made available as di-

1 rected by section 4 of Public Law 107–82, as amended
2 by Public Law 109–469 (21 U.S.C. 1521 note);
3 \$2,000,000 for drug court training and technical assist-
4 ance; \$9,500,000 for anti-doping activities; \$2,060,000 for
5 the United States membership dues to the World Anti-
6 Doping Agency; and \$1,250,000 shall be made available
7 as directed by section 1105 of Public Law 109–469: *Pro-*
8 *vided*, That amounts made available under this heading
9 may be transferred to other Federal departments and
10 agencies to carry out such activities.

11 UNANTICIPATED NEEDS

12 For expenses necessary to enable the President to
13 meet unanticipated needs, in furtherance of the national
14 interest, security, or defense which may arise at home or
15 abroad during the current fiscal year, as authorized by
16 3 U.S.C. 108, \$800,000, to remain available until Sep-
17 tember 30, 2017.

18 INFORMATION TECHNOLOGY OVERSIGHT AND REFORM

19 (INCLUDING TRANSFER OF FUNDS)

20 For necessary expenses for the furtherance of inte-
21 grated, efficient, secure, and effective uses of information
22 technology in the Federal Government, \$30,000,000, to
23 remain available until expended: *Provided*, That the Direc-
24 tor of the Office of Management and Budget may transfer

1 these funds to one or more other agencies to carry out
2 projects to meet these purposes.

3 SPECIAL ASSISTANCE TO THE PRESIDENT

4 SALARIES AND EXPENSES

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

12 OFFICIAL RESIDENCE OF THE VICE PRESIDENT

13 OPERATING EXPENSES

14 (INCLUDING TRANSFER OF FUNDS)

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

1 ADMINISTRATIVE PROVISIONS—EXECUTIVE OFFICE OF
2 THE PRESIDENT AND FUNDS APPROPRIATED TO
3 THE PRESIDENT

4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 201. From funds made available in this Act
6 under the headings “The White House”, “Executive Resi-
7 dence at the White House”, “White House Repair and
8 Restoration”, “Council of Economic Advisers”, “National
9 Security Council and Homeland Security Council”, “Of-
10 fice of Administration”, “Special Assistance to the Presi-
11 dent”, and “Official Residence of the Vice President”, the
12 Director of the Office of Management and Budget (or
13 such other officer as the President may designate in writ-
14 ing), may, with advance approval of the Committees on
15 Appropriations of the House of Representatives and the
16 Senate, transfer not to exceed 10 percent of any such ap-
17 propriation to any other such appropriation, to be merged
18 with and available for the same time and for the same
19 purposes as the appropriation to which transferred: *Pro-*
20 *vided*, That the amount of an appropriation shall not be
21 increased by more than 50 percent by such transfers: *Pro-*
22 *vided further*, That no amount shall be transferred from
23 “Special Assistance to the President” or “Official Resi-
24 dence of the Vice President” without the approval of the
25 Vice President.

1 SEC. 202. Within 90 days after the date of enactment
2 of this section, the Director of the Office of Management
3 and Budget shall submit a report to the Committees on
4 Appropriations of the House of Representatives and the
5 Senate on the costs of implementing the Dodd-Frank Wall
6 Street Reform and Consumer Protection Act (Public Law
7 111–203). Such report shall include—

8 (1) the estimated mandatory and discretionary
9 obligations of funds through fiscal year 2018, by
10 Federal agency and by fiscal year, including—

11 (A) the estimated obligations by cost in-
12 puts such as rent, information technology, con-
13 tracts, and personnel;

14 (B) the methodology and data sources used
15 to calculate such estimated obligations; and

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

18 (2) the estimated receipts through fiscal year
19 2018 from assessments, user fees, and other fees by
20 the Federal agency making the collections, by fiscal
21 year, including—

22 (A) the methodology and data sources used
23 to calculate such estimated collections; and

24 (B) the specific section of such Act that
25 authorizes the collection of funds.

1 SEC. 203. (a) During fiscal year 2016, any Executive
2 order or Presidential memorandum issued by the Presi-
3 dent shall be accompanied by a written statement from
4 the Director of the Office of Management and Budget on
5 the budgetary impact, including costs, benefits, and reve-
6 nues, of such order or memorandum.

7 (b) Any such statement shall include—

8 (1) a narrative summary of the budgetary im-
9 pact of such order or memorandum on the Federal
10 Government;

11 (2) the impact on mandatory and discretionary
12 obligations and outlays as the result of such order
13 or memorandum, listed by Federal agency, for each
14 year in the 5-fiscal year period beginning in fiscal
15 year 2016; and

16 (3) the impact on revenues of the Federal Gov-
17 ernment as the result of such order or memorandum
18 over the 5-fiscal-year period beginning in fiscal year
19 2016.

20 (c) If an Executive order or Presidential memo-
21 randum is issued during fiscal year 2016 due to a national
22 emergency, the Director of the Office of Management and
23 Budget may issue the statement required by subsection
24 (a) not later than 15 days after the date that such order
25 or memorandum is issued.

1 (d) The requirement for cost estimates for Presi-
2 dential memoranda shall only apply for Presidential
3 memoranda estimated to have a regulatory cost in excess
4 of \$100,000,000.

5 This title may be cited as the “Executive Office of
6 the President Appropriations Act, 2016”.

7 TITLE III

8 THE JUDICIARY

9 SUPREME COURT OF THE UNITED STATES

10 SALARIES AND EXPENSES

11 For expenses necessary for the operation of the Su-
12 preme Court, as required by law, excluding care of the
13 building and grounds, including hire of passenger motor
14 vehicles as authorized by 31 U.S.C. 1343 and 1344; not
15 to exceed \$10,000 for official reception and representation
16 expenses; and for miscellaneous expenses, to be expended
17 as the Chief Justice may approve, \$75,838,000, of which
18 \$2,000,000 shall remain available until expended.

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

22 CARE OF THE BUILDING AND GROUNDS

23 For such expenditures as may be necessary to enable
24 the Architect of the Capitol to carry out the duties im-

1 posed upon the Architect by 40 U.S.C. 6111 and 6112,
2 \$9,964,000, to remain available until expended.

3 UNITED STATES COURT OF APPEALS FOR THE FEDERAL
4 CIRCUIT

5 SALARIES AND EXPENSES

6 For salaries of officers and employees, and for nec-
7 essary expenses of the court, as authorized by law,
8 \$30,872,000.

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

12 UNITED STATES COURT OF INTERNATIONAL TRADE

13 SALARIES AND EXPENSES

14 For salaries of officers and employees of the court,
15 services, and necessary expenses of the court, as author-
16 ized by law, \$18,160,000.

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

20 COURTS OF APPEALS, DISTRICT COURTS, AND OTHER

21 JUDICIAL SERVICES

22 SALARIES AND EXPENSES

23 For the salaries of judges of the United States Court
24 of Federal Claims, magistrate judges, and all other offi-
25 cers and employees of the Federal Judiciary not otherwise

1 bursement of expenses of persons furnishing investigative,
2 expert, and other services for such representations as au-
3 thorized by law; the compensation (in accordance with the
4 maximums under 18 U.S.C. 3006A) and reimbursement
5 of expenses of attorneys appointed to assist the court in
6 criminal cases where the defendant has waived representa-
7 tion by counsel; the compensation and reimbursement of
8 expenses of attorneys appointed to represent jurors in civil
9 actions for the protection of their employment, as author-
10 ized by 28 U.S.C. 1875(d)(1); the compensation and reim-
11 bursement of expenses of attorneys appointed under 18
12 U.S.C. 983(b)(1) in connection with certain judicial civil
13 forfeiture proceedings; the compensation and reimburse-
14 ment of travel expenses of guardians ad litem appointed
15 under 18 U.S.C. 4100(b); and for necessary training and
16 general administrative expenses, \$1,004,949,000, to re-
17 main available until expended.

18 FEES OF JURORS AND COMMISSIONERS

19 For fees and expenses of jurors as authorized by 28
20 U.S.C. 1871 and 1876; compensation of jury commis-
21 sioners as authorized by 28 U.S.C. 1863; and compensa-
22 tion of commissioners appointed in condemnation cases
23 pursuant to rule 71.1(h) of the Federal Rules of Civil Pro-
24 cedure (28 U.S.C. Appendix Rule 71.1(h)), \$44,199,000,
25 to remain available until expended: *Provided*, That the

1 compensation of land commissioners shall not exceed the
2 daily equivalent of the highest rate payable under 5 U.S.C.
3 5332.

4 COURT SECURITY

5 (INCLUDING TRANSFERS OF FUNDS)

6 For necessary expenses, not otherwise provided for,
7 incident to the provision of protective guard services for
8 United States courthouses and other facilities housing
9 Federal court operations, and the procurement, installa-
10 tion, and maintenance of security systems and equipment
11 for United States courthouses and other facilities housing
12 Federal court operations, including building ingress-egress
13 control, inspection of mail and packages, directed security
14 patrols, perimeter security, basic security services provided
15 by the Federal Protective Service, and other similar activi-
16 ties as authorized by section 1010 of the Judicial Improve-
17 ment and Access to Justice Act (Public Law 100-702),
18 \$538,196,000, of which not to exceed \$15,000,000 shall
19 remain available until expended, to be expended directly
20 or transferred to the United States Marshals Service,
21 which shall be responsible for administering the Judicial
22 Facility Security Program consistent with standards or
23 guidelines agreed to by the Director of the Administrative
24 Office of the United States Courts and the Attorney Gen-
25 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, \$85,665,000, 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, \$27,719,000;
15 of which \$1,800,000 shall remain available through Sep-
16 tember 30, 2017, 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, \$17,570,000, 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 “24 years and 6 months” and inserting “25 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 “22 years and 6 months” and inserting “23 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 “13 years”
13 and inserting “14 years”;

14 (2) in the second sentence (relating to the cen-
15 tral District of California), by striking “12 years
16 and 6 months” and inserting “13 years and 6
17 months”; and

18 (3) in the third sentence (relating to the west-
19 ern district of North Carolina), by striking “11
20 years” and inserting “12 years”.

21 SEC. 307. Section 3602(a) of title 18, United States
22 Code, is amended—

23 (1) by inserting after the first sentence: “A per-
24 son appointed as a probation officer in one district
25 may serve in another district with the consent of the

1 appointing court and the court in the other dis-
2 trict.”; and

3 (2) by inserting in the last sentence “appoint-
4 ing” before “court may, for cause”.

5 This title may be cited as the “Judiciary Appropria-
6 tions Act, 2016”.

7 TITLE IV

8 DISTRICT OF COLUMBIA

9 FEDERAL FUNDS

10 FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

11 For a Federal payment to the District of Columbia,
12 to be deposited into a dedicated account, for a nationwide
13 program to be administered by the Mayor, for District of
14 Columbia resident tuition support, \$40,000,000, to remain
15 available until expended: *Provided*, That such funds, in-
16 cluding any interest accrued thereon, may be used on be-
17 half of eligible District of Columbia residents to pay an
18 amount based upon the difference between in-State and
19 out-of-State tuition at public institutions of higher edu-
20 cation, or to pay up to \$2,500 each year at eligible private
21 institutions of higher education: *Provided further*, That the
22 awarding of such funds may be prioritized on the basis
23 of a resident’s academic merit, the income and need of
24 eligible students and such other factors as may be author-
25 ized: *Provided further*, That the District of Columbia gov-

1 ernment shall maintain a dedicated account for the Resi-
2 dent Tuition Support Program that shall consist of the
3 Federal funds appropriated to the Program in this Act
4 and any subsequent appropriations, any unobligated bal-
5 ances from prior fiscal years, and any interest earned in
6 this or any fiscal year: *Provided further*, That the account
7 shall be under the control of the District of Columbia
8 Chief Financial Officer, who shall use those funds solely
9 for the purposes of carrying out the Resident Tuition Sup-
10 port Program: *Provided further*, That the Office of the
11 Chief Financial Officer shall provide a quarterly financial
12 report to the Committees on Appropriations of the House
13 of Representatives and the Senate for these funds show-
14 ing, by object class, the expenditures made and the pur-
15 pose therefor.

16 FEDERAL PAYMENT FOR EMERGENCY PLANNING AND
17 SECURITY COSTS IN THE DISTRICT OF COLUMBIA

18 For a Federal payment of necessary expenses, as de-
19 termined by the Mayor of the District of Columbia in writ-
20 ten consultation with the elected county or city officials
21 of surrounding jurisdictions, \$13,000,000, to remain
22 available until expended, for the costs of providing public
23 safety at events related to the presence of the National
24 Capital in the District of Columbia, including support re-
25 quested by the Director of the United States Secret Serv-

1 ice in carrying out protective duties under the direction
2 of the Secretary of Homeland Security, and for the costs
3 of providing support to respond to immediate and specific
4 terrorist threats or attacks in the District of Columbia or
5 surrounding jurisdictions.

6 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA
7 COURTS

8 For salaries and expenses for the District of Colum-
9 bia Courts, \$274,401,000 to be allocated as follows: for
10 the District of Columbia Court of Appeals, \$14,192,000,
11 of which not to exceed \$2,500 is for official reception and
12 representation expenses; for the Superior Court of the
13 District of Columbia, \$123,638,000, of which not to ex-
14 ceed \$2,500 is for official reception and representation ex-
15 penses; for the District of Columbia Court System,
16 \$73,981,000, of which not to exceed \$2,500 is for official
17 reception and representation expenses; and \$62,590,000,
18 to remain available until September 30, 2017, for capital
19 improvements for District of Columbia courthouse facili-
20 ties: *Provided*, That funds made available for capital im-
21 provements shall be expended consistent with the District
22 of Columbia Courts master plan study and facilities condi-
23 tion assessment: *Provided further*, That notwithstanding
24 any other provision of law, all amounts under this heading
25 shall be apportioned quarterly by the Office of Manage-

1 ment and Budget and obligated and expended in the same
2 manner as funds appropriated for salaries and expenses
3 of other Federal agencies: *Provided further*, That 30 days
4 after providing written notice to the Committees on Ap-
5 propriations of the House of Representatives and the Sen-
6 ate, the District of Columbia Courts may reallocate not
7 more than \$6,000,000 of the funds provided under this
8 heading among the items and entities funded under this
9 heading: *Provided further*, That the Joint Committee on
10 Judicial Administration in the District of Columbia may,
11 by regulation, establish a program substantially similar to
12 the program set forth in subchapter II of chapter 35 of
13 title 5, United States Code, for employees of the District
14 of Columbia Courts.

15 FEDERAL PAYMENT FOR DEFENDER SERVICES IN
16 DISTRICT OF COLUMBIA COURTS

17 For payments authorized under section 11–2604 and
18 section 11–2605, D.C. Official Code (relating to represen-
19 tation provided under the District of Columbia Criminal
20 Justice Act), payments for counsel appointed in pro-
21 ceedings in the Family Court of the Superior Court of the
22 District of Columbia under chapter 23 of title 16, D.C.
23 Official Code, or pursuant to contractual agreements to
24 provide guardian ad litem representation, training, tech-
25 nical assistance, and such other services as are necessary

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

17 FEDERAL PAYMENT TO THE COURT SERVICES AND OF-
18 FENDER SUPERVISION AGENCY FOR THE DISTRICT
19 OF COLUMBIA

20 For salaries and expenses, including the transfer and
21 hire of motor vehicles, of the Court Services and Offender
22 Supervision Agency for the District of Columbia, as au-
23 thorized by the National Capital Revitalization and Self-
24 Government Improvement Act of 1997, \$244,763,000, of
25 which not to exceed \$2,000 is for official reception and

1 representation expenses related to Community Supervision
2 and Pretrial Services Agency programs, of which not to
3 exceed \$25,000 is for dues and assessments relating to
4 the implementation of the Court Services and Offender
5 Supervision Agency Interstate Supervision Act of 2002;
6 of which \$182,406,000 shall be for necessary expenses of
7 Community Supervision and Sex Offender Registration, to
8 include expenses relating to the supervision of adults sub-
9 ject to protection orders or the provision of services for
10 or related to such persons, of which up to \$3,159,000 shall
11 remain available until September 30, 2018, for the reloca-
12 tion of offender supervision field offices; and of which
13 \$62,357,000 shall be available to the Pretrial Services
14 Agency: *Provided*, That notwithstanding any other provi-
15 sion of law, all amounts under this heading shall be appor-
16 tioned quarterly by the Office of Management and Budget
17 and obligated and expended in the same manner as funds
18 appropriated for salaries and expenses of other Federal
19 agencies: *Provided further*, That amounts under this head-
20 ing may be used for programmatic incentives for offenders
21 and defendants successfully meeting terms of supervision:
22 *Provided further*, That the Director is authorized to accept
23 and use gifts in the form of in-kind contributions of the
24 following: space and hospitality to support offender and
25 defendant programs; equipment, supplies, clothing, and

1 professional development and vocational training services
2 and items necessary to sustain, educate, and train offend-
3 ers and defendants, including their dependent children;
4 and programmatic incentives for offenders and defendants
5 meeting terms of supervision: *Provided further*, That the
6 Director shall keep accurate and detailed records of the
7 acceptance and use of any gift under the previous proviso,
8 and shall make such records available for audit and public
9 inspection: *Provided further*, That the Court Services and
10 Offender Supervision Agency Director is authorized to ac-
11 cept and use reimbursement from the District of Columbia
12 Government for space and services provided on a cost re-
13 imburseable basis.

14 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

15 PUBLIC DEFENDER SERVICE

16 For salaries and expenses, including the transfer and
17 hire of motor vehicles, of the District of Columbia Public
18 Defender Service, as authorized by the National Capital
19 Revitalization and Self-Government Improvement Act of
20 1997, \$40,889,000: *Provided*, That notwithstanding any
21 other provision of law, all amounts under this heading
22 shall be apportioned quarterly by the Office of Manage-
23 ment and Budget and obligated and expended in the same
24 manner as funds appropriated for salaries and expenses
25 of Federal agencies: *Provided further*, That, notwith-

1 standing section 1342 of title 31, United States Code, and
2 in addition to the authority provided by the District of
3 Columbia Code Section 2–1607(b), upon approval of the
4 Board of Trustees, the District of Columbia Public De-
5 fender Service may accept and use voluntary and uncom-
6 pensated services for the purpose of aiding or facilitating
7 the work of the District of Columbia Public Defender
8 Service: *Provided further*, That, notwithstanding District
9 of Columbia Code section 2–1603(d), for the purpose of
10 any action brought against the Board of the Trustees of
11 the District of Columbia Public Defender Service at any
12 time during fiscal year 2016 or any previous fiscal year,
13 the trustees shall be deemed to be employees of the Public
14 Defender Service.

15 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

16 WATER AND SEWER AUTHORITY

17 For a Federal payment to the District of Columbia
18 Water and Sewer Authority, \$14,000,000, to remain avail-
19 able until expended, to continue implementation of the
20 Combined Sewer Overflow Long-Term Plan: *Provided*,
21 That the District of Columbia Water and Sewer Authority
22 provides a 100 percent match for this payment.

1 FEDERAL PAYMENT TO THE CRIMINAL JUSTICE

2 COORDINATING COUNCIL

3 For a Federal payment to the Criminal Justice Co-
4 ordinating Council, \$1,900,000, to remain available until
5 expended, to support initiatives related to the coordination
6 of Federal and local criminal justice resources in the Dis-
7 trict of Columbia.

8 FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS

9 For a Federal payment, to remain available until
10 September 30, 2017, to the Commission on Judicial Dis-
11 abilities and Tenure, \$295,000, and for the Judicial Nomi-
12 nation Commission, \$270,000.

13 FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

14 For a Federal payment for a school improvement pro-
15 gram in the District of Columbia, \$45,000,000, to remain
16 available until expended, for payments authorized under
17 the Scholarship for Opportunity and Results Act (division
18 C of Public Law 112–10): *Provided*, That, to the extent
19 that funds are available for opportunity scholarships and
20 following the priorities included in section 3006 of such
21 Act, the Secretary of Education shall make scholarships
22 available to students eligible under section 3013(3) of such
23 Act (Public Law 112–10; 125 Stat. 211) including stu-
24 dents who were not offered a scholarship during any pre-
25 vious school year: *Provided further*, That within funds pro-

1 vided for opportunity scholarships \$3,200,000 shall be for
2 the activities specified in sections 3007(b) through
3 3007(d) and 3009 of the Act.

4 FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA
5 NATIONAL GUARD

6 For a Federal payment to the District of Columbia
7 National Guard, \$435,000, to remain available until ex-
8 pended for the Major General David F. Wherley, Jr. Dis-
9 trict of Columbia National Guard Retention and College
10 Access Program.

11 FEDERAL PAYMENT FOR TESTING AND TREATMENT OF
12 HIV/AIDS

13 For a Federal payment to the District of Columbia
14 for the testing of individuals for, and the treatment of in-
15 dividuals with, human immunodeficiency virus and ac-
16 quired immunodeficiency syndrome in the District of Co-
17 lumbia, \$5,000,000.

18 DISTRICT OF COLUMBIA FUNDS

19 Local funds are appropriated for the District of Co-
20 lumbia for the current fiscal year out of the General Fund
21 of the District of Columbia (“General Fund”) for pro-
22 grams and activities set forth under the heading “District
23 of Columbia Funds Summary of Expenses” and at the
24 rate set forth under such heading, as included in the Fis-
25 cal Year 2016 Budget Request Act of 2015 submitted to

1 the Congress by the District of Columbia as amended as
2 of the date of enactment of this Act: *Provided*, That not-
3 withstanding any other provision of law, except as pro-
4 vided in section 450A of the District of Columbia Home
5 Rule Act (section 1–204.50a, D.C. Official Code), sections
6 816 and 817 of the Financial Services and General Gov-
7 ernment Appropriations Act, 2009 (secs. 47–369.01 and
8 47–369.02, D.C. Official Code), and provisions of this Act,
9 the total amount appropriated in this Act for operating
10 expenses for the District of Columbia for fiscal year 2016
11 under this heading shall not exceed the estimates included
12 in the Fiscal Year 2016 Budget Request Act of 2015 sub-
13 mitted to Congress by the District of Columbia as amend-
14 ed as of the date of enactment of this Act or the sum
15 of the total revenues of the District of Columbia for such
16 fiscal year: *Provided further*, That the amount appro-
17 priated may be increased by proceeds of one-time trans-
18 actions, which are expended for emergency or unantici-
19 pated operating or capital needs: *Provided further*, That
20 such increases shall be approved by enactment of local
21 District law and shall comply with all reserve requirements
22 contained in the District of Columbia Home Rule Act:
23 *Provided further*, That the Chief Financial Officer of the
24 District of Columbia shall take such steps as are necessary
25 to assure that the District of Columbia meets these re-

1 quirements, including the apportioning by the Chief Fi-
2 nancial Officer of the appropriations and funds made
3 available to the District during fiscal year 2016, except
4 that the Chief Financial Officer may not reprogram for
5 operating expenses any funds derived from bonds, notes,
6 or other obligations issued for capital projects.

7 This title may be cited as the “District of Columbia
8 Appropriations Act, 2016”.

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, 2017, of which not to exceed \$1,000 is for official re-
9 ception and representation expenses.

10 CONSUMER PRODUCT SAFETY COMMISSION
11 SALARIES AND EXPENSES

12 For necessary expenses of the Consumer Product
13 Safety Commission, including hire of passenger motor ve-
14 hicles, services as authorized by 5 U.S.C. 3109, but at
15 rates for individuals not to exceed the per diem rate equiv-
16 alent to the maximum rate payable under 5 U.S.C. 5376,
17 purchase of nominal awards to recognize non-Federal offi-
18 cials' contributions to Commission activities, and not to
19 exceed \$4,000 for official reception and representation ex-
20 penses, \$125,000,000, of which not less than \$1,000,000
21 shall remain available until September 30, 2017, to reduce
22 the costs of third party testing associated with certifi-
23 cation of children's products under section 14 of the Con-
24 sumer Product Safety Act (15 U.S.C. 2063).

1 ELECTION ASSISTANCE COMMISSION
2 SALARIES AND EXPENSES
3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses to carry out the Help Amer-
5 ica Vote Act of 2002 (Public Law 107–252), \$9,600,000,
6 of which \$1,500,000 shall be transferred to the National
7 Institute of Standards and Technology for election reform
8 activities authorized under the Help America Vote Act of
9 2002.

10 FEDERAL COMMUNICATIONS COMMISSION
11 SALARIES AND EXPENSES

12 For necessary expenses of the Federal Communica-
13 tions Commission, as authorized by law, including uni-
14 forms and allowances therefor, as authorized by 5 U.S.C.
15 5901–5902; not to exceed \$4,000 for official reception and
16 representation expenses; purchase and hire of motor vehi-
17 cles; special counsel fees; and services as authorized by
18 5 U.S.C. 3109, \$339,844,000, to remain available until
19 expended: *Provided*, That in addition, \$44,168,497 shall
20 be made available until expended for necessary expenses
21 associated with moving to a new facility or reconfiguring
22 the existing space to significantly reduce space consump-
23 tion: *Provided further*, That \$384,012,497 of offsetting
24 collections shall be assessed and collected pursuant to sec-
25 tion 9 of title I of the Communications Act of 1934, shall

1 be retained and used for necessary expenses and shall re-
2 main available until expended: *Provided further*, That the
3 sum herein appropriated shall be reduced as such offset-
4 ting collections are received during fiscal year 2016 so as
5 to result in a final fiscal year 2016 appropriation esti-
6 mated at \$0: *Provided further*, That any offsetting collec-
7 tions received in excess of \$384,012,497 in fiscal year
8 2016 shall not be available for obligation: *Provided further*,
9 That remaining offsetting collections from prior years col-
10 lected in excess of the amount specified for collection in
11 each such year and otherwise becoming available on Octo-
12 ber 1, 2015, shall not be available for obligation: *Provided*
13 *further*, That, notwithstanding 47 U.S.C. 309(j)(8)(B),
14 proceeds from the use of a competitive bidding system that
15 may be retained and made available for obligation shall
16 not exceed \$117,000,000 for fiscal year 2016: *Provided*
17 *further*, That, of the amount appropriated under this
18 heading, not less than \$11,600,000 shall be for the sala-
19 ries and expenses of the Office of Inspector General.

20 ADMINISTRATIVE PROVISIONS—FEDERAL

21 COMMUNICATIONS COMMISSION

22 SEC. 501. Section 302 of the Universal Service
23 Antideficiency Temporary Suspension Act is amended by
24 striking “December 31, 2016”, each place it appears and
25 inserting “December 31, 2017”.

1 SEC. 502. None of the funds appropriated by this Act
2 may be used by the Federal Communications Commission
3 to modify, amend, or change its rules or regulations for
4 universal service support payments to implement the Feb-
5 ruary 27, 2004 recommendations of the Federal-State
6 Joint Board on Universal Service regarding single connec-
7 tion or primary line restrictions on universal service sup-
8 port payments.

9 FEDERAL DEPOSIT INSURANCE CORPORATION

10 OFFICE OF THE INSPECTOR GENERAL

11 For necessary expenses of the Office of Inspector
12 General in carrying out the provisions of the Inspector
13 General Act of 1978, \$34,568,000, to be derived from the
14 Deposit Insurance Fund or, only when appropriate, the
15 FSLIC Resolution Fund.

16 FEDERAL ELECTION COMMISSION

17 SALARIES AND EXPENSES

18 For necessary expenses to carry out the provisions
19 of the Federal Election Campaign Act of 1971,
20 \$76,119,000, of which \$5,000,000 shall remain available
21 until September 30, 2017, for lease expiration and re-
22 placement lease expenses; and of which not to exceed
23 \$5,000 shall be available for reception and representation
24 expenses.

1 FEDERAL LABOR RELATIONS AUTHORITY

2 SALARIES AND EXPENSES

3 For necessary expenses to carry out functions of the
4 Federal Labor Relations Authority, pursuant to Reorga-
5 nization Plan Numbered 2 of 1978, and the Civil Service
6 Reform Act of 1978, including services authorized by 5
7 U.S.C. 3109, and including hire of experts and consult-
8 ants, hire of passenger motor vehicles, and including offi-
9 cial reception and representation expenses (not to exceed
10 \$1,500) and rental of conference rooms in the District of
11 Columbia and elsewhere, \$26,200,000: *Provided*, That
12 public members of the Federal Service Impasses Panel
13 may be paid travel expenses and per diem in lieu of sub-
14 sistence as authorized by law (5 U.S.C. 5703) for persons
15 employed intermittently in the Government service, and
16 compensation as authorized by 5 U.S.C. 3109: *Provided*
17 *further*, That, notwithstanding 31 U.S.C. 3302, funds re-
18 ceived from fees charged to non-Federal participants at
19 labor-management relations conferences shall be credited
20 to and merged with this account, to be available without
21 further appropriation for the costs of carrying out these
22 conferences.

1 FEDERAL TRADE COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses of the Federal Trade Com-
4 mission, including uniforms or allowances therefor, as au-
5 thorized by 5 U.S.C. 5901–5902; services as authorized
6 by 5 U.S.C. 3109; hire of passenger motor vehicles; and
7 not to exceed \$2,000 for official reception and representa-
8 tion expenses, \$306,900,000, to remain available until ex-
9 pended: *Provided*, That not to exceed \$300,000 shall be
10 available for use to contract with a person or persons for
11 collection services in accordance with the terms of 31
12 U.S.C. 3718: *Provided further*, That, notwithstanding any
13 other provision of law, not to exceed \$124,000,000 of off-
14 setting collections derived from fees collected for
15 premerger notification filings under the Hart-Scott-Ro-
16 dino Antitrust Improvements Act of 1976 (15 U.S.C.
17 18a), regardless of the year of collection, shall be retained
18 and used for necessary expenses in this appropriation:
19 *Provided further*, That, notwithstanding any other provi-
20 sion of law, not to exceed \$14,000,000 in offsetting collec-
21 tions derived from fees sufficient to implement and enforce
22 the Telemarketing Sales Rule, promulgated under the
23 Telemarketing and Consumer Fraud and Abuse Preven-
24 tion Act (15 U.S.C. 6101 et seq.), shall be credited to this
25 account, and be retained and used for necessary expenses

1 in this appropriation: *Provided further*, That the sum here-
2 in appropriated from the general fund shall be reduced
3 as such offsetting collections are received during fiscal
4 year 2016, so as to result in a final fiscal year 2016 appro-
5 priation from the general fund estimated at not more than
6 \$168,900,000: *Provided further*, That none of the funds
7 made available to the Federal Trade Commission may be
8 used to implement subsection (e)(2)(B) of section 43 of
9 the Federal Deposit Insurance Act (12 U.S.C. 1831t).

10 GENERAL SERVICES ADMINISTRATION

11 REAL PROPERTY ACTIVITIES

12 FEDERAL BUILDINGS FUND

13 LIMITATIONS ON AVAILABILITY OF REVENUE

14 (INCLUDING TRANSFERS OF FUNDS)

15 Amounts in the Fund, including revenues and collec-
16 tions deposited into the Fund, shall be available for nec-
17 essary expenses of real property management and related
18 activities not otherwise provided for, including operation,
19 maintenance, and protection of federally owned and leased
20 buildings; rental of buildings in the District of Columbia;
21 restoration of leased premises; moving governmental agen-
22 cies (including space adjustments and telecommunications
23 relocation expenses) in connection with the assignment, al-
24 location, and transfer of space; contractual services inci-
25 dent to cleaning or servicing buildings, and moving; repair

1 and alteration of federally owned buildings, including
2 grounds, approaches, and appurtenances; care and safe-
3 guarding of sites; maintenance, preservation, demolition,
4 and equipment; acquisition of buildings and sites by pur-
5 chase, condemnation, or as otherwise authorized by law;
6 acquisition of options to purchase buildings and sites; con-
7 version and extension of federally owned buildings; pre-
8 liminary planning and design of projects by contract or
9 otherwise; construction of new buildings (including equip-
10 ment for such buildings); and payment of principal, inter-
11 est, and any other obligations for public buildings acquired
12 by installment purchase and purchase contract; in the ag-
13 gregate amount of \$10,196,124,000, of which—

14 (1) \$1,607,738,000 shall remain available until
15 expended for construction and acquisition (including
16 funds for sites and expenses, and associated design
17 and construction services) as follows:

18 (A) \$341,000,000 shall be for the DHS
19 Consolidation at St. Elizabeths;

20 (B) \$105,600,000 shall be for the Alexan-
21 dria Bay, New York, Land Port of Entry;

22 (C) \$85,645,000 shall be for the Colum-
23 bus, New Mexico, Land Port of Entry;

24 (D) \$947,760,000 shall be for new con-
25 struction projects of the Federal Judiciary as

1 prioritized in the “Federal Judiciary Court-
2 house Project Priorities” plan approved by the
3 Judicial Conference of the United States on
4 September 17, 2015, and submitted to the
5 House and Senate Committees on Appropria-
6 tions on September 28, 2015;

7 (E) \$52,733,000 shall be for new construc-
8 tion and acquisition projects that are joint
9 United States courthouses and Federal build-
10 ings, including U.S. Post Offices, on the
11 “FY2015–FY2019 Five-Year Capital Invest-
12 ment Plan” submitted by the General Services
13 Administration to the House and Senate Com-
14 mittees on Appropriations with the agency’s fis-
15 cal year 2016 Congressional Justification; and

16 (F) \$75,000,000 shall be for construction
17 management and oversight activities, and other
18 project support costs, for the FBI Head-
19 quarters Consolidation:

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

1 the Committees on Appropriations of a greater
2 amount;

3 (2) \$735,331,000 shall remain available until
4 expended for repairs and alterations, including asso-
5 ciated design and construction services, of which—

6 (A) \$310,331,000 is for Major Repairs and
7 Alterations;

8 (B) \$300,000,000 is for Basic Repairs and
9 Alterations; and

10 (C) \$125,000,000 is for Special Emphasis
11 Programs, of which—

12 (i) \$20,000,000 is for Fire and Life
13 Safety;

14 (ii) \$20,000,000 is for Judiciary Cap-
15 ital Security;

16 (iii) \$10,000,000 is for Energy and
17 Water Retrofit and Conservation Meas-
18 ures; and

19 (iv) \$75,000,000 is for Consolidation
20 Activities: *Provided*, That consolidation
21 projects result in reduced annual rent paid
22 by the tenant agency: *Provided further*,
23 That no consolidation project exceed
24 \$20,000,000 in costs: *Provided further*,
25 That consolidation projects are approved

1 by each of the committees specified in sec-
2 tion 3307(a) of title 40, United States
3 Code: *Provided further*, That preference is
4 given to consolidation projects that achieve
5 a utilization rate of 130 usable square feet
6 or less per person for office space: *Pro-*
7 *vided further*, That the obligation of funds
8 under this paragraph for consolidation ac-
9 tivities may not be made until 10 days
10 after a proposed spending plan and expla-
11 nation for each project to be undertaken,
12 including estimated savings, has been sub-
13 mitted to the Committees on Appropria-
14 tions of the House of Representatives and
15 the Senate:

16 *Provided*, That funds made available in this or any
17 previous Act in the Federal Buildings Fund for Re-
18 pairs and Alterations shall, for prospectus projects,
19 be limited to the amount identified for each project,
20 except each project in this or any previous Act may
21 be increased by an amount not to exceed 10 percent
22 unless advance approval is obtained from the Com-
23 mittees on Appropriations of a greater amount: *Pro-*
24 *vided further*, That additional projects for which
25 prospectuses have been fully approved may be fund-

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

22 (3) \$5,579,055,000 for rental of space to re-
23 main available until expended; and

24 (4) \$2,274,000,000 for building operations to
25 remain available until expended, of which

1 \$1,137,000,000 is for building services, and
2 \$1,137,000,000 is for salaries and expenses: *Pro-*
3 *vided further,* That not to exceed 5 percent of any
4 appropriation made available under this paragraph
5 for building operations may be transferred between
6 and merged with such appropriations upon notifica-
7 tion to the Committees on Appropriations of the
8 House of Representatives and the Senate, but no
9 such appropriation shall be increased by more than
10 5 percent by any such transfers: *Provided further,*
11 That section 508 of this title shall not apply with re-
12 spect to funds made available under this heading for
13 building operations: *Provided further,* That the total
14 amount of funds made available from this Fund to
15 the General Services Administration shall not be
16 available for expenses of any construction, repair, al-
17 teration and acquisition project for which a pro-
18 spectus, if required by 40 U.S.C. 3307(a), has not
19 been approved, except that necessary funds may be
20 expended for each project for required expenses for
21 the development of a proposed prospectus: *Provided*
22 *further,* That funds available in the Federal Build-
23 ings Fund may be expended for emergency repairs
24 when advance approval is obtained from the Com-
25 mittees on Appropriations: *Provided further,* That

1 amounts necessary to provide reimbursable special
2 services to other agencies under 40 U.S.C. 592(b)(2)
3 and amounts to provide such reimbursable fencing,
4 lighting, guard booths, and other facilities on private
5 or other property not in Government ownership or
6 control as may be appropriate to enable the United
7 States Secret Service to perform its protective func-
8 tions pursuant to 18 U.S.C. 3056, shall be available
9 from such revenues and collections: *Provided further*,
10 That revenues and collections and any other sums
11 accruing to this Fund during fiscal year 2016, ex-
12 cluding reimbursements under 40 U.S.C. 592(b)(2),
13 in excess of the aggregate new obligational authority
14 authorized for Real Property Activities of the Fed-
15 eral Buildings Fund in this Act shall remain in the
16 Fund and shall not be available for expenditure ex-
17 cept as authorized in appropriations Acts.

18 GENERAL ACTIVITIES

19 GOVERNMENT-WIDE POLICY

20 For expenses authorized by law, not otherwise pro-
21 vided for, for Government-wide policy and evaluation ac-
22 tivities associated with the management of real and per-
23 sonal property assets and certain administrative services;
24 Government-wide policy support responsibilities relating to
25 acquisition, travel, motor vehicles, information technology

1 management, and related technology activities; and serv-
2 ices as authorized by 5 U.S.C. 3109; \$58,000,000.

3 OPERATING EXPENSES

4 (INCLUDING TRANSFER OF FUNDS)

5 For expenses authorized by law, not otherwise pro-
6 vided for, for Government-wide activities associated with
7 utilization and donation of surplus personal property; dis-
8 posal of real property; agency-wide policy direction, man-
9 agement, and communications; the Civilian Board of Con-
10 tract Appeals; and services as authorized by 5 U.S.C.
11 3109; \$58,560,000, of which \$25,979,000 is for Real and
12 Personal Property Management and Disposal;
13 \$23,397,000 is for the Office of the Administrator, of
14 which not to exceed \$7,500 is for official reception and
15 representation expenses; and \$9,184,000 is for the Civil-
16 ian Board of Contract Appeals: *Provided*, That not to ex-
17 ceed 5 percent of the appropriation made available under
18 this heading for Office of the Administrator may be trans-
19 ferred to the appropriation for the Real and Personal
20 Property Management and Disposal upon notification to
21 the Committees on Appropriations of the House of Rep-
22 resentatives and the Senate, but the appropriation for the
23 Real and Personal Property Management and Disposal
24 may not be increased by more than 5 percent by any such
25 transfer.

1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses of the Office of Inspector
3 General and service authorized by 5 U.S.C. 3109,
4 \$65,000,000, of which \$2,000,000 is available until ex-
5 pended: *Provided*, That not to exceed \$50,000 shall be
6 available for payment for information and detection of
7 fraud against the Government, including payment for re-
8 covery of stolen Government property: *Provided further*,
9 That not to exceed \$2,500 shall be available for awards
10 to employees of other Federal agencies and private citizens
11 in recognition of efforts and initiatives resulting in en-
12 hanced Office of Inspector General effectiveness.

13 ALLOWANCES AND OFFICE STAFF FOR FORMER

14 PRESIDENTS

15 For carrying out the provisions of the Act of August
16 25, 1958 (3 U.S.C. 102 note), and Public Law 95–138,
17 \$3,277,000.

18 PRE-ELECTION PRESIDENTIAL TRANSITION

19 (INCLUDING TRANSFER OF FUNDS)

20 For activities authorized by the Pre-Election Presi-
21 dential Transition Act of 2010 (Public Law 111–283), not
22 to exceed \$13,278,000, to remain available until Sep-
23 tember 30, 2017: *Provided*, That such amounts may be
24 transferred and credited to “Acquisition Services Fund”
25 or “Federal Buildings Fund” to reimburse obligations in-

1 curred for the purposes provided herein in fiscal year 2015
2 and 2016: *Provided further*, That amounts made available
3 under this heading shall be in addition to any other
4 amounts available for such purposes.

5 FEDERAL CITIZEN SERVICES FUND
6 (INCLUDING TRANSFERS OF FUNDS)

7 For necessary expenses of the Office of Citizen Serv-
8 ices and Innovative Technologies, including services au-
9 thorized by 40 U.S.C. 323 and 44 U.S.C. 3604; and for
10 necessary expenses in support of interagency projects that
11 enable the Federal Government to enhance its ability to
12 conduct activities electronically, through the development
13 and implementation of innovative uses of information
14 technology; \$55,894,000, to be deposited into the Federal
15 Citizen Services Fund: *Provided*, That the previous
16 amount may be transferred to Federal agencies to carry
17 out the purpose of the Federal Citizen Services Fund: *Pro-*
18 *vided further*, That the appropriations, revenues, reim-
19 bursements, and collections deposited into the Fund shall
20 be available until expended for necessary expenses of Fed-
21 eral Citizen Services and other activities that enable the
22 Federal Government to enhance its ability to conduct ac-
23 tivities electronically in the aggregate amount not to ex-
24 ceed \$90,000,000: *Provided further*, That appropriations,
25 revenues, reimbursements, and collections accruing to this

1 Fund during fiscal year 2016 in excess of such amount
2 shall remain in the Fund and shall not be available for
3 expenditure except as authorized in appropriations Acts:
4 *Provided further*, That any appropriations provided to the
5 Electronic Government Fund that remain unobligated
6 may be transferred to the Federal Citizen Services Fund:
7 *Provided further*, That the transfer authorities provided
8 herein shall be in addition to any other transfer authority
9 provided in this Act.

10 ADMINISTRATIVE PROVISIONS—GENERAL SERVICES

11 ADMINISTRATION

12 (INCLUDING TRANSFER OF FUNDS)

13 SEC. 510. Funds available to the General Services
14 Administration shall be available for the hire of passenger
15 motor vehicles.

16 SEC. 511. Funds in the Federal Buildings Fund
17 made available for fiscal year 2016 for Federal Buildings
18 Fund activities may be transferred between such activities
19 only to the extent necessary to meet program require-
20 ments: *Provided*, That any proposed transfers shall be ap-
21 proved in advance by the Committees on Appropriations
22 of the House of Representatives and the Senate.

23 SEC. 512. Except as otherwise provided in this title,
24 funds made available by this Act shall be used to transmit
25 a fiscal year 2017 request for United States Courthouse

1 construction only if the request: (1) meets the design guide
2 standards for construction as established and approved by
3 the General Services Administration, the Judicial Con-
4 ference of the United States, and the Office of Manage-
5 ment and Budget; (2) reflects the priorities of the Judicial
6 Conference of the United States as set out in its approved
7 5-year construction plan; and (3) includes a standardized
8 courtroom utilization study of each facility to be con-
9 structed, replaced, or expanded.

10 SEC. 513. None of the funds provided in this Act may
11 be used to increase the amount of occupiable square feet,
12 provide cleaning services, security enhancements, or any
13 other service usually provided through the Federal Build-
14 ings Fund, to any agency that does not pay the rate per
15 square foot assessment for space and services as deter-
16 mined by the General Services Administration in consider-
17 ation of the Public Buildings Amendments Act of 1972
18 (Public Law 92–313).

19 SEC. 514. From funds made available under the
20 heading Federal Buildings Fund, Limitations on Avail-
21 ability of Revenue, claims against the Government of less
22 than \$250,000 arising from direct construction projects
23 and acquisition of buildings may be liquidated from sav-
24 ings effected in other construction projects with prior noti-

1 fication to the Committees on Appropriations of the House
2 of Representatives and the Senate.

3 SEC. 515. In any case in which the Committee on
4 Transportation and Infrastructure of the House of Rep-
5 resentatives and the Committee on Environment and Pub-
6 lic Works of the Senate adopt a resolution granting lease
7 authority pursuant to a prospectus transmitted to Con-
8 gress by the Administrator of the General Services Admin-
9 istration under 40 U.S.C. 3307, the Administrator shall
10 ensure that the delineated area of procurement is identical
11 to the delineated area included in the prospectus for all
12 lease agreements, except that, if the Administrator deter-
13 mines that the delineated area of the procurement should
14 not be identical to the delineated area included in the pro-
15 spectus, the Administrator shall provide an explanatory
16 statement to each of such committees and the Committees
17 on Appropriations of the House of Representatives and the
18 Senate prior to exercising any lease authority provided in
19 the resolution.

20 SEC. 516. With respect to each project funded under
21 the heading “Major Repairs and Alterations” or “Judici-
22 ary Capital Security Program”, and with respect to E-
23 Government projects funded under the heading “Federal
24 Citizen Services Fund”, the Administrator of General
25 Services shall submit a spending plan and explanation for

1 each project to be undertaken to the Committees on Ap-
2 propriations of the House of Representatives and the Sen-
3 ate not later than 60 days after the date of enactment
4 of this Act.

5 SEC. 517. With respect to each project funded under
6 the heading of “new construction projects of the Federal
7 Judiciary”, the General Services Administration, in con-
8 sultation with the Administrative Office of the United
9 States Courts, shall submit a spending plan and descrip-
10 tion for each project to be undertaken to the Committees
11 on Appropriations of the House of Representatives and the
12 Senate not later than 120 days after the date of enactment
13 of this Act.

14 SEC. 518. With respect to each project funded under
15 the heading of “joint United States courthouses and Fed-
16 eral buildings, including U.S. Post Offices”, the General
17 Services Administration shall submit a spending plan and
18 explanation for the projects to be undertaken to the Com-
19 mittees on Appropriations of the House of Representatives
20 and the Senate not later than 60 days after the date of
21 enactment of this Act.

22 HARRY S TRUMAN SCHOLARSHIP FOUNDATION

23 SALARIES AND EXPENSES

24 For payment to the Harry S Truman Scholarship
25 Foundation Trust Fund, established by section 10 of Pub-

1 lie Law 93–642, \$1,000,000, to remain available until ex-
2 pended.

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, \$44,490,000, to remain available until Sep-
16 tember 30, 2017, and in addition not to exceed
17 \$2,345,000, to remain available until September 30, 2017,
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.

1 MORRIS K. UDALL AND STEWART L. UDALL
2 FOUNDATION

3 MORRIS K. UDALL AND STEWART L. UDALL TRUST FUND
4 (INCLUDING TRANSFER OF FUNDS)

5 For payment to the Morris K. Udall and Stewart L.
6 Udall Trust Fund, pursuant to the Morris K. Udall and
7 Stewart L. Udall Foundation Act (20 U.S.C. 5601 et
8 seq.), \$1,995,000, to remain available until expended, of
9 which, notwithstanding sections 8 and 9 of such Act: (1)
10 up to \$50,000 shall be used to conduct financial audits
11 pursuant to the Accountability of Tax Dollars Act of 2002
12 (Public Law 107–289); and (2) up to \$1,000,000 shall
13 be available to carry out the activities authorized by sec-
14 tion 6(7) of Public Law 102–259 and section 817(a) of
15 Public Law 106–568 (20 U.S.C. 5604(7)): *Provided*, That
16 of the total amount made available under this heading
17 \$200,000 shall be transferred to the Office of Inspector
18 General of the Department of the Interior, to remain
19 available until expended, for audits and investigations of
20 the Morris K. Udall and Stewart L. Udall Foundation,
21 consistent with the Inspector General Act of 1978 (5
22 U.S.C. App.).

23 ENVIRONMENTAL DISPUTE RESOLUTION FUND

24 For payment to the Environmental Dispute Resolu-
25 tion Fund to carry out activities authorized in the Envi-

1 ronmental Policy and Conflict Resolution Act of 1998,
2 \$3,400,000, to remain available until expended.

3 NATIONAL ARCHIVES AND RECORDS ADMINISTRATION
4 OPERATING EXPENSES

5 For necessary expenses in connection with the admin-
6 istration of the National Archives and Records Adminis-
7 tration and archived Federal records and related activities,
8 as provided by law, and for expenses necessary for the re-
9 view and declassification of documents, the activities of
10 the Public Interest Declassification Board, the operations
11 and maintenance of the electronic records archives, the
12 hire of passenger motor vehicles, and for uniforms or al-
13 lowances therefor, as authorized by law (5 U.S.C. 5901),
14 including maintenance, repairs, and cleaning,
15 \$372,393,000.

16 OFFICE OF INSPECTOR GENERAL

17 For necessary expenses of the Office of Inspector
18 General in carrying out the provisions of the Inspector
19 General Reform Act of 2008, Public Law 110–409, 122
20 Stat. 4302–16 (2008), and the Inspector General Act of
21 1978 (5 U.S.C. App.), and for the hire of passenger motor
22 vehicles, \$4,180,000.

23 REPAIRS AND RESTORATION

24 For the repair, alteration, and improvement of ar-
25 chives facilities, and to provide adequate storage for hold-

1 ings, \$7,500,000, to remain available until expended: *Pro-*
2 *vided*, That from amounts made available under this head-
3 ing in Public Laws 111–8 and 111–117 for necessary ex-
4 penses related to the repair and renovation of the Franklin
5 D. Roosevelt Presidential Library and Museum in Hyde
6 Park, New York, the remaining unobligated balances shall
7 be available to implement the National Archives and
8 Records Administration Capital Improvement Plan.

9 NATIONAL HISTORICAL PUBLICATIONS AND RECORDS

10 COMMISSION

11 GRANTS PROGRAM

12 For necessary expenses for allocations and grants for
13 historical publications and records as authorized by 44
14 U.S.C. 2504, \$5,000,000, to remain available until ex-
15 pended.

16 NATIONAL CREDIT UNION ADMINISTRATION

17 COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

18 For the Community Development Revolving Loan
19 Fund program as authorized by 42 U.S.C. 9812, 9822
20 and 9910, \$2,000,000 shall be available until September
21 30, 2017, for technical assistance to low-income des-
22 ignated credit unions.

1 OFFICE OF GOVERNMENT ETHICS

2 SALARIES AND EXPENSES

3 For necessary expenses to carry out functions of the
4 Office of Government Ethics pursuant to the Ethics in
5 Government Act of 1978, the Ethics Reform Act of 1989,
6 and the Stop Trading on Congressional Knowledge Act of
7 2012, including services as authorized by 5 U.S.C. 3109,
8 rental of conference rooms in the District of Columbia and
9 elsewhere, hire of passenger motor vehicles, and not to ex-
10 ceed \$1,500 for official reception and representation ex-
11 penses, \$15,742,000.

12 OFFICE OF PERSONNEL MANAGEMENT

13 SALARIES AND EXPENSES

14 (INCLUDING TRANSFER OF TRUST FUNDS)

15 For necessary expenses to carry out functions of the
16 Office of Personnel Management (OPM) pursuant to Re-
17 organization Plan Numbered 2 of 1978 and the Civil Serv-
18 ice Reform Act of 1978, including services as authorized
19 by 5 U.S.C. 3109; medical examinations performed for
20 veterans by private physicians on a fee basis; rental of con-
21 ference rooms in the District of Columbia and elsewhere;
22 hire of passenger motor vehicles; not to exceed \$2,500 for
23 official reception and representation expenses; advances
24 for reimbursements to applicable funds of OPM and the
25 Federal Bureau of Investigation for expenses incurred

1 under Executive Order No. 10422 of January 9, 1953,
2 as amended; and payment of per diem and/or subsistence
3 allowances to employees where Voting Rights Act activities
4 require an employee to remain overnight at his or her post
5 of duty, \$120,688,000, of which \$2,500,000 shall remain
6 available until expended for Federal investigations en-
7 hancements, and of which \$616,000 may be for strength-
8 ening the capacity and capabilities of the acquisition work-
9 force (as defined by the Office of Federal Procurement
10 Policy Act, as amended (41 U.S.C. 4001 et seq.)), includ-
11 ing the recruitment, hiring, training, and retention of such
12 workforce and information technology in support of acqui-
13 sition workforce effectiveness or for management solutions
14 to improve acquisition management; and in addition
15 \$124,550,000 for administrative expenses, to be trans-
16 ferred from the appropriate trust funds of OPM without
17 regard to other statutes, including direct procurement of
18 printed materials, for the retirement and insurance pro-
19 grams: *Provided*, That the provisions of this appropriation
20 shall not affect the authority to use applicable trust funds
21 as provided by sections 8348(a)(1)(B), 8958(f)(2)(A),
22 8988(f)(2)(A), and 9004(f)(2)(A) of title 5, United States
23 Code: *Provided further*, That no part of this appropriation
24 shall be available for salaries and expenses of the Legal
25 Examining Unit of OPM established pursuant to Execu-

1 tive Order No. 9358 of July 1, 1943, or any successor
2 unit of like purpose: *Provided further*, That the President's
3 Commission on White House Fellows, established by Exec-
4 utive Order No. 11183 of October 3, 1964, may, during
5 fiscal year 2016, accept donations of money, property, and
6 personal services: *Provided further*, That such donations,
7 including those from prior years, may be used for the de-
8 velopment of publicity materials to provide information
9 about the White House Fellows, except that no such dona-
10 tions shall be accepted for travel or reimbursement of trav-
11 el expenses, or for the salaries of employees of such Com-
12 mission.

13 OFFICE OF INSPECTOR GENERAL

14 SALARIES AND EXPENSES

15 (INCLUDING TRANSFER OF TRUST FUNDS)

16 For necessary expenses of the Office of Inspector
17 General in carrying out the provisions of the Inspector
18 General Act of 1978, including services as authorized by
19 5 U.S.C. 3109, hire of passenger motor vehicles,
20 \$4,365,000, and in addition, not to exceed \$22,479,000
21 for administrative expenses to audit, investigate, and pro-
22 vide other oversight of the Office of Personnel Manage-
23 ment's retirement and insurance programs, to be trans-
24 ferred from the appropriate trust funds of the Office of
25 Personnel Management, as determined by the Inspector

1 General: *Provided*, That the Inspector General is author-
2 ized to rent conference rooms in the District of Columbia
3 and elsewhere.

4 OFFICE OF SPECIAL COUNSEL

5 SALARIES AND EXPENSES

6 For necessary expenses to carry out functions of the
7 Office of Special Counsel pursuant to Reorganization Plan
8 Numbered 2 of 1978, the Civil Service Reform Act of
9 1978 (Public Law 95-454), the Whistleblower Protection
10 Act of 1989 (Public Law 101-12) as amended by Public
11 Law 107-304, the Whistleblower Protection Enhancement
12 Act of 2012 (Public Law 112-199), and the Uniformed
13 Services Employment and Reemployment Rights Act of
14 1994 (Public Law 103-353), including services as author-
15 ized by 5 U.S.C. 3109, payment of fees and expenses for
16 witnesses, rental of conference rooms in the District of Co-
17 lumbia and elsewhere, and hire of passenger motor vehi-
18 cles; \$24,119,000.

19 POSTAL REGULATORY COMMISSION

20 SALARIES AND EXPENSES

21 (INCLUDING TRANSFER OF FUNDS)

22 For necessary expenses of the Postal Regulatory
23 Commission in carrying out the provisions of the Postal
24 Accountability and Enhancement Act (Public Law 109-
25 435), \$15,200,000, to be derived by transfer from the

1 Postal Service Fund and expended as authorized by sec-
2 tion 603(a) of such Act.

3 PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

4 SALARIES AND EXPENSES

5 For necessary expenses of the Privacy and Civil Lib-
6 erties Oversight Board, as authorized by section 1061 of
7 the Intelligence Reform and Terrorism Prevention Act of
8 2004 (42 U.S.C. 2000ee), \$21,297,000, to remain avail-
9 able until September 30, 2017.

10 SECURITIES AND EXCHANGE COMMISSION

11 SALARIES AND EXPENSES

12 For necessary expenses for the Securities and Ex-
13 change Commission, including services as authorized by
14 5 U.S.C. 3109, the rental of space (to include multiple
15 year leases) in the District of Columbia and elsewhere, and
16 not to exceed \$3,500 for official reception and representa-
17 tion expenses, \$1,605,000,000, to remain available until
18 expended; of which not less than \$11,315,971 shall be for
19 the Office of Inspector General; of which not to exceed
20 \$75,000 shall be available for a permanent secretariat for
21 the International Organization of Securities Commissions;
22 of which not to exceed \$100,000 shall be available for ex-
23 penses for consultations and meetings hosted by the Com-
24 mission with foreign governmental and other regulatory
25 officials, members of their delegations and staffs to ex-

1 change views concerning securities matters, such expenses
2 to include necessary logistic and administrative expenses
3 and the expenses of Commission staff and foreign invitees
4 in attendance including: (1) incidental expenses such as
5 meals; (2) travel and transportation; and (3) related lodg-
6 ing or subsistence; and of which not less than \$68,223,000
7 shall be for the Division of Economic and Risk Analysis:
8 *Provided*, That fees and charges authorized by section 31
9 of the Securities Exchange Act of 1934 (15 U.S.C. 78ee)
10 shall be credited to this account as offsetting collections:
11 *Provided further*, That not to exceed \$1,605,000,000 of
12 such offsetting collections shall be available until expended
13 for necessary expenses of this account: *Provided further*,
14 That the total amount appropriated under this heading
15 from the general fund for fiscal year 2016 shall be reduced
16 as such offsetting fees are received so as to result in a
17 final total fiscal year 2016 appropriation from the general
18 fund estimated at not more than \$0.

19 SELECTIVE SERVICE SYSTEM

20 SALARIES AND EXPENSES

21 For necessary expenses of the Selective Service Sys-
22 tem, including expenses of attendance at meetings and of
23 training for uniformed personnel assigned to the Selective
24 Service System, as authorized by 5 U.S.C. 4101–4118 for
25 civilian employees; hire of passenger motor vehicles; serv-

1 ices as authorized by 5 U.S.C. 3109; and not to exceed
2 \$750 for official reception and representation expenses;
3 \$22,703,000: *Provided*, That during the current fiscal
4 year, the President may exempt this appropriation from
5 the provisions of 31 U.S.C. 1341, whenever the President
6 deems such action to be necessary in the interest of na-
7 tional defense: *Provided further*, That none of the funds
8 appropriated by this Act may be expended for or in con-
9 nection with the induction of any person into the Armed
10 Forces of the United States.

11 SMALL BUSINESS ADMINISTRATION

12 SALARIES AND EXPENSES

13 For necessary expenses, not otherwise provided for,
14 of the Small Business Administration, including hire of
15 passenger motor vehicles as authorized by sections 1343
16 and 1344 of title 31, United States Code, and not to ex-
17 ceed \$3,500 for official reception and representation ex-
18 penses, \$268,000,000, of which not less than \$12,000,000
19 shall be available for examinations, reviews, and other
20 lender oversight activities: *Provided*, That the Adminis-
21 trator is authorized to charge fees to cover the cost of pub-
22 lications developed by the Small Business Administration,
23 and certain loan program activities, including fees author-
24 ized by section 5(b) of the Small Business Act: *Provided*
25 *further*, That, notwithstanding 31 U.S.C. 3302, revenues

1 received from all such activities shall be credited to this
2 account, to remain available until expended, for carrying
3 out these purposes without further appropriations: *Pro-*
4 *vided further*, That the Small Business Administration
5 may accept gifts in an amount not to exceed \$4,000,000
6 and may co-sponsor activities, each in accordance with sec-
7 tion 132(a) of division K of Public Law 108–447, during
8 fiscal year 2016: *Provided further*, That \$6,100,000 shall
9 be available for the Loan Modernization and Accounting
10 System, to be available until September 30, 2017: *Pro-*
11 *vided further*, That \$3,000,000 shall be for the Federal
12 and State Technology Partnership Program under section
13 34 of the Small Business Act (15 U.S.C. 657d).

14 ENTREPRENEURIAL DEVELOPMENT PROGRAMS

15 For necessary expenses of programs supporting en-
16 trepreneurial and small business development,
17 \$231,100,000, to remain available until September 30,
18 2017: *Provided*, That \$117,000,000 shall be available to
19 fund grants for performance in fiscal year 2016 or fiscal
20 year 2017 as authorized by section 21 of the Small Busi-
21 ness Act: *Provided further*, That \$25,000,000 shall be for
22 marketing, management, and technical assistance under
23 section 7(m) of the Small Business Act (15 U.S.C.
24 636(m)(4)) by intermediaries that make microloans under
25 the microloan program: *Provided further*, That

1 \$18,000,000 shall be available for grants to States to
2 carry out export programs that assist small business con-
3 cerns authorized under section 1207 of Public Law 111-
4 240.

5 OFFICE OF INSPECTOR GENERAL

6 For necessary expenses of the Office of Inspector
7 General in carrying out the provisions of the Inspector
8 General Act of 1978, \$19,900,000.

9 OFFICE OF ADVOCACY

10 For necessary expenses of the Office of Advocacy in
11 carrying out the provisions of title II of Public Law 94-
12 305 (15 U.S.C. 634a et seq.) and the Regulatory Flexi-
13 bility Act of 1980 (5 U.S.C. 601 et seq.), \$9,120,000, to
14 remain available until expended.

15 BUSINESS LOANS PROGRAM ACCOUNT

16 (INCLUDING TRANSFER OF FUNDS)

17 For the cost of direct loans, \$3,338,172, to remain
18 available until expended: *Provided*, That such costs, in-
19 cluding the cost of modifying such loans, shall be as de-
20 fined in section 502 of the Congressional Budget Act of
21 1974: *Provided further*, That subject to section 502 of the
22 Congressional Budget Act of 1974, during fiscal year
23 2016 commitments to guarantee loans under section 503
24 of the Small Business Investment Act of 1958 shall not
25 exceed \$7,500,000,000: *Provided further*, That during fis-

1 cal year 2016 commitments for general business loans au-
2 thorized under section 7(a) of the Small Business Act
3 shall not exceed \$26,500,000,000 for a combination of
4 amortizing term loans and the aggregated maximum line
5 of credit provided by revolving loans: *Provided further*,
6 That during fiscal year 2016 commitments for loans au-
7 thorized under subparagraph (C) of section 502(7) of The
8 Small Business Investment Act of 1958 (15 U.S.C.
9 696(7)) shall not exceed \$7,500,000,000: *Provided further*,
10 That during fiscal year 2016 commitments to guarantee
11 loans for debentures under section 303(b) of the Small
12 Business Investment Act of 1958 shall not exceed
13 \$4,000,000,000: *Provided further*, That during fiscal year
14 2016, guarantees of trust certificates authorized by sec-
15 tion 5(g) of the Small Business Act shall not exceed a
16 principal amount of \$12,000,000,000. In addition, for ad-
17 ministrative expenses to carry out the direct and guaran-
18 teed loan programs, \$152,725,828, which may be trans-
19 ferred to and merged with the appropriations for Salaries
20 and Expenses.

21 DISASTER LOANS PROGRAM ACCOUNT

22 (INCLUDING TRANSFERS OF FUNDS)

23 For administrative expenses to carry out the direct
24 loan program authorized by section 7(b) of the Small
25 Business Act, \$186,858,000, to be available until ex-

1 pended, of which \$1,000,000 is for the Office of Inspector
2 General of the Small Business Administration for audits
3 and reviews of disaster loans and the disaster loan pro-
4 grams and shall be transferred to and merged with the
5 appropriations for the Office of Inspector General; of
6 which \$176,858,000 is for direct administrative expenses
7 of loan making and servicing to carry out the direct loan
8 program, which may be transferred to and merged with
9 the appropriations for Salaries and Expenses; and of
10 which \$9,000,000 is for indirect administrative expenses
11 for the direct loan program, which may be transferred to
12 and merged with the appropriations for Salaries and Ex-
13 penses.

14 ADMINISTRATIVE PROVISIONS—SMALL BUSINESS

15 ADMINISTRATION

16 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 520. Not to exceed 5 percent of any appropria-
18 tion made available for the current fiscal year for the
19 Small Business Administration in this Act may be trans-
20 ferred between such appropriations, but no such appro-
21 priation shall be increased by more than 10 percent by
22 any such transfers: *Provided*, That any transfer pursuant
23 to this paragraph shall be treated as a reprogramming of
24 funds under section 608 of this Act and shall not be avail-

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

3 SEC. 521. (a) Subparagraph (C) of section 502(7) of
4 the Small Business Investment Act of 1958 (15 U.S.C.
5 696(7)), as in effect on September 25, 2012, shall be in
6 effect in any fiscal year during which the cost to the Fed-
7 eral Government of making guarantees under such sub-
8 paragraph (C) and section 503 of the Small Business In-
9 vestment Act of 1958 (15 U.S.C. 697) is zero, except
10 that—

11 (1) subclause (I)(bb) and subclause (II) of
12 clause (iv) of such subparagraph (C) shall not be in
13 effect;

14 (2) unless, upon application by a development
15 company and after determining that the refinance
16 loan is needed for good cause, the Administrator of
17 the Small Business Administration waives this para-
18 graph, a development company shall limit its
19 financings under section 502 of the Small Business
20 Investment Act of 1958 (15 U.S.C. 696) so that,
21 during any fiscal year, new financings under such
22 subparagraph (C) shall not exceed 50 percent of the
23 dollars loaned under title V of the Small Business
24 Investment Act of 1958 (15 U.S.C. 695 et seq.) dur-
25 ing the previous fiscal year; and

1 (3) clause (iv)(I)(aa) of such subparagraph (C)
2 shall be applied by substituting “job creation and re-
3 tention” for “job creation”.

4 (b) Section 303(b)(2)(B) of the Small Business In-
5 vestment Act of 1958 (15 U.S.C. 683(b)(2)(B)) is amend-
6 ed by striking “\$225,000,000” and inserting
7 “\$350,000,000”.

8 UNITED STATES POSTAL SERVICE

9 PAYMENT TO THE POSTAL SERVICE FUND

10 For payment to the Postal Service Fund for revenue
11 forgone on free and reduced rate mail, pursuant to sub-
12 sections (c) and (d) of section 2401 of title 39, United
13 States Code, \$55,075,000: *Provided*, That mail for over-
14 seas voting and mail for the blind shall continue to be free:
15 *Provided further*, That 6-day delivery and rural delivery
16 of mail shall continue at not less than the 1983 level: *Pro-*
17 *vided further*, That none of the funds made available to
18 the Postal Service by this Act shall be used to implement
19 any rule, regulation, or policy of charging any officer or
20 employee of any State or local child support enforcement
21 agency, or any individual participating in a State or local
22 program of child support enforcement, a fee for informa-
23 tion requested or provided concerning an address of a
24 postal customer: *Provided further*, That none of the funds

1 provided in this Act shall be used to consolidate or close
2 small rural and other small post offices.

3 OFFICE OF INSPECTOR GENERAL
4 SALARIES AND EXPENSES
5 (INCLUDING TRANSFER OF FUNDS)

6 For necessary expenses of the Office of Inspector
7 General in carrying out the provisions of the Inspector
8 General Act of 1978, \$248,600,000, to be derived by
9 transfer from the Postal Service Fund and expended as
10 authorized by section 603(b)(3) of the Postal Account-
11 ability and Enhancement Act (Public Law 109–435).

12 UNITED STATES TAX COURT
13 SALARIES AND EXPENSES

14 For necessary expenses, including contract reporting
15 and other services as authorized by 5 U.S.C. 3109,
16 \$51,300,000: *Provided*, That travel expenses of the judges
17 shall be paid upon the written certificate of the judge.

1 TITLE VI
2 GENERAL PROVISIONS—THIS ACT
3 (INCLUDING RESCISSION)

4 SEC. 601. None of the funds in this Act shall be used
5 for the planning or execution of any program to pay the
6 expenses of, or otherwise compensate, non-Federal parties
7 intervening in regulatory or adjudicatory proceedings
8 funded in this Act.

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

13 SEC. 603. The expenditure of any appropriation
14 under this Act for any consulting service through procure-
15 ment contract pursuant to 5 U.S.C. 3109, shall be limited
16 to those contracts where such expenditures are a matter
17 of public record and available for public inspection, except
18 where otherwise provided under existing law, or under ex-
19 isting Executive order issued pursuant to existing law.

20 SEC. 604. None of the funds made available in this
21 Act may be transferred to any department, agency, or in-
22 strumentality of the United States Government, except
23 pursuant to a transfer made by, or transfer authority pro-
24 vided in, this Act or any other appropriations Act.

1 SEC. 605. None of the funds made available by this
2 Act shall be available for any activity or for paying the
3 salary of any Government employee where funding an ac-
4 tivity or paying a salary to a Government employee would
5 result in a decision, determination, rule, regulation, or pol-
6 icy that would prohibit the enforcement of section 307 of
7 the Tariff Act of 1930 (19 U.S.C. 1307).

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

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

16 SEC. 608. Except as otherwise provided in this Act,
17 none of the funds provided in this Act, provided by pre-
18 vious appropriations Acts to the agencies or entities fund-
19 ed in this Act that remain available for obligation or ex-
20 penditure in fiscal year 2016, or provided from any ac-
21 counts in the Treasury derived by the collection of fees
22 and available to the agencies funded by this Act, shall be
23 available for obligation or expenditure through a re-
24 programming of funds that: (1) creates a new program;
25 (2) eliminates a program, project, or activity; (3) increases

1 funds or personnel for any program, project, or activity
2 for which funds have been denied or restricted by the Con-
3 gress; (4) proposes to use funds directed for a specific ac-
4 tivity by the Committee on Appropriations of either the
5 House of Representatives or the Senate for a different
6 purpose; (5) augments existing programs, projects, or ac-
7 tivities in excess of \$5,000,000 or 10 percent, whichever
8 is less; (6) reduces existing programs, projects, or activi-
9 ties by \$5,000,000 or 10 percent, whichever is less; or (7)
10 creates or reorganizes offices, programs, or activities un-
11 less prior approval is received from the Committees on Ap-
12 propriations of the House of Representatives and the Sen-
13 ate: *Provided*, That prior to any significant reorganization
14 or restructuring of offices, programs, or activities, each
15 agency or entity funded in this Act shall consult with the
16 Committees on Appropriations of the House of Represent-
17 atives and the Senate: *Provided further*, That not later
18 than 60 days after the date of enactment of this Act, each
19 agency funded by this Act shall submit a report to the
20 Committees on Appropriations of the House of Represent-
21 atives and the Senate to establish the baseline for applica-
22 tion of reprogramming and transfer authorities for the
23 current fiscal year: *Provided further*, That at a minimum
24 the report shall include: (1) a table for each appropriation
25 with a separate column to display the President's budget

1 request, adjustments made by Congress, adjustments due
2 to enacted rescissions, if appropriate, and the fiscal year
3 enacted level; (2) a delineation in the table for each appro-
4 priation both by object class and program, project, and
5 activity as detailed in the budget appendix for the respec-
6 tive appropriation; and (3) an identification of items of
7 special congressional interest: *Provided further*, That the
8 amount appropriated or limited for salaries and expenses
9 for an agency shall be reduced by \$100,000 per day for
10 each day after the required date that the report has not
11 been submitted to the Congress.

12 SEC. 609. Except as otherwise specifically provided
13 by law, not to exceed 50 percent of unobligated balances
14 remaining available at the end of fiscal year 2016 from
15 appropriations made available for salaries and expenses
16 for fiscal year 2016 in this Act, shall remain available
17 through September 30, 2017, for each such account for
18 the purposes authorized: *Provided*, That a request shall
19 be submitted to the Committees on Appropriations of the
20 House of Representatives and the Senate for approval
21 prior to the expenditure of such funds: *Provided further*,
22 That these requests shall be made in compliance with re-
23 programming guidelines.

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

4 (1) any official background investigation report
5 on any individual from the Federal Bureau of Inves-
6 tigation; or

7 (2) a determination with respect to the treat-
8 ment of an organization as described in section
9 501(c) of the Internal Revenue Code of 1986 and
10 exempt from taxation under section 501(a) of such
11 Code from the Department of the Treasury or the
12 Internal Revenue Service.

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

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

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

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

1 SEC. 612. For the purpose of resolving litigation and
2 implementing any settlement agreements regarding the
3 nonforeign area cost-of-living allowance program, the Of-
4 fice of Personnel Management may accept and utilize
5 (without regard to any restriction on unanticipated travel
6 expenses imposed in an Appropriations Act) funds made
7 available to the Office of Personnel Management pursuant
8 to court approval.

9 SEC. 613. No funds appropriated by this Act shall
10 be available to pay for an abortion, or the administrative
11 expenses in connection with any health plan under the
12 Federal employees health benefits program which provides
13 any benefits or coverage for abortions.

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

18 SEC. 615. In order to promote Government access to
19 commercial information technology, the restriction on pur-
20 chasing nondomestic articles, materials, and supplies set
21 forth in chapter 83 of title 41, United States Code (popu-
22 larly known as the Buy American Act), shall not apply
23 to the acquisition by the Federal Government of informa-
24 tion technology (as defined in section 11101 of title 40,

1 United States Code), that is a commercial item (as defined
2 in section 103 of title 41, United States Code).

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

19 SEC. 617. Notwithstanding section 708 of this Act,
20 funds made available to the Commodity Futures Trading
21 Commission and the Securities and Exchange Commission
22 by this or any other Act may be used for the interagency
23 funding and sponsorship of a joint advisory committee to
24 advise on emerging regulatory issues.

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

10 (2) Any such agency with authority to enter into an
11 emergency lease may do so during any period declared by
12 the President to require emergency leasing authority with
13 respect to such agency.

14 (b) For purposes of this section, the term “Executive
15 agency covered by this Act” means any Executive agency
16 provided funds by this Act, but does not include the Gen-
17 eral Services Administration or the United States Postal
18 Service.

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

21 (1) Compensation of the President (3 U.S.C.
22 102).

23 (2) Payments to—

24 (A) the Judicial Officers’ Retirement Fund

25 (28 U.S.C. 377(o));

1 (B) the Judicial Survivors' Annuities Fund
2 (28 U.S.C. 376(c)); and

3 (C) the United States Court of Federal
4 Claims Judges' Retirement Fund (28 U.S.C.
5 178(l)).

6 (3) Payment of Government contributions—

7 (A) with respect to the health benefits of
8 retired employees, as authorized by chapter 89
9 of title 5, United States Code, and the Retired
10 Federal Employees Health Benefits Act (74
11 Stat. 849); and

12 (B) with respect to the life insurance bene-
13 fits for employees retiring after December 31,
14 1989 (5 U.S.C. ch. 87).

15 (4) Payment to finance the unfunded liability of
16 new and increased annuity benefits under the Civil
17 Service Retirement and Disability Fund (5 U.S.C.
18 8348).

19 (5) Payment of annuities authorized to be paid
20 from the Civil Service Retirement and Disability
21 Fund by statutory provisions other than subchapter
22 III of chapter 83 or chapter 84 of title 5, United
23 States Code.

24 (b) Nothing in this section may be construed to ex-
25 empt any amount appropriated by this section from any

1 otherwise applicable limitation on the use of funds con-
2 tained in this Act.

3 SEC. 620. The Public Company Accounting Oversight
4 Board (Board) shall have authority to obligate funds for
5 the scholarship program established by section 109(c)(2)
6 of the Sarbanes-Oxley Act of 2002 (Public Law 107–204)
7 in an aggregate amount not exceeding the amount of
8 funds collected by the Board as of December 31, 2015,
9 including accrued interest, as a result of the assessment
10 of monetary penalties. Funds available for obligation in
11 fiscal year 2016 shall remain available until expended.

12 SEC. 621. None of the funds made available in this
13 Act may be used by the Federal Trade Commission to
14 complete the draft report entitled “Interagency Working
15 Group on Food Marketed to Children: Preliminary Pro-
16 posed Nutrition Principles to Guide Industry Self-Regu-
17 latory Efforts” unless the Interagency Working Group on
18 Food Marketed to Children complies with Executive Order
19 No. 13563.

20 SEC. 622. None of the funds made available by this
21 Act may be used to pay the salaries and expenses for the
22 following positions:

23 (1) Director, White House Office of Health Re-
24 form.

1 (2) Assistant to the President for Energy and
2 Climate Change.

3 (3) Senior Advisor to the Secretary of the
4 Treasury assigned to the Presidential Task Force on
5 the Auto Industry and Senior Counselor for Manu-
6 facturing Policy.

7 (4) White House Director of Urban Affairs.

8 SEC. 623. None of the funds in this Act may be used
9 for the Director of the Office of Personnel Management
10 to award a contract, enter an extension of, or exercise an
11 option on a contract to a contractor conducting the final
12 quality review processes for background investigation
13 fieldwork services or background investigation support
14 services that, as of the date of the award of the contract,
15 are being conducted by that contractor.

16 SEC. 624. (a) The head of each executive branch
17 agency funded by this Act shall ensure that the Chief In-
18 formation Officer of the agency has the authority to par-
19 ticipate in decisions regarding the budget planning process
20 related to information technology.

21 (b) Amounts appropriated for any executive branch
22 agency funded by this Act that are available for informa-
23 tion technology shall be allocated within the agency, con-
24 sistent with the provisions of appropriations Acts and
25 budget guidelines and recommendations from the Director

1 of the Office of Management and Budget, in such manner
2 as specified by, or approved by, the Chief Information Of-
3 ficer of the agency in consultation with the Chief Financial
4 Officer of the agency and budget officials.

5 SEC. 625. None of the funds made available in this
6 Act may be used in contravention of chapter 29, 31, or
7 33 of title 44, United States Code.

8 SEC. 626. From the unobligated balances available
9 in the Securities and Exchange Commission Reserve Fund
10 established by section 991 of the Dodd-Frank Wall Street
11 Reform and Consumer Protection Act (Public Law 111–
12 203), \$25,000,000 are rescinded.

13 SEC. 627. None of the funds made available in this
14 Act may be used by a governmental entity to require the
15 disclosure by a provider of electronic communication serv-
16 ice to the public or remote computing service of the con-
17 tents of a wire or electronic communication that is in elec-
18 tronic storage with the provider (as such terms are defined
19 in sections 2510 and 2711 of title 18, United States Code)
20 in a manner that violates the Fourth Amendment to the
21 Constitution of the United States.

22 SEC. 628. Beginning on the date of enactment of this
23 Act, in the current fiscal year and continuing through Sep-
24 tember 30, 2025, the Further Notice of Proposed Rule-
25 making and Report and Order adopted by the Federal

1 Communications Commission on March 31, 2014 (FCC
2 14–28), and the amendments to the rules of the Commis-
3 sion adopted in such Further Notice of Proposed Rule-
4 making and Report and Order, shall not apply to a joint
5 sales agreement (as defined in Note 2(k) to section
6 73.3555 of title 47, Code of Federal Regulations) that was
7 in effect on March 31, 2014, and a rule of the Commission
8 amended by such an amendment shall apply to such agree-
9 ment as such rule was in effect on the day before the effec-
10 tive date of such amendment. A party to a joint sales
11 agreement that was in effect on March 31, 2014, shall
12 not be considered to be in violation of the ownership limi-
13 tations of section 73.3555 of title 47, Code of Federal
14 Regulations, by reason of the application of the rule in
15 Note 2(k)(2), as so amended, to the joint sales agreement.

16 SEC. 629. During fiscal year 2016, none of the
17 amounts made available by this Act may be used to final-
18 ize or implement the Safety Standard for Recreational
19 Off-Highway Vehicles published by the Consumer Product
20 Safety Commission in the Federal Register on November
21 19, 2014 (79 Fed. Reg. 68964) until after—

22 (1) the National Academy of Sciences, in con-
23 sultation with the National Highway Traffic Safety
24 Administration and the Department of Defense,
25 completes a study to determine—

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

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

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

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

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

21 (A) the Committee on Commerce, Science,
22 and Transportation of the Senate;

23 (B) the Committee on Energy and Com-
24 merce of the House of Representatives;

1 (C) the Committee on Appropriations of
2 the Senate; and

3 (D) the Committee on Appropriations of
4 the House of Representatives.

5 SEC. 630. Notwithstanding any other provision of
6 law, not to exceed \$2,266,085 of unobligated balances
7 from “Election Assistance Commission, Election Reform
8 Programs” shall be available to record a disbursement
9 previously incurred under that heading in fiscal year 2014
10 against a 2008 cancelled account.

11 SEC. 631. None of the funds appropriated by this Act
12 may be used by the Federal Communications Commission
13 to modify, amend, or change the rules or regulations of
14 the Commission for universal service high-cost support for
15 competitive eligible telecommunications carriers in a way
16 that is inconsistent with paragraph (e)(5) or (e)(6) of sec-
17 tion 54.307 of title 47, Code of Federal Regulations, as
18 in effect on July 15, 2015: *Provided*, That this section
19 shall not prohibit the Commission from considering, devel-
20 oping, or adopting other support mechanisms as an alter-
21 native to Mobility Fund Phase II.

22 SEC. 632. (a) The Office of Personnel Management
23 shall provide to each affected individual as defined in sub-
24 section (b) complimentary identity protection coverage
25 that—

1 (1) is not less comprehensive than the com-
2 plimentary identity protection coverage that the Of-
3 fice provided to affected individuals before the date
4 of enactment of this Act;

5 (2) is effective for a period of not less than 10
6 years; and

7 (3) includes not less than \$5,000,000 in iden-
8 tity theft insurance.

9 (b) DEFINITION.—In this section, the term “affected
10 individual” means any individual whose Social Security
11 Number was compromised during—

12 (1) the data breach of personnel records of cur-
13 rent and former Federal employees, at a network
14 maintained by the Department of the Interior, that
15 was announced by the Office of Personnel Manage-
16 ment on June 4, 2015; or

17 (2) the data breach of systems of the Office of
18 Personnel Management containing information re-
19 lated to the background investigations of current,
20 former, and prospective Federal employees, and of
21 other individuals.

22 SEC. 633. Sections 1101(a) and 1104(a)(2)(A) of the
23 Internet Tax Freedom Act (title XI of division C of Public
24 Law 105–277; 47 U.S.C. 151 note) shall be applied by
25 substituting “October 1, 2016” for “October 1, 2015”.

1 SEC. 634. (a) DEFINITIONS.—In this section:

2 (1) BANKING INSTITUTION.—The term “bank-

3 ing institution” means an insured depository institu-

4 tion, Federal credit union, State credit union, bank

5 holding company, or savings and loan holding com-

6 pany.

7 (2) BASEL III CAPITAL REQUIREMENTS.—The

8 term “Basel III capital requirements” means the

9 Global Regulatory Framework for More Resilient

10 Banks and Banking Systems issued by the Basel

11 Committee on Banking Supervision on December 16,

12 2010, as revised on June 1, 2011.

13 (3) FEDERAL BANKING AGENCIES.—The term

14 “Federal banking agencies” means the Board of

15 Governors of the Federal Reserve System, the Office

16 of the Comptroller of the Currency, the Federal De-

17 posit Insurance Corporation, and the National Cred-

18 it Union Administration.

19 (4) MORTGAGE SERVICING ASSETS.—The term

20 “mortgage servicing assets” means those assets that

21 result from contracts to service loans secured by real

22 estate, where such loans are owned by third parties.

23 (5) NCUA CAPITAL REQUIREMENTS.—The

24 term “NCUA capital requirements” means the final

25 rule of the National Credit Union Administration

1 entitled “Risk-Based Capital” (80 Fed. Reg. 66625
2 (October 29, 2015)).

3 (6) OTHER DEFINITIONS.—

4 (A) BANKING DEFINITIONS.—The terms
5 “bank holding company”, “insured depository
6 institution”, and “savings and loan holding
7 company” have the meanings given those terms
8 in section 3 of the Federal Deposit Insurance
9 Act (12 U.S.C. 1813).

10 (B) CREDIT UNION DEFINITIONS.—The
11 terms “Federal credit union” and “State credit
12 union” have the meanings given those terms in
13 section 101 of the Federal Credit Union Act
14 (12 U.S.C. 1752).

15 (b) STUDY OF THE APPROPRIATE CAPITAL FOR
16 MORTGAGE SERVICING ASSETS.—

17 (1) IN GENERAL.—The Federal banking agen-
18 cies shall jointly conduct a study of the appropriate
19 capital requirements for mortgage servicing assets
20 for banking institutions.

21 (2) ISSUES TO BE STUDIED.—The study re-
22 quired under paragraph (1) shall include, with a
23 specific focus on banking institutions—

24 (A) the risk to banking institutions of
25 holding mortgage servicing assets;

1 (B) the history of the market for mortgage
2 servicing assets, including in particular the
3 market for those assets in the period of the fi-
4 nancial crisis;

5 (C) the ability of banking institutions to
6 establish a value for mortgage servicing assets
7 of the institution through periodic sales or other
8 means;

9 (D) regulatory approaches to mortgage
10 servicing assets and capital requirements that
11 may be used to address concerns about the
12 value of and ability to sell mortgage servicing
13 assets;

14 (E) the impact of imposing the Basel III
15 capital requirements and the NCUA capital re-
16 quirements on banking institutions on the abil-
17 ity of those institutions—

18 (i) to compete in the mortgage serv-
19 icing business, including the need for
20 economies of scale to compete in that busi-
21 ness; and

22 (ii) to provide service to consumers to
23 whom the institutions have made mortgage
24 loans;

1 (F) an analysis of what the mortgage serv-
2 icing marketplace would look like if the Basel
3 III capital requirements and the NCUA capital
4 requirements on mortgage servicing assets—

5 (i) were fully implemented; and

6 (ii) applied to both banking institu-
7 tions and nondepository residential mort-
8 gage loan servicers;

9 (G) the significance of problems with mort-
10 gage servicing assets, if any, in banking institu-
11 tion failures and problem banking institutions,
12 including specifically identifying failed banking
13 institutions where mortgage servicing assets
14 contributed to the failure; and

15 (H) an analysis of the relevance of the
16 Basel III capital requirements and the NCUA
17 capital requirements on mortgage servicing as-
18 sets to the banking systems of other signifi-
19 cantly developed countries.

20 (3) REPORT TO CONGRESS.—Not later than
21 180 days after the date of enactment of this title,
22 the Federal banking agencies shall submit to the
23 Committee on Banking, Housing, and Urban Affairs
24 of the Senate and the Committee on Financial Serv-

1 ices of the House of Representatives a report con-
2 taining—

3 (A) the results of the study required under
4 paragraph (1);

5 (B) any analysis on the specific issue of
6 mortgage servicing assets undertaken by the
7 Federal banking agencies before finalizing regu-
8 lations implementing the Basel III capital re-
9 quirements and the NCUA capital require-
10 ments; and

11 (C) any recommendations for legislative or
12 regulatory actions that would address concerns
13 about the value of and ability to sell and the
14 ability of banking institutions to hold mortgage
15 servicing assets.

16 SEC. 635. In addition to amounts otherwise provided
17 in this Act for “National Archives and Records Adminis-
18 tration, Operating Expenses”, there is appropriated
19 \$7,000,000, to remain available until expended, for the re-
20 pair, alteration, and improvement of an additional leased
21 facility to provide adequate storage for holdings of the
22 House of Representatives and the Senate.

1 TITLE VII
2 GENERAL PROVISIONS—GOVERNMENT-WIDE
3 DEPARTMENTS, AGENCIES, AND CORPORATIONS
4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 701. No department, agency, or instrumentality
6 of the United States receiving appropriated funds under
7 this or any other Act for fiscal year 2016 shall obligate
8 or expend any such funds, unless such department, agen-
9 cy, or instrumentality has in place, and will continue to
10 administer in good faith, a written policy designed to en-
11 sure that all of its workplaces are free from the illegal
12 use, possession, or distribution of controlled substances
13 (as defined in the Controlled Substances Act (21 U.S.C.
14 802)) by the officers and employees of such department,
15 agency, or instrumentality.

16 SEC. 702. Unless otherwise specifically provided, the
17 maximum amount allowable during the current fiscal year
18 in accordance with subsection 1343(c) of title 31, United
19 States Code, for the purchase of any passenger motor ve-
20 hicle (exclusive of buses, ambulances, law enforcement ve-
21 hicles, protective vehicles, and undercover surveillance ve-
22 hicles), is hereby fixed at \$19,947 except station wagons
23 for which the maximum shall be \$19,997: *Provided*, That
24 these limits may be exceeded by not to exceed \$7,250 for
25 police-type vehicles: *Provided further*, That the limits set

1 forth in this section may not be exceeded by more than
2 5 percent for electric or hybrid vehicles purchased for
3 demonstration under the provisions of the Electric and
4 Hybrid Vehicle Research, Development, and Demonstra-
5 tion Act of 1976: *Provided further*, That the limits set
6 forth in this section may be exceeded by the incremental
7 cost of clean alternative fuels vehicles acquired pursuant
8 to Public Law 101–549 over the cost of comparable con-
9 ventionally fueled vehicles: *Provided further*, That the lim-
10 its set forth in this section shall not apply to any vehicle
11 that is a commercial item and which operates on alter-
12 native fuel, including but not limited to electric, plug-in
13 hybrid electric, and hydrogen fuel cell vehicles.

14 SEC. 703. Appropriations of the executive depart-
15 ments and independent establishments for the current fis-
16 cal year available for expenses of travel, or for the ex-
17 penses of the activity concerned, are hereby made available
18 for quarters allowances and cost-of-living allowances, in
19 accordance with 5 U.S.C. 5922–5924.

20 SEC. 704. Unless otherwise specified in law during
21 the current fiscal year, no part of any appropriation con-
22 tained in this or any other Act shall be used to pay the
23 compensation of any officer or employee of the Govern-
24 ment of the United States (including any agency the ma-
25 jority of the stock of which is owned by the Government

1 of the United States) whose post of duty is in the conti-
2 nental United States unless such person: (1) is a citizen
3 of the United States; (2) is a person who is lawfully admit-
4 ted for permanent residence and is seeking citizenship as
5 outlined in 8 U.S.C. 1324b(a)(3)(B); (3) is a person who
6 is admitted as a refugee under 8 U.S.C. 1157 or is grant-
7 ed asylum under 8 U.S.C. 1158 and has filed a declaration
8 of intention to become a lawful permanent resident and
9 then a citizen when eligible; or (4) is a person who owes
10 allegiance to the United States: *Provided*, That for pur-
11 poses of this section, affidavits signed by any such person
12 shall be considered prima facie evidence that the require-
13 ments of this section with respect to his or her status are
14 being complied with: *Provided further*, That for purposes
15 of subsections (2) and (3) such affidavits shall be sub-
16 mitted prior to employment and updated thereafter as nec-
17 essary: *Provided further*, That any person making a false
18 affidavit shall be guilty of a felony, and upon conviction,
19 shall be fined no more than \$4,000 or imprisoned for not
20 more than 1 year, or both: *Provided further*, That the
21 above penal clause shall be in addition to, and not in sub-
22 stitution for, any other provisions of existing law: *Provided*
23 *further*, That any payment made to any officer or em-
24 ployee contrary to the provisions of this section shall be
25 recoverable in action by the Federal Government: *Provided*

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

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

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

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

5 (1) Acquisition, waste reduction and prevention,
6 and recycling programs as described in Executive
7 Order No. 13423 (January 24, 2007), including any
8 such programs adopted prior to the effective date of
9 the Executive order.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 tion pending before the Congress, except in presentation
2 to the Congress itself.

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

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

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

21 SEC. 719. (a) In this section, the term "agency"—
22 (1) means an Executive agency, as defined
23 under 5 U.S.C. 105; and

1 (2) includes a military department, as defined
2 under section 102 of such title, the Postal Service,
3 and the Postal Regulatory Commission.

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

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

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

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

1 Services Administration, Government-wide Policy” during
2 fiscal year 2016 shall remain available for obligation
3 through September 30, 2017: *Provided further*, That such
4 transfers or reimbursements may only be made after 15
5 days following notification of the Committees on Appro-
6 priations of the House of Representatives and the Senate
7 by the Director of the Office of Management and Budget.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 compliance with applicable standards as provided in
2 law.

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

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

10 (1) any of the following religious plans:

11 (A) Personal Care's HMO; and

12 (B) OSF HealthPlans, Inc.; and

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

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

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

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

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

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

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

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

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

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

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

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

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

3 (b) WAIVERS.—

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

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

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

16 SEC. 734. During fiscal year 2016, for each employee
17 who—

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

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

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

7 SEC. 735. (a) None of the funds made available in
8 this or any other Act may be used to recommend or re-
9 quire any entity submitting an offer for a Federal contract
10 to disclose any of the following information as a condition
11 of submitting the offer:

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

20 (2) Any disbursement of funds (other than a
21 payment described in paragraph (1)) made by the
22 entity, its officers or directors, or any of its affiliates
23 or subsidiaries to any person with the intent or the
24 reasonable expectation that the person will use the

1 funds to make a payment described in paragraph
2 (1).

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

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

17 SEC. 737. (a)(1) Notwithstanding any other provision
18 of law, and except as otherwise provided in this section,
19 no part of any of the funds appropriated for fiscal year
20 2016, by this or any other Act, may be used to pay any
21 prevailing rate employee described in section
22 5342(a)(2)(A) of title 5, United States Code—

23 (A) during the period from the date of expira-
24 tion of the limitation imposed by the comparable sec-
25 tion for the previous fiscal years until the normal ef-

1 fective date of the applicable wage survey adjust-
2 ment that is to take effect in fiscal year 2016, in an
3 amount that exceeds the rate payable for the appli-
4 cable grade and step of the applicable wage schedule
5 in accordance with such section; and

6 (B) during the period consisting of the remain-
7 der of fiscal year 2016, in an amount that exceeds,
8 as a result of a wage survey adjustment, the rate
9 payable under subparagraph (A) by more than the
10 sum of—

11 (i) the percentage adjustment taking effect
12 in fiscal year 2016 under section 5303 of title
13 5, United States Code, in the rates of pay
14 under the General Schedule; and

15 (ii) the difference between the overall aver-
16 age percentage of the locality-based com-
17 parability payments taking effect in fiscal year
18 2016 under section 5304 of such title (whether
19 by adjustment or otherwise), and the overall av-
20 erage percentage of such payments which was
21 effective in the previous fiscal year under such
22 section.

23 (2) Notwithstanding any other provision of law, no
24 prevailing rate employee described in subparagraph (B) or
25 (C) of section 5342(a)(2) of title 5, United States Code,

1 and no employee covered by section 5348 of such title,
2 may be paid during the periods for which paragraph (1)
3 is in effect at a rate that exceeds the rates that would
4 be payable under paragraph (1) were paragraph (1) appli-
5 cable to such employee.

6 (3) For the purposes of this subsection, the rates pay-
7 able to an employee who is covered by this subsection and
8 who is paid from a schedule not in existence on September
9 30, 2015, shall be determined under regulations pre-
10 scribed by the Office of Personnel Management.

11 (4) Notwithstanding any other provision of law, rates
12 of premium pay for employees subject to this subsection
13 may not be changed from the rates in effect on September
14 30, 2015, except to the extent determined by the Office
15 of Personnel Management to be consistent with the pur-
16 pose of this subsection.

17 (5) This subsection shall apply with respect to pay
18 for service performed after September 30, 2015.

19 (6) For the purpose of administering any provision
20 of law (including any rule or regulation that provides pre-
21 mium pay, retirement, life insurance, or any other em-
22 ployee benefit) that requires any deduction or contribu-
23 tion, or that imposes any requirement or limitation on the
24 basis of a rate of salary or basic pay, the rate of salary

1 or basic pay payable after the application of this sub-
2 section shall be treated as the rate of salary or basic pay.

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

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

12 (b) Notwithstanding subsection (a), the adjustment
13 in rates of basic pay for the statutory pay systems that
14 take place in fiscal year 2016 under sections 5344 and
15 5348 of title 5, United States Code, shall be—

16 (1) not less than the percentage received by em-
17 ployees in the same location whose rates of basic pay
18 are adjusted pursuant to the statutory pay systems
19 under sections 5303 and 5304 of title 5, United
20 States Code: *Provided*, That prevailing rate employ-
21 ees at locations where there are no employees whose
22 pay is increased pursuant to sections 5303 and 5304
23 of title 5, United States Code, and prevailing rate
24 employees described in section 5343(a)(5) of title 5,
25 United States Code, shall be considered to be located

1 in the pay locality designated as “Rest of United
2 States” pursuant to section 5304 of title 5, United
3 States Code, for purposes of this subsection; and

4 (2) effective as of the first day of the first ap-
5 plicable pay period beginning after September 30,
6 2015.

7 SEC. 738. (a) The Vice President may not receive a
8 pay raise in calendar year 2016, notwithstanding the rate
9 adjustment made under section 104 of title 3, United
10 States Code, or any other provision of law.

11 (b) An employee serving in an Executive Schedule po-
12 sition, or in a position for which the rate of pay is fixed
13 by statute at an Executive Schedule rate, may not receive
14 a pay rate increase in calendar year 2016, notwith-
15 standing schedule adjustments made under section 5318
16 of title 5, United States Code, or any other provision of
17 law, except as provided in subsection (g), (h), or (i). This
18 subsection applies only to employees who are holding a po-
19 sition under a political appointment.

20 (c) A chief of mission or ambassador at large may
21 not receive a pay rate increase in calendar year 2016, not-
22 withstanding section 401 of the Foreign Service Act of
23 1980 (Public Law 96–465) or any other provision of law,
24 except as provided in subsection (g), (h), or (i).

1 (d) Notwithstanding sections 5382 and 5383 of title
2 5, United States Code, a pay rate increase may not be
3 received in calendar year 2016 (except as provided in sub-
4 section (g), (h), or (i)) by—

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

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

13 (e) Any employee paid a rate of basic pay (including
14 any locality-based payments under section 5304 of title
15 5, United States Code, or similar authority) at or above
16 level IV of the Executive Schedule who serves under a po-
17 litical appointment may not receive a pay rate increase
18 in calendar year 2016, notwithstanding any other provi-
19 sion of law, except as provided in subsection (g), (h), or
20 (i). This subsection does not apply to employees in the
21 General Schedule pay system or the Foreign Service pay
22 system, or to employees appointed under section 3161 of
23 title 5, United States Code, or to employees in another
24 pay system whose position would be classified at GS-15

1 or below if chapter 51 of title 5, United States Code, ap-
2 plied to them.

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

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

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

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

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

6 (k) If an employee affected by subsections (b)
7 through (e) is subject to a biweekly pay period that begins
8 in calendar year 2016 but ends in calendar year 2017,
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 2016 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 of the date of a conference held
19 by any Executive branch department, agency, board, com-
20 mission, or office funded by this or any other appropria-
21 tions Act during fiscal year 2016 for which the cost to
22 the United States Government was more than \$20,000,
23 the head of any such department, agency, board, commis-
24 sion, or office shall notify the Inspector General or senior
25 ethics official for any entity without an Inspector General,

1 of the date, location, and number of employees attending
2 such conference.

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

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

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

1 SEC. 741. None of the funds made available by this
2 or any other Act may be used to implement, administer,
3 enforce, or apply the rule entitled “Competitive Area”
4 published by the Office of Personnel Management in the
5 Federal Register on April 15, 2008 (73 Fed. Reg. 20180
6 et seq.).

7 SEC. 742. None of the funds appropriated or other-
8 wise made available by this or any other Act may be used
9 to begin or announce a study or public-private competition
10 regarding the conversion to contractor performance of any
11 function performed by Federal employees pursuant to Of-
12 fice of Management and Budget Circular A-76 or any
13 other administrative regulation, directive, or policy.

14 SEC. 743. (a) None of the funds appropriated or oth-
15 erwise made available by this or any other Act may be
16 available for a contract, grant, or cooperative agreement
17 with an entity that requires employees or contractors of
18 such entity seeking to report fraud, waste, or abuse to sign
19 internal confidentiality agreements or statements prohib-
20 iting or otherwise restricting such employees or contrac-
21 tors from lawfully reporting such waste, fraud, or abuse
22 to a designated investigative or law enforcement represent-
23 ative of a Federal department or agency authorized to re-
24 ceive such information.

1 (b) The limitation in subsection (a) shall not con-
2 travene requirements applicable to Standard Form 312,
3 Form 4414, or any other form issued by a Federal depart-
4 ment or agency governing the nondisclosure of classified
5 information.

6 SEC. 744. (a) No funds appropriated in this or any
7 other Act may be used to implement or enforce the agree-
8 ments in Standard Forms 312 and 4414 of the Govern-
9 ment or any other nondisclosure policy, form, or agree-
10 ment if such policy, form, or agreement does not contain
11 the following provisions: “These provisions are consistent
12 with and do not supersede, conflict with, or otherwise alter
13 the employee obligations, rights, or liabilities created by
14 existing statute or Executive order relating to (1) classi-
15 fied information, (2) communications to Congress, (3) the
16 reporting to an Inspector General of a violation of any
17 law, rule, or regulation, or mismanagement, a gross waste
18 of funds, an abuse of authority, or a substantial and spe-
19 cific danger to public health or safety, or (4) any other
20 whistleblower protection. The definitions, requirements,
21 obligations, rights, sanctions, and liabilities created by
22 controlling Executive orders and statutory provisions are
23 incorporated into this agreement and are controlling.”:
24 *Provided*, That notwithstanding the preceding provision of
25 this section, a nondisclosure policy form or agreement that

1 is to be executed by a person connected with the conduct
2 of an intelligence or intelligence-related activity, other
3 than an employee or officer of the United States Govern-
4 ment, may contain provisions appropriate to the particular
5 activity for which such document is to be used. Such form
6 or agreement shall, at a minimum, require that the person
7 will not disclose any classified information received in the
8 course of such activity unless specifically authorized to do
9 so by the United States Government. Such nondisclosure
10 forms shall also make it clear that they do not bar disclo-
11 sures to Congress, or to an authorized official of an execu-
12 tive agency or the Department of Justice, that are essen-
13 tial to reporting a substantial violation of law.

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

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

23 SEC. 745. None of the funds made available by this
24 or any other Act may be used to enter into a contract,
25 memorandum of understanding, or cooperative agreement

1 with, make a grant to, or provide a loan or loan guarantee
2 to, any corporation that has any unpaid Federal tax liabil-
3 ity that has been assessed, for which all judicial and ad-
4 ministrative remedies have been exhausted or have lapsed,
5 and that is not being paid in a timely manner pursuant
6 to an agreement with the authority responsible for col-
7 lecting the tax liability, where the awarding agency is
8 aware of the unpaid tax liability, unless a Federal agency
9 has considered suspension or debarment of the corporation
10 and has made a determination that this further action is
11 not necessary to protect the interests of the Government.

12 SEC. 746. None of the funds made available by this
13 or any other Act may be used to enter into a contract,
14 memorandum of understanding, or cooperative agreement
15 with, make a grant to, or provide a loan or loan guarantee
16 to, any corporation that was convicted of a felony criminal
17 violation under any Federal law within the preceding 24
18 months, where the awarding agency is aware of the convic-
19 tion, unless a Federal agency has considered suspension
20 or debarment of the corporation and has made a deter-
21 mination that this further action is not necessary to pro-
22 tect the interests of the Government.

23 SEC. 747. (a) The Act entitled “An Act providing for
24 the incorporation of certain persons as Group Hospitaliza-

1 tion and Medical Services, Inc.”, approved August 11,
2 1939 (53 Stat. 1412), is amended—

3 (1) by redesignating section 11 as section 12;

4 and

5 (2) by inserting after section 10 the following:

6 “SEC. 11. The surplus of the corporation is for the
7 benefit and protection of all of its certificate holders and
8 shall be available for the satisfaction of all obligations of
9 the corporation regardless of the jurisdiction in which such
10 surplus originated or such obligations arise. The corpora-
11 tion shall not divide, attribute, distribute, or reduce its
12 surplus pursuant to any statute, regulation, or order of
13 any jurisdiction without the express agreement of the Dis-
14 trict of Columbia, Maryland, and Virginia—

15 “(1) that the entire surplus of the corporation
16 is excessive; and

17 “(2) to any plan for reduction or distribution of
18 surplus.”.

19 (b) The amendments made by subsection (a) shall
20 apply with respect to the surplus of Group Hospitalization
21 and Medical Services, Inc. for any year after 2011.

22 SEC. 748. (a) During fiscal year 2016, on the date
23 on which a request is made for a transfer of funds in ac-
24 cordance with section 1017 of Public Law 111–203, the
25 Bureau of Consumer Financial Protection shall notify the

1 Committees on Appropriations of the House of Represent-
2 atives and the Senate, the Committee on Financial Serv-
3 ices of the House of Representatives, and the Committee
4 on Banking, Housing, and Urban Affairs of the Senate
5 of such request.

6 (b) Any notification required by this section shall be
7 made available on the Bureau's public Web site.

8 SEC. 749. (a) Notwithstanding the time limitations
9 specified in section 3744 of title 10, United States Code,
10 or any other time limitation with respect to the awarding
11 of certain medals to persons who served in the Armed
12 Forces, the President may award the Medal of Honor
13 under section 3741 of such title to Charles S. Kettles for
14 the acts of valor during the Vietnam War described in sub-
15 section (b).

16 (b) The acts of valor referred to in subsection (a) are
17 the actions of Charles S. Kettles during combat operations
18 on May 15, 1967, while serving as Flight Commander,
19 176th Aviation Company, 14th Aviation Battalion, Task
20 Force Oregon, Republic of Vietnam, for which he was pre-
21 viously awarded the Distinguished Service Cross.

22 SEC. 750. (a) None of the funds made available under
23 this or any other Act may be used to—

24 (1) implement, administer, carry out, modify,
25 revise, or enforce Executive Order 13690, entitled

1 “Establishing a Federal Flood Risk Management
2 Standard and a Process for Further Soliciting and
3 Considering Stakeholder Input” (issued January 30,
4 2015), other than for—

5 (A) acquiring, managing, or disposing of
6 Federal lands and facilities;

7 (B) providing federally undertaken, fi-
8 nanced, or assisted construction or improve-
9 ments; or

10 (C) conducting Federal activities or pro-
11 grams affecting land use, including water and
12 related land resources planning, regulating, and
13 licensing activities;

14 (2) implement Executive Order 13690 in a
15 manner that modifies the non-grant components of
16 the National Flood Insurance Program; or

17 (3) apply Executive Order 13690 or the Federal
18 Flood Risk Management Standard by any compo-
19 nent of the Department of Defense, including the
20 Army Corps of Engineers in a way that changes the
21 “floodplain” considered when determining whether
22 or not to issue a Department of the Army permit
23 under section 404 of the Clean Water Act or section
24 10 of the Rivers and Harbors Act.

1 (b) Subsection (a) of this section shall not be in effect
2 during the period beginning on October 1, 2016 and end-
3 ing on September 30, 2017.

4 SEC. 751. Except as expressly provided otherwise,
5 any reference to “this Act” contained in any title other
6 than title IV or VIII shall not apply to such title IV or
7 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 2016,
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, 2016.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 SEC. 807. None of the Federal funds contained in
4 this Act may be used to distribute any needle or syringe
5 for the purpose of preventing the spread of blood borne
6 pathogens in any location that has been determined by the
7 local public health or local law enforcement authorities to
8 be inappropriate for such distribution.

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

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

23 (b) None of the funds contained in this Act may be
24 used to enact any law, rule, or regulation to legalize or
25 otherwise reduce penalties associated with the possession,

1 use, or distribution of any schedule I substance under the
2 Controlled Substances Act (21 U.S.C. 801 et seq.) or any
3 tetrahydrocannabinols derivative for recreational pur-
4 poses.

5 SEC. 810. None of the funds appropriated under this
6 Act shall be expended for any abortion except where the
7 life of the mother would be endangered if the fetus were
8 carried to term or where the pregnancy is the result of
9 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 2016 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 2016 from appropriations of Federal funds made
15 available for salaries and expenses for fiscal year 2016 in
16 this Act, shall remain available through September 30,
17 2017, 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) During fiscal year 2017, during a pe-
25 riod 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 Fiscal Year 2017 Budget Request Act
5 of 2016 as submitted to Congress (subject to any modi-
6 fications enacted by the District of Columbia as of the be-
7 ginning of the period during which this subsection is in
8 effect) at the rate set forth by such Act.

9 (b) Appropriations made by subsection (a) shall cease
10 to be available—

11 (1) during any period in which a District of Co-
12 lumbia continuing resolution for fiscal year 2017 is
13 in effect; or

14 (2) upon the enactment into law of the regular
15 District of Columbia appropriation bill for fiscal year
16 2017.

17 (c) An appropriation made by subsection (a) is pro-
18 vided under the authority and conditions as provided
19 under this Act and shall be available to the extent and
20 in the manner that would be provided by this Act.

21 (d) An appropriation made by subsection (a) shall
22 cover all obligations or expenditures incurred for such
23 project or activity during the portion of fiscal year 2017
24 for which this section applies to such project or activity.

1 (e) This section shall not apply to a project or activity
2 during any period of fiscal year 2017 if any other provi-
3 sion of law (other than an authorization of appropria-
4 tions)—

5 (1) makes an appropriation, makes funds avail-
6 able, or grants authority for such project or activity
7 to continue for such period; or

8 (2) specifically provides that no appropriation
9 shall be made, no funds shall be made available, or
10 no authority shall be granted for such project or ac-
11 tivity to continue for such period.

12 (f) Nothing in this section shall be construed to affect
13 obligations of the government of the District of Columbia
14 mandated by other law.

15 SEC. 817. (a) This section may be cited as the “D.C.
16 Opportunity Scholarship Program School Certification Re-
17 quirements Act”.

18 (b) Section 3007(a) of the Scholarships for Oppor-
19 tunity and Results Act (Public Law 112–10; 125 Stat.
20 203) is amended—

21 (1) in paragraph (4)—

22 (A) in subparagraph (E), by striking
23 “and” after the semicolon;

1 (B) in subparagraph (F), by striking the
2 period at the end and inserting a semicolon;
3 and

4 (C) by adding at the end the following:

5 “(G)(i) is provisionally or fully accredited
6 by a national or regional accrediting agency
7 that is recognized in the District of Columbia
8 School Reform Act of 1995 (sec. 38–
9 1802.02(16)(A)–(G), D.C. Official Code) or any
10 other accrediting body deemed appropriate by
11 the Office of the State Superintendent for
12 Schools for the purposes of accrediting an ele-
13 mentary or secondary school; or

14 “(ii) in the case of a school that is a
15 participating school as of the day before
16 the date of enactment of the D.C. Oppor-
17 tunity Scholarship Program School Certifi-
18 cation Requirements Act and, as of such
19 day, does not meet the requirements of
20 clause (i)—

21 “(I) by not later than 1 year
22 after such date of enactment, is pur-
23 suing accreditation by a national or
24 regional accrediting agency recognized
25 in the District of Columbia School Re-

1 form Act of 1995 (sec. 38–
2 1802.02(16)(A)–(G), D.C. Official
3 Code) or any other accrediting body
4 deemed appropriate by the Office of
5 the State Superintendent for Schools
6 for the purposes of accrediting an ele-
7 mentary or secondary school; and

8 “(II) by not later than 5 years
9 after such date of enactment, is provi-
10 sionally or fully accredited by such ac-
11 crediting agency, except that an eligi-
12 ble entity may grant not more than
13 one 1-year extension to meet this re-
14 quirement for each participating
15 school that provides evidence to the el-
16 igible entity from such accrediting
17 agency that the school’s application
18 for accreditation is in process and the
19 school will be awarded accreditation
20 before the end of the 1-year extension
21 period;

22 “(H) conducts criminal background checks
23 on school employees who have direct and unsu-
24 pervised interaction with students; and

1 “(I) complies with all requests for data
2 and information regarding the reporting re-
3 quirements described in section 3010.”; and

4 (2) by adding at the end the following:

5 “(5) NEW PARTICIPATING SCHOOLS.—If a
6 school is not a participating school as of the date of
7 enactment of the D.C. Opportunity Scholarship Pro-
8 gram School Certification Requirements Act, the
9 school shall not become a participating school and
10 none of the funds provided under this division for
11 opportunity scholarships may be used by an eligible
12 student to enroll in that school unless the school—

13 “(A) is actively pursuing provisional or full
14 accreditation by a national or regional accred-
15 iting agency that is recognized in the District of
16 Columbia School Reform Act of 1995 (sec. 38–
17 1802.02(16)(A)–(G), D.C. Official Code) or any
18 other accrediting body deemed appropriate by
19 the Office of the State Superintendent for
20 Schools for the purposes of accrediting an ele-
21 mentary or secondary school; and

22 “(B) meets all of the other requirements
23 for participating schools under this Act.

24 “(6) ENROLLING IN ANOTHER SCHOOL.—An el-
25 igible entity shall assist the parents of a partici-

1 pating eligible student in identifying, applying to,
2 and enrolling in an another participating school for
3 which opportunity scholarship funds may be used,
4 if—

5 “(A) such student is enrolled in a partici-
6 pating private school and may no longer use op-
7 portunity scholarship funds for enrollment in
8 that participating private school because such
9 school fails to meet a requirement under para-
10 graph 4, or any other requirement of this Act;
11 or

12 “(B) a participating eligible student is en-
13 rolled in a school that ceases to be a partici-
14 pating school.”.

15 (c) REPORT TO ELIGIBLE ENTITIES.—Section 3010
16 of the Scholarships for Opportunity and Results Act (Pub-
17 lic Law 112–10; 125 Stat. 203) is further amended—

18 (1) by redesignating subsection (d) as sub-
19 section (e); and

20 (2) by inserting after subsection (e) the fol-
21 lowing:

22 “(d) REPORTS TO ELIGIBLE ENTITIES.—The eligible
23 entity receiving funds under section 3004(a) shall ensure
24 that each participating school under this division submits
25 to the eligible entity beginning not later than 5 years after

1 the date of the enactment of the D.C. Opportunity Schol-
2 arship Program School Certification Requirements Act, a
3 certification that the school has been awarded provisional
4 or full accreditation, or has been granted an extension by
5 the eligible entity in accordance with section
6 3007(a)(4)(G).”.

7 (d) Unless specifically provided otherwise, this sec-
8 tion, and the amendments made by this section, shall take
9 effect 1 year after the date of enactment of this Act.

10 SEC. 818. Subparagraph (G) of section 3(c)(2) of the
11 District of Columbia College Access Act of 1999 (Public
12 Law 106–98), as amended, is further amended:

13 (1) by inserting after “(G)”, “(i) for individuals
14 who began an undergraduate course of study prior
15 to school year 2015–2016,”; and

16 (2) by inserting the following before the period
17 at the end: “and (ii) for individuals who begin an
18 undergraduate course of study in or after school
19 year 2016–2017, is from a family with a taxable an-
20 nual income of less than \$750,000. Beginning with
21 school year 2017–2018, the Mayor shall adjust the
22 amounts in clauses (i) and (ii) for inflation, as meas-
23 ured by the percentage increase, if any, from the
24 preceding fiscal year in the Consumer Price Index

1 for All Urban Consumers, published by the Bureau
2 of Labor Statistics of the Department of Labor”.

3 SEC. 819. Except as expressly provided otherwise,
4 any reference to “this Act” contained in this title or in
5 title IV shall be treated as referring only to the provisions
6 of this title or of title IV.

7 This division may be cited as the “Financial Services
8 and General Government Appropriations Act, 2016”.

1 **DIVISION F—DEPARTMENT OF HOME-**
2 **LAND SECURITY APPROPRIATIONS**
3 **ACT, 2016**

4 TITLE I

5 DEPARTMENTAL MANAGEMENT AND

6 OPERATIONS

7 OFFICE OF THE SECRETARY AND EXECUTIVE

8 MANAGEMENT

9 For necessary expenses of the Office of the Secretary
10 of Homeland Security, as authorized by section 102 of the
11 Homeland Security Act of 2002 (6 U.S.C. 112), and execu-
12 tive management of the Department of Homeland Secu-
13 rity, as authorized by law, \$137,466,000: *Provided*, That
14 not to exceed \$45,000 shall be for official reception and
15 representation expenses: *Provided further*, That all official
16 costs associated with the use of government aircraft by
17 Department of Homeland Security personnel to support
18 official travel of the Secretary and the Deputy Secretary
19 shall be paid from amounts made available for the Imme-
20 diate Office of the Secretary and the Immediate Office of
21 the Deputy Secretary: *Provided further*, That not later
22 than 30 days after the date of enactment of this Act, the
23 Secretary of Homeland Security shall submit to the Com-
24 mittees on Appropriations of the Senate and the House
25 of Representatives, the Committees on the Judiciary of the

1 Senate and the House of Representatives, the Committee
2 on Homeland Security and Governmental Affairs of the
3 Senate, and the Committee on Homeland Security of the
4 House of Representatives, the comprehensive plan for im-
5 plementation of the biometric entry and exit data system
6 as required under this heading in Public Law 114–4 and
7 a report on visa overstay data by country as required by
8 section 1376 of title 8, United States Code: *Provided fur-*
9 *ther*, That the report on visa overstay data shall also in-
10 clude—

11 (1) overstays from all nonimmigrant visa cat-
12 egories under the immigration laws, delineated by
13 each of the classes and sub-classes of such cat-
14 egories; and

15 (2) numbers as well as rates of overstays for
16 each class and sub-class of such nonimmigrant cat-
17 egories on a per-country basis:

18 *Provided further*, That of the funds provided under this
19 heading, \$13,000,000 shall be withheld from obligation for
20 the Office of the Secretary and Executive Management
21 until both the comprehensive plan and the report are sub-
22 mitted.

23 OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT

24 For necessary expenses of the Office of the Under
25 Secretary for Management, as authorized by sections 701

1 through 705 of the Homeland Security Act of 2002 (6
2 U.S.C. 341 through 345), \$196,810,000, of which not to
3 exceed \$2,000 shall be for official reception and represen-
4 tation expenses: *Provided*, That of the total amount made
5 available under this heading, \$4,456,000 shall remain
6 available until September 30, 2017, solely for the alter-
7 ation and improvement of facilities, tenant improvements,
8 and relocation costs to consolidate Department head-
9 quarters operations at the Nebraska Avenue Complex; and
10 \$7,778,000 shall remain available until September 30,
11 2017, for the Human Resources Information Technology
12 program: *Provided further*, That the Under Secretary for
13 Management shall include in the President’s budget pro-
14 posal for fiscal year 2017, submitted pursuant to section
15 1105(a) of title 31, United States Code, a Comprehensive
16 Acquisition Status Report, which shall include the infor-
17 mation required under the heading “Office of the Under
18 Secretary for Management” under title I of division D of
19 the Consolidated Appropriations Act, 2012 (Public Law
20 112–74), and shall submit quarterly updates to such re-
21 port not later than 45 days after the completion of each
22 quarter.

23 OFFICE OF THE CHIEF FINANCIAL OFFICER

24 For necessary expenses of the Office of the Chief Fi-
25 nancial Officer, as authorized by section 103 of the Home-

1 land Security Act of 2002 (6 U.S.C. 113), \$56,420,000:
2 *Provided*, That the Secretary of Homeland Security shall
3 submit to the Committees on Appropriations of the Senate
4 and the House of Representatives, at the time the Presi-
5 dent's budget proposal for fiscal year 2017 is submitted
6 pursuant to section 1105(a) of title 31, United States
7 Code, the Future Years Homeland Security Program, as
8 authorized by section 874 of Public Law 107-296 (6
9 U.S.C. 454).

10 OFFICE OF THE CHIEF INFORMATION OFFICER

11 For necessary expenses of the Office of the Chief In-
12 formation Officer, as authorized by section 103 of the
13 Homeland Security Act of 2002 (6 U.S.C. 113), and De-
14 partment-wide technology investments, \$309,976,000; of
15 which \$109,957,000 shall be available for salaries and ex-
16 penses; and of which \$200,019,000, to remain available
17 until September 30, 2017, shall be available for develop-
18 ment and acquisition of information technology equip-
19 ment, software, services, and related activities for the De-
20 partment of Homeland Security.

21 ANALYSIS AND OPERATIONS

22 For necessary expenses for intelligence analysis and
23 operations coordination activities, as authorized by title II
24 of the Homeland Security Act of 2002 (6 U.S.C. 121 et
25 seq.), \$264,714,000; of which not to exceed \$3,825 shall

1 be for official reception and representation expenses; of
2 which not to exceed \$2,000,000 is available for facility
3 needs associated with secure space at fusion centers, in-
4 cluding improvements to buildings; and of which
5 \$111,021,000 shall remain available until September 30,
6 2017.

7 OFFICE OF INSPECTOR GENERAL

8 For necessary expenses of the Office of Inspector
9 General in carrying out the provisions of the Inspector
10 General Act of 1978 (5 U.S.C. App.), \$137,488,000; of
11 which not to exceed \$300,000 may be used for certain con-
12 fidential operational expenses, including the payment of
13 informants, to be expended at the direction of the Inspec-
14 tor General.

1 TITLE II
2 SECURITY, ENFORCEMENT, AND
3 INVESTIGATIONS
4 U.S. CUSTOMS AND BORDER PROTECTION
5 SALARIES AND EXPENSES

6 For necessary expenses for enforcement of laws relat-
7 ing to border security, immigration, customs, agricultural
8 inspections and regulatory activities related to plant and
9 animal imports, and transportation of unaccompanied
10 minor aliens; purchase and lease of up to 7,500 (6,500
11 for replacement only) police-type vehicles; and contracting
12 with individuals for personal services abroad;
13 \$8,628,902,000; of which \$3,274,000 shall be derived
14 from the Harbor Maintenance Trust Fund for administra-
15 tive expenses related to the collection of the Harbor Main-
16 tenance Fee pursuant to section 9505(c)(3) of the Internal
17 Revenue Code of 1986 (26 U.S.C. 9505(c)(3)) and not-
18 withstanding section 1511(e)(1) of the Homeland Security
19 Act of 2002 (6 U.S.C. 551(e)(1)); of which \$30,000,000
20 shall be available until September 30, 2017, solely for the
21 purpose of recruiting, hiring, training, and equipping law
22 enforcement officers and Border Patrol agents; of which
23 not to exceed \$34,425 shall be for official reception and
24 representation expenses; of which such sums as become
25 available in the Customs User Fee Account, except sums

1 subject to section 13031(f)(3) of the Consolidated Omni-
2 bus Budget Reconciliation Act of 1985 (19 U.S.C.
3 58c(f)(3)), shall be derived from that account; of which
4 not to exceed \$150,000 shall be available for payment for
5 rental space in connection with preclearance operations;
6 and of which not to exceed \$1,000,000 shall be for awards
7 of compensation to informants, to be accounted for solely
8 under the certificate of the Secretary of Homeland Secu-
9 rity: *Provided*, That of the amounts made available under
10 this heading for Inspection and Detection Technology In-
11 vestments, \$18,500,000 shall remain available until Sep-
12 tember 30, 2018: *Provided further*, That for fiscal year
13 2016, the overtime limitation prescribed in section 5(c)(1)
14 of the Act of February 13, 1911 (19 U.S.C. 267(c)(1))
15 shall be \$35,000; and notwithstanding any other provision
16 of law, none of the funds appropriated by this Act shall
17 be available to compensate any employee of U.S. Customs
18 and Border Protection for overtime, from whatever source,
19 in an amount that exceeds such limitation, except in indi-
20 vidual cases determined by the Secretary of Homeland Se-
21 curity, or the designee of the Secretary, to be necessary
22 for national security purposes, to prevent excessive costs,
23 or in cases of immigration emergencies: *Provided further*,
24 That the Border Patrol shall maintain an active duty pres-
25 ence of not less than 21,370 full-time equivalent agents

1 protecting the borders of the United States in the fiscal
2 year.

3 AUTOMATION MODERNIZATION

4 For necessary expenses for U.S. Customs and Border
5 Protection for operation and improvement of automated
6 systems, including salaries and expenses, \$829,460,000;
7 of which \$465,732,000 shall remain available until Sep-
8 tember 30, 2018; and of which not less than \$151,184,000
9 shall be for the development of the Automated Commercial
10 Environment.

11 BORDER SECURITY FENCING, INFRASTRUCTURE, AND
12 TECHNOLOGY

13 For necessary expenses for border security fencing,
14 infrastructure, and technology, \$447,461,000; of which
15 \$273,931,000 shall remain available until September 30,
16 2017, for operations and maintenance; and of which
17 \$173,530,000 shall remain available until September 30,
18 2018, for development and deployment.

19 AIR AND MARINE OPERATIONS

20 For necessary expenses for the operations, mainte-
21 nance, and procurement of marine vessels, aircraft, un-
22 manned aerial systems, the Air and Marine Operations
23 Center, and other related equipment of the air and marine
24 program, including salaries and expenses, operational
25 training, and mission-related travel, the operations of

1 which include the following: the interdiction of narcotics
2 and other goods; the provision of support to Federal,
3 State, and local agencies in the enforcement or adminis-
4 tration of laws enforced by the Department of Homeland
5 Security; and, at the discretion of the Secretary of Home-
6 land Security, the provision of assistance to Federal,
7 State, and local agencies in other law enforcement and
8 emergency humanitarian efforts; \$802,298,000; of which
9 \$300,429,000 shall be available for salaries and expenses;
10 and of which \$501,869,000 shall remain available until
11 September 30, 2018: *Provided*, That no aircraft or other
12 related equipment, with the exception of aircraft that are
13 one of a kind and have been identified as excess to U.S.
14 Customs and Border Protection requirements and aircraft
15 that have been damaged beyond repair, shall be trans-
16 ferred to any other Federal agency, department, or office
17 outside of the Department of Homeland Security during
18 fiscal year 2016 without prior notice to the Committees
19 on Appropriations of the Senate and the House of Rep-
20 resentatives: *Provided further*, That funding made avail-
21 able under this heading shall be available for customs ex-
22 penses when necessary to maintain or to temporarily in-
23 crease operations in Puerto Rico.

1 CONSTRUCTION AND FACILITIES MANAGEMENT

2 For necessary expenses to plan, acquire, construct,
3 renovate, equip, furnish, operate, manage, and maintain
4 buildings, facilities, and related infrastructure necessary
5 for the administration and enforcement of the laws relat-
6 ing to customs, immigration, and border security,
7 \$340,128,000, to remain available until September 30,
8 2020.

9 U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

10 SALARIES AND EXPENSES

11 For necessary expenses for enforcement of immigra-
12 tion and customs laws, detention and removals, and inves-
13 tigations, including intellectual property rights and over-
14 seas vetted units operations; and purchase and lease of
15 up to 3,790 (2,350 for replacement only) police-type vehi-
16 cles; \$5,779,041,000; of which not to exceed \$10,000,000
17 shall be available until expended for conducting special op-
18 erations under section 3131 of the Customs Enforcement
19 Act of 1986 (19 U.S.C. 2081); of which not to exceed
20 \$11,475 shall be for official reception and representation
21 expenses; of which not to exceed \$2,000,000 shall be for
22 awards of compensation to informants, to be accounted
23 for solely under the certificate of the Secretary of Home-
24 land Security; of which not less than \$305,000 shall be
25 for promotion of public awareness of the child pornog-

1 raphy tipline and activities to counter child exploitation;
2 of which not less than \$5,400,000 shall be used to facili-
3 tate agreements consistent with section 287(g) of the Im-
4 migration and Nationality Act (8 U.S.C. 1357(g)); of
5 which not to exceed \$45,000,000, to remain available until
6 September 30, 2017, is for maintenance, construction, and
7 leasehold improvements at owned and leased facilities; and
8 of which not to exceed \$11,216,000 shall be available to
9 fund or reimburse other Federal agencies for the costs as-
10 sociated with the care, maintenance, and repatriation of
11 smuggled aliens unlawfully present in the United States:
12 *Provided*, That of the total amount made available under
13 this heading, \$100,000,000 shall be withheld from obliga-
14 tion until the Director of U.S. Immigration and Customs
15 Enforcement submits to the Committees on Appropria-
16 tions of the Senate and the House of Representatives a
17 report detailing the number of full-time equivalent employ-
18 ees hired and lost through attrition for the period begin-
19 ning on October 1, 2015, and ending on June 30, 2016:
20 *Provided further*, That of the total amount made available
21 under this heading, \$5,000,000 shall be withheld from ob-
22 ligation until the Director of U.S. Immigration and Cus-
23 toms Enforcement briefs the Committees on Appropria-
24 tions of the Senate and the House of Representatives on
25 efforts to increase the number of communities and law en-

1 enforcement agencies participating in the Priority Enforce-
2 ment Program, including details as to the jurisdictions
3 and law enforcement agencies approached and the level of
4 participation on a by-community basis: *Provided further,*
5 That none of the funds made available under this heading
6 shall be available to compensate any employee for overtime
7 in an annual amount in excess of \$35,000, except that
8 the Secretary of Homeland Security, or the designee of
9 the Secretary, may waive that amount as necessary for
10 national security purposes and in cases of immigration
11 emergencies: *Provided further,* That of the total amount
12 provided, \$15,770,000 shall be for activities to enforce
13 laws against forced child labor, of which not to exceed
14 \$6,000,000 shall remain available until expended: *Pro-*
15 *vided further,* That of the total amount available, not less
16 than \$1,600,000,000 shall be available to identify aliens
17 convicted of a crime who may be deportable, and to remove
18 them from the United States once they are judged deport-
19 able: *Provided further,* That the Secretary of Homeland
20 Security shall prioritize the identification and removal of
21 aliens convicted of a crime by the severity of that crime:
22 *Provided further,* That funding made available under this
23 heading shall maintain a level of not less than 34,000 de-
24 tention beds through September 30, 2016: *Provided fur-*
25 *ther,* That of the total amount provided, not less than

1 \$3,217,942,000 is for enforcement, detention, and re-
2 moval operations, including transportation of unaccom-
3 panied minor aliens: *Provided further*, That of the amount
4 provided for Custody Operations in the previous proviso,
5 \$45,000,000 shall remain available until September 30,
6 2020: *Provided further*, That of the total amount provided
7 for the Visa Security Program and international investiga-
8 tions, \$13,300,000 shall remain available until September
9 30, 2017: *Provided further*, That not less than
10 \$15,000,000 shall be available for investigation of intellec-
11 tual property rights violations, including operation of the
12 National Intellectual Property Rights Coordination Cen-
13 ter: *Provided further*, That none of the funds provided
14 under this heading may be used to continue a delegation
15 of law enforcement authority authorized under section
16 287(g) of the Immigration and Nationality Act (8 U.S.C.
17 1357(g)) if the Department of Homeland Security Inspec-
18 tor General determines that the terms of the agreement
19 governing the delegation of authority have been materially
20 violated: *Provided further*, That none of the funds provided
21 under this heading may be used to continue any contract
22 for the provision of detention services if the two most re-
23 cent overall performance evaluations received by the con-
24 tracted facility are less than “adequate” or the equivalent
25 median score in any subsequent performance evaluation

1 system: *Provided further*, That nothing under this heading
2 shall prevent U.S. Immigration and Customs Enforcement
3 from exercising those authorities provided under the immi-
4 gration laws (as defined in section 101(a)(17) of the Im-
5 migration and Nationality Act (8 U.S.C. 1101(a)(17)))
6 during priority operations pertaining to aliens convicted
7 of a crime: *Provided further*, That without regard to the
8 limitation as to time and condition of section 503(d) of
9 this Act, the Secretary may propose to reprogram and
10 transfer funds within and into this appropriation nec-
11 essary to ensure the detention of aliens prioritized for re-
12 moval.

13 AUTOMATION MODERNIZATION

14 For expenses of immigration and customs enforce-
15 ment automated systems, \$53,000,000, to remain avail-
16 able until September 30, 2018.

17 TRANSPORTATION SECURITY ADMINISTRATION

18 AVIATION SECURITY

19 For necessary expenses of the Transportation Secu-
20 rity Administration related to providing civil aviation secu-
21 rity services pursuant to the Aviation and Transportation
22 Security Act (Public Law 107–71; 115 Stat. 597; 49
23 U.S.C. 40101 note), \$5,719,437,000, to remain available
24 until September 30, 2017; of which not to exceed \$7,650
25 shall be for official reception and representation expenses:

1 *Provided*, That any award to deploy explosives detection
2 systems shall be based on risk, the airport's current reli-
3 ance on other screening solutions, lobby congestion result-
4 ing in increased security concerns, high injury rates, air-
5 port readiness, and increased cost effectiveness: *Provided*
6 *further*, That security service fees authorized under section
7 44940 of title 49, United States Code, shall be credited
8 to this appropriation as offsetting collections and shall be
9 available only for aviation security: *Provided further*, That
10 the sum appropriated under this heading from the general
11 fund shall be reduced on a dollar-for-dollar basis as such
12 offsetting collections are received during fiscal year 2016
13 so as to result in a final fiscal year appropriation from
14 the general fund estimated at not more than
15 \$3,589,437,000: *Provided further*, That the funds depos-
16 ited pursuant to section 44945 of title 49, United States
17 Code, that are currently unavailable for obligation are
18 hereby permanently cancelled: *Provided further*, That not-
19 withstanding section 44923 of title 49, United States
20 Code, for fiscal year 2016, any funds in the Aviation Secu-
21 rity Capital Fund established by section 44923(h) of title
22 49, United States Code, may be used for the procurement
23 and installation of explosives detection systems or for the
24 issuance of other transaction agreements for the purpose
25 of funding projects described in section 44923(a) of such

1 title: *Provided further*, That notwithstanding any other
2 provision of law, for the current fiscal year and each fiscal
3 year hereafter, mobile explosives detection systems pur-
4 chased and deployed using funds made available under
5 this heading may be moved and redeployed to meet evol-
6 ing passenger and baggage screening security priorities at
7 airports: *Provided further*, That none of the funds made
8 available in this Act may be used for any recruiting or
9 hiring of personnel into the Transportation Security Ad-
10 ministration that would cause the agency to exceed a staff-
11 ing level of 45,000 full-time equivalent screeners: *Provided*
12 *further*, That the preceding proviso shall not apply to per-
13 sonnel hired as part-time employees: *Provided further*,
14 That not later than 90 days after the date of enactment
15 of this Act, the Secretary of Homeland Security shall sub-
16 mit to the Committees on Appropriations of the Senate
17 and the House of Representatives a detailed report on—
18 (1) the Department of Homeland Security ef-
19 forts and resources being devoted to develop more
20 advanced integrated passenger screening tech-
21 nologies for the most effective security of passengers
22 and baggage at the lowest possible operating and ac-
23 quisition costs, including projected funding levels for
24 each fiscal year for the next 5 years or until project
25 completion, whichever is earlier;

1 (2) how the Transportation Security Adminis-
2 tration is deploying its existing passenger and bag-
3 gage screener workforce in the most cost-effective
4 manner; and

5 (3) labor savings from the deployment of im-
6 proved technologies for passenger and baggage
7 screening, including high-speed baggage screening,
8 and how those savings are being used to offset secu-
9 rity costs or reinvested to address security
10 vulnerabilities:

11 *Provided further*, That Members of the United States
12 House of Representatives and the United States Senate,
13 including the leadership; the heads of Federal agencies
14 and commissions, including the Secretary, Deputy Sec-
15 retary, Under Secretaries, and Assistant Secretaries of the
16 Department of Homeland Security; the United States At-
17 torney General, Deputy Attorney General, Assistant At-
18 torneys General, and the United States Attorneys; and
19 senior members of the Executive Office of the President,
20 including the Director of the Office of Management and
21 Budget, shall not be exempt from Federal passenger and
22 baggage screening.

23 SURFACE TRANSPORTATION SECURITY

24 For necessary expenses of the Transportation Secu-
25 rity Administration related to surface transportation secu-

1 rity activities, \$110,798,000, to remain available until
2 September 30, 2017.

3 INTELLIGENCE AND VETTING

4 For necessary expenses for the development and im-
5 plementation of intelligence and vetting activities,
6 \$236,693,000, to remain available until September 30,
7 2017.

8 TRANSPORTATION SECURITY SUPPORT

9 For necessary expenses of the Transportation Secu-
10 rity Administration related to transportation security sup-
11 port pursuant to the Aviation and Transportation Security
12 Act (Public Law 107–71; 115 Stat. 597; 49 U.S.C. 40101
13 note), \$924,015,000, to remain available until September
14 30, 2017.

15 COAST GUARD

16 OPERATING EXPENSES

17 For necessary expenses for the operations and main-
18 tenance of the Coast Guard, not otherwise provided for;
19 purchase or lease of not to exceed 25 passenger motor ve-
20 hicles, which shall be for replacement only; purchase or
21 lease of small boats for contingent and emergent require-
22 ments (at a unit cost of no more than \$700,000) and re-
23 pairs and service-life replacements, not to exceed a total
24 of \$31,000,000; purchase or lease of boats necessary for
25 overseas deployments and activities; purchase or lease of

1 other equipment (at a unit cost of no more than
2 \$250,000); minor shore construction projects not exceed-
3 ing \$1,000,000 in total cost on any location; payments
4 pursuant to section 156 of Public Law 97–377 (42 U.S.C.
5 402 note; 96 Stat. 1920); and recreation and welfare;
6 \$7,061,490,000, of which \$500,002,000 shall be for de-
7 fense-related activities, of which \$160,002,000 is des-
8 ignated by the Congress for Overseas Contingency Oper-
9 ations/Global War on Terrorism pursuant to section
10 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
11 Deficit Control Act of 1985; of which \$24,500,000 shall
12 be derived from the Oil Spill Liability Trust Fund to carry
13 out the purposes of section 1012(a)(5) of the Oil Pollution
14 Act of 1990 (33 U.S.C. 2712(a)(5)); and of which not to
15 exceed \$23,000 shall be for official reception and represen-
16 tation expenses: *Provided*, That none of the funds made
17 available by this Act shall be for expenses incurred for rec-
18 reational vessels under section 12114 of title 46, United
19 States Code, except to the extent fees are collected from
20 owners of yachts and credited to this appropriation: *Pro-*
21 *vided further*, That to the extent fees are insufficient to
22 pay expenses of recreational vessel documentation under
23 such section 12114, and there is a backlog of recreational
24 vessel applications, then personnel performing non-rec-
25 reational vessel documentation functions under subchapter

1 II of chapter 121 of title 46, United States Code, may
2 perform documentation under section 12114: *Provided*
3 *further*, That of the funds provided under this heading,
4 \$85,000,000 shall be withheld from obligation for Coast
5 Guard Headquarters Directorates until a future-years
6 capital investment plan for fiscal years 2017 through
7 2021, as specified under the heading “Coast Guard, Ac-
8 quisition, Construction, and Improvements” of this Act,
9 is submitted to the Committees on Appropriations of the
10 Senate and the House of Representatives: *Provided fur-*
11 *ther*, That funds made available under this heading for
12 Overseas Contingency Operations/Global War on Ter-
13 rorism may be allocated by program, project, and activity,
14 notwithstanding section 503 of this Act: *Provided further*,
15 That without regard to the limitation as to time and con-
16 dition of section 503(d) of this Act, after June 30, up to
17 \$10,000,000 may be reprogrammed to or from Military
18 Pay and Allowances in accordance with subsections (a),
19 (b), and (c) of section 503.

20 ENVIRONMENTAL COMPLIANCE AND RESTORATION

21 For necessary expenses to carry out the environ-
22 mental compliance and restoration functions of the Coast
23 Guard under chapter 19 of title 14, United States Code,
24 \$13,221,000, to remain available until September 30,
25 2020.

1 RESERVE TRAINING

2 For necessary expenses of the Coast Guard Reserve,
3 as authorized by law; operations and maintenance of the
4 Coast Guard reserve program; personnel and training
5 costs; and equipment and services; \$110,614,000.

6 ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

7 For necessary expenses of acquisition, construction,
8 renovation, and improvement of aids to navigation, shore
9 facilities, vessels, and aircraft, including equipment related
10 thereto; and maintenance, rehabilitation, lease, and oper-
11 ation of facilities and equipment; as authorized by law;
12 \$1,945,169,000; of which \$20,000,000 shall be derived
13 from the Oil Spill Liability Trust Fund to carry out the
14 purposes of section 1012(a)(5) of the Oil Pollution Act
15 of 1990 (33 U.S.C. 2712(a)(5)); and of which the fol-
16 lowing amounts shall be available until September 30,
17 2020 (except as subsequently specified): \$21,000,000 for
18 military family housing; \$1,264,400,000 to acquire, effect
19 major repairs to, renovate, or improve vessels, small boats,
20 and related equipment; \$295,000,000 to acquire, effect
21 major repairs to, renovate, or improve aircraft or increase
22 aviation capability; \$65,100,000 for other acquisition pro-
23 grams; \$181,600,000 for shore facilities and aids to navi-
24 gation, including facilities at Department of Defense in-
25 stallations used by the Coast Guard; and \$118,069,000,

1 to remain available until September 30, 2016, for per-
2 sonnel compensation and benefits and related costs: *Pro-*
3 *vided*, That of the funds provided by this Act, not less
4 than \$640,000,000 shall be immediately available and al-
5 lotted to contract for the production of the ninth National
6 Security Cutter notwithstanding the availability of funds
7 for post-production costs: *Provided further*, That the Com-
8 mandant of the Coast Guard shall submit to the Congress,
9 at the time the President’s budget proposal for fiscal year
10 2017 is submitted pursuant to section 1105(a) of title 31,
11 United States Code, a future-years capital investment plan
12 as described in the second proviso under the heading
13 “Coast Guard, Acquisition, Construction, and Improve-
14 ments” in the Department of Homeland Security Appro-
15 priations Act, 2015 (Public Law 114–4), which shall be
16 subject to the requirements in the third and fourth pro-
17 visos under such heading.

18 RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

19 For necessary expenses for applied scientific re-
20 search, development, test, and evaluation; and for mainte-
21 nance, rehabilitation, lease, and operation of facilities and
22 equipment; as authorized by law; \$18,019,000, to remain
23 available until September 30, 2018, of which \$500,000
24 shall be derived from the Oil Spill Liability Trust Fund
25 to carry out the purposes of section 1012(a)(5) of the Oil

1 Pollution Act of 1990 (33 U.S.C. 2712(a)(5)): *Provided*,
2 That there may be credited to and used for the purposes
3 of this appropriation funds received from State and local
4 governments, other public authorities, private sources, and
5 foreign countries for expenses incurred for research, devel-
6 opment, testing, and evaluation.

7 RETIRED PAY

8 For retired pay, including the payment of obligations
9 otherwise chargeable to lapsed appropriations for this pur-
10 pose, payments under the Retired Serviceman's Family
11 Protection and Survivor Benefits Plans, payment for ca-
12 reer status bonuses, concurrent receipts, and combat-re-
13 lated special compensation under the National Defense
14 Authorization Act, and payments for medical care of re-
15 tired personnel and their dependents under chapter 55 of
16 title 10, United States Code, \$1,604,000,000, to remain
17 available until expended.

18 UNITED STATES SECRET SERVICE

19 SALARIES AND EXPENSES

20 For necessary expenses of the United States Secret
21 Service, including purchase of not to exceed 652 vehicles
22 for police-type use for replacement only; hire of passenger
23 motor vehicles; purchase of motorcycles made in the
24 United States; hire of aircraft; services of expert witnesses
25 at such rates as may be determined by the Director of

1 the United States Secret Service; rental of buildings in
2 the District of Columbia, and fencing, lighting, guard
3 booths, and other facilities on private or other property
4 not in Government ownership or control, as may be nec-
5 essary to perform protective functions; payment of per
6 diem or subsistence allowances to employees in cases in
7 which a protective assignment on the actual day or days
8 of the visit of a protectee requires an employee to work
9 16 hours per day or to remain overnight at a post of duty;
10 conduct of and participation in firearms matches; presen-
11 tation of awards; travel of United States Secret Service
12 employees on protective missions without regard to the
13 limitations on such expenditures in this or any other Act
14 if approval is obtained in advance from the Committees
15 on Appropriations of the Senate and the House of Rep-
16 resentatives; research and development; grants to conduct
17 behavioral research in support of protective research and
18 operations; and payment in advance for commercial ac-
19 commodations as may be necessary to perform protective
20 functions; \$1,854,526,000; of which not to exceed \$19,125
21 shall be for official reception and representation expenses;
22 of which not to exceed \$100,000 shall be to provide tech-
23 nical assistance and equipment to foreign law enforcement
24 organizations in counterfeit investigations; of which
25 \$2,366,000 shall be for forensic and related support of

1 investigations of missing and exploited children; of which
2 \$6,000,000 shall be for a grant for activities related to
3 investigations of missing and exploited children and shall
4 remain available until September 30, 2017; and of which
5 not less than \$12,000,000 shall be for activities related
6 to training in electronic crimes investigations and
7 forensics: *Provided*, That \$18,000,000 for protective travel
8 shall remain available until September 30, 2017: *Provided*
9 *further*, That of the amounts made available under this
10 heading for security improvements at the White House
11 complex, \$8,200,000 shall remain available until Sep-
12 tember 30, 2017: *Provided further*, That \$4,500,000 for
13 National Special Security Events shall remain available
14 until expended: *Provided further*, That the United States
15 Secret Service is authorized to obligate funds in anticipa-
16 tion of reimbursements from Federal agencies and enti-
17 ties, as defined in section 105 of title 5, United States
18 Code, for personnel receiving training sponsored by the
19 James J. Rowley Training Center, except that total obliga-
20 tions at the end of the fiscal year shall not exceed total
21 budgetary resources available under this heading at the
22 end of the fiscal year: *Provided further*, That none of the
23 funds made available under this heading shall be available
24 to compensate any employee for overtime in an annual
25 amount in excess of \$35,000, except that the Secretary

1 of Homeland Security, or the designee of the Secretary,
2 may waive that amount as necessary for national security
3 purposes: *Provided further*, That none of the funds made
4 available to the United States Secret Service by this Act
5 or by previous appropriations Acts may be made available
6 for the protection of the head of a Federal agency other
7 than the Secretary of Homeland Security: *Provided fur-*
8 *ther*, That the Director of the United States Secret Service
9 may enter into an agreement to provide such protection
10 on a fully reimbursable basis: *Provided further*, That none
11 of the funds made available to the United States Secret
12 Service by this Act or by previous appropriations Acts may
13 be obligated for the purpose of opening a new permanent
14 domestic or overseas office or location unless the Commit-
15 tees on Appropriations of the Senate and the House of
16 Representatives are notified 15 days in advance of such
17 obligation: *Provided further*, That for purposes of section
18 503 of this Act, \$15,000,000 or 10 percent, whichever is
19 less, may be reprogrammed between Protection of Persons
20 and Facilities and Domestic Field Operations.

21 ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND

22 RELATED EXPENSES

23 For necessary expenses for acquisition, construction,
24 repair, alteration, and improvement of physical and tech-

- 1 nological infrastructure, \$79,019,000, to remain available
- 2 until September 30, 2018.

1 TITLE III
2 PROTECTION, PREPAREDNESS, RESPONSE, AND
3 RECOVERY

4 NATIONAL PROTECTION AND PROGRAMS DIRECTORATE
5 MANAGEMENT AND ADMINISTRATION

6 For the management and administration of the Na-
7 tional Protection and Programs Directorate, and support
8 for operations and information technology, \$62,132,000:
9 *Provided*, That not to exceed \$3,825 shall be for official
10 reception and representation expenses.

11 INFRASTRUCTURE PROTECTION AND INFORMATION
12 SECURITY

13 For necessary expenses for infrastructure protection
14 and information security programs and activities, as au-
15 thorized by title II of the Homeland Security Act of 2002
16 (6 U.S.C. 121 et seq.), \$1,291,000,000, of which
17 \$289,650,000 shall remain available until September 30,
18 2017.

19 FEDERAL PROTECTIVE SERVICE

20 The revenues and collections of security fees credited
21 to this account shall be available until expended for nec-
22 essary expenses related to the protection of federally
23 owned and leased buildings and for the operations of the
24 Federal Protective Service: *Provided*, That the Director of
25 the Federal Protective Service shall submit at the time

1 the President's budget proposal for fiscal year 2017 is
2 submitted pursuant to section 1105(a) of title 31, United
3 States Code, a strategic human capital plan that aligns
4 fee collections to personnel requirements based on a cur-
5 rent threat assessment.

6 OFFICE OF BIOMETRIC IDENTITY MANAGEMENT

7 For necessary expenses for the Office of Biometric
8 Identity Management, as authorized by section 7208 of
9 the Intelligence Reform and Terrorism Prevention Act of
10 2004 (8 U.S.C. 1365b), \$282,473,000, of which
11 \$159,054,000 shall remain available until September 30,
12 2018.

13 OFFICE OF HEALTH AFFAIRS

14 For necessary expenses of the Office of Health Af-
15 fairs, \$125,369,000; of which \$27,010,000 is for salaries
16 and expenses and \$82,078,000 is for BioWatch oper-
17 ations: *Provided*, That of the amount made available under
18 this heading, \$16,281,000 shall remain available until
19 September 30, 2017, for biosurveillance, chemical defense,
20 medical and health planning and coordination, and work-
21 force health protection.

22 FEDERAL EMERGENCY MANAGEMENT AGENCY

23 SALARIES AND EXPENSES

24 For necessary expenses of the Federal Emergency
25 Management Agency, \$960,754,000, including activities

1 authorized by the National Flood Insurance Act of 1968
2 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster
3 Relief and Emergency Assistance Act (42 U.S.C. 5121 et
4 seq.), the Cerro Grande Fire Assistance Act of 2000 (divi-
5 sion C, title I, 114 Stat. 583), the Earthquake Hazards
6 Reduction Act of 1977 (42 U.S.C. 7701 et seq.), the De-
7 fense Production Act of 1950 (50 U.S.C. App. 2061 et
8 seq.), sections 107 and 303 of the National Security Act
9 of 1947 (50 U.S.C. 404, 405), Reorganization Plan No.
10 3 of 1978 (5 U.S.C. App.), the National Dam Safety Pro-
11 gram Act (33 U.S.C. 467 et seq.), the Homeland Security
12 Act of 2002 (6 U.S.C. 101 et seq.), the Implementing Rec-
13 ommendations of the 9/11 Commission Act of 2007 (Pub-
14 lic Law 110–53), the Federal Fire Prevention and Control
15 Act of 1974 (15 U.S.C. 2201 et seq.), the Post-Katrina
16 Emergency Management Reform Act of 2006 (Public Law
17 109–295; 120 Stat. 1394), the Biggert-Waters Flood In-
18 surance Reform Act of 2012 (Public Law 112–141, 126
19 Stat. 916), and the Homeowner Flood Insurance Afford-
20 ability Act of 2014 (Public Law 113–89): *Provided*, That
21 not to exceed \$2,250 shall be for official reception and
22 representation expenses: *Provided further*, That of the
23 total amount made available under this heading,
24 \$35,180,000 shall be for the Urban Search and Rescue
25 Response System, of which none is available for Federal

1 Emergency Management Agency administrative costs:
2 *Provided further*, That of the total amount made available
3 under this heading, \$27,500,000 shall remain available
4 until September 30, 2017, for capital improvements and
5 other expenses related to continuity of operations at the
6 Mount Weather Emergency Operations Center: *Provided*
7 *further*, That of the total amount made available,
8 \$3,422,000 shall be for the Office of National Capital Re-
9 gion Coordination.

10 STATE AND LOCAL PROGRAMS

11 For grants, contracts, cooperative agreements, and
12 other activities, \$1,500,000,000, which shall be allocated
13 as follows:

14 (1) \$467,000,000 shall be for the State Home-
15 land Security Grant Program under section 2004 of
16 the Homeland Security Act of 2002 (6 U.S.C. 605),
17 of which \$55,000,000 shall be for Operation
18 Stonegarden: *Provided*, That notwithstanding sub-
19 section (c)(4) of such section 2004, for fiscal year
20 2016, the Commonwealth of Puerto Rico shall make
21 available to local and tribal governments amounts
22 provided to the Commonwealth of Puerto Rico under
23 this paragraph in accordance with subsection (c)(1)
24 of such section 2004.

1 (2) \$600,000,000 shall be for the Urban Area
2 Security Initiative under section 2003 of the Home-
3 land Security Act of 2002 (6 U.S.C. 604), of which
4 \$20,000,000 shall be for organizations (as described
5 under section 501(e)(3) of the Internal Revenue
6 Code of 1986 and exempt from tax under section
7 501(a) of such code) determined by the Secretary of
8 Homeland Security to be at high risk of a terrorist
9 attack.

10 (3) \$100,000,000 shall be for Public Transpor-
11 tation Security Assistance, Railroad Security Assist-
12 ance, and Over-the-Road Bus Security Assistance
13 under sections 1406, 1513, and 1532 of the Imple-
14 menting Recommendations of the 9/11 Commission
15 Act of 2007 (Public Law 110-53; 6 U.S.C. 1135,
16 1163, and 1182), of which \$10,000,000 shall be for
17 Amtrak security and \$3,000,000 shall be for Over-
18 the-Road Bus Security: *Provided*, That such public
19 transportation security assistance shall be provided
20 directly to public transportation agencies.

21 (4) \$100,000,000 shall be for Port Security
22 Grants in accordance with 46 U.S.C. 70107.

23 (5) \$233,000,000 shall be to sustain current
24 operations for training, exercises, technical assist-
25 ance, and other programs, of which \$162,991,000

1 shall be for training of State, local, and tribal emer-
2 gency response providers:
3 *Provided*, That for grants under paragraphs (1) through
4 (4), applications for grants shall be made available to eligi-
5 ble applicants not later than 60 days after the date of en-
6 actment of this Act, that eligible applicants shall submit
7 applications not later than 80 days after the grant an-
8 nouncement, and the Administrator of the Federal Emer-
9 gency Management Agency shall act within 65 days after
10 the receipt of an application: *Provided further*, That not-
11 withstanding section 2008(a)(11) of the Homeland Secu-
12 rity Act of 2002 (6 U.S.C. 609(a)(11)) or any other provi-
13 sion of law, a grantee may not use more than 5 percent
14 of the amount of a grant made available under this head-
15 ing for expenses directly related to administration of the
16 grant: *Provided further*, That for grants under paragraphs
17 (1) and (2), the installation of communications towers is
18 not considered construction of a building or other physical
19 facility: *Provided further*, That grantees shall provide re-
20 ports on their use of funds, as determined necessary by
21 the Secretary of Homeland Security: *Provided further*,
22 That notwithstanding section 509 of this Act, the Admin-
23 istrator of the Federal Emergency Management Agency
24 may use the funds provided in paragraph (5) to acquire
25 real property for the purpose of establishing or appro-

1 priately extending the security buffer zones around Fed-
2 eral Emergency Management Agency training facilities.

3 FIREFIGHTER ASSISTANCE GRANTS

4 For grants for programs authorized by the Federal
5 Fire Prevention and Control Act of 1974 (15 U.S.C. 2201
6 et seq.), \$690,000,000, to remain available until Sep-
7 tember 30, 2017, of which \$345,000,000 shall be available
8 to carry out section 33 of that Act (15 U.S.C. 2229) and
9 \$345,000,000 shall be available to carry out section 34
10 of that Act (15 U.S.C. 2229a).

11 EMERGENCY MANAGEMENT PERFORMANCE GRANTS

12 For emergency management performance grants, as
13 authorized by the National Flood Insurance Act of 1968
14 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster
15 Relief and Emergency Assistance Act (42 U.S.C. 5121 et
16 seq.), the Earthquake Hazards Reduction Act of 1977 (42
17 U.S.C. 7701 et seq.), and Reorganization Plan No. 3 of
18 1978 (5 U.S.C. App.), \$350,000,000.

19 RADIOLOGICAL EMERGENCY PREPAREDNESS PROGRAM

20 The aggregate charges assessed during fiscal year
21 2016, as authorized in title III of the Departments of Vet-
22 erans Affairs and Housing and Urban Development, and
23 Independent Agencies Appropriations Act, 1999 (42
24 U.S.C. 5196e), shall not be less than 100 percent of the
25 amounts anticipated by the Department of Homeland Se-

1 curity necessary for its radiological emergency prepared-
2 ness program for the next fiscal year: *Provided*, That the
3 methodology for assessment and collection of fees shall be
4 fair and equitable and shall reflect costs of providing such
5 services, including administrative costs of collecting such
6 fees: *Provided further*, That fees received under this head-
7 ing shall be deposited in this account as offsetting collec-
8 tions and will become available for authorized purposes on
9 October 1, 2016, and remain available until expended.

10 UNITED STATES FIRE ADMINISTRATION

11 For necessary expenses of the United States Fire Ad-
12 ministration and for other purposes, as authorized by the
13 Federal Fire Prevention and Control Act of 1974 (15
14 U.S.C. 2201 et seq.) and the Homeland Security Act of
15 2002 (6 U.S.C. 101 et seq.), \$44,000,000.

16 DISASTER RELIEF FUND

17 (INCLUDING TRANSFER OF FUNDS)

18 For necessary expenses in carrying out the Robert
19 T. Stafford Disaster Relief and Emergency Assistance Act
20 (42 U.S.C. 5121 et seq.), \$7,374,693,000 to remain avail-
21 able until expended, of which \$24,000,000 shall be trans-
22 ferred to the Department of Homeland Security Office of
23 Inspector General for audits and investigations related to
24 disasters: *Provided*, That the reporting requirements in
25 paragraphs (1) and (2) under the heading “Federal Emer-

1 gency Management Agency, Disaster Relief Fund” in the
2 Department of Homeland Security Appropriations Act,
3 2015 (Public Law 114–4) shall be applied in fiscal year
4 2016 with respect to budget year 2017 and current fiscal
5 year 2016, respectively, by substituting “fiscal year 2017”
6 for “fiscal year 2016” in paragraph (1): *Provided further*,
7 That of the amount provided under this heading,
8 \$6,712,953,000 shall be for major disasters declared pur-
9 suant to the Robert T. Stafford Disaster Relief and Emer-
10 gency Assistance Act (42 U.S.C. 5121 et seq.): *Provided*
11 *further*, That the amount in the preceding proviso is des-
12 ignated by the Congress as being for disaster relief pursu-
13 ant to section 251(b)(2)(D) of the Balanced Budget and
14 Emergency Deficit Control Act of 1985.

15 FLOOD HAZARD MAPPING AND RISK ANALYSIS PROGRAM

16 For necessary expenses, including administrative
17 costs, under section 1360 of the National Flood Insurance
18 Act of 1968 (42 U.S.C. 4101), and under sections
19 100215, 100216, 100226, 100230, and 100246 of the
20 Biggert-Waters Flood Insurance Reform Act of 2012,
21 (Public Law 112–141, 126 Stat. 916), \$190,000,000, and
22 such additional sums as may be provided by State and
23 local governments or other political subdivisions for cost-
24 shared mapping activities under section 1360(f)(2) of such

1 Act (42 U.S.C. 4101(f)(2)), to remain available until ex-
2 pended.

3 NATIONAL FLOOD INSURANCE FUND

4 For activities under the National Flood Insurance
5 Act of 1968 (42 U.S.C. 4001 et seq.), the Flood Disaster
6 Protection Act of 1973 (42 U.S.C. 4001 et seq.), the
7 Biggert-Waters Flood Insurance Reform Act of 2012
8 (Public Law 112–141, 126 Stat. 916), and the Home-
9 owner Flood Insurance Affordability Act of 2014 (Public
10 Law 113–89; 128 Stat. 1020), \$181,198,000, which shall
11 remain available until September 30, 2017, and shall be
12 derived from offsetting amounts collected under section
13 1308(d) of the National Flood Insurance Act of 1968 (42
14 U.S.C. 4015(d)); of which \$25,299,000 shall be available
15 for salaries and expenses associated with flood manage-
16 ment and flood insurance operations and \$155,899,000
17 shall be available for flood plain management and flood
18 mapping: *Provided*, That any additional fees collected pur-
19 suant to section 1308(d) of the National Flood Insurance
20 Act of 1968 (42 U.S.C. 4015(d)) shall be credited as an
21 offsetting collection to this account, to be available for
22 flood plain management and flood mapping: *Provided fur-*
23 *ther*, That in fiscal year 2016, no funds shall be available
24 from the National Flood Insurance Fund under section

1 1310 of the National Flood Insurance Act of 1968 (42
2 U.S.C. 4017) in excess of:

- 3 (1) \$133,252,000 for operating expenses;
- 4 (2) \$1,123,000,000 for commissions and taxes
5 of agents;
- 6 (3) such sums as are necessary for interest on
7 Treasury borrowings; and
- 8 (4) \$175,000,000, which shall remain available
9 until expended, for flood mitigation actions and for
10 flood mitigation assistance under section 1366 of the
11 National Flood Insurance Act of 1968 (42 U.S.C.
12 4104e), notwithstanding sections 1366(e) and
13 1310(a)(7) of such Act (42 U.S.C. 4104c(e), 4017):

14 *Provided further*, That the amounts collected under section
15 102 of the Flood Disaster Protection Act of 1973 (42
16 U.S.C. 4012a) and section 1366(e) of the National Flood
17 Insurance Act of 1968 shall be deposited in the National
18 Flood Insurance Fund to supplement other amounts speci-
19 fied as available for section 1366 of the National Flood
20 Insurance Act of 1968, notwithstanding section 102(f)(8),
21 section 1366(e), and paragraphs (1) through (3) of section
22 1367(b) of such Act (42 U.S.C. 4012a(f)(8), 4104c(e),
23 4104d(b)(1)–(3)): *Provided further*, That total administra-
24 tive costs shall not exceed 4 percent of the total appropria-
25 tion: *Provided further*, That up to \$5,000,000 is available

1 to carry out section 24 of the Homeowner Flood Insurance
2 Affordability Act of 2014 (42 U.S.C. 4033).

3 NATIONAL PREDISASTER MITIGATION FUND

4 For the predisaster mitigation grant program under
5 section 203 of the Robert T. Stafford Disaster Relief and
6 Emergency Assistance Act (42 U.S.C. 5133),
7 \$100,000,000, to remain available until expended.

8 EMERGENCY FOOD AND SHELTER

9 To carry out the Emergency Food and Shelter pro-
10 gram pursuant to title III of the McKinney-Vento Home-
11 less Assistance Act (42 U.S.C. 11331 et seq.),
12 \$120,000,000, to remain available until expended: *Pro-*
13 *vided*, That total administrative costs shall not exceed 3.5
14 percent of the total amount made available under this
15 heading: *Provided further*, That if the President's budget
16 proposal for fiscal year 2017, submitted pursuant to sec-
17 tion 1105(a) of title 31, United States Code, proposes to
18 move the Emergency Food and Shelter program from the
19 Federal Emergency Management Agency to the Depart-
20 ment of Housing and Urban Development, or to fund such
21 program directly through the Department of Housing and
22 Urban Development, a joint transition plan from the Fed-
23 eral Emergency Management Agency and the Department
24 of Housing and Urban Development shall be submitted to
25 the Committees on Appropriations of the Senate and the

1 House of Representatives not later than 90 days after the
2 date the fiscal year 2017 budget is submitted to Congress:
3 *Provided further,* That such plan shall include details on
4 the transition of programmatic responsibilities, efforts to
5 consult with stakeholders, and mechanisms to ensure that
6 the original purpose of the program will be retained.

1 TITLE IV
2 RESEARCH, DEVELOPMENT, TRAINING, AND
3 SERVICES

4 UNITED STATES CITIZENSHIP AND IMMIGRATION
5 SERVICES

6 For necessary expenses for citizenship and immigra-
7 tion services, \$119,671,000 for the E-Verify Program, as
8 described in section 403(a) of the Illegal Immigration Re-
9 form and Immigrant Responsibility Act of 1996 (8 U.S.C.
10 1324a note), to assist United States employers with main-
11 taining a legal workforce: *Provided*, That notwithstanding
12 any other provision of law, funds otherwise made available
13 to United States Citizenship and Immigration Services
14 may be used to acquire, operate, equip, and dispose of up
15 to 5 vehicles, for replacement only, for areas where the
16 Administrator of General Services does not provide vehi-
17 cles for lease: *Provided further*, That the Director of
18 United States Citizenship and Immigration Services may
19 authorize employees who are assigned to those areas to
20 use such vehicles to travel between the employees' resi-
21 dences and places of employment.

22 FEDERAL LAW ENFORCEMENT TRAINING CENTER
23 SALARIES AND EXPENSES

24 For necessary expenses of the Federal Law Enforce-
25 ment Training Center, including materials and support

1 costs of Federal law enforcement basic training; the pur-
2 chase of not to exceed 117 vehicles for police-type use and
3 hire of passenger motor vehicles; expenses for student ath-
4 letic and related activities; the conduct of and participa-
5 tion in firearms matches and presentation of awards; pub-
6 lic awareness and enhancement of community support of
7 law enforcement training; room and board for student in-
8 terns; a flat monthly reimbursement to employees author-
9 ized to use personal mobile phones for official duties; and
10 services as authorized by section 3109 of title 5, United
11 States Code; \$217,485,000; of which up to \$38,981,000
12 shall remain available until September 30, 2017, for mate-
13 rials and support costs of Federal law enforcement basic
14 training; and of which not to exceed \$7,180 shall be for
15 official reception and representation expenses: *Provided*,
16 That the Center is authorized to obligate funds in antici-
17 pation of reimbursements from agencies receiving training
18 sponsored by the Center, except that total obligations at
19 the end of the fiscal year shall not exceed total budgetary
20 resources available at the end of the fiscal year: *Provided*
21 *further*, That section 1202(a) of Public Law 107–206 (42
22 U.S.C. 3771 note), as amended under this heading in Pub-
23 lic Law 114–4, is further amended by striking “December
24 31, 2017” and inserting “December 31, 2018”: *Provided*
25 *further*, That the Director of the Federal Law Enforce-

1 ment Training Center shall schedule basic or advanced law
2 enforcement training, or both, at all four training facilities
3 under the control of the Federal Law Enforcement Train-
4 ing Center to ensure that such training facilities are oper-
5 ated at the highest capacity throughout the fiscal year:
6 *Provided further*, That the Federal Law Enforcement
7 Training Accreditation Board, including representatives
8 from the Federal law enforcement community and non-
9 Federal accreditation experts involved in law enforcement
10 training, shall lead the Federal law enforcement training
11 accreditation process to continue the implementation of
12 measuring and assessing the quality and effectiveness of
13 Federal law enforcement training programs, facilities, and
14 instructors.

15 ACQUISITIONS, CONSTRUCTION, IMPROVEMENTS, AND
16 RELATED EXPENSES

17 For acquisition of necessary additional real property
18 and facilities, construction, and ongoing maintenance, fa-
19 cility improvements, and related expenses of the Federal
20 Law Enforcement Training Center, \$27,553,000, to re-
21 main available until September 30, 2020: *Provided*, That
22 the Center is authorized to accept reimbursement to this
23 appropriation from government agencies requesting the
24 construction of special use facilities.

1 \$38,109,000: *Provided*, That not to exceed \$2,250 shall
2 be for official reception and representation expenses.

3 RESEARCH, DEVELOPMENT, AND OPERATIONS

4 For necessary expenses for radiological and nuclear
5 research, development, testing, evaluation, and operations,
6 \$196,000,000, to remain available until September 30,
7 2018.

8 SYSTEMS ACQUISITION

9 For necessary expenses for the Domestic Nuclear De-
10 tecton Office acquisition and deployment of radiological
11 detection systems in accordance with the global nuclear
12 detection architecture, \$113,011,000, to remain available
13 until September 30, 2018.

1 TITLE V

2 GENERAL PROVISIONS

3 (INCLUDING TRANSFERS AND RESCISSIONS OF FUNDS)

4 SEC. 501. No part of any appropriation contained in
5 this Act shall remain available for obligation beyond the
6 current fiscal year unless expressly so provided herein.

7 SEC. 502. Subject to the requirements of section 503
8 of this Act, the unexpended balances of prior appropria-
9 tions provided for activities in this Act may be transferred
10 to appropriation accounts for such activities established
11 pursuant to this Act, may be merged with funds in the
12 applicable established accounts, and thereafter may be ac-
13 counted for as one fund for the same time period as origi-
14 nally enacted.

15 SEC. 503. (a) None of the funds provided by this Act,
16 provided by previous appropriations Acts to the agencies
17 in or transferred to the Department of Homeland Security
18 that remain available for obligation or expenditure in fiscal
19 year 2016, or provided from any accounts in the Treasury
20 of the United States derived by the collection of fees avail-
21 able to the agencies funded by this Act, shall be available
22 for obligation or expenditure through a reprogramming of
23 funds that—

24 (1) creates a new program, project, or activity;

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

1 (3) increases funds for any program, project, or
2 activity for which funds have been denied or re-
3 stricted by the Congress;

4 (4) contracts out any function or activity pres-
5 ently performed by Federal employees or any new
6 function or activity proposed to be performed by
7 Federal employees in the President's budget pro-
8 posal for fiscal year 2016 for the Department of
9 Homeland Security;

10 (5) augments existing programs, projects, or ac-
11 tivities in excess of \$5,000,000 or 10 percent, which-
12 ever is less;

13 (6) reduces any program, project, or activity, or
14 numbers of personnel by 10 percent; or

15 (7) results from any general savings from a re-
16 duction in personnel that would result in a change
17 in existing programs, projects, or activities as ap-
18 proved by the Congress, unless the Committees on
19 Appropriations of the Senate and the House of Rep-
20 resentatives are notified 15 days in advance of such
21 reprogramming of funds.

22 (b) Not to exceed 5 percent of any appropriation
23 made available for the current fiscal year for the Depart-
24 ment of Homeland Security by this Act or provided by

1 previous appropriations Acts may be transferred between
2 such appropriations.

3 (c) Any transfer under this section shall be treated
4 as a reprogramming of funds under subsection (a) and
5 shall not be available for obligation unless the Committees
6 on Appropriations of the Senate and the House of Rep-
7 resentatives are notified 15 days in advance of such trans-
8 fer.

9 (d) Notwithstanding subsections (a), (b), and (c), no
10 funds shall be reprogrammed within or transferred be-
11 tween appropriations based upon an initial notification
12 provided after June 30, except in extraordinary cir-
13 cumstances that imminently threaten the safety of human
14 life or the protection of property.

15 (e) The notification thresholds and procedures set
16 forth in this section shall apply to any use of deobligated
17 balances of funds provided in previous Department of
18 Homeland Security Appropriations Acts.

19 SEC. 504. The Department of Homeland Security
20 Working Capital Fund, established pursuant to section
21 403 of Public Law 103–356 (31 U.S.C. 501 note), shall
22 continue operations as a permanent working capital fund
23 for fiscal year 2016: *Provided*, That none of the funds ap-
24 propriated or otherwise made available to the Department
25 of Homeland Security may be used to make payments to

1 the Working Capital Fund, except for the activities and
2 amounts allowed in the President's fiscal year 2016 budg-
3 et: *Provided further*, That funds provided to the Working
4 Capital Fund shall be available for obligation until ex-
5 pended to carry out the purposes of the Working Capital
6 Fund: *Provided further*, That all Departmental compo-
7 nents shall be charged only for direct usage of each Work-
8 ing Capital Fund service: *Provided further*, That funds
9 provided to the Working Capital Fund shall be used only
10 for purposes consistent with the contributing component:
11 *Provided further*, That the Working Capital Fund shall be
12 paid in advance or reimbursed at rates which will return
13 the full cost of each service: *Provided further*, That the
14 Committees on Appropriations of the Senate and the
15 House of Representatives shall be notified of any activity
16 added to or removed from the fund: *Provided further*, That
17 for any activity added to the fund, the notification shall
18 identify sources of funds by program, project, and activity:
19 *Provided further*, That the Chief Financial Officer of the
20 Department of Homeland Security shall submit a quar-
21 terly execution report with activity level detail, not later
22 than 30 days after the end of each quarter.

23 SEC. 505. Except as otherwise specifically provided
24 by law, not to exceed 50 percent of unobligated balances
25 remaining available at the end of fiscal year 2016, as re-

1 corded in the financial records at the time of a reprogram-
2 ming request, but not later than June 30, 2017, from ap-
3 propriations for salaries and expenses for fiscal year 2016
4 in this Act shall remain available through September 30,
5 2017, in the account and for the purposes for which the
6 appropriations were provided: *Provided*, That prior to the
7 obligation of such funds, a request shall be submitted to
8 the Committees on Appropriations of the Senate and the
9 House of Representatives for approval in accordance with
10 section 503 of this Act.

11 SEC. 506. Funds made available by this Act for intel-
12 ligence activities are deemed to be specifically authorized
13 by the Congress for purposes of section 504 of the Na-
14 tional Security Act of 1947 (50 U.S.C. 414) during fiscal
15 year 2016 until the enactment of an Act authorizing intel-
16 ligence activities for fiscal year 2016.

17 SEC. 507. (a) Except as provided in subsections (b)
18 and (c), none of the funds made available by this Act may
19 be used to—

20 (1) make or award a grant allocation, grant,
21 contract, other transaction agreement, or task or de-
22 livery order on a Department of Homeland Security
23 multiple award contract, or to issue a letter of intent
24 totaling in excess of \$1,000,000;

1 (2) award a task or delivery order requiring an
2 obligation of funds in an amount greater than
3 \$10,000,000 from multi-year Department of Home-
4 land Security funds;

5 (3) make a sole-source grant award; or

6 (4) announce publicly the intention to make or
7 award items under paragraph (1), (2), or (3) includ-
8 ing a contract covered by the Federal Acquisition
9 Regulation.

10 (b) The Secretary of Homeland Security may waive
11 the prohibition under subsection (a) if the Secretary noti-
12 fies the Committees on Appropriations of the Senate and
13 the House of Representatives at least 3 full business days
14 in advance of making an award or issuing a letter as de-
15 scribed in that subsection.

16 (c) If the Secretary of Homeland Security determines
17 that compliance with this section would pose a substantial
18 risk to human life, health, or safety, an award may be
19 made without notification, and the Secretary shall notify
20 the Committees on Appropriations of the Senate and the
21 House of Representatives not later than 5 full business
22 days after such an award is made or letter issued.

23 (d) A notification under this section—

24 (1) may not involve funds that are not available
25 for obligation; and

1 (2) shall include the amount of the award; the
2 fiscal year for which the funds for the award were
3 appropriated; the type of contract; and the account
4 from which the funds are being drawn.

5 (e) The Administrator of the Federal Emergency
6 Management Agency shall brief the Committees on Appro-
7 priations of the Senate and the House of Representatives
8 5 full business days in advance of announcing publicly the
9 intention of making an award under “State and Local
10 Programs”.

11 SEC. 508. Notwithstanding any other provision of
12 law, no agency shall purchase, construct, or lease any ad-
13 ditional facilities, except within or contiguous to existing
14 locations, to be used for the purpose of conducting Federal
15 law enforcement training without advance notification to
16 the Committees on Appropriations of the Senate and the
17 House of Representatives, except that the Federal Law
18 Enforcement Training Center is authorized to obtain the
19 temporary use of additional facilities by lease, contract,
20 or other agreement for training that cannot be accommo-
21 dated in existing Center facilities.

22 SEC. 509. None of the funds appropriated or other-
23 wise made available by this Act may be used for expenses
24 for any construction, repair, alteration, or acquisition
25 project for which a prospectus otherwise required under

1 chapter 33 of title 40, United States Code, has not been
2 approved, except that necessary funds may be expended
3 for each project for required expenses for the development
4 of a proposed prospectus.

5 SEC. 510. (a) Sections 520, 522, and 530 of the De-
6 partment of Homeland Security Appropriations Act, 2008
7 (division E of Public Law 110–161; 121 Stat. 2073 and
8 2074) shall apply with respect to funds made available in
9 this Act in the same manner as such sections applied to
10 funds made available in that Act.

11 (b) The third proviso of section 537 of the Depart-
12 ment of Homeland Security Appropriations Act, 2006 (6
13 U.S.C. 114), shall hereafter not apply with respect to
14 funds made available in this or any other Act.

15 (c) Section 525 of Public Law 109–90 is amended
16 by striking “thereafter”, and section 554 of Public Law
17 111–83 is amended by striking “and shall report annually
18 thereafter”.

19 SEC. 511. None of the funds made available in this
20 Act may be used in contravention of the applicable provi-
21 sions of the Buy American Act. For purposes of the pre-
22 ceding sentence, the term “Buy American Act” means
23 chapter 83 of title 41, United States Code.

24 SEC. 512. None of the funds made available in this
25 Act may be used to amend the oath of allegiance required

1 by section 337 of the Immigration and Nationality Act
2 (8 U.S.C. 1448).

3 SEC. 513. Not later than 30 days after the last day
4 of each month, the Chief Financial Officer of the Depart-
5 ment of Homeland Security shall submit to the Commit-
6 tees on Appropriations of the Senate and the House of
7 Representatives a monthly budget and staffing report for
8 that month that includes total obligations of the Depart-
9 ment for that month for the fiscal year at the appropria-
10 tion and program, project, and activity levels, by the
11 source year of the appropriation: *Provided*, That total obli-
12 gations for staffing shall also be provided by subcategory
13 of on-board and funded full-time equivalent staffing levels,
14 respectively: *Provided further*, That the report shall specify
15 the number of, and total obligations for, contract employ-
16 ees for each office of the Department.

17 SEC. 514. Except as provided in section 44945 of title
18 49, United States Code, funds appropriated or transferred
19 to Transportation Security Administration “Aviation Se-
20 curity”, “Administration”, and “Transportation Security
21 Support” for fiscal years 2004 and 2005 that are recov-
22 ered or deobligated shall be available only for the procure-
23 ment or installation of explosives detection systems, air
24 cargo, baggage, and checkpoint screening systems, subject
25 to notification: *Provided*, That semiannual reports shall be

1 submitted to the Committees on Appropriations of the
2 Senate and the House of Representatives on any funds
3 that are recovered or deobligated.

4 SEC. 515. None of the funds appropriated by this Act
5 may be used to process or approve a competition under
6 Office of Management and Budget Circular A-76 for serv-
7 ices provided by employees (including employees serving
8 on a temporary or term basis) of United States Citizen-
9 ship and Immigration Services of the Department of
10 Homeland Security who are known as Immigration Infor-
11 mation Officers, Immigration Service Analysts, Contact
12 Representatives, Investigative Assistants, or Immigration
13 Services Officers.

14 SEC. 516. Any funds appropriated to “Coast Guard,
15 Acquisition, Construction, and Improvements” for fiscal
16 years 2002, 2003, 2004, 2005, and 2006 for the 110-
17 123 foot patrol boat conversion that are recovered, col-
18 lected, or otherwise received as the result of negotiation,
19 mediation, or litigation, shall be available until expended
20 for the Fast Response Cutter program.

21 SEC. 517. The functions of the Federal Law Enforce-
22 ment Training Center instructor staff shall be classified
23 as inherently governmental for the purpose of the Federal
24 Activities Inventory Reform Act of 1998 (31 U.S.C. 501
25 note).

1 SEC. 518. (a) The Secretary of Homeland Security
2 shall submit a report not later than October 15, 2016,
3 to the Inspector General of the Department of Homeland
4 Security listing all grants and contracts awarded by any
5 means other than full and open competition during fiscal
6 year 2016.

7 (b) The Inspector General shall review the report re-
8 quired by subsection (a) to assess Departmental compli-
9 ance with applicable laws and regulations and report the
10 results of that review to the Committees on Appropriations
11 of the Senate and the House of Representatives not later
12 than February 15, 2017.

13 SEC. 519. None of the funds provided by this or pre-
14 vious appropriations Acts shall be used to fund any posi-
15 tion designated as a Principal Federal Official (or the suc-
16 cessor thereto) for any Robert T. Stafford Disaster Relief
17 and Emergency Assistance Act (42 U.S.C. 5121 et seq.)
18 declared disasters or emergencies unless—

19 (1) the responsibilities of the Principal Federal
20 Official do not include operational functions related
21 to incident management, including coordination of
22 operations, and are consistent with the requirements
23 of section 509(c) and sections 503(c)(3) and
24 503(c)(4)(A) of the Homeland Security Act of 2002
25 (6 U.S.C. 319(c), 313(c)(3), and 313(c)(4)(A)) and

1 section 302 of the Robert T. Stafford Disaster Relief
2 and Assistance Act (42 U.S.C. 5143);

3 (2) not later than 10 business days after the
4 latter of the date on which the Secretary of Home-
5 land Security appoints the Principal Federal Official
6 and the date on which the President issues a dec-
7 laration under section 401 or section 501 of the
8 Robert T. Stafford Disaster Relief and Emergency
9 Assistance Act (42 U.S.C. 5170 and 5191, respec-
10 tively), the Secretary of Homeland Security shall
11 submit a notification of the appointment of the Prin-
12 cipal Federal Official and a description of the re-
13 sponsibilities of such Official and how such respon-
14 sibilities are consistent with paragraph (1) to the
15 Committees on Appropriations of the Senate and the
16 House of Representatives, the Committee on Home-
17 land Security and Governmental Affairs of the Sen-
18 ate, and the Committee on Transportation and In-
19 frastructure of the House of Representatives; and

20 (3) not later than 60 days after the date of en-
21 actment of this Act, the Secretary shall provide a re-
22 port specifying timeframes and milestones regarding
23 the update of operations, planning and policy docu-
24 ments, and training and exercise protocols, to ensure
25 consistency with paragraph (1) of this section.

1 SEC. 520. None of the funds provided or otherwise
2 made available in this Act shall be available to carry out
3 section 872 of the Homeland Security Act of 2002 (6
4 U.S.C. 452) unless explicitly authorized by Congress.

5 SEC. 521. (a) None of the funds appropriated by this
6 or previous appropriations Acts may be used to establish
7 an Office of Chemical, Biological, Radiological, Nuclear,
8 and Explosives Defense until such time as Congress has
9 authorized such establishment.

10 (b) Subject to the limitation in subsection (a) and
11 notwithstanding section 503 of this Act, the Secretary
12 may transfer funds for the purpose of executing authoriza-
13 tion of the Office of Chemical, Biological, Radiological,
14 Nuclear, and Explosives Defense.

15 (c) Not later than 15 days before transferring funds
16 pursuant to subsection (b), the Secretary of Homeland Se-
17 curity shall submit a report to the Committees on Appro-
18 priations of the Senate and the House of Representatives,
19 the Committee on Homeland Security and Governmental
20 Affairs of the Senate, and the Committee on Homeland
21 Security of the House of Representatives on—

22 (1) the transition plan for the establishment of
23 the office; and

24 (2) the funds and positions to be transferred by
25 source.

1 SEC. 522. None of the funds made available in this
2 Act may be used by United States Citizenship and Immi-
3 gration Services to grant an immigration benefit unless
4 the results of background checks required by law to be
5 completed prior to the granting of the benefit have been
6 received by United States Citizenship and Immigration
7 Services, and the results do not preclude the granting of
8 the benefit.

9 SEC. 523. Section 831 of the Homeland Security Act
10 of 2002 (6 U.S.C. 391) is amended—

11 (1) in subsection (a), by striking “Until Sep-
12 tember 30, 2015,” and inserting “Until September
13 30, 2016,”; and

14 (2) in subsection (c)(1), by striking “September
15 30, 2015,” and inserting “September 30, 2016,”.

16 SEC. 524. The Secretary of Homeland Security shall
17 require that all contracts of the Department of Homeland
18 Security that provide award fees link such fees to success-
19 ful acquisition outcomes (which outcomes shall be speci-
20 fied in terms of cost, schedule, and performance).

21 SEC. 525. Notwithstanding any other provision of
22 law, none of the funds provided in this or any other Act
23 shall be used to approve a waiver of the navigation and
24 vessel-inspection laws pursuant to 46 U.S.C. 501(b) for
25 the transportation of crude oil distributed from and to the

1 Strategic Petroleum Reserve until the Secretary of Home-
2 land Security, after consultation with the Secretaries of
3 the Departments of Energy and Transportation and rep-
4 resentatives from the United States flag maritime indus-
5 try, takes adequate measures to ensure the use of United
6 States flag vessels: *Provided*, That the Secretary shall no-
7 tify the Committees on Appropriations of the Senate and
8 the House of Representatives, the Committee on Com-
9 merce, Science, and Transportation of the Senate, and the
10 Committee on Transportation and Infrastructure of the
11 House of Representatives within 2 business days of any
12 request for waivers of navigation and vessel-inspection
13 laws pursuant to 46 U.S.C. 501(b).

14 SEC. 526. None of the funds made available in this
15 Act for U.S. Customs and Border Protection may be used
16 to prevent an individual not in the business of importing
17 a prescription drug (within the meaning of section 801(g)
18 of the Federal Food, Drug, and Cosmetic Act) from im-
19 porting a prescription drug from Canada that complies
20 with the Federal Food, Drug, and Cosmetic Act: *Provided*,
21 That this section shall apply only to individuals trans-
22 porting on their person a personal-use quantity of the pre-
23 scription drug, not to exceed a 90-day supply: *Provided*
24 *further*, That the prescription drug may not be—

1 (1) a controlled substance, as defined in section
2 102 of the Controlled Substances Act (21 U.S.C.
3 802); or

4 (2) a biological product, as defined in section
5 351 of the Public Health Service Act (42 U.S.C.
6 262).

7 SEC. 527. None of the funds in this Act shall be used
8 to reduce the Coast Guard's Operations Systems Center
9 mission or its government-employed or contract staff lev-
10 els.

11 SEC. 528. The Secretary of Homeland Security, in
12 consultation with the Secretary of the Treasury, shall no-
13 tify the Committees on Appropriations of the Senate and
14 the House of Representatives of any proposed transfers
15 of funds available under section 9703.1(g)(4)(B) of title
16 31, United States Code (as added by Public Law 102-
17 393) from the Department of the Treasury Forfeiture
18 Fund to any agency within the Department of Homeland
19 Security: *Provided*, That none of the funds identified for
20 such a transfer may be obligated until the Committees on
21 Appropriations of the Senate and the House of Represent-
22 atives approve the proposed transfers.

23 SEC. 529. None of the funds made available in this
24 Act may be used for planning, testing, piloting, or devel-
25 oping a national identification card.

1 SEC. 530. None of the funds appropriated by this Act
2 may be used to conduct, or to implement the results of,
3 a competition under Office of Management and Budget
4 Circular A-76 for activities performed with respect to the
5 Coast Guard National Vessel Documentation Center.

6 SEC. 531. Any official that is required by this Act
7 to report or to certify to the Committees on Appropria-
8 tions of the Senate and the House of Representatives may
9 not delegate such authority to perform that act unless spe-
10 cifically authorized herein.

11 SEC. 532. None of the funds appropriated or other-
12 wise made available in this or any other Act may be used
13 to transfer, release, or assist in the transfer or release to
14 or within the United States, its territories, or possessions
15 Khalid Sheikh Mohammed or any other detainee who—

16 (1) is not a United States citizen or a member
17 of the Armed Forces of the United States; and

18 (2) is or was held on or after June 24, 2009,
19 at the United States Naval Station, Guantanamo
20 Bay, Cuba, by the Department of Defense.

21 SEC. 533. None of the funds made available in this
22 Act may be used for first-class travel by the employees
23 of agencies funded by this Act in contravention of sections
24 301-10.122 through 301-10.124 of title 41, Code of Fed-
25 eral Regulations.

1 SEC. 534. None of the funds made available in this
2 Act may be used to employ workers described in section
3 274A(h)(3) of the Immigration and Nationality Act (8
4 U.S.C. 1324a(h)(3)).

5 SEC. 535. Funds made available in this Act may be
6 used to alter operations within the Civil Engineering Pro-
7 gram of the Coast Guard nationwide, including civil engi-
8 neering units, facilities design and construction centers,
9 maintenance and logistics commands, and the Coast
10 Guard Academy, except that none of the funds provided
11 in this Act may be used to reduce operations within any
12 civil engineering unit unless specifically authorized by a
13 statute enacted after the date of enactment of this Act.

14 SEC. 536. Notwithstanding any other provision of
15 this Act, none of the funds appropriated or otherwise
16 made available by this Act may be used to pay award or
17 incentive fees for contractor performance that has been
18 judged to be below satisfactory performance or perform-
19 ance that does not meet the basic requirements of a con-
20 tract.

21 SEC. 537. In developing any process to screen avia-
22 tion passengers and crews for transportation or national
23 security purposes, the Secretary of Homeland Security
24 shall ensure that all such processes take into consideration

1 such passengers' and crews' privacy and civil liberties con-
2 sistent with applicable laws, regulations, and guidance.

3 SEC. 538. (a) Notwithstanding section 1356(n) of
4 title 8, United States Code, of the funds deposited into
5 the Immigration Examinations Fee Account, up to
6 \$10,000,000 may be allocated by United States Citizen-
7 ship and Immigration Services in fiscal year 2016 for the
8 purpose of providing an immigrant integration grants pro-
9 gram.

10 (b) None of the funds made available to United
11 States Citizenship and Immigration Services for grants for
12 immigrant integration may be used to provide services to
13 aliens who have not been lawfully admitted for permanent
14 residence.

15 SEC. 539. For an additional amount for the "Office
16 of the Under Secretary for Management", \$215,679,000,
17 to remain available until expended, for necessary expenses
18 to plan, acquire, design, construct, renovate, remediate,
19 equip, furnish, improve infrastructure, and occupy build-
20 ings and facilities for the Department headquarters con-
21 solidation project and associated mission support consoli-
22 dation: *Provided*, That the Committees on Appropriations
23 of the Senate and the House of Representatives shall re-
24 ceive an expenditure plan not later than 90 days after the

1 date of enactment of this Act detailing the allocation of
2 these funds.

3 SEC. 540. None of the funds appropriated or other-
4 wise made available by this Act may be used by the De-
5 partment of Homeland Security to enter into any Federal
6 contract unless such contract is entered into in accordance
7 with the requirements of subtitle I of title 41, United
8 States Code, or chapter 137 of title 10, United States
9 Code, and the Federal Acquisition Regulation, unless such
10 contract is otherwise authorized by statute to be entered
11 into without regard to the above referenced statutes.

12 SEC. 541. (a) For an additional amount for financial
13 systems modernization, \$52,977,000 to remain available
14 until September 30, 2017.

15 (b) Funds made available in subsection (a) for finan-
16 cial systems modernization may be transferred by the Sec-
17 retary of Homeland Security between appropriations for
18 the same purpose, notwithstanding section 503 of this Act.

19 (c) No transfer described in subsection (b) shall occur
20 until 15 days after the Committees on Appropriations of
21 the Senate and the House of Representatives are notified
22 of such transfer.

23 SEC. 542. (a) For an additional amount for
24 cybersecurity to safeguard and enhance Department of
25 Homeland Security systems and capabilities,

1 \$100,000,000 to remain available until September 30,
2 2017.

3 (b) Funds made available in subsection (a) for
4 cybersecurity may be transferred by the Secretary of
5 Homeland Security between appropriations for the same
6 purpose, notwithstanding section 503 of this Act.

7 (c) No transfer described in subsection (b) shall occur
8 until 15 days after the Committees on Appropriations of
9 the Senate and the House of Representatives are notified
10 of such transfer.

11 SEC. 543. (a) For an additional amount for emergent
12 threats from violent extremism and from complex, coordi-
13 nated terrorist attacks, \$50,000,000 to remain available
14 until September 30, 2017.

15 (b) Funds made available in subsection (a) for emer-
16 gent threats may be transferred by the Secretary of
17 Homeland Security between appropriations for the same
18 purpose, notwithstanding section 503 of this Act.

19 (c) No transfer described in subsection (b) shall occur
20 until 15 days after the Committees on Appropriations of
21 the Senate and the House of Representatives are notified
22 of such transfer.

23 SEC. 544. The Secretary of Homeland Security may
24 transfer to the fund established by 8 U.S.C. 1101 note,
25 up to \$20,000,000 from appropriations available to the

1 Department of Homeland Security: *Provided*, That the
2 Secretary shall notify the Committees on Appropriations
3 of the Senate and the House of Representatives 5 days
4 in advance of such transfer.

5 SEC. 545. The Secretary of Homeland Security shall
6 ensure enforcement of all immigration laws (as defined in
7 section 101(a)(17) of the Immigration and Nationality Act
8 (8 U.S.C. 1101(a)(17))).

9 SEC. 546. (a) None of the funds made available in
10 this Act may be used to maintain or establish a computer
11 network unless such network blocks the viewing,
12 downloading, and exchanging of pornography.

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

17 SEC. 547. None of the funds made available in this
18 Act may be used by a Federal law enforcement officer to
19 facilitate the transfer of an operable firearm to an indi-
20 vidual if the Federal law enforcement officer knows or sus-
21 pects that the individual is an agent of a drug cartel unless
22 law enforcement personnel of the United States continu-
23 ously monitor or control the firearm at all times.

24 SEC. 548. None of the funds provided in this or any
25 other Act may be obligated to implement the National Pre-

1 paredness Grant Program or any other successor grant
2 programs unless explicitly authorized by Congress.

3 SEC. 549. None of the funds made available in this
4 Act may be used to provide funding for the position of
5 Public Advocate, or a successor position, within U.S. Im-
6 migration and Customs Enforcement.

7 SEC. 550. Section 559(e)(3)(D) of Public Law 113-
8 76 is amended by striking “five pilots per year” and in-
9 serting “10 pilots per year”.

10 SEC. 551. None of the funds made available in this
11 Act may be used to pay for the travel to or attendance
12 of more than 50 employees of a single component of the
13 Department of Homeland Security, who are stationed in
14 the United States, at a single international conference un-
15 less the Secretary of Homeland Security, or a designee,
16 determines that such attendance is in the national interest
17 and notifies the Committees on Appropriations of the Sen-
18 ate and the House of Representatives within at least 10
19 days of that determination and the basis for that deter-
20 mination: *Provided*, That for purposes of this section the
21 term “international conference” shall mean a conference
22 occurring outside of the United States attended by rep-
23 resentatives of the United States Government and of for-
24 eign governments, international organizations, or non-
25 governmental organizations: *Provided further*, That the

1 total cost to the Department of Homeland Security of any
2 such conference shall not exceed \$500,000.

3 SEC. 552. None of the funds made available in this
4 Act may be used to reimburse any Federal department
5 or agency for its participation in a National Special Secu-
6 rity Event.

7 SEC. 553. With the exception of countries with
8 preclearance facilities in service prior to 2013, none of the
9 funds made available in this Act may be used for new U.S.
10 Customs and Border Protection air preclearance agree-
11 ments entering into force after February 1, 2014, unless:
12 (1) the Secretary of Homeland Security, in consultation
13 with the Secretary of State, has certified to Congress that
14 air preclearance operations at the airport provide a home-
15 land or national security benefit to the United States; (2)
16 U.S. passenger air carriers are not precluded from oper-
17 ating at existing preclearance locations; and (3) a U.S.
18 passenger air carrier is operating at all airports con-
19 templated for establishment of new air preclearance oper-
20 ations.

21 SEC. 554. None of the funds made available by this
22 or any other Act may be used by the Administrator of
23 the Transportation Security Administration to implement,
24 administer, or enforce, in abrogation of the responsibility
25 described in section 44903(n)(1) of title 49, United States

1 Code, any requirement that airport operators provide air-
2 port-financed staffing to monitor exit points from the ster-
3 ile area of any airport at which the Transportation Secu-
4 rity Administration provided such monitoring as of De-
5 cember 1, 2013.

6 SEC. 555. The administrative law judge annuitants
7 participating in the Senior Administrative Law Judge
8 Program managed by the Director of the Office of Per-
9 sonnel Management under section 3323 of title 5, United
10 States Code, shall be available on a temporary reemploy-
11 ment basis to conduct arbitrations of disputes arising from
12 delivery of assistance under the Federal Emergency Man-
13 agement Agency Public Assistance Program.

14 SEC. 556. As authorized by section 601(b) of the
15 United States-Colombia Trade Promotion Agreement Im-
16 plementation Act (Public Law 112–42) fees collected from
17 passengers arriving from Canada, Mexico, or an adjacent
18 island pursuant to section 13031(a)(5) of the Consolidated
19 Omnibus Budget Reconciliation Act of 1985 (19 U.S.C.
20 58c(a)(5)) shall be available until expended.

21 SEC. 557. None of the funds made available to the
22 Department of Homeland Security by this or any other
23 Act may be obligated for any structural pay reform that
24 affects more than 100 full-time equivalent employee posi-
25 tions or costs more than \$5,000,000 in a single year be-

1 fore the end of the 30-day period beginning on the date
2 on which the Secretary of Homeland Security submits to
3 Congress a notification that includes—

4 (1) the number of full-time equivalent employee
5 positions affected by such change;

6 (2) funding required for such change for the
7 current year and through the Future Years Home-
8 land Security Program;

9 (3) justification for such change; and

10 (4) an analysis of compensation alternatives to
11 such change that were considered by the Depart-
12 ment.

13 SEC. 558. (a) Any agency receiving funds made avail-
14 able in this Act shall, subject to subsections (b) and (c),
15 post on the public Web site of that agency any report re-
16 quired to be submitted by the Committees on Appropria-
17 tions of the Senate and the House of Representatives in
18 this Act, upon the determination by the head of the agency
19 that it shall serve the national interest.

20 (b) Subsection (a) shall not apply to a report if—

21 (1) the public posting of the report com-
22 promises homeland or national security; or

23 (2) the report contains proprietary information.

24 (c) The head of the agency posting such report shall
25 do so only after such report has been made available to

1 the requesting Committee or Committees of Congress for
2 no less than 45 days except as otherwise specified in law.

3 SEC. 559. (a) IN GENERAL.—Beginning on the date
4 of enactment of this Act, the Secretary of Homeland Secu-
5 rity shall not—

6 (1) establish, collect, or otherwise impose any
7 new border crossing fee on individuals crossing the
8 Southern border or the Northern border at a land
9 port of entry; or

10 (2) conduct any study relating to the imposition
11 of a border crossing fee.

12 (b) BORDER CROSSING FEE DEFINED.—In this sec-
13 tion, the term “border crossing fee” means a fee that
14 every pedestrian, cyclist, and driver and passenger of a
15 private motor vehicle is required to pay for the privilege
16 of crossing the Southern border or the Northern border
17 at a land port of entry.

18 SEC. 560. Notwithstanding any other provision of
19 law, grants awarded to States along the Southwest Border
20 of the United States under sections 2003 or 2004 of the
21 Homeland Security Act of 2002 (6 U.S.C. 604 and 605)
22 using funds provided under the heading “Federal Emer-
23 gency Management Agency, State and Local Programs”
24 in this Act, Public Law 114–4, division F of Public Law
25 113–76, or division D of Public Law 113–6 may be used

1 by recipients or sub-recipients for costs, or reimbursement
2 of costs, related to providing humanitarian relief to unac-
3 companied alien children and alien adults accompanied by
4 an alien minor where they are encountered after entering
5 the United States, provided that such costs were incurred
6 between January 1, 2014, and December 31, 2014, or
7 during the award period of performance.

8 SEC. 561. (a) Each major acquisition program of the
9 Department of Homeland Security, as defined in Depart-
10 ment of Homeland Security Management Directive 102–
11 2, shall meet established acquisition documentation re-
12 quirements for its acquisition program baseline established
13 in the Department of Homeland Security Instruction
14 Manual 102–01–001 and the Department of Homeland
15 Security Acquisition Instruction/Guidebook 102–01–001,
16 Appendix K.

17 (b) The Department shall report to the Committees
18 on Appropriations of the Senate and the House of Rep-
19 resentatives in the Comprehensive Acquisition Status Re-
20 port and its quarterly updates, required under the heading
21 “Office of the Under Secretary for Management” of this
22 Act, on any major acquisition program that does not meet
23 such documentation requirements and the schedule by
24 which the program will come into compliance with these
25 requirements.

1 (c) None of the funds made available by this or any
2 other Act for any fiscal year may be used for a major ac-
3 quisition program that is out of compliance with such doc-
4 umentation requirements for more than two years except
5 that funds may be used solely to come into compliance
6 with such documentation requirements or to terminate the
7 program.

8 SEC. 562. None of the funds appropriated by this or
9 any other Act shall be used to pay the salaries and ex-
10 penses of personnel who prepare or submit appropriations
11 language as part of the President's budget proposal to the
12 Congress of the United States for programs under the ju-
13 risdiction of the Appropriations Subcommittees on the De-
14 partment of Homeland Security that assumes revenues or
15 reflects a reduction from the previous year due to user
16 fees proposals that have not been enacted into law prior
17 to the submission of the budget unless such budget sub-
18 mission identifies which additional spending reductions
19 should occur in the event the user fees proposals are not
20 enacted prior to the date of the convening of a committee
21 of conference for the fiscal year 2017 appropriations Act.

22 SEC. 563. (a) The Secretary of Homeland Security
23 may include, in the President's budget proposal for fiscal
24 year 2017, submitted pursuant to section 1105(a) of title
25 31, United States Code, and accompanying justification

1 materials, an account structure under which each appro-
2 priation under each agency heading either remains the
3 same as fiscal year 2016 or falls within the following cat-
4 egories of appropriations:

5 (1) Operations and Support.

6 (2) Procurements, Construction, and Improve-
7 ments.

8 (3) Research and Development.

9 (4) Federal Assistance.

10 (b) The Under Secretary for Management, acting
11 through the Chief Financial Officer, shall determine and
12 provide centralized guidance to each agency on how to
13 structure appropriations for purposes of subsection (a).

14 (c) Not earlier than October 1, 2016, the accounts
15 designated under subsection (a) may be established, and
16 the Secretary of Homeland Security may execute appro-
17 priations of the Department as provided pursuant to such
18 subsection, including any continuing appropriations made
19 available for fiscal year 2017 before enactment of a reg-
20 ular appropriations Act.

21 (d) Notwithstanding any other provision of law, the
22 Secretary of Homeland Security may transfer any appro-
23 priation made available to the Department of Homeland
24 Security by any appropriations Acts to the accounts cre-
25 ated pursuant to subsection (c) to carry out the require-

1 ments of such subsection, and shall notify the Committees
2 on Appropriations of the Senate and the House of Rep-
3 resentatives within 5 days of each transfer.

4 (e)(1) Not later than November 1, 2016, the Sec-
5 retary of Homeland Security shall establish the prelimi-
6 nary baseline for application of reprogramming and trans-
7 fer authorities and submit the report specified in para-
8 graph (2) to the Committees on Appropriations of the
9 Senate and the House of Representatives.

10 (2) The report required in this subsection shall in-
11 clude—

12 (A) a delineation of the amount and account of
13 each transfer made pursuant to subsection (c) or
14 (d);

15 (B) a table for each appropriation with a sepa-
16 rate column to display the President's budget pro-
17 posal, adjustments made by Congress, adjustments
18 due to enacted rescissions, if appropriate, adjust-
19 ments made pursuant to the transfer authority in
20 subsection (c) or (d), and the fiscal year level;

21 (C) a delineation in the table for each appro-
22 priation, adjusted as described in paragraph (2),
23 both by budget activity and program, project, and
24 activity as detailed in the Budget Appendix; and

1 (D) an identification of funds directed for a
2 specific activity.

3 (f) The Secretary shall not exercise the authority pro-
4 vided in subsections (c), (d), and (e) unless, not later than
5 April 1, 2016, the Chief Financial Officer has submitted
6 to the Committees on Appropriations of the Senate and
7 the House of Representatives—

8 (1) technical assistance on new legislative lan-
9 guage in the account structure under subsection (a);

10 (2) comparison tables of fiscal years 2015,
11 2016, and 2017 in the account structure under sub-
12 section (a);

13 (3) cross-component comparisons that the ac-
14 count structure under subsection (a) facilitates;

15 (4) a copy of the interim financial management
16 policy manual addressing changes made in this Act;

17 (5) an outline of the financial management pol-
18 icy manual changes necessary for the account struc-
19 ture under subsection (a);

20 (6) proposed changes to transfer and re-
21 programming requirements, including technical as-
22 sistance on legislative language;

23 (7) certification by the Chief Financial Officer
24 that the Department's financial systems can report
25 in the new account structure; and

1 (8) a plan for training and implementation of
2 the account structure under subsections (a) and (c).

3 SEC. 564. None of the funds made available by this
4 Act may be obligated or expended to implement the Arms
5 Trade Treaty until the Senate approves a resolution of
6 ratification for the Treaty.

7 SEC. 565. Section 214(g)(9)(A) of the Immigration
8 and Nationality Act (8 U.S.C. 1184(g)(9)(A)) is amended
9 by striking “2004, 2005, or 2006 shall not again be count-
10 ed toward such limitation during fiscal year 2007.” and
11 inserting “2013, 2014, or 2015 shall not again be counted
12 toward such limitation during fiscal year 2016.”.

13 SEC. 566. For an additional amount for “U.S. Cus-
14 toms and Border Protection, Salaries and Expenses”,
15 \$14,000,000, to remain available until expended, to be re-
16 duced by amounts collected and credited to this appropria-
17 tion from amounts authorized to be collected by section
18 286(i) of the Immigration and Nationality Act (8 U.S.C.
19 1356(i)), section 10412 of the Farm Security and Rural
20 Investment Act of 2002 (7 U.S.C. 8311), and section 817
21 of the Trade Facilitation and Trade Enforcement Act of
22 2015: *Provided*, That to the extent that amounts realized
23 from such collections exceed \$14,000,000, those amounts
24 in excess of \$14,000,000 shall be credited to this appro-
25 priation and remain available until expended: *Provided*

1 *further*, That this authority is contingent on enactment of
2 the Trade Facilitation and Trade Enforcement Act of
3 2015.

4 (RESCISSIONS)

5 SEC. 567. Of the funds appropriated to the Depart-
6 ment of Homeland Security, the following funds are here-
7 by rescinded from the following accounts and programs
8 in the specified amounts: *Provided*, That no amounts may
9 be rescinded from amounts that were designated by the
10 Congress as an emergency requirement pursuant to a con-
11 current resolution on the budget or the Balanced Budget
12 and Emergency Deficit Control Act of 1985 (Public Law
13 99–177):

14 (1) \$27,338,000 from Public Law 109–88;

15 (2) \$4,188,000 from unobligated prior year bal-
16 ances from “Analysis and Operations”;

17 (3) \$7,000,000 from unobligated prior year bal-
18 ances from “U.S. Customs and Border Protection,
19 Automation Modernization”;

20 (4) \$21,856,000 from unobligated prior year
21 balances from “U.S. Customs and Border Protec-
22 tion, Border Security, Fencing, Infrastructure, and
23 Technology”;

1 (5) \$4,500,000 from unobligated prior year bal-
2 ances from “U.S. Customs and Border Protection,
3 Construction and Facilities Management”;

4 (6) \$158,414,000 from Public Law 114–4
5 under the heading “Transportation Security Admin-
6 istration, Aviation Security”;

7 (7) \$14,000,000 from Public Law 114–4 under
8 the heading “Transportation Security Administra-
9 tion, Surface Transportation Security”;

10 (8) \$5,800,000 from Public Law 112–74 under
11 the heading “Coast Guard, Acquisition, Construc-
12 tion, and Improvements”;

13 (9) \$16,445,000 from Public Law 113–76
14 under the heading “Coast Guard, Acquisition, Con-
15 struction, and Improvements”;

16 (10) \$13,758,918 from “Federal Emergency
17 Management Agency, National Pre-disaster Mitiga-
18 tion Fund” account 70 × 0716;

19 (11) \$393,178 from Public Law 113–6 under
20 the heading “Science and Technology, Research, De-
21 velopment, Acquisition, and Operations”;

22 (12) \$8,500,000 from Public Law 113–76
23 under the heading “Science and Technology, Re-
24 search, Development, Acquisition, and Operations”;

25 and

1 (2) \$146,547 from “Office of the Under Sec-
2 retary for Management”;

3 (3) \$25,859 from “Office of the Chief Financial
4 Officer”;

5 (4) \$507,893 from “Office of the Chief Infor-
6 mation Officer”;

7 (5) \$301,637 from “Analysis and Operations”;

8 (6) \$20,856 from “Office of Inspector Gen-
9 eral”;

10 (7) \$598,201 from “U.S. Customs and Border
11 Protection, Salaries and Expenses”;

12 (8) \$254,322 from “U.S. Customs and Border
13 Protection, Automation Modernization”;

14 (9) \$450,806 from “U.S. Customs and Border
15 Protection, Air and Marine Operations”;

16 (10) \$2,461,665 from “U.S. Immigration and
17 Customs Enforcement, Salaries and Expenses”;

18 (11) \$8,653,853 from “Coast Guard, Operating
19 Expenses”;

20 (12) \$515,040 from “Coast Guard, Reserve
21 Training”;

22 (13) \$970,844 from “Coast Guard, Acquisition,
23 Construction, and Improvements”;

24 (14) \$4,212,971 from “United States Secret
25 Service, Salaries and Expenses”;

1 (added by section 638 of Public Law 102–393),
2 \$176,000,000 shall be rescinded.

3 (RESCISSION)

4 SEC. 571. Of the unobligated balances made available
5 to “Federal Emergency Management Agency, Disaster
6 Relief Fund”, \$1,021,879,000 shall be rescinded: *Pro-*
7 *vided*, That no amounts may be rescinded from amounts
8 that were designated by the Congress as an emergency re-
9 quirement pursuant to a concurrent resolution on the
10 budget or the Balanced Budget and Emergency Deficit
11 Control Act of 1985, as amended: *Provided further*, That
12 no amounts may be rescinded from the amounts that were
13 designated by the Congress as being for disaster relief pur-
14 suant to section 251(b)(2)(D) of the Balanced Budget and
15 Emergency Deficit Control Act of 1985.

16 SEC. 572. Section 401(b) of the Illegal Immigration
17 Reform and Immigrant Responsibility Act of 1996 (8
18 U.S.C. 1324a note) shall be applied by substituting “Sep-
19 tember 30, 2016” for the date specified in section 106(3)
20 of the Continuing Appropriations Act, 2016 (Public Law
21 114–53).

22 SEC. 573. Subclauses 101(a)(27)(C)(ii)(II) and (III)
23 of the Immigration and Nationality Act (8 U.S.C.
24 1101(a)(27)(C)(ii)(II) and (III)) shall be applied by sub-
25 stituting “September 30, 2016” for the date specified in

1 section 106(3) of the Continuing Appropriations Act,
2 2016 (Public Law 114–53).

3 SEC. 574. Section 220(c) of the Immigration and Na-
4 tionality Technical Corrections Act of 1994 (8 U.S.C.
5 1182 note) shall be applied by substituting “September
6 30, 2016” for the date specified in section 106(3) of the
7 Continuing Appropriations Act, 2016 (Public Law 114–
8 53).

9 SEC. 575. Section 610(b) of the Departments of
10 Commerce, Justice, and State, the Judiciary, and Related
11 Agencies Appropriations Act, 1993 (8 U.S.C. 1153 note)
12 shall be applied by substituting “September 30, 2016” for
13 the date specified in section 106(3) of the Continuing Ap-
14 propriations Act, 2016 (Public Law 114–53).

15 This division may be cited as the “Department of
16 Homeland Security Appropriations Act, 2016”.

1 **DIVISION G—DEPARTMENT OF THE INTE-**
2 **RIOR, ENVIRONMENT, AND RELATED**
3 **AGENCIES APPROPRIATIONS ACT, 2016**

4 TITLE I

5 DEPARTMENT OF THE INTERIOR

6 BUREAU OF LAND MANAGEMENT

7 MANAGEMENT OF LANDS AND RESOURCES

8 For necessary expenses for protection, use, improve-
9 ment, development, disposal, cadastral surveying, classi-
10 fication, acquisition of easements and other interests in
11 lands, and performance of other functions, including main-
12 tenance of facilities, as authorized by law, in the manage-
13 ment of lands and their resources under the jurisdiction
14 of the Bureau of Land Management, including the general
15 administration of the Bureau, and assessment of mineral
16 potential of public lands pursuant to section 1010(a) of
17 Public Law 96–487 (16 U.S.C. 3150(a)), \$1,072,675,000,
18 to remain available until expended, including all such
19 amounts as are collected from permit processing fees, as
20 authorized but made subject to future appropriation by
21 section 35(d)(3)(A)(i) of the Mineral Leasing Act (30
22 U.S.C. 191), except that amounts from permit processing
23 fees may be used for any bureau-related expenses associ-
24 ated with the processing of oil and gas applications for
25 permits to drill and related use of authorizations; of which

1 \$3,000,000 shall be available in fiscal year 2016 subject
2 to a match by at least an equal amount by the National
3 Fish and Wildlife Foundation for cost-shared projects sup-
4 porting conservation of Bureau lands; and such funds
5 shall be advanced to the Foundation as a lump-sum grant
6 without regard to when expenses are incurred.

7 In addition, \$39,696,000 is for Mining Law Adminis-
8 tration program operations, including the cost of admin-
9 istering the mining claim fee program, to remain available
10 until expended, to be reduced by amounts collected by the
11 Bureau and credited to this appropriation from mining
12 claim maintenance fees and location fees that are hereby
13 authorized for fiscal year 2016, so as to result in a final
14 appropriation estimated at not more than \$1,072,675,000,
15 and \$2,000,000, to remain available until expended, from
16 communication site rental fees established by the Bureau
17 for the cost of administering communication site activities.

18 LAND ACQUISITION

19 For expenses necessary to carry out sections 205,
20 206, and 318(d) of Public Law 94–579, including admin-
21 istrative expenses and acquisition of lands or waters, or
22 interests therein, \$38,630,000, to be derived from the
23 Land and Water Conservation Fund and to remain avail-
24 able until expended.

1 OREGON AND CALIFORNIA GRANT LANDS

2 For expenses necessary for management, protection,
3 and development of resources and for construction, oper-
4 ation, and maintenance of access roads, reforestation, and
5 other improvements on the revested Oregon and California
6 Railroad grant lands, on other Federal lands in the Or-
7 egon and California land-grant counties of Oregon, and
8 on adjacent rights-of-way; and acquisition of lands or in-
9 terests therein, including existing connecting roads on or
10 adjacent to such grant lands; \$107,734,000, to remain
11 available until expended: *Provided*, That 25 percent of the
12 aggregate of all receipts during the current fiscal year
13 from the revested Oregon and California Railroad grant
14 lands is hereby made a charge against the Oregon and
15 California land-grant fund and shall be transferred to the
16 General Fund in the Treasury in accordance with the sec-
17 ond paragraph of subsection (b) of title II of the Act of
18 August 28, 1937 (43 U.S.C. 1181f).

19 RANGE IMPROVEMENTS

20 For rehabilitation, protection, and acquisition of
21 lands and interests therein, and improvement of Federal
22 rangelands pursuant to section 401 of the Federal Land
23 Policy and Management Act of 1976 (43 U.S.C. 1751),
24 notwithstanding any other Act, sums equal to 50 percent
25 of all moneys received during the prior fiscal year under

1 sections 3 and 15 of the Taylor Grazing Act (43 U.S.C.
2 315b, 315m) and the amount designated for range im-
3 provements from grazing fees and mineral leasing receipts
4 from Bankhead-Jones lands transferred to the Depart-
5 ment of the Interior pursuant to law, but not less than
6 \$10,000,000, to remain available until expended: *Pro-*
7 *vided*, That not to exceed \$600,000 shall be available for
8 administrative expenses.

9 SERVICE CHARGES, DEPOSITS, AND FORFEITURES

10 For administrative expenses and other costs related
11 to processing application documents and other authoriza-
12 tions for use and disposal of public lands and resources,
13 for costs of providing copies of official public land docu-
14 ments, for monitoring construction, operation, and termi-
15 nation of facilities in conjunction with use authorizations,
16 and for rehabilitation of damaged property, such amounts
17 as may be collected under Public Law 94–579 (43 U.S.C.
18 1701 et seq.), and under section 28 of the Mineral Leasing
19 Act (30 U.S.C. 185), to remain available until expended:
20 *Provided*, That, notwithstanding any provision to the con-
21 trary of section 305(a) of Public Law 94–579 (43 U.S.C.
22 1735(a)), any moneys that have been or will be received
23 pursuant to that section, whether as a result of forfeiture,
24 compromise, or settlement, if not appropriate for refund
25 pursuant to section 305(c) of that Act (43 U.S.C.

1 1735(c)), shall be available and may be expended under
2 the authority of this Act by the Secretary to improve, pro-
3 tect, or rehabilitate any public lands administered through
4 the Bureau of Land Management which have been dam-
5 aged by the action of a resource developer, purchaser, per-
6 mittee, or any unauthorized person, without regard to
7 whether all moneys collected from each such action are
8 used on the exact lands damaged which led to the action:
9 *Provided further*, That any such moneys that are in excess
10 of amounts needed to repair damage to the exact land for
11 which funds were collected may be used to repair other
12 damaged public lands.

13 MISCELLANEOUS TRUST FUNDS

14 In addition to amounts authorized to be expended
15 under existing laws, there is hereby appropriated such
16 amounts as may be contributed under section 307 of Pub-
17 lic Law 94-579 (43 U.S.C. 1737), and such amounts as
18 may be advanced for administrative costs, surveys, ap-
19 praisals, and costs of making conveyances of omitted lands
20 under section 211(b) of that Act (43 U.S.C. 1721(b)), to
21 remain available until expended.

22 ADMINISTRATIVE PROVISIONS

23 The Bureau of Land Management may carry out the
24 operations funded under this Act by direct expenditure,
25 contracts, grants, cooperative agreements and reimburs-

1 able agreements with public and private entities, including
2 with States. Appropriations for the Bureau shall be avail-
3 able for purchase, erection, and dismantlement of tem-
4 porary structures, and alteration and maintenance of nec-
5 essary buildings and appurtenant facilities to which the
6 United States has title; up to \$100,000 for payments, at
7 the discretion of the Secretary, for information or evidence
8 concerning violations of laws administered by the Bureau;
9 miscellaneous and emergency expenses of enforcement ac-
10 tivities authorized or approved by the Secretary and to be
11 accounted for solely on the Secretary's certificate, not to
12 exceed \$10,000: *Provided*, That notwithstanding Public
13 Law 90-620 (44 U.S.C. 501), the Bureau may, under co-
14 operative cost-sharing and partnership arrangements au-
15 thorized by law, procure printing services from cooperators
16 in connection with jointly produced publications for which
17 the cooperators share the cost of printing either in cash
18 or in services, and the Bureau determines the cooperator
19 is capable of meeting accepted quality standards: *Provided*
20 *further*, That projects to be funded pursuant to a written
21 commitment by a State government to provide an identi-
22 fied amount of money in support of the project may be
23 carried out by the Bureau on a reimbursable basis. Appro-
24 priations herein made shall not be available for the de-
25 struction of healthy, unadopted, wild horses and burros

1 in the care of the Bureau or its contractors or for the
2 sale of wild horses and burros that results in their destruc-
3 tion for processing into commercial products.

4 UNITED STATES FISH AND WILDLIFE SERVICE
5 RESOURCE MANAGEMENT

6 For necessary expenses of the United States Fish and
7 Wildlife Service, as authorized by law, and for scientific
8 and economic studies, general administration, and for the
9 performance of other authorized functions related to such
10 resources, \$1,238,771,000, to remain available until Sep-
11 tember 30, 2017: *Provided*, That not to exceed
12 \$20,515,000 shall be used for implementing subsections
13 (a), (b), (c), and (e) of section 4 of the Endangered Spe-
14 cies Act of 1973 (16 U.S.C. 1533) (except for processing
15 petitions, developing and issuing proposed and final regu-
16 lations, and taking any other steps to implement actions
17 described in subsection (c)(2)(A), (c)(2)(B)(i), or
18 (c)(2)(B)(ii)), of which not to exceed \$4,605,000 shall be
19 used for any activity regarding the designation of critical
20 habitat, pursuant to subsection (a)(3), excluding litigation
21 support, for species listed pursuant to subsection (a)(1)
22 prior to October 1, 2014; of which not to exceed
23 \$1,501,000 shall be used for any activity regarding peti-
24 tions to list species that are indigenous to the United
25 States pursuant to subsections (b)(3)(A) and (b)(3)(B);

1 and, of which not to exceed \$1,504,000 shall be used for
2 implementing subsections (a), (b), (c), and (e) of section
3 4 of the Endangered Species Act of 1973 (16 U.S.C.
4 1533) for species that are not indigenous to the United
5 States.

6 CONSTRUCTION

7 For construction, improvement, acquisition, or re-
8 moval of buildings and other facilities required in the con-
9 servation, management, investigation, protection, and uti-
10 lization of fish and wildlife resources, and the acquisition
11 of lands and interests therein; \$23,687,000, to remain
12 available until expended.

13 LAND ACQUISITION

14 For expenses necessary to carry out chapter 2003 of
15 title 54, United States Code, including administrative ex-
16 penses, and for acquisition of land or waters, or interest
17 therein, in accordance with statutory authority applicable
18 to the United States Fish and Wildlife Service,
19 \$68,500,000, to be derived from the Land and Water Con-
20 servation Fund and to remain available until expended,
21 of which, notwithstanding section 200306 of title 54,
22 United States Code, not more than \$10,000,000 shall be
23 for land conservation partnerships authorized by the
24 Highlands Conservation Act of 2004, including not to ex-
25 ceed \$320,000 for administrative expenses: *Provided*, That

1 none of the funds appropriated for specific land acqui-
2 sition projects may be used to pay for any administrative
3 overhead, planning or other management costs.

4 COOPERATIVE ENDANGERED SPECIES CONSERVATION
5 FUND

6 For expenses necessary to carry out section 6 of the
7 Endangered Species Act of 1973 (16 U.S.C. 1535),
8 \$53,495,000, to remain available until expended, of which
9 \$22,695,000 is to be derived from the Cooperative Endan-
10 gered Species Conservation Fund; and of which
11 \$30,800,000 is to be derived from the Land and Water
12 Conservation Fund.

13 NATIONAL WILDLIFE REFUGE FUND

14 For expenses necessary to implement the Act of Octo-
15 ber 17, 1978 (16 U.S.C. 715s), \$13,228,000.

16 NORTH AMERICAN WETLANDS CONSERVATION FUND

17 For expenses necessary to carry out the provisions
18 of the North American Wetlands Conservation Act (16
19 U.S.C. 4401 et seq.), \$35,145,000, to remain available
20 until expended.

21 NEOTROPICAL MIGRATORY BIRD CONSERVATION

22 For expenses necessary to carry out the Neotropical
23 Migratory Bird Conservation Act (16 U.S.C. 6101 et
24 seq.), \$3,910,000, to remain available until expended.

1 MULTINATIONAL SPECIES CONSERVATION FUND

2 For expenses necessary to carry out the African Ele-
3 phant Conservation Act (16 U.S.C. 4201 et seq.), the
4 Asian Elephant Conservation Act of 1997 (16 U.S.C.
5 4261 et seq.), the Rhinoceros and Tiger Conservation Act
6 of 1994 (16 U.S.C. 5301 et seq.), the Great Ape Con-
7 servation Act of 2000 (16 U.S.C. 6301 et seq.), and the
8 Marine Turtle Conservation Act of 2004 (16 U.S.C. 6601
9 et seq.), \$11,061,000, to remain available until expended.

10 STATE AND TRIBAL WILDLIFE GRANTS

11 For wildlife conservation grants to States and to the
12 District of Columbia, Puerto Rico, Guam, the United
13 States Virgin Islands, the Northern Mariana Islands,
14 American Samoa, and Indian tribes under the provisions
15 of the Fish and Wildlife Act of 1956 and the Fish and
16 Wildlife Coordination Act, for the development and imple-
17 mentation of programs for the benefit of wildlife and their
18 habitat, including species that are not hunted or fished,
19 \$60,571,000, to remain available until expended: *Pro-*
20 *vided*, That of the amount provided herein, \$4,084,000 is
21 for a competitive grant program for Indian tribes not sub-
22 ject to the remaining provisions of this appropriation: *Pro-*
23 *vided further*, That \$5,487,000 is for a competitive grant
24 program to implement approved plans for States, terri-
25 tories, and other jurisdictions and at the discretion of af-

1 fected States, the regional Associations of fish and wildlife
2 agencies, not subject to the remaining provisions of this
3 appropriation: *Provided further*, That the Secretary shall,
4 after deducting \$9,571,000 and administrative expenses,
5 apportion the amount provided herein in the following
6 manner: (1) to the District of Columbia and to the Com-
7 monwealth of Puerto Rico, each a sum equal to not more
8 than one-half of 1 percent thereof; and (2) to Guam,
9 American Samoa, the United States Virgin Islands, and
10 the Commonwealth of the Northern Mariana Islands, each
11 a sum equal to not more than one-fourth of 1 percent
12 thereof: *Provided further*, That the Secretary shall appor-
13 tion the remaining amount in the following manner: (1)
14 one-third of which is based on the ratio to which the land
15 area of such State bears to the total land area of all such
16 States; and (2) two-thirds of which is based on the ratio
17 to which the population of such State bears to the total
18 population of all such States: *Provided further*, That the
19 amounts apportioned under this paragraph shall be ad-
20 justed equitably so that no State shall be apportioned a
21 sum which is less than 1 percent of the amount available
22 for apportionment under this paragraph for any fiscal year
23 or more than 5 percent of such amount: *Provided further*,
24 That the Federal share of planning grants shall not exceed
25 75 percent of the total costs of such projects and the Fed-

1 eral share of implementation grants shall not exceed 65
2 percent of the total costs of such projects: *Provided fur-*
3 *ther*, That the non-Federal share of such projects may not
4 be derived from Federal grant programs: *Provided further*,
5 That any amount apportioned in 2016 to any State, terri-
6 tory, or other jurisdiction that remains unobligated as of
7 September 30, 2017, shall be reapportioned, together with
8 funds appropriated in 2018, in the manner provided here-
9 in.

10 ADMINISTRATIVE PROVISIONS

11 The United States Fish and Wildlife Service may
12 carry out the operations of Service programs by direct ex-
13 penditure, contracts, grants, cooperative agreements and
14 reimbursable agreements with public and private entities.
15 Appropriations and funds available to the United States
16 Fish and Wildlife Service shall be available for repair of
17 damage to public roads within and adjacent to reservation
18 areas caused by operations of the Service; options for the
19 purchase of land at not to exceed \$1 for each option; facili-
20 ties incident to such public recreational uses on conserva-
21 tion areas as are consistent with their primary purpose;
22 and the maintenance and improvement of aquaria, build-
23 ings, and other facilities under the jurisdiction of the Serv-
24 ice and to which the United States has title, and which
25 are used pursuant to law in connection with management,

1 and investigation of fish and wildlife resources: *Provided*,
2 That notwithstanding 44 U.S.C. 501, the Service may,
3 under cooperative cost sharing and partnership arrange-
4 ments authorized by law, procure printing services from
5 cooperators in connection with jointly produced publica-
6 tions for which the cooperators share at least one-half the
7 cost of printing either in cash or services and the Service
8 determines the cooperator is capable of meeting accepted
9 quality standards: *Provided further*, That the Service may
10 accept donated aircraft as replacements for existing air-
11 craft: *Provided further*, That notwithstanding 31 U.S.C.
12 3302, all fees collected for non-toxic shot review and ap-
13 proval shall be deposited under the heading “United
14 States Fish and Wildlife Service—Resource Management”
15 and shall be available to the Secretary, without further
16 appropriation, to be used for expenses of processing of
17 such non-toxic shot type or coating applications and revis-
18 ing regulations as necessary, and shall remain available
19 until expended.

20 NATIONAL PARK SERVICE

21 OPERATION OF THE NATIONAL PARK SYSTEM

22 For expenses necessary for the management, oper-
23 ation, and maintenance of areas and facilities adminis-
24 tered by the National Park Service and for the general
25 administration of the National Park Service,

1 \$2,369,596,000, of which \$10,001,000 for planning and
2 interagency coordination in support of Everglades restora-
3 tion and \$99,461,000 for maintenance, repair, or rehabili-
4 tation projects for constructed assets shall remain avail-
5 able until September 30, 2017: *Provided*, That funds ap-
6 propriated under this heading in this Act are available for
7 the purposes of section 5 of Public Law 95–348 and sec-
8 tion 204 of Public Law 93–486, as amended by section
9 1(3) of Public Law 100–355.

10 NATIONAL RECREATION AND PRESERVATION

11 For expenses necessary to carry out recreation pro-
12 grams, natural programs, cultural programs, heritage
13 partnership programs, environmental compliance and re-
14 view, international park affairs, and grant administration,
15 not otherwise provided for, \$62,632,000.

16 HISTORIC PRESERVATION FUND

17 For expenses necessary in carrying out the National
18 Historic Preservation Act (division A of subtitle III of title
19 54, United States Code), \$65,410,000, to be derived from
20 the Historic Preservation Fund and to remain available
21 until September 30, 2017, of which \$500,000 is for com-
22 petitive grants for the survey and nomination of properties
23 to the National Register of Historic Places and as Na-
24 tional Historic Landmarks associated with communities
25 currently underrepresented, as determined by the Sec-

1 retary, and of which \$8,000,000 is for competitive grants
2 to preserve the sites and stories of the Civil Rights move-
3 ment: *Provided*, That such competitive grants shall be
4 made without imposing the matching requirements in sec-
5 tion 302902(b)(3) of title 54, United States Code to
6 States and Indian tribes as defined in chapter 3003 of
7 such title, Native Hawaiian organizations, local govern-
8 ments, including Certified Local Governments, and non-
9 profit organizations.

10 CONSTRUCTION

11 For construction, improvements, repair, or replace-
12 ment of physical facilities, including modifications author-
13 ized by section 104 of the Everglades National Park Pro-
14 tection and Expansion Act of 1989 (16 U.S.C. 410r-8),
15 \$192,937,000, to remain available until expended: *Pro-*
16 *vided*, That, notwithstanding any other provision of law,
17 for any project initially funded in fiscal year 2016 with
18 a future phase indicated in the National Park Service 5-
19 Year Line Item Construction Plan, a single procurement
20 may be issued which includes the full scope of the project:
21 *Provided further*, That the solicitation and contract shall
22 contain the clause availability of funds found at 48 CFR
23 52.232-18: *Provided further*, That National Park Service
24 Donations, Park Concessions Franchise Fees, and Recre-
25 ation Fees may be made available for the cost of adjust-

1 contract at the benefitting unit, in the amount of funds
2 so expended to extinguish or reduce liability.

3 For the costs of administration of the Land and
4 Water Conservation Fund grants authorized by section
5 105(a)(2)(B) of the Gulf of Mexico Energy Security Act
6 of 2006 (Public Law 109–432), the National Park Service
7 may retain up to 3 percent of the amounts which are au-
8 thorized to be disbursed under such section, such retained
9 amounts to remain available until expended.

10 National Park Service funds may be transferred to
11 the Federal Highway Administration (FHWA), Depart-
12 ment of Transportation, for purposes authorized under 23
13 U.S.C. 204. Transfers may include a reasonable amount
14 for FHWA administrative support costs.

15 In fiscal year 2016 and each fiscal year thereafter,
16 any amounts deposited into the National Park Service
17 trust fund accounts (31 U.S.C. 1321(a)(17)–(18)) shall be
18 invested by the Secretary of the Treasury in interest bear-
19 ing obligations of the United States to the extent such
20 amounts are not, in his judgment, required to meet cur-
21 rent withdrawals: *Provided*, That interest earned by such
22 investments shall be available for obligation without fur-
23 ther appropriation, to the benefit of the project.

1 UNITED STATES GEOLOGICAL SURVEY

2 SURVEYS, INVESTIGATIONS, AND RESEARCH

3 For expenses necessary for the United States Geo-
4 logical Survey to perform surveys, investigations, and re-
5 search covering topography, geology, hydrology, biology,
6 and the mineral and water resources of the United States,
7 its territories and possessions, and other areas as author-
8 ized by 43 U.S.C. 31, 1332, and 1340; classify lands as
9 to their mineral and water resources; give engineering su-
10 pervision to power permittees and Federal Energy Regu-
11 latory Commission licensees; administer the minerals ex-
12 ploration program (30 U.S.C. 641); conduct inquiries into
13 the economic conditions affecting mining and materials
14 processing industries (30 U.S.C. 3, 21a, and 1603; 50
15 U.S.C. 98g(1)) and related purposes as authorized by law;
16 and to publish and disseminate data relative to the fore-
17 going activities; \$1,062,000,000, to remain available until
18 September 30, 2017; of which \$57,637,189 shall remain
19 available until expended for satellite operations; and of
20 which \$7,280,000 shall be available until expended for de-
21 ferred maintenance and capital improvement projects that
22 exceed \$100,000 in cost: *Provided*, That none of the funds
23 provided for the ecosystem research activity shall be used
24 to conduct new surveys on private property, unless specifi-
25 cally authorized in writing by the property owner: *Pro-*

1 *vided further*, That no part of this appropriation shall be
2 used to pay more than one-half the cost of topographic
3 mapping or water resources data collection and investiga-
4 tions carried on in cooperation with States and municipali-
5 ties.

6 ADMINISTRATIVE PROVISIONS

7 From within the amount appropriated for activities
8 of the United States Geological Survey such sums as are
9 necessary shall be available for contracting for the fur-
10 nishing of topographic maps and for the making of geo-
11 physical or other specialized surveys when it is administra-
12 tively determined that such procedures are in the public
13 interest; construction and maintenance of necessary build-
14 ings and appurtenant facilities; acquisition of lands for
15 gauging stations and observation wells; expenses of the
16 United States National Committee for Geological
17 Sciences; and payment of compensation and expenses of
18 persons employed by the Survey duly appointed to rep-
19 resent the United States in the negotiation and adminis-
20 tration of interstate compacts: *Provided*, That activities
21 funded by appropriations herein made may be accom-
22 plished through the use of contracts, grants, or coopera-
23 tive agreements as defined in section 6302 of title 31,
24 United States Code: *Provided further*, That the United
25 States Geological Survey may enter into contracts or coop-

1 erative agreements directly with individuals or indirectly
2 with institutions or nonprofit organizations, without re-
3 gard to 41 U.S.C. 6101, for the temporary or intermittent
4 services of students or recent graduates, who shall be con-
5 sidered employees for the purpose of chapters 57 and 81
6 of title 5, United States Code, relating to compensation
7 for travel and work injuries, and chapter 171 of title 28,
8 United States Code, relating to tort claims, but shall not
9 be considered to be Federal employees for any other pur-
10 poses.

11 BUREAU OF OCEAN ENERGY MANAGEMENT

12 OCEAN ENERGY MANAGEMENT

13 For expenses necessary for granting leases, ease-
14 ments, rights-of-way and agreements for use for oil and
15 gas, other minerals, energy, and marine-related purposes
16 on the Outer Continental Shelf and approving operations
17 related thereto, as authorized by law; for environmental
18 studies, as authorized by law; for implementing other laws
19 and to the extent provided by Presidential or Secretarial
20 delegation; and for matching grants or cooperative agree-
21 ments, \$170,857,000, of which \$74,235,000, is to remain
22 available until September 30, 2017 and of which
23 \$96,622,000 is to remain available until expended: *Pro-*
24 *vided*, That this total appropriation shall be reduced by
25 amounts collected by the Secretary and credited to this

1 appropriation from additions to receipts resulting from in-
2 creases to lease rental rates in effect on August 5, 1993,
3 and from cost recovery fees from activities conducted by
4 the Bureau of Ocean Energy Management pursuant to the
5 Outer Continental Shelf Lands Act, including studies, as-
6 sessments, analysis, and miscellaneous administrative ac-
7 tivities: *Provided further*, That the sum herein appro-
8 priated shall be reduced as such collections are received
9 during the fiscal year, so as to result in a final fiscal year
10 2016 appropriation estimated at not more than
11 \$74,235,000: *Provided further*, That not to exceed \$3,000
12 shall be available for reasonable expenses related to pro-
13 moting volunteer beach and marine cleanup activities.

14 BUREAU OF SAFETY AND ENVIRONMENTAL
15 ENFORCEMENT
16 OFFSHORE SAFETY AND ENVIRONMENTAL ENFORCEMENT
17 For expenses necessary for the regulation of oper-
18 ations related to leases, easements, rights-of-way and
19 agreements for use for oil and gas, other minerals, energy,
20 and marine-related purposes on the Outer Continental
21 Shelf, as authorized by law; for enforcing and imple-
22 menting laws and regulations as authorized by law and
23 to the extent provided by Presidential or Secretarial dele-
24 gation; and for matching grants or cooperative agree-
25 ments, \$124,772,000, of which \$67,565,000 is to remain

1 available until September 30, 2017 and of which
2 \$57,207,000 is to remain available until expended: *Pro-*
3 *vided*, That this total appropriation shall be reduced by
4 amounts collected by the Secretary and credited to this
5 appropriation from additions to receipts resulting from in-
6 creases to lease rental rates in effect on August 5, 1993,
7 and from cost recovery fees from activities conducted by
8 the Bureau of Safety and Environmental Enforcement
9 pursuant to the Outer Continental Shelf Lands Act, in-
10 cluding studies, assessments, analysis, and miscellaneous
11 administrative activities: *Provided further*, That the sum
12 herein appropriated shall be reduced as such collections
13 are received during the fiscal year, so as to result in a
14 final fiscal year 2016 appropriation estimated at not more
15 than \$67,565,000.

16 For an additional amount, \$65,000,000, to remain
17 available until expended, to be reduced by amounts col-
18 lected by the Secretary and credited to this appropriation,
19 which shall be derived from non-refundable inspection fees
20 collected in fiscal year 2016, as provided in this Act: *Pro-*
21 *vided*, That to the extent that amounts realized from such
22 inspection fees exceed \$65,000,000, the amounts realized
23 in excess of \$65,000,000 shall be credited to this appro-
24 priation and remain available until expended: *Provided*
25 *further*, That for fiscal year 2016, not less than 50 percent

1 of the inspection fees expended by the Bureau of Safety
2 and Environmental Enforcement will be used to fund per-
3 sonnel and mission-related costs to expand capacity and
4 expedite the orderly development, subject to environmental
5 safeguards, of the Outer Continental Shelf pursuant to the
6 Outer Continental Shelf Lands Act (43 U.S.C. 1331 et
7 seq.), including the review of applications for permits to
8 drill.

9 OIL SPILL RESEARCH

10 For necessary expenses to carry out title I, section
11 1016, title IV, sections 4202 and 4303, title VII, and title
12 VIII, section 8201 of the Oil Pollution Act of 1990,
13 \$14,899,000, which shall be derived from the Oil Spill Li-
14 ability Trust Fund, to remain available until expended.

15 OFFICE OF SURFACE MINING RECLAMATION AND

16 ENFORCEMENT

17 REGULATION AND TECHNOLOGY

18 For necessary expenses to carry out the provisions
19 of the Surface Mining Control and Reclamation Act of
20 1977, Public Law 95–87, \$123,253,000, to remain avail-
21 able until September 30, 2017: *Provided*, That appropria-
22 tions for the Office of Surface Mining Reclamation and
23 Enforcement may provide for the travel and per diem ex-
24 penses of State and tribal personnel attending Office of

1 Surface Mining Reclamation and Enforcement sponsored
2 training.

3 In addition, for costs to review, administer, and en-
4 force permits issued by the Office pursuant to section 507
5 of Public Law 95–87 (30 U.S.C. 1257), \$40,000, to re-
6 main available until expended: *Provided*, That fees as-
7 sessed and collected by the Office pursuant to such section
8 507 shall be credited to this account as discretionary off-
9 setting collections, to remain available until expended:
10 *Provided further*, That the sum herein appropriated from
11 the general fund shall be reduced as collections are re-
12 ceived during the fiscal year, so as to result in a fiscal
13 year 2016 appropriation estimated at not more than
14 \$123,253,000.

15 ABANDONED MINE RECLAMATION FUND

16 For necessary expenses to carry out title IV of the
17 Surface Mining Control and Reclamation Act of 1977,
18 Public Law 95–87, \$27,303,000, to be derived from re-
19 ceipts of the Abandoned Mine Reclamation Fund and to
20 remain available until expended: *Provided*, That pursuant
21 to Public Law 97–365, the Department of the Interior is
22 authorized to use up to 20 percent from the recovery of
23 the delinquent debt owed to the United States Government
24 to pay for contracts to collect these debts: *Provided fur-*
25 *ther*, That funds made available under title IV of Public

1 Law 95–87 may be used for any required non-Federal
2 share of the cost of projects funded by the Federal Gov-
3 ernment for the purpose of environmental restoration re-
4 lated to treatment or abatement of acid mine drainage
5 from abandoned mines: *Provided further*, That such
6 projects must be consistent with the purposes and prior-
7 ities of the Surface Mining Control and Reclamation Act:
8 *Provided further*, That amounts provided under this head-
9 ing may be used for the travel and per diem expenses of
10 State and tribal personnel attending Office of Surface
11 Mining Reclamation and Enforcement sponsored training.

12 In addition, \$90,000,000, to remain available until
13 expended, for grants to States for reclamation of aban-
14 doned mine lands and other related activities in accord-
15 ance with the terms and conditions in the explanatory
16 statement described in section 4 (in the matter preceding
17 division A of this consolidated Act): *Provided*, That such
18 additional amount shall be used for economic and commu-
19 nity development in conjunction with the priorities in sec-
20 tion 403(a) of the Surface Mining Control and Reclama-
21 tion Act of 1977 (30 U.S.C. 1233(a)): *Provided further*,
22 That such additional amount shall be distributed in equal
23 amounts to the 3 Appalachian States with the greatest
24 amount of unfunded needs to meet the priorities described
25 in paragraphs (1) and (2) of such section: *Provided fur-*

1 *ther*, That such additional amount shall be allocated to
2 States within 60 days after the date of enactment of this
3 Act.

4 BUREAU OF INDIAN AFFAIRS AND BUREAU OF INDIAN
5 EDUCATION

6 OPERATION OF INDIAN PROGRAMS

7 (INCLUDING TRANSFER OF FUNDS)

8 For expenses necessary for the operation of Indian
9 programs, as authorized by law, including the Snyder Act
10 of November 2, 1921 (25 U.S.C. 13), the Indian Self-De-
11 termination and Education Assistance Act of 1975 (25
12 U.S.C. 450 et seq.), the Education Amendments of 1978
13 (25 U.S.C. 2001–2019), and the Tribally Controlled
14 Schools Act of 1988 (25 U.S.C. 2501 et seq.),
15 \$2,267,924,000, to remain available until September 30,
16 2017, except as otherwise provided herein; of which not
17 to exceed \$8,500 may be for official reception and rep-
18 resentation expenses; of which not to exceed \$74,791,000
19 shall be for welfare assistance payments: *Provided*, That,
20 in cases of designated Federal disasters, the Secretary
21 may exceed such cap, from the amounts provided herein,
22 to provide for disaster relief to Indian communities af-
23 fected by the disaster: *Provided further*, That federally rec-
24 ognized Indian tribes and tribal organizations of federally
25 recognized Indian tribes may use their tribal priority allo-

1 cations for unmet welfare assistance costs: *Provided fur-*
2 *ther*, That not to exceed \$628,351,000 for school oper-
3 ations costs of Bureau-funded schools and other education
4 programs shall become available on July 1, 2016, and
5 shall remain available until September 30, 2017: *Provided*
6 *further*, That not to exceed \$43,813,000 shall remain
7 available until expended for housing improvement, road
8 maintenance, attorney fees, litigation support, land
9 records improvement, and the Navajo-Hopi Settlement
10 Program: *Provided further*, That, notwithstanding any
11 other provision of law, including but not limited to the
12 Indian Self-Determination Act of 1975 (25 U.S.C. 450f
13 et seq.) and section 1128 of the Education Amendments
14 of 1978 (25 U.S.C. 2008), not to exceed \$73,276,000
15 within and only from such amounts made available for
16 school operations shall be available for administrative cost
17 grants associated with grants approved prior to July 1,
18 2016: *Provided further*, That any forestry funds allocated
19 to a federally recognized tribe which remain unobligated
20 as of September 30, 2017, may be transferred during fis-
21 cal year 2018 to an Indian forest land assistance account
22 established for the benefit of the holder of the funds within
23 the holder's trust fund account: *Provided further*, That
24 any such unobligated balances not so transferred shall ex-
25 pire on September 30, 2018: *Provided further*, That, in

1 order to enhance the safety of Bureau field employees, the
2 Bureau may use funds to purchase uniforms or other iden-
3 tifying articles of clothing for personnel.

4 CONTRACT SUPPORT COSTS

5 For payments to tribes and tribal organizations for
6 contract support costs associated with Indian Self-Deter-
7 mination and Education Assistance Act agreements with
8 the Bureau of Indian Affairs for fiscal year 2016, such
9 sums as may be necessary, which shall be available for
10 obligation through September 30, 2017: *Provided*, That
11 amounts obligated but not expended by a tribe or tribal
12 organization for contract support costs for such agree-
13 ments for the current fiscal year shall be applied to con-
14 tract support costs otherwise due for such agreements for
15 subsequent fiscal years: *Provided further*, That, notwith-
16 standing any other provision of law, no amounts made
17 available under this heading shall be available for transfer
18 to another budget account.

19 CONSTRUCTION

20 (INCLUDING TRANSFER OF FUNDS)

21 For construction, repair, improvement, and mainte-
22 nance of irrigation and power systems, buildings, utilities,
23 and other facilities, including architectural and engineer-
24 ing services by contract; acquisition of lands, and interests
25 in lands; and preparation of lands for farming, and for

1 construction of the Navajo Indian Irrigation Project pur-
2 suant to Public Law 87–483, \$193,973,000, to remain
3 available until expended: *Provided*, That such amounts as
4 may be available for the construction of the Navajo Indian
5 Irrigation Project may be transferred to the Bureau of
6 Reclamation: *Provided further*, That not to exceed 6 per-
7 cent of contract authority available to the Bureau of In-
8 dian Affairs from the Federal Highway Trust Fund may
9 be used to cover the road program management costs of
10 the Bureau: *Provided further*, That any funds provided for
11 the Safety of Dams program pursuant to 25 U.S.C. 13
12 shall be made available on a nonreimbursable basis: *Pro-*
13 *vided further*, That for fiscal year 2016, in implementing
14 new construction, replacement facilities construction, or
15 facilities improvement and repair project grants in excess
16 of \$100,000 that are provided to grant schools under Pub-
17 lic Law 100–297, the Secretary of the Interior shall use
18 the Administrative and Audit Requirements and Cost
19 Principles for Assistance Programs contained in 43 CFR
20 part 12 as the regulatory requirements: *Provided further*,
21 That such grants shall not be subject to section 12.61 of
22 43 CFR; the Secretary and the grantee shall negotiate and
23 determine a schedule of payments for the work to be per-
24 formed: *Provided further*, That in considering grant appli-
25 cations, the Secretary shall consider whether such grantee

1 would be deficient in assuring that the construction
2 projects conform to applicable building standards and
3 codes and Federal, tribal, or State health and safety
4 standards as required by 25 U.S.C. 2005(b), with respect
5 to organizational and financial management capabilities:
6 *Provided further*, That if the Secretary declines a grant
7 application, the Secretary shall follow the requirements
8 contained in 25 U.S.C. 2504(f): *Provided further*, That
9 any disputes between the Secretary and any grantee con-
10 cerning a grant shall be subject to the disputes provision
11 in 25 U.S.C. 2507(e): *Provided further*, That in order to
12 ensure timely completion of construction projects, the Sec-
13 retary may assume control of a project and all funds re-
14 lated to the project, if, within 18 months of the date of
15 enactment of this Act, any grantee receiving funds appro-
16 priated in this Act or in any prior Act, has not completed
17 the planning and design phase of the project and com-
18 menced construction: *Provided further*, That this appro-
19 priation may be reimbursed from the Office of the Special
20 Trustee for American Indians appropriation for the appro-
21 priate share of construction costs for space expansion
22 needed in agency offices to meet trust reform implementa-
23 tion.

1 INDIAN LAND AND WATER CLAIM SETTLEMENTS AND
2 MISCELLANEOUS PAYMENTS TO INDIANS

3 For payments and necessary administrative expenses
4 for implementation of Indian land and water claim settle-
5 ments pursuant to Public Laws 99-264, 100-580, 101-
6 618, 111-11, and 111-291, and for implementation of
7 other land and water rights settlements, \$49,475,000, to
8 remain available until expended.

9 INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

10 For the cost of guaranteed loans and insured loans,
11 \$7,748,000, of which \$1,062,000 is for administrative ex-
12 penses, as authorized by the Indian Financing Act of
13 1974: *Provided*, That such costs, including the cost of
14 modifying such loans, shall be as defined in section 502
15 of the Congressional Budget Act of 1974: *Provided fur-*
16 *ther*, That these funds are available to subsidize total loan
17 principal, any part of which is to be guaranteed or insured,
18 not to exceed \$113,804,510.

19 ADMINISTRATIVE PROVISIONS

20 The Bureau of Indian Affairs may carry out the oper-
21 ation of Indian programs by direct expenditure, contracts,
22 cooperative agreements, compacts, and grants, either di-
23 rectly or in cooperation with States and other organiza-
24 tions.

1 Notwithstanding 25 U.S.C. 15, the Bureau of Indian
2 Affairs may contract for services in support of the man-
3 agement, operation, and maintenance of the Power Divi-
4 sion of the San Carlos Irrigation Project.

5 Notwithstanding any other provision of law, no funds
6 available to the Bureau of Indian Affairs for central office
7 oversight and Executive Direction and Administrative
8 Services (except executive direction and administrative
9 services funding for Tribal Priority Allocations, regional
10 offices, and facilities operations and maintenance) shall be
11 available for contracts, grants, compacts, or cooperative
12 agreements with the Bureau of Indian Affairs under the
13 provisions of the Indian Self-Determination Act or the
14 Tribal Self-Governance Act of 1994 (Public Law 103–
15 413).

16 In the event any tribe returns appropriations made
17 available by this Act to the Bureau of Indian Affairs, this
18 action shall not diminish the Federal Government’s trust
19 responsibility to that tribe, or the government-to-govern-
20 ment relationship between the United States and that
21 tribe, or that tribe’s ability to access future appropria-
22 tions.

23 Notwithstanding any other provision of law, no funds
24 available to the Bureau of Indian Education, other than
25 the amounts provided herein for assistance to public

1 schools under 25 U.S.C. 452 et seq., shall be available to
2 support the operation of any elementary or secondary
3 school in the State of Alaska.

4 No funds available to the Bureau of Indian Edu-
5 cation shall be used to support expanded grades for any
6 school or dormitory beyond the grade structure in place
7 or approved by the Secretary of the Interior at each school
8 in the Bureau of Indian Education school system as of
9 October 1, 1995, except that the Secretary of the Interior
10 may waive this prohibition to support expansion of up to
11 one additional grade when the Secretary determines such
12 waiver is needed to support accomplishment of the mission
13 of the Bureau of Indian Education. Appropriations made
14 available in this or any prior Act for schools funded by
15 the Bureau shall be available, in accordance with the Bu-
16 reau's funding formula, only to the schools in the Bureau
17 school system as of September 1, 1996, and to any school
18 or school program that was reinstated in fiscal year 2012.
19 Funds made available under this Act may not be used to
20 establish a charter school at a Bureau-funded school (as
21 that term is defined in section 1141 of the Education
22 Amendments of 1978 (25 U.S.C. 2021)), except that a
23 charter school that is in existence on the date of the enact-
24 ment of this Act and that has operated at a Bureau-fund-
25 ed school before September 1, 1999, may continue to oper-

1 ate during that period, but only if the charter school pays
2 to the Bureau a pro rata share of funds to reimburse the
3 Bureau for the use of the real and personal property (in-
4 cluding buses and vans), the funds of the charter school
5 are kept separate and apart from Bureau funds, and the
6 Bureau does not assume any obligation for charter school
7 programs of the State in which the school is located if
8 the charter school loses such funding. Employees of Bu-
9 reau-funded schools sharing a campus with a charter
10 school and performing functions related to the charter
11 school's operation and employees of a charter school shall
12 not be treated as Federal employees for purposes of chap-
13 ter 171 of title 28, United States Code.

14 Notwithstanding any other provision of law, including
15 section 113 of title I of appendix C of Public Law 106-
16 113, if in fiscal year 2003 or 2004 a grantee received indi-
17 rect and administrative costs pursuant to a distribution
18 formula based on section 5(f) of Public Law 101-301, the
19 Secretary shall continue to distribute indirect and admin-
20 istrative cost funds to such grantee using the section 5(f)
21 distribution formula.

22 Funds available under this Act may not be used to
23 establish satellite locations of schools in the Bureau school
24 system as of September 1, 1996, except that the Secretary
25 may waive this prohibition in order for an Indian tribe

1 to provide language and cultural immersion educational
2 programs for non-public schools located within the juris-
3 dictional area of the tribal government which exclusively
4 serve tribal members, do not include grades beyond those
5 currently served at the existing Bureau-funded school,
6 provide an educational environment with educator pres-
7 ence and academic facilities comparable to the Bureau-
8 funded school, comply with all applicable Tribal, Federal,
9 or State health and safety standards, and the Americans
10 with Disabilities Act, and demonstrate the benefits of es-
11 tablishing operations at a satellite location in lieu of incur-
12 ring extraordinary costs, such as for transportation or
13 other impacts to students such as those caused by busing
14 students extended distances: *Provided*, That no funds
15 available under this Act may be used to fund operations,
16 maintenance, rehabilitation, construction or other facili-
17 ties-related costs for such assets that are not owned by
18 the Bureau: *Provided further*, That the term “satellite
19 school” means a school location physically separated from
20 the existing Bureau school by more than 50 miles but that
21 forms part of the existing school in all other respects.

1 DEPARTMENTAL OFFICES

2 OFFICE OF THE SECRETARY

3 DEPARTMENTAL OPERATIONS

4 For necessary expenses for management of the De-
5 partment of the Interior, including the collection and dis-
6 bursement of royalties, fees, and other mineral revenue
7 proceeds, and for grants and cooperative agreements, as
8 authorized by law, \$721,769,000, to remain available until
9 September 30, 2017; of which not to exceed \$15,000 may
10 be for official reception and representation expenses; and
11 of which up to \$1,000,000 shall be available for workers
12 compensation payments and unemployment compensation
13 payments associated with the orderly closure of the United
14 States Bureau of Mines; and of which \$12,618,000 for
15 the Office of Valuation Services is to be derived from the
16 Land and Water Conservation Fund and shall remain
17 available until expended; and of which \$38,300,000 shall
18 remain available until expended for the purpose of mineral
19 revenue management activities: *Provided*, That notwith-
20 standing any other provision of law, \$15,000 under this
21 heading shall be available for refunds of overpayments in
22 connection with certain Indian leases in which the Sec-
23 retary concurred with the claimed refund due, to pay
24 amounts owed to Indian allottees or tribes, or to correct
25 prior unrecoverable erroneous payments.

1 ADMINISTRATIVE PROVISIONS

2 For fiscal year 2016, up to \$400,000 of the payments
3 authorized by the Act of October 20, 1976 (31 U.S.C.
4 6901–6907) may be retained for administrative expenses
5 of the Payments in Lieu of Taxes Program: *Provided*,
6 That no payment shall be made pursuant to that Act to
7 otherwise eligible units of local government if the com-
8 puted amount of the payment is less than \$100: *Provided*
9 *further*, That the Secretary may reduce the payment au-
10 thorized by 31 U.S.C. 6901–6907 for an individual county
11 by the amount necessary to correct prior year overpay-
12 ments to that county: *Provided further*, That the amount
13 needed to correct a prior year underpayment to an indi-
14 vidual county shall be paid from any reductions for over-
15 payments to other counties and the amount necessary to
16 cover any remaining underpayment is hereby appropriated
17 and shall be paid to individual counties: *Provided further*,
18 That of the total amount made available by this title for
19 “Office of the Secretary—Departmental Operations”,
20 \$452,000,000 shall be available to the Secretary of the
21 Interior for an additional amount for fiscal year 2016 for
22 payments in lieu of taxes under chapter 69 of title 31,
23 United States Code.

1 INSULAR AFFAIRS

2 ASSISTANCE TO TERRITORIES

3 For expenses necessary for assistance to territories
4 under the jurisdiction of the Department of the Interior
5 and other jurisdictions identified in section 104(e) of Pub-
6 lic Law 108–188, \$86,976,000, of which: (1) \$77,528,000
7 shall remain available until expended for territorial assist-
8 ance, including general technical assistance, maintenance
9 assistance, disaster assistance, coral reef initiative activi-
10 ties, and brown tree snake control and research; grants
11 to the judiciary in American Samoa for compensation and
12 expenses, as authorized by law (48 U.S.C. 1661(c));
13 grants to the Government of American Samoa, in addition
14 to current local revenues, for construction and support of
15 governmental functions; grants to the Government of the
16 Virgin Islands as authorized by law; grants to the Govern-
17 ment of Guam, as authorized by law; and grants to the
18 Government of the Northern Mariana Islands as author-
19 ized by law (Public Law 94–241; 90 Stat. 272); and (2)
20 \$9,448,000 shall be available until September 30, 2017,
21 for salaries and expenses of the Office of Insular Affairs:
22 *Provided*, That all financial transactions of the territorial
23 and local governments herein provided for, including such
24 transactions of all agencies or instrumentalities estab-
25 lished or used by such governments, may be audited by

1 the Government Accountability Office, at its discretion, in
2 accordance with chapter 35 of title 31, United States
3 Code: *Provided further*, That Northern Mariana Islands
4 Covenant grant funding shall be provided according to
5 those terms of the Agreement of the Special Representa-
6 tives on Future United States Financial Assistance for the
7 Northern Mariana Islands approved by Public Law 104-
8 134: *Provided further*, That the funds for the program of
9 operations and maintenance improvement are appro-
10 priated to institutionalize routine operations and mainte-
11 nance improvement of capital infrastructure with terri-
12 torial participation and cost sharing to be determined by
13 the Secretary based on the grantee's commitment to time-
14 ly maintenance of its capital assets: *Provided further*, That
15 any appropriation for disaster assistance under this head-
16 ing in this Act or previous appropriations Acts may be
17 used as non-Federal matching funds for the purpose of
18 hazard mitigation grants provided pursuant to section 404
19 of the Robert T. Stafford Disaster Relief and Emergency
20 Assistance Act (42 U.S.C. 5170e).

21 COMPACT OF FREE ASSOCIATION

22 For grants and necessary expenses, \$3,318,000, to
23 remain available until expended, as provided for in sec-
24 tions 221(a)(2) and 233 of the Compact of Free Associa-
25 tion for the Republic of Palau; and section 221(a)(2) of

1 the Compacts of Free Association for the Government of
2 the Republic of the Marshall Islands and the Federated
3 States of Micronesia, as authorized by Public Law 99–
4 658 and Public Law 108–188.

5 ADMINISTRATIVE PROVISIONS

6 (INCLUDING TRANSFER OF FUNDS)

7 At the request of the Governor of Guam, the Sec-
8 retary may transfer discretionary funds or mandatory
9 funds provided under section 104(e) of Public Law 108–
10 188 and Public Law 104–134, that are allocated for
11 Guam, to the Secretary of Agriculture for the subsidy cost
12 of direct or guaranteed loans, plus not to exceed three per-
13 cent of the amount of the subsidy transferred for the cost
14 of loan administration, for the purposes authorized by the
15 Rural Electrification Act of 1936 and section 306(a)(1)
16 of the Consolidated Farm and Rural Development Act for
17 construction and repair projects in Guam, and such funds
18 shall remain available until expended: *Provided*, That such
19 costs, including the cost of modifying such loans, shall be
20 as defined in section 502 of the Congressional Budget Act
21 of 1974: *Provided further*, That such loans or loan guaran-
22 tees may be made without regard to the population of the
23 area, credit elsewhere requirements, and restrictions on
24 the types of eligible entities under the Rural Electrifica-
25 tion Act of 1936 and section 306(a)(1) of the Consolidated

1 Farm and Rural Development Act: *Provided further*, That
2 any funds transferred to the Secretary of Agriculture shall
3 be in addition to funds otherwise made available to make
4 or guarantee loans under such authorities.

5 OFFICE OF THE SOLICITOR

6 SALARIES AND EXPENSES

7 For necessary expenses of the Office of the Solicitor,
8 \$65,800,000.

9 OFFICE OF INSPECTOR GENERAL

10 SALARIES AND EXPENSES

11 For necessary expenses of the Office of Inspector
12 General, \$50,047,000.

13 OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN

14 INDIANS

15 FEDERAL TRUST PROGRAMS

16 (INCLUDING TRANSFER OF FUNDS)

17 For the operation of trust programs for Indians by
18 direct expenditure, contracts, cooperative agreements,
19 compacts, and grants, \$139,029,000, to remain available
20 until expended, of which not to exceed \$22,120,000 from
21 this or any other Act, may be available for historical ac-
22 counting: *Provided*, That funds for trust management im-
23 provements and litigation support may, as needed, be
24 transferred to or merged with the Bureau of Indian Af-
25 fairs and Bureau of Indian Education, “Operation of In-

1 dian Programs” account; the Office of the Solicitor, “Sala-
2 ries and Expenses” account; and the Office of the Sec-
3 retary, “Departmental Operations” account: *Provided fur-*
4 *ther*, That funds made available through contracts or
5 grants obligated during fiscal year 2016, as authorized by
6 the Indian Self-Determination Act of 1975 (25 U.S.C. 450
7 et seq.), shall remain available until expended by the con-
8 tractor or grantee: *Provided further*, That, notwith-
9 standing any other provision of law, the Secretary shall
10 not be required to provide a quarterly statement of per-
11 formance for any Indian trust account that has not had
12 activity for at least 15 months and has a balance of \$15
13 or less: *Provided further*, That the Secretary shall issue
14 an annual account statement and maintain a record of any
15 such accounts and shall permit the balance in each such
16 account to be withdrawn upon the express written request
17 of the account holder: *Provided further*, That not to exceed
18 \$50,000 is available for the Secretary to make payments
19 to correct administrative errors of either disbursements
20 from or deposits to Individual Indian Money or Tribal ac-
21 counts after September 30, 2002: *Provided further*, That
22 erroneous payments that are recovered shall be credited
23 to and remain available in this account for this purpose:
24 *Provided further*, That the Secretary shall not be required
25 to reconcile Special Deposit Accounts with a balance of

1 less than \$500 unless the Office of the Special Trustee
2 receives proof of ownership from a Special Deposit Ac-
3 counts claimant.

4 DEPARTMENT-WIDE PROGRAMS

5 WILDLAND FIRE MANAGEMENT

6 (INCLUDING TRANSFERS OF FUNDS)

7 For necessary expenses for fire preparedness, fire
8 suppression operations, fire science and research, emer-
9 gency rehabilitation, hazardous fuels management activi-
10 ties, and rural fire assistance by the Department of the
11 Interior, \$816,745,000, to remain available until ex-
12 pended, of which not to exceed \$6,427,000 shall be for
13 the renovation or construction of fire facilities: *Provided*,
14 That such funds are also available for repayment of ad-
15 vances to other appropriation accounts from which funds
16 were previously transferred for such purposes: *Provided*
17 *further*, That of the funds provided \$170,000,000 is for
18 hazardous fuels management activities: *Provided further*,
19 That of the funds provided \$18,970,000 is for burned area
20 rehabilitation: *Provided further*, That persons hired pursu-
21 ant to 43 U.S.C. 1469 may be furnished subsistence and
22 lodging without cost from funds available from this appro-
23 priation: *Provided further*, That notwithstanding 42
24 U.S.C. 1856d, sums received by a bureau or office of the
25 Department of the Interior for fire protection rendered

1 pursuant to 42 U.S.C. 1856 et seq., protection of United
2 States property, may be credited to the appropriation from
3 which funds were expended to provide that protection, and
4 are available without fiscal year limitation: *Provided fur-*
5 *ther*, That using the amounts designated under this title
6 of this Act, the Secretary of the Interior may enter into
7 procurement contracts, grants, or cooperative agreements,
8 for hazardous fuels management and resilient landscapes
9 activities, and for training and monitoring associated with
10 such hazardous fuels management and resilient landscapes
11 activities on Federal land, or on adjacent non-Federal land
12 for activities that benefit resources on Federal land: *Pro-*
13 *vided further*, That the costs of implementing any coopera-
14 tive agreement between the Federal Government and any
15 non-Federal entity may be shared, as mutually agreed on
16 by the affected parties: *Provided further*, That notwith-
17 standing requirements of the Competition in Contracting
18 Act, the Secretary, for purposes of hazardous fuels man-
19 agement and resilient landscapes activities, may obtain
20 maximum practicable competition among: (1) local pri-
21 vate, nonprofit, or cooperative entities; (2) Youth Con-
22 servation Corps crews, Public Lands Corps (Public Law
23 109–154), or related partnerships with State, local, or
24 nonprofit youth groups; (3) small or micro-businesses; or
25 (4) other entities that will hire or train locally a significant

1 percentage, defined as 50 percent or more, of the project
2 workforce to complete such contracts: *Provided further*,
3 That in implementing this section, the Secretary shall de-
4 velop written guidance to field units to ensure account-
5 ability and consistent application of the authorities pro-
6 vided herein: *Provided further*, That funds appropriated
7 under this heading may be used to reimburse the United
8 States Fish and Wildlife Service and the National Marine
9 Fisheries Service for the costs of carrying out their re-
10 sponsibilities under the Endangered Species Act of 1973
11 (16 U.S.C. 1531 et seq.) to consult and conference, as
12 required by section 7 of such Act, in connection with
13 wildland fire management activities: *Provided further*,
14 That the Secretary of the Interior may use wildland fire
15 appropriations to enter into leases of real property with
16 local governments, at or below fair market value, to con-
17 struct capitalized improvements for fire facilities on such
18 leased properties, including but not limited to fire guard
19 stations, retardant stations, and other initial attack and
20 fire support facilities, and to make advance payments for
21 any such lease or for construction activity associated with
22 the lease: *Provided further*, That the Secretary of the Inte-
23 rior and the Secretary of Agriculture may authorize the
24 transfer of funds appropriated for wildland fire manage-
25 ment, in an aggregate amount not to exceed \$50,000,000,

1 between the Departments when such transfers would fa-
2 cilitate and expedite wildland fire management programs
3 and projects: *Provided further*, That funds provided for
4 wildfire suppression shall be available for support of Fed-
5 eral emergency response actions: *Provided further*, That
6 funds appropriated under this heading shall be available
7 for assistance to or through the Department of State in
8 connection with forest and rangeland research, technical
9 information, and assistance in foreign countries, and, with
10 the concurrence of the Secretary of State, shall be avail-
11 able to support forestry, wildland fire management, and
12 related natural resource activities outside the United
13 States and its territories and possessions, including tech-
14 nical assistance, education and training, and cooperation
15 with United States and international organizations.

16 FLAME WILDFIRE SUPPRESSION RESERVE FUND
17 (INCLUDING TRANSFER OF FUNDS)

18 For necessary expenses for large fire suppression op-
19 erations of the Department of the Interior and as a re-
20 serve fund for suppression and Federal emergency re-
21 sponse activities, \$177,000,000, to remain available until
22 expended: *Provided*, That such amounts are only available
23 for transfer to the “Wildland Fire Management” account
24 following a declaration by the Secretary in accordance

1 with section 502 of the FLAME Act of 2009 (43 U.S.C.
2 1748a).

3 CENTRAL HAZARDOUS MATERIALS FUND

4 For necessary expenses of the Department of the In-
5 terior and any of its component offices and bureaus for
6 the response action, including associated activities, per-
7 formed pursuant to the Comprehensive Environmental Re-
8 sponse, Compensation, and Liability Act (42 U.S.C. 9601
9 et seq.), \$10,010,000, to remain available until expended.

10 NATURAL RESOURCE DAMAGE ASSESSMENT AND
11 RESTORATION

12 NATURAL RESOURCE DAMAGE ASSESSMENT FUND

13 To conduct natural resource damage assessment, res-
14 toration activities, and onshore oil spill preparedness by
15 the Department of the Interior necessary to carry out the
16 provisions of the Comprehensive Environmental Response,
17 Compensation, and Liability Act (42 U.S.C. 9601 et seq.),
18 the Federal Water Pollution Control Act (33 U.S.C. 1251
19 et seq.), the Oil Pollution Act of 1990 (33 U.S.C. 2701
20 et seq.), and Public Law 101–337 (16 U.S.C. 19jj et seq.),
21 \$7,767,000, to remain available until expended.

22 WORKING CAPITAL FUND

23 For the operation and maintenance of a departmental
24 financial and business management system, information
25 technology improvements of general benefit to the Depart-

1 ment, and the consolidation of facilities and operations
2 throughout the Department, \$67,100,000, to remain
3 available until expended: *Provided*, That none of the funds
4 appropriated in this Act or any other Act may be used
5 to establish reserves in the Working Capital Fund account
6 other than for accrued annual leave and depreciation of
7 equipment without prior approval of the Committees on
8 Appropriations of the House of Representatives and the
9 Senate: *Provided further*, That the Secretary may assess
10 reasonable charges to State, local and tribal government
11 employees for training services provided by the National
12 Indian Program Training Center, other than training re-
13 lated to Public Law 93–638: *Provided further*, That the
14 Secretary may lease or otherwise provide space and related
15 facilities, equipment or professional services of the Na-
16 tional Indian Program Training Center to State, local and
17 tribal government employees or persons or organizations
18 engaged in cultural, educational, or recreational activities
19 (as defined in section 3306(a) of title 40, United States
20 Code) at the prevailing rate for similar space, facilities,
21 equipment, or services in the vicinity of the National In-
22 dian Program Training Center: *Provided further*, That all
23 funds received pursuant to the two preceding provisos
24 shall be credited to this account, shall be available until
25 expended, and shall be used by the Secretary for necessary

1 expenses of the National Indian Program Training Center:
2 *Provided further*, That the Secretary may enter into grants
3 and cooperative agreements to support the Office of Nat-
4 ural Resource Revenue's collection and disbursement of
5 royalties, fees, and other mineral revenue proceeds, as au-
6 thorized by law.

7 ADMINISTRATIVE PROVISION

8 There is hereby authorized for acquisition from avail-
9 able resources within the Working Capital Fund, aircraft
10 which may be obtained by donation, purchase or through
11 available excess surplus property: *Provided*, That existing
12 aircraft being replaced may be sold, with proceeds derived
13 or trade-in value used to offset the purchase price for the
14 replacement aircraft.

15 GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

16 (INCLUDING TRANSFERS OF FUNDS)

17 EMERGENCY TRANSFER AUTHORITY—INTRA-BUREAU

18 SEC. 101. Appropriations made in this title shall be
19 available for expenditure or transfer (within each bureau
20 or office), with the approval of the Secretary, for the emer-
21 gency reconstruction, replacement, or repair of aircraft,
22 buildings, utilities, or other facilities or equipment dam-
23 aged or destroyed by fire, flood, storm, or other unavoid-
24 able causes: *Provided*, That no funds shall be made avail-
25 able under this authority until funds specifically made

1 available to the Department of the Interior for emer-
2 gencies shall have been exhausted: *Provided further*, That
3 all funds used pursuant to this section must be replenished
4 by a supplemental appropriation, which must be requested
5 as promptly as possible.

6 EMERGENCY TRANSFER AUTHORITY—DEPARTMENT-WIDE

7 SEC. 102. The Secretary may authorize the expendi-
8 ture or transfer of any no year appropriation in this title,
9 in addition to the amounts included in the budget pro-
10 grams of the several agencies, for the suppression or emer-
11 gency prevention of wildland fires on or threatening lands
12 under the jurisdiction of the Department of the Interior;
13 for the emergency rehabilitation of burned-over lands
14 under its jurisdiction; for emergency actions related to po-
15 tential or actual earthquakes, floods, volcanoes, storms, or
16 other unavoidable causes; for contingency planning subse-
17 quent to actual oil spills; for response and natural resource
18 damage assessment activities related to actual oil spills or
19 releases of hazardous substances into the environment; for
20 the prevention, suppression, and control of actual or po-
21 tential grasshopper and Mormon cricket outbreaks on
22 lands under the jurisdiction of the Secretary, pursuant to
23 the authority in section 417(b) of Public Law 106–224
24 (7 U.S.C. 7717(b)); for emergency reclamation projects
25 under section 410 of Public Law 95–87; and shall trans-

1 fer, from any no year funds available to the Office of Sur-
2 face Mining Reclamation and Enforcement, such funds as
3 may be necessary to permit assumption of regulatory au-
4 thority in the event a primacy State is not carrying out
5 the regulatory provisions of the Surface Mining Act: *Pro-*
6 *vided*, That appropriations made in this title for wildland
7 fire operations shall be available for the payment of obliga-
8 tions incurred during the preceding fiscal year, and for
9 reimbursement to other Federal agencies for destruction
10 of vehicles, aircraft, or other equipment in connection with
11 their use for wildland fire operations, such reimbursement
12 to be credited to appropriations currently available at the
13 time of receipt thereof: *Provided further*, That for wildland
14 fire operations, no funds shall be made available under
15 this authority until the Secretary determines that funds
16 appropriated for “wildland fire operations” and “FLAME
17 Wildfire Suppression Reserve Fund” shall be exhausted
18 within 30 days: *Provided further*, That all funds used pur-
19 suant to this section must be replenished by a supple-
20 mental appropriation, which must be requested as prompt-
21 ly as possible: *Provided further*, That such replenishment
22 funds shall be used to reimburse, on a pro rata basis, ac-
23 counts from which emergency funds were transferred.

1 AUTHORIZED USE OF FUNDS

2 SEC. 103. Appropriations made to the Department
3 of the Interior in this title shall be available for services
4 as authorized by section 3109 of title 5, United States
5 Code, when authorized by the Secretary, in total amount
6 not to exceed \$500,000; purchase and replacement of
7 motor vehicles, including specially equipped law enforce-
8 ment vehicles; hire, maintenance, and operation of air-
9 craft; hire of passenger motor vehicles; purchase of re-
10 prints; payment for telephone service in private residences
11 in the field, when authorized under regulations approved
12 by the Secretary; and the payment of dues, when author-
13 ized by the Secretary, for library membership in societies
14 or associations which issue publications to members only
15 or at a price to members lower than to subscribers who
16 are not members.

17 AUTHORIZED USE OF FUNDS, INDIAN TRUST

18 MANAGEMENT

19 SEC. 104. Appropriations made in this Act under the
20 headings Bureau of Indian Affairs and Bureau of Indian
21 Education, and Office of the Special Trustee for American
22 Indians and any unobligated balances from prior appro-
23 priations Acts made under the same headings shall be
24 available for expenditure or transfer for Indian trust man-
25 agement and reform activities. Total funding for historical

1 accounting activities shall not exceed amounts specifically
2 designated in this Act for such purpose.

3 REDISTRIBUTION OF FUNDS, BUREAU OF INDIAN
4 AFFAIRS

5 SEC. 105. Notwithstanding any other provision of
6 law, the Secretary of the Interior is authorized to redis-
7 tribute any Tribal Priority Allocation funds, including
8 tribal base funds, to alleviate tribal funding inequities by
9 transferring funds to address identified, unmet needs,
10 dual enrollment, overlapping service areas or inaccurate
11 distribution methodologies. No tribe shall receive a reduc-
12 tion in Tribal Priority Allocation funds of more than 10
13 percent in fiscal year 2016. Under circumstances of dual
14 enrollment, overlapping service areas or inaccurate dis-
15 tribution methodologies, the 10 percent limitation does not
16 apply.

17 ELLIS, GOVERNORS, AND LIBERTY ISLANDS

18 SEC. 106. Notwithstanding any other provision of
19 law, the Secretary of the Interior is authorized to acquire
20 lands, waters, or interests therein including the use of all
21 or part of any pier, dock, or landing within the State of
22 New York and the State of New Jersey, for the purpose
23 of operating and maintaining facilities in the support of
24 transportation and accommodation of visitors to Ellis,
25 Governors, and Liberty Islands, and of other program and

1 administrative activities, by donation or with appropriated
2 funds, including franchise fees (and other monetary con-
3 sideration), or by exchange; and the Secretary is author-
4 ized to negotiate and enter into leases, subleases, conces-
5 sion contracts or other agreements for the use of such fa-
6 cilities on such terms and conditions as the Secretary may
7 determine reasonable.

8 OUTER CONTINENTAL SHELF INSPECTION FEES

9 SEC. 107. (a) In fiscal year 2016, the Secretary shall
10 collect a nonrefundable inspection fee, which shall be de-
11 posited in the “Offshore Safety and Environmental En-
12 forcement” account, from the designated operator for fa-
13 cilities subject to inspection under 43 U.S.C. 1348(c).

14 (b) Annual fees shall be collected for facilities that
15 are above the waterline, excluding drilling rigs, and are
16 in place at the start of the fiscal year. Fees for fiscal year
17 2016 shall be:

18 (1) \$10,500 for facilities with no wells, but with
19 processing equipment or gathering lines;

20 (2) \$17,000 for facilities with 1 to 10 wells,
21 with any combination of active or inactive wells; and

22 (3) \$31,500 for facilities with more than 10
23 wells, with any combination of active or inactive
24 wells.

1 (c) Fees for drilling rigs shall be assessed for all in-
2 spections completed in fiscal year 2016. Fees for fiscal
3 year 2016 shall be:

4 (1) \$30,500 per inspection for rigs operating in
5 water depths of 500 feet or more; and

6 (2) \$16,700 per inspection for rigs operating in
7 water depths of less than 500 feet.

8 (d) The Secretary shall bill designated operators
9 under subsection (b) within 60 days, with payment re-
10 quired within 30 days of billing. The Secretary shall bill
11 designated operators under subsection (c) within 30 days
12 of the end of the month in which the inspection occurred,
13 with payment required within 30 days of billing.

14 BUREAU OF OCEAN ENERGY MANAGEMENT, REGULATION
15 AND ENFORCEMENT REORGANIZATION

16 SEC. 108. The Secretary of the Interior, in order to
17 implement a reorganization of the Bureau of Ocean En-
18 ergy Management, Regulation and Enforcement, may
19 transfer funds among and between the successor offices
20 and bureaus affected by the reorganization only in con-
21 formance with the reprogramming guidelines described in
22 the explanatory statement described in section 4 (in the
23 matter preceding division A of this consolidated Act).

1 EXHAUSTION OF ADMINISTRATIVE REVIEW

2 SEC. 111. Paragraph (1) of section 122(a) of division
3 E of Public Law 112–74 (125 Stat. 1013) is amended
4 by striking “through 2016,” in the first sentence and in-
5 serting “through 2018,”.

6 WILD LANDS FUNDING PROHIBITION

7 SEC. 112. None of the funds made available in this
8 Act or any other Act may be used to implement, admin-
9 ister, or enforce Secretarial Order No. 3310 issued by the
10 Secretary of the Interior on December 22, 2010: *Provided*,
11 That nothing in this section shall restrict the Secretary’s
12 authorities under sections 201 and 202 of the Federal
13 Land Policy and Management Act of 1976 (43 U.S.C.
14 1711 and 1712).

15 BUREAU OF INDIAN EDUCATION OPERATED SCHOOLS

16 SEC. 113. Section 115(d) of division E of Public Law
17 112–74 (25 U.S.C. 2000 note) is amended by striking
18 “2017” and inserting “2027”.

19 VOLUNTEERS IN PARKS

20 SEC. 114. Section 102301(d) of title 54, United
21 States Code, is amended by striking “\$3,500,000” and in-
22 serting “\$7,000,000”.

23 CONTRACTS AND AGREEMENTS WITH INDIAN AFFAIRS

24 SEC. 115. Notwithstanding any other provision of
25 law, during fiscal year 2016, in carrying out work involv-

1 ing cooperation with State, local, and tribal governments
2 or any political subdivision thereof, Indian Affairs may
3 record obligations against accounts receivable from any
4 such entities, except that total obligations at the end of
5 the fiscal year shall not exceed total budgetary resources
6 available at the end of the fiscal year.

7 HERITAGE AREAS

8 SEC. 116. (a) Section 157(h)(1) of title I of Public
9 Law 106–291 (16 U.S.C. 461 note) is amended by strik-
10 ing “\$11,000,000” and inserting “\$13,000,000”.

11 (b) Division II of Public Law 104–333 (16 U.S.C.
12 461 note) is amended—

13 (1) in sections 409(a), 508(a), and 812(a) by
14 striking “\$15,000,000” and inserting
15 “\$17,000,000”; and

16 (2) in sections 208, 310, and 607 by striking
17 “2015” and inserting “2017”.

18 SAGE-GROUSE

19 SEC. 117. None of the funds made available by this
20 or any other Act may be used by the Secretary of the Inte-
21 rior to write or issue pursuant to section 4 of the Endan-
22 gered Species Act of 1973 (16 U.S.C. 1533)—

23 (1) a proposed rule for greater sage-grouse
24 (*Centrocercus urophasianus*);

1 (2) a proposed rule for the Columbia basin
2 distinct population segment of greater sage-
3 grouse.

4 ONSHORE PAY AUTHORITY EXTENSION

5 SEC. 118. For fiscal year 2016, funds made available
6 in this title for the Bureau of Land Management and the
7 Bureau of Indian Affairs may be used by the Secretary
8 of the Interior to establish higher minimum rates of basic
9 pay for employees of the Department of the Interior car-
10 rying out the inspection and regulation of onshore oil and
11 gas operations on public lands in the Petroleum Engineer
12 (GS-0881) and Petroleum Engineering Technician (GS-
13 0802) job series at grades 5 through 14 at rates no great-
14 er than 25 percent above the minimum rates of basic pay
15 normally scheduled, and such higher rates shall be con-
16 sistent with subsections (e) through (h) of section 5305
17 of title 5, United States Code.

18 REPUBLIC OF PALAU

19 SEC. 119. (a) IN GENERAL.—Subject to subsection
20 (c), the United States Government, through the Secretary
21 of the Interior shall provide to the Government of Palau
22 for fiscal year 2016 grants in amounts equal to the annual
23 amounts specified in subsections (a), (c), and (d) of sec-
24 tion 211 of the Compact of Free Association between the
25 Government of the United States of America and the Gov-

1 ernment of Palau (48 U.S.C. 1931 note) (referred to in
2 this section as the “Compact”).

3 (b) PROGRAMMATIC ASSISTANCE.—Subject to sub-
4 section (c), the United States shall provide programmatic
5 assistance to the Republic of Palau for fiscal year 2016
6 in amounts equal to the amounts provided in subsections
7 (a) and (b)(1) of section 221 of the Compact.

8 (c) LIMITATIONS ON ASSISTANCE.—

9 (1) IN GENERAL.—The grants and pro-
10 grammatic assistance provided under subsections (a)
11 and (b) shall be provided to the same extent and in
12 the same manner as the grants and assistance were
13 provided in fiscal year 2009.

14 (2) TRUST FUND.—If the Government of Palau
15 withdraws more than \$5,000,000 from the trust
16 fund established under section 211(f) of the Com-
17 pact, amounts to be provided under subsections (a)
18 and (b) shall be withheld from the Government of
19 Palau.

20 WILDLIFE RESTORATION EXTENSION OF INVESTMENT OF
21 UNEXPENDED AMOUNTS

22 SEC. 120. Section 3(b)(2)(C) of the Pittman-Robert-
23 son Wildlife Restoration Act (16 U.S.C. 669b(b)(2)(C))
24 is amended by striking “2016” and inserting “2026”.

1 PROHIBITION ON USE OF FUNDS

2 SEC. 121. (a) Any proposed new use of the Arizona
3 & California Railroad Company's Right of Way for convey-
4 ance of water shall not proceed unless the Secretary of
5 the Interior certifies that the proposed new use is within
6 the scope of the Right of Way.

7 (b) No funds appropriated or otherwise made avail-
8 able to the Department of the Interior may be used, in
9 relation to any proposal to store water underground for
10 the purpose of export, for approval of any right-of-way or
11 similar authorization on the Mojave National Preserve or
12 lands managed by the Needles Field Office of the Bureau
13 of Land Management, or for carrying out any activities
14 associated with such right-of-way or similar approval.

1 TITLE II
2 ENVIRONMENTAL PROTECTION AGENCY
3 SCIENCE AND TECHNOLOGY

4 For science and technology, including research and
5 development activities, which shall include research and
6 development activities under the Comprehensive Environ-
7 mental Response, Compensation, and Liability Act of
8 1980; necessary expenses for personnel and related costs
9 and travel expenses; procurement of laboratory equipment
10 and supplies; and other operating expenses in support of
11 research and development, \$734,648,000, to remain avail-
12 able until September 30, 2017: *Provided*, That of the
13 funds included under this heading, \$14,100,000 shall be
14 for Research: National Priorities as specified in the ex-
15 planatory statement described in section 4 (in the matter
16 preceding division A of this consolidated Act).

17 ENVIRONMENTAL PROGRAMS AND MANAGEMENT

18 For environmental programs and management, in-
19 cluding necessary expenses, not otherwise provided for, for
20 personnel and related costs and travel expenses; hire of
21 passenger motor vehicles; hire, maintenance, and oper-
22 ation of aircraft; purchase of reprints; library member-
23 ships in societies or associations which issue publications
24 to members only or at a price to members lower than to
25 subscribers who are not members; administrative costs of

1 the brownfields program under the Small Business Liabil-
2 ity Relief and Brownfields Revitalization Act of 2002; and
3 not to exceed \$9,000 for official reception and representa-
4 tion expenses, \$2,613,679,000, to remain available until
5 September 30, 2017: *Provided*, That of the funds included
6 under this heading, \$12,700,000 shall be for Environ-
7 mental Protection: National Priorities as specified in the
8 explanatory statement described in section 4 (in the mat-
9 ter preceding division A of this consolidated Act): *Provided*
10 *further*, That of the funds included under this heading,
11 \$427,737,000 shall be for Geographic Programs specified
12 in the explanatory statement described in section 4 (in the
13 matter preceding division A of this consolidated Act).

14 HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM
15 FUND

16 For necessary expenses to carry out section 3024 of
17 the Solid Waste Disposal Act (42 U.S.C. 6939g), includ-
18 ing the development, operation, maintenance, and upgrad-
19 ing of the hazardous waste electronic manifest system es-
20 tablished by such section, \$3,674,000, to remain available
21 until September 30, 2018.

22 OFFICE OF INSPECTOR GENERAL

23 For necessary expenses of the Office of Inspector
24 General in carrying out the provisions of the Inspector

1 General Act of 1978, \$41,489,000, to remain available
2 until September 30, 2017.

3 BUILDINGS AND FACILITIES

4 For construction, repair, improvement, extension, al-
5 teration, and purchase of fixed equipment or facilities of,
6 or for use by, the Environmental Protection Agency,
7 \$42,317,000, to remain available until expended.

8 HAZARDOUS SUBSTANCE SUPERFUND

9 (INCLUDING TRANSFERS OF FUNDS)

10 For necessary expenses to carry out the Comprehen-
11 sive Environmental Response, Compensation, and Liabil-
12 ity Act of 1980 (CERCLA), including sections 111(c)(3),
13 (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611)
14 \$1,088,769,000, to remain available until expended, con-
15 sisting of such sums as are available in the Trust Fund
16 on September 30, 2015, as authorized by section 517(a)
17 of the Superfund Amendments and Reauthorization Act
18 of 1986 (SARA) and up to \$1,088,769,000 as a payment
19 from general revenues to the Hazardous Substance Super-
20 fund for purposes as authorized by section 517(b) of
21 SARA: *Provided*, That funds appropriated under this
22 heading may be allocated to other Federal agencies in ac-
23 cordance with section 111(a) of CERCLA: *Provided fur-*
24 *ther*, That of the funds appropriated under this heading,
25 \$9,939,000 shall be paid to the “Office of Inspector Gen-

1 eral” appropriation to remain available until September
2 30, 2017, and \$18,850,000 shall be paid to the “Science
3 and Technology” appropriation to remain available until
4 September 30, 2017.

5 LEAKING UNDERGROUND STORAGE TANK TRUST FUND
6 PROGRAM

7 For necessary expenses to carry out leaking under-
8 ground storage tank cleanup activities authorized by sub-
9 title I of the Solid Waste Disposal Act, \$91,941,000, to
10 remain available until expended, of which \$66,572,000
11 shall be for carrying out leaking underground storage tank
12 cleanup activities authorized by section 9003(h) of the
13 Solid Waste Disposal Act; \$25,369,000 shall be for car-
14 rying out the other provisions of the Solid Waste Disposal
15 Act specified in section 9508(c) of the Internal Revenue
16 Code: *Provided*, That the Administrator is authorized to
17 use appropriations made available under this heading to
18 implement section 9013 of the Solid Waste Disposal Act
19 to provide financial assistance to federally recognized In-
20 dian tribes for the development and implementation of
21 programs to manage underground storage tanks.

22 INLAND OIL SPILL PROGRAMS

23 For expenses necessary to carry out the Environ-
24 mental Protection Agency’s responsibilities under the Oil
25 Pollution Act of 1990, \$18,209,000, to be derived from

1 the Oil Spill Liability trust fund, to remain available until
2 expended.

3 STATE AND TRIBAL ASSISTANCE GRANTS

4 For environmental programs and infrastructure as-
5 sistance, including capitalization grants for State revol-
6 ving funds and performance partnership grants,
7 \$3,518,161,000, to remain available until expended, of
8 which—

9 (1) \$1,393,887,000 shall be for making capital-
10 ization grants for the Clean Water State Revolving
11 Funds under title VI of the Federal Water Pollution
12 Control Act; and of which \$863,233,000 shall be for
13 making capitalization grants for the Drinking Water
14 State Revolving Funds under section 1452 of the
15 Safe Drinking Water Act: *Provided*, That for fiscal
16 year 2016, to the extent there are sufficient eligible
17 project applications and projects are consistent with
18 State Intended Use Plans, not less than 10 percent
19 of the funds made available under this title to each
20 State for Clean Water State Revolving Fund capital-
21 ization grants shall be used by the State for projects
22 to address green infrastructure, water or energy effi-
23 ciency improvements, or other environmentally inno-
24 vative activities: *Provided further*, That for fiscal
25 year 2016, funds made available under this title to

1 each State for Drinking Water State Revolving
2 Fund capitalization grants may, at the discretion of
3 each State, be used for projects to address green in-
4 frastructure, water or energy efficiency improve-
5 ments, or other environmentally innovative activities:
6 *Provided further,* That notwithstanding section
7 603(d)(7) of the Federal Water Pollution Control
8 Act, the limitation on the amounts in a State water
9 pollution control revolving fund that may be used by
10 a State to administer the fund shall not apply to
11 amounts included as principal in loans made by such
12 fund in fiscal year 2016 and prior years where such
13 amounts represent costs of administering the fund
14 to the extent that such amounts are or were deemed
15 reasonable by the Administrator, accounted for sepa-
16 rately from other assets in the fund, and used for
17 eligible purposes of the fund, including administra-
18 tion: *Provided further,* That for fiscal year 2016,
19 notwithstanding the limitation on amounts in section
20 518(c) of the Federal Water Pollution Control Act,
21 up to a total of 2 percent of the funds appropriated,
22 or \$30,000,000, whichever is greater, and notwith-
23 standing the limitation on amounts in section
24 1452(i) of the Safe Drinking Water Act, up to a
25 total of 2 percent of the funds appropriated, or

1 \$20,000,000, whichever is greater, for State Revolv-
2 ing Funds under such Acts may be reserved by the
3 Administrator for grants under section 518(c) and
4 section 1452(i) of such Acts: *Provided further*, That
5 for fiscal year 2016, notwithstanding the amounts
6 specified in section 205(c) of the Federal Water Pol-
7 lution Control Act, up to 1.5 percent of the aggre-
8 gate funds appropriated for the Clean Water State
9 Revolving Fund program under the Act less any
10 sums reserved under section 518(c) of the Act, may
11 be reserved by the Administrator for grants made
12 under title II of the Federal Water Pollution Control
13 Act for American Samoa, Guam, the Commonwealth
14 of the Northern Marianas, and United States Virgin
15 Islands: *Provided further*, That for fiscal year 2016,
16 notwithstanding the limitations on amounts specified
17 in section 1452(j) of the Safe Drinking Water Act,
18 up to 1.5 percent of the funds appropriated for the
19 Drinking Water State Revolving Fund programs
20 under the Safe Drinking Water Act may be reserved
21 by the Administrator for grants made under section
22 1452(j) of the Safe Drinking Water Act: *Provided*
23 *further*, That 10 percent of the funds made available
24 under this title to each State for Clean Water State
25 Revolving Fund capitalization grants and 20 percent

1 of the funds made available under this title to each
2 State for Drinking Water State Revolving Fund cap-
3 italization grants shall be used by the State to pro-
4 vide additional subsidy to eligible recipients in the
5 form of forgiveness of principal, negative interest
6 loans, or grants (or any combination of these), and
7 shall be so used by the State only where such funds
8 are provided as initial financing for an eligible re-
9 cipient or to buy, refinance, or restructure the debt
10 obligations of eligible recipients only where such debt
11 was incurred on or after the date of enactment of
12 this Act;

13 (2) \$10,000,000 shall be for architectural, engi-
14 neering, planning, design, construction and related
15 activities in connection with the construction of high
16 priority water and wastewater facilities in the area
17 of the United States-Mexico Border, after consulta-
18 tion with the appropriate border commission; *Pro-*
19 *vided*, That no funds provided by this appropriations
20 Act to address the water, wastewater and other crit-
21 ical infrastructure needs of the colonias in the
22 United States along the United States-Mexico bor-
23 der shall be made available to a county or municipal
24 government unless that government has established
25 an enforceable local ordinance, or other zoning rule,

1 which prevents in that jurisdiction the development
2 or construction of any additional colonia areas, or
3 the development within an existing colonia the con-
4 struction of any new home, business, or other struc-
5 ture which lacks water, wastewater, or other nec-
6 essary infrastructure;

7 (3) \$20,000,000 shall be for grants to the State
8 of Alaska to address drinking water and wastewater
9 infrastructure needs of rural and Alaska Native Vil-
10 lages: *Provided*, That of these funds: (A) the State
11 of Alaska shall provide a match of 25 percent; (B)
12 no more than 5 percent of the funds may be used
13 for administrative and overhead expenses; and (C)
14 the State of Alaska shall make awards consistent
15 with the Statewide priority list established in con-
16 junction with the Agency and the U.S. Department
17 of Agriculture for all water, sewer, waste disposal,
18 and similar projects carried out by the State of Alas-
19 ka that are funded under section 221 of the Federal
20 Water Pollution Control Act (33 U.S.C. 1301) or
21 the Consolidated Farm and Rural Development Act
22 (7 U.S.C. 1921 et seq.) which shall allocate not less
23 than 25 percent of the funds provided for projects
24 in regional hub communities;

1 (4) \$80,000,000 shall be to carry out section
2 104(k) of the Comprehensive Environmental Re-
3 sponse, Compensation, and Liability Act of 1980
4 (CERCLA), including grants, interagency agree-
5 ments, and associated program support costs: *Pro-*
6 *vided*, That not more than 25 percent of the amount
7 appropriated to carry out section 104(k) of
8 CERCLA shall be used for site characterization, as-
9 sessment, and remediation of facilities described in
10 section 101(39)(D)(ii)(II) of CERCLA;

11 (5) \$50,000,000 shall be for grants under title
12 VII, subtitle G of the Energy Policy Act of 2005;

13 (6) \$20,000,000 shall be for targeted airshed
14 grants in accordance with the terms and conditions
15 of the explanatory statement described in section 4
16 (in the matter preceding division A of this consoli-
17 dated Act);

18 (7) \$1,060,041,000 shall be for grants, includ-
19 ing associated program support costs, to States, fed-
20 erally recognized tribes, interstate agencies, tribal
21 consortia, and air pollution control agencies for
22 multi-media or single media pollution prevention,
23 control and abatement and related activities, includ-
24 ing activities pursuant to the provisions set forth
25 under this heading in Public Law 104–134, and for

1 making grants under section 103 of the Clean Air
2 Act for particulate matter monitoring and data col-
3 lection activities subject to terms and conditions
4 specified by the Administrator, of which:
5 \$47,745,000 shall be for carrying out section 128 of
6 CERCLA; \$9,646,000 shall be for Environmental
7 Information Exchange Network grants, including as-
8 sociated program support costs; \$1,498,000 shall be
9 for grants to States under section 2007(f)(2) of the
10 Solid Waste Disposal Act, which shall be in addition
11 to funds appropriated under the heading “Leaking
12 Underground Storage Tank Trust Fund Program”
13 to carry out the provisions of the Solid Waste Dis-
14 posal Act specified in section 9508(c) of the Internal
15 Revenue Code other than section 9003(h) of the
16 Solid Waste Disposal Act; \$17,848,000 of the funds
17 available for grants under section 106 of the Federal
18 Water Pollution Control Act shall be for State par-
19 ticipation in national- and State-level statistical sur-
20 veys of water resources and enhancements to State
21 monitoring programs: *Provided*, That for the period
22 of fiscal years 2016 through 2020, notwithstanding
23 other applicable provisions of law, the funds appro-
24 priated for the Indian Environmental General As-
25 sistance Program shall be available to federally rec-

1 ognized tribes for solid waste and recovered mate-
2 rials collection, transportation, backhaul, and dis-
3 posal services; and

4 (8) \$21,000,000 shall be for grants to States
5 and federally recognized Indian tribes for implemen-
6 tation of environmental programs and projects that
7 complement existing environmental program grants,
8 including interagency agreements, as specified in the
9 explanatory statement described in section 4 (in the
10 matter preceding division A of this consolidated
11 Act).

12 ADMINISTRATIVE PROVISIONS—ENVIRONMENTAL

13 PROTECTION AGENCY

14 (INCLUDING TRANSFERS AND RESCISSION OF FUNDS)

15 For fiscal year 2016, notwithstanding 31 U.S.C.
16 6303(1) and 6305(1), the Administrator of the Environ-
17 mental Protection Agency, in carrying out the Agency's
18 function to implement directly Federal environmental pro-
19 grams required or authorized by law in the absence of an
20 acceptable tribal program, may award cooperative agree-
21 ments to federally recognized Indian tribes or Intertribal
22 consortia, if authorized by their member tribes, to assist
23 the Administrator in implementing Federal environmental
24 programs for Indian tribes required or authorized by law,
25 except that no such cooperative agreements may be award-

1 ed from funds designated for State financial assistance
2 agreements.

3 The Administrator of the Environmental Protection
4 Agency is authorized to collect and obligate pesticide reg-
5 istration service fees in accordance with section 33 of the
6 Federal Insecticide, Fungicide, and Rodenticide Act, as
7 amended by Public Law 112–177, the Pesticide Registra-
8 tion Improvement Extension Act of 2012.

9 Notwithstanding section 33(d)(2) of the Federal In-
10 secticide, Fungicide, and Rodenticide Act (FIFRA) (7
11 U.S.C. 136w–8(d)(2)), the Administrator of the Environ-
12 mental Protection Agency may assess fees under section
13 33 of FIFRA (7 U.S.C. 136w–8) for fiscal year 2016.

14 The Administrator is authorized to transfer up to
15 \$300,000,000 of the funds appropriated for the Great
16 Lakes Restoration Initiative under the heading “Environ-
17 mental Programs and Management” to the head of any
18 Federal department or agency, with the concurrence of
19 such head, to carry out activities that would support the
20 Great Lakes Restoration Initiative and Great Lakes
21 Water Quality Agreement programs, projects, or activities;
22 to enter into an interagency agreement with the head of
23 such Federal department or agency to carry out these ac-
24 tivities; and to make grants to governmental entities, non-
25 profit organizations, institutions, and individuals for plan-

1 ning, research, monitoring, outreach, and implementation
2 in furtherance of the Great Lakes Restoration Initiative
3 and the Great Lakes Water Quality Agreement.

4 The Science and Technology, Environmental Pro-
5 grams and Management, Office of Inspector General, Haz-
6 ardous Substance Superfund, and Leaking Underground
7 Storage Tank Trust Fund Program Accounts, are avail-
8 able for the construction, alteration, repair, rehabilitation,
9 and renovation of facilities provided that the cost does not
10 exceed \$150,000 per project.

11 For fiscal year 2016, and notwithstanding section
12 518(f) of the Federal Water Pollution Control Act (33
13 U.S.C. 1377(f)), the Administrator is authorized to use
14 the amounts appropriated for any fiscal year under section
15 319 of the Act to make grants to federally recognized In-
16 dian tribes pursuant to sections 319(h) and 518(e) of that
17 Act.

18 The Administrator is authorized to use the amounts
19 appropriated under the heading “Environmental Pro-
20 grams and Management” for fiscal year 2016 to provide
21 grants to implement the Southeastern New England Wa-
22 tershed Restoration Program.

23 In addition to the amounts otherwise made available
24 in this Act for the Environmental Protection Agency,
25 \$27,000,000, to be available until September 30, 2017,

1 to be used solely to meet Federal requirements for
2 cybersecurity implementation, including enhancing re-
3 sponse capabilities and upgrading incident management
4 tools: *Provided*, That such funds shall supplement, not
5 supplant, any other amounts made available to the Envi-
6 ronmental Protection Agency for such purpose: *Provided*
7 *further*, That solely for the purposes provided herein, such
8 funds may be transferred to and merged with any other
9 appropriation in this Title.

10 Of the unobligated balances available for “State and
11 Tribal Assistance Grants” account, \$40,000,000 are per-
12 manently rescinded: *Provided*, That no amounts may be
13 rescinded from amounts that were designated by the Con-
14 gress as an emergency requirement pursuant to the Con-
15 current Resolution on the Budget or the Balanced Budget
16 and Emergency Deficit Control Act of 1985.

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1 TITLE III
2 RELATED AGENCIES
3 DEPARTMENT OF AGRICULTURE
4 FOREST SERVICE
5 FOREST AND RANGELAND RESEARCH

6 For necessary expenses of forest and rangeland re-
7 search as authorized by law, \$291,000,000, to remain
8 available until expended: *Provided*, That of the funds pro-
9 vided, \$75,000,000 is for the forest inventory and analysis
10 program.

11 STATE AND PRIVATE FORESTRY

12 For necessary expenses of cooperating with and pro-
13 viding technical and financial assistance to States, terri-
14 tories, possessions, and others, and for forest health man-
15 agement, including treatments of pests, pathogens, and
16 invasive or noxious plants and for restoring and rehabili-
17 tating forests damaged by pests or invasive plants, cooper-
18 ative forestry, and education and land conservation activi-
19 ties and conducting an international program as author-
20 ized, \$237,023,000, to remain available until expended, as
21 authorized by law; of which \$62,347,000 is to be derived
22 from the Land and Water Conservation Fund.

1 NATIONAL FOREST SYSTEM

2 (INCLUDING TRANSFERS OF FUNDS)

3 For necessary expenses of the Forest Service, not
4 otherwise provided for, for management, protection, im-
5 provement, and utilization of the National Forest System,
6 \$1,509,364,000, to remain available until expended: *Pro-*
7 *vided*, That of the funds provided, \$40,000,000 shall be
8 deposited in the Collaborative Forest Landscape Restora-
9 tion Fund for ecological restoration treatments as author-
10 ized by 16 U.S.C. 7303(f): *Provided further*, That of the
11 funds provided, \$359,805,000 shall be for forest products:
12 *Provided further*, That of the funds provided, up to
13 \$81,941,000 is for the Integrated Resource Restoration
14 pilot program for Region 1, Region 3 and Region 4: *Pro-*
15 *vided further*, That of the funds provided for forest prod-
16 ucts, up to \$65,560,000 may be transferred to support
17 the Integrated Resource Restoration pilot program in the
18 preceding proviso: *Provided further*, That the Secretary of
19 Agriculture may transfer to the Secretary of the Interior
20 any unobligated funds appropriated in a previous fiscal
21 year for operation of the Valles Caldera National Preserve.

22 CAPITAL IMPROVEMENT AND MAINTENANCE

23 (INCLUDING TRANSFER OF FUNDS)

24 For necessary expenses of the Forest Service, not
25 otherwise provided for, \$364,164,000, to remain available

1 until expended, for construction, capital improvement,
2 maintenance and acquisition of buildings and other facili-
3 ties and infrastructure; and for construction, reconstruc-
4 tion, decommissioning of roads that are no longer needed,
5 including unauthorized roads that are not part of the
6 transportation system, and maintenance of forest roads
7 and trails by the Forest Service as authorized by 16
8 U.S.C. 532–538 and 23 U.S.C. 101 and 205: *Provided*,
9 That \$40,000,000 shall be designated for urgently needed
10 road decommissioning, road and trail repair and mainte-
11 nance and associated activities, and removal of fish pas-
12 sage barriers, especially in areas where Forest Service
13 roads may be contributing to water quality problems in
14 streams and water bodies which support threatened, en-
15 dangered, or sensitive species or community water sources:
16 *Provided further*, That funds becoming available in fiscal
17 year 2016 under the Act of March 4, 1913 (16 U.S.C.
18 501) shall be transferred to the General Fund of the
19 Treasury and shall not be available for transfer or obliga-
20 tion for any other purpose unless the funds are appro-
21 priated: *Provided further*, That of the funds provided for
22 decommissioning of roads, up to \$14,743,000 may be
23 transferred to the “National Forest System” to support
24 the Integrated Resource Restoration pilot program.

1 LAND ACQUISITION

2 For expenses necessary to carry out the provisions
3 of chapter 2003 of title 54, United States Code, including
4 administrative expenses, and for acquisition of land or wa-
5 ters, or interest therein, in accordance with statutory au-
6 thority applicable to the Forest Service, \$63,435,000, to
7 be derived from the Land and Water Conservation Fund
8 and to remain available until expended.

9 ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL
10 ACTS

11 For acquisition of lands within the exterior bound-
12 aries of the Cache, Uinta, and Wasatch National Forests,
13 Utah; the Toiyabe National Forest, Nevada; and the An-
14 geles, San Bernardino, Sequoia, and Cleveland National
15 Forests, California, as authorized by law, \$950,000, to be
16 derived from forest receipts.

17 ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

18 For acquisition of lands, such sums, to be derived
19 from funds deposited by State, county, or municipal gov-
20 ernments, public school districts, or other public school au-
21 thorities, and for authorized expenditures from funds de-
22 posited by non-Federal parties pursuant to Land Sale and
23 Exchange Acts, pursuant to the Act of December 4, 1967
24 (16 U.S.C. 484a), to remain available until expended (16

1 U.S.C. 516–617a, 555a; Public Law 96–586; Public Law
2 76–589, 76–591; and Public Law 78–310).

3 RANGE BETTERMENT FUND

4 For necessary expenses of range rehabilitation, pro-
5 tection, and improvement, 50 percent of all moneys re-
6 ceived during the prior fiscal year, as fees for grazing do-
7 mestic livestock on lands in National Forests in the 16
8 Western States, pursuant to section 401(b)(1) of Public
9 Law 94–579, to remain available until expended, of which
10 not to exceed 6 percent shall be available for administra-
11 tive expenses associated with on-the-ground range reha-
12 bilitation, protection, and improvements.

13 GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND
14 RANGELAND RESEARCH

15 For expenses authorized by 16 U.S.C. 1643(b),
16 \$45,000, to remain available until expended, to be derived
17 from the fund established pursuant to the above Act.

18 MANAGEMENT OF NATIONAL FOREST LANDS FOR
19 SUBSISTENCE USES

20 For necessary expenses of the Forest Service to man-
21 age Federal lands in Alaska for subsistence uses under
22 title VIII of the Alaska National Interest Lands Conserva-
23 tion Act (Public Law 96–487), \$2,500,000, to remain
24 available until expended.

1 WILDLAND FIRE MANAGEMENT

2 (INCLUDING TRANSFERS OF FUNDS)

3 For necessary expenses for forest fire presuppression
4 activities on National Forest System lands, for emergency
5 fire suppression on or adjacent to such lands or other
6 lands under fire protection agreement, hazardous fuels
7 management on or adjacent to such lands, emergency re-
8 habilitation of burned-over National Forest System lands
9 and water, and for State and volunteer fire assistance,
10 \$2,386,329,000, to remain available until expended: *Pro-*
11 *vided*, That such funds including unobligated balances
12 under this heading, are available for repayment of ad-
13 vances from other appropriations accounts previously
14 transferred for such purposes: *Provided further*, That such
15 funds shall be available to reimburse State and other co-
16 operating entities for services provided in response to wild-
17 fire and other emergencies or disasters to the extent such
18 reimbursements by the Forest Service for non-fire emer-
19 gencies are fully repaid by the responsible emergency man-
20 agement agency: *Provided further*, That, notwithstanding
21 any other provision of law, \$6,914,000 of funds appro-
22 priated under this appropriation shall be available for the
23 Forest Service in support of fire science research author-
24 ized by the Joint Fire Science Program, including all For-
25 est Service authorities for the use of funds, such as con-

1 tracts, grants, research joint venture agreements, and co-
2 operative agreements: *Provided further*, That all authori-
3 ties for the use of funds, including the use of contracts,
4 grants, and cooperative agreements, available to execute
5 the Forest and Rangeland Research appropriation, are
6 also available in the utilization of these funds for Fire
7 Science Research: *Provided further*, That funds provided
8 shall be available for emergency rehabilitation and restora-
9 tion, hazardous fuels management activities, support to
10 Federal emergency response, and wildfire suppression ac-
11 tivities of the Forest Service: *Provided further*, That of the
12 funds provided, \$375,000,000 is for hazardous fuels man-
13 agement activities, \$19,795,000 is for research activities
14 and to make competitive research grants pursuant to the
15 Forest and Rangeland Renewable Resources Research
16 Act, (16 U.S.C. 1641 et seq.), \$78,000,000 is for State
17 fire assistance, and \$13,000,000 is for volunteer fire as-
18 sistance under section 10 of the Cooperative Forestry As-
19 sistance Act of 1978 (16 U.S.C. 2106): *Provided further*,
20 That amounts in this paragraph may be transferred to
21 the “National Forest System”, and “Forest and Range-
22 land Research” accounts to fund forest and rangeland re-
23 search, the Joint Fire Science Program, vegetation and
24 watershed management, heritage site rehabilitation, and
25 wildlife and fish habitat management and restoration: *Pro-*

1 *vided further*, That the costs of implementing any coopera-
2 tive agreement between the Federal Government and any
3 non-Federal entity may be shared, as mutually agreed on
4 by the affected parties: *Provided further*, That up to
5 \$15,000,000 of the funds provided herein may be used by
6 the Secretary of Agriculture to enter into procurement
7 contracts or cooperative agreements or to issue grants for
8 hazardous fuels management activities and for training or
9 monitoring associated with such hazardous fuels manage-
10 ment activities on Federal land or on non-Federal land
11 if the Secretary determines such activities benefit re-
12 sources on Federal land: *Provided further*, That funds
13 made available to implement the Community Forest Res-
14 toration Act, Public Law 106–393, title VI, shall be avail-
15 able for use on non-Federal lands in accordance with au-
16 thorities made available to the Forest Service under the
17 “State and Private Forestry” appropriation: *Provided fur-*
18 *ther*, That the Secretary of the Interior and the Secretary
19 of Agriculture may authorize the transfer of funds appro-
20 priated for wildland fire management, in an aggregate
21 amount not to exceed \$50,000,000, between the Depart-
22 ments when such transfers would facilitate and expedite
23 wildland fire management programs and projects: *Pro-*
24 *vided further*, That of the funds provided for hazardous
25 fuels management, not to exceed \$15,000,000 may be

1 used to make grants, using any authorities available to
2 the Forest Service under the “State and Private Forestry”
3 appropriation, for the purpose of creating incentives for
4 increased use of biomass from National Forest System
5 lands: *Provided further*, That funds designated for wildfire
6 suppression, including funds transferred from the
7 “FLAME Wildfire Suppression Reserve Fund”, shall be
8 assessed for cost pools on the same basis as such assess-
9 ments are calculated against other agency programs: *Pro-*
10 *vided further*, That of the funds for hazardous fuels man-
11 agement, up to \$24,000,000 may be transferred to the
12 “National Forest System” to support the Integrated Re-
13 source Restoration pilot program.

14 FLAME WILDFIRE SUPPRESSION RESERVE FUND

15 (INCLUDING TRANSFERS OF FUNDS)

16 For necessary expenses for large fire suppression op-
17 erations of the Department of Agriculture and as a reserve
18 fund for suppression and Federal emergency response ac-
19 tivities, \$823,000,000, to remain available until expended:
20 *Provided*, That such amounts are only available for trans-
21 fer to the “Wildland Fire Management” account following
22 a declaration by the Secretary in accordance with section
23 502 of the FLAME Act of 2009 (43 U.S.C. 1748a).

1 ADMINISTRATIVE PROVISIONS, FOREST SERVICE

2 (INCLUDING TRANSFERS OF FUNDS)

3 Appropriations to the Forest Service for the current
4 fiscal year shall be available for: (1) purchase of passenger
5 motor vehicles; acquisition of passenger motor vehicles
6 from excess sources, and hire of such vehicles; purchase,
7 lease, operation, maintenance, and acquisition of aircraft
8 to maintain the operable fleet for use in Forest Service
9 wildland fire programs and other Forest Service programs;
10 notwithstanding other provisions of law, existing aircraft
11 being replaced may be sold, with proceeds derived or
12 trade-in value used to offset the purchase price for the
13 replacement aircraft; (2) services pursuant to 7 U.S.C.
14 2225, and not to exceed \$100,000 for employment under
15 5 U.S.C. 3109; (3) purchase, erection, and alteration of
16 buildings and other public improvements (7 U.S.C. 2250);
17 (4) acquisition of land, waters, and interests therein pur-
18 suant to 7 U.S.C. 428a; (5) for expenses pursuant to the
19 Volunteers in the National Forest Act of 1972 (16 U.S.C.
20 558a, 558d, and 558a note); (6) the cost of uniforms as
21 authorized by 5 U.S.C. 5901–5902; and (7) for debt col-
22 lection contracts in accordance with 31 U.S.C. 3718(c).

23 Any appropriations or funds available to the Forest
24 Service may be transferred to the Wildland Fire Manage-
25 ment appropriation for forest firefighting, emergency re-

1 habilitation of burned-over or damaged lands or waters
2 under its jurisdiction, and fire preparedness due to severe
3 burning conditions upon the Secretary's notification of the
4 House and Senate Committees on Appropriations that all
5 fire suppression funds appropriated under the headings
6 "Wildland Fire Management" and "FLAME Wildfire
7 Suppression Reserve Fund" will be obligated within 30
8 days: *Provided*, That all funds used pursuant to this para-
9 graph must be replenished by a supplemental appropria-
10 tion which must be requested as promptly as possible.

11 Funds appropriated to the Forest Service shall be
12 available for assistance to or through the Agency for Inter-
13 national Development in connection with forest and range-
14 land research, technical information, and assistance in for-
15 eign countries, and shall be available to support forestry
16 and related natural resource activities outside the United
17 States and its territories and possessions, including tech-
18 nical assistance, education and training, and cooperation
19 with U.S., private, and international organizations. The
20 Forest Service, acting for the International Program, may
21 sign direct funding agreements with foreign governments
22 and institutions as well as other domestic agencies (includ-
23 ing the U.S. Agency for International Development, the
24 Department of State, and the Millennium Challenge Cor-
25 poration), U.S. private sector firms, institutions and orga-

1 nizations to provide technical assistance and training pro-
2 grams overseas on forestry and rangeland management.

3 Funds appropriated to the Forest Service shall be
4 available for expenditure or transfer to the Department
5 of the Interior, Bureau of Land Management, for removal,
6 preparation, and adoption of excess wild horses and burros
7 from National Forest System lands, and for the perform-
8 ance of cadastral surveys to designate the boundaries of
9 such lands.

10 None of the funds made available to the Forest Serv-
11 ice in this Act or any other Act with respect to any fiscal
12 year shall be subject to transfer under the provisions of
13 section 702(b) of the Department of Agriculture Organic
14 Act of 1944 (7 U.S.C. 2257), section 442 of Public Law
15 106–224 (7 U.S.C. 7772), or section 10417(b) of Public
16 Law 107–107 (7 U.S.C. 8316(b)).

17 None of the funds available to the Forest Service may
18 be reprogrammed without the advance approval of the
19 House and Senate Committees on Appropriations in ac-
20 cordance with the reprogramming procedures contained in
21 the explanatory statement described in section 4 (in the
22 matter preceding division A of this consolidated Act).

23 Not more than \$82,000,000 of funds available to the
24 Forest Service shall be transferred to the Working Capital
25 Fund of the Department of Agriculture and not more than

1 \$14,500,000 of funds available to the Forest Service shall
2 be transferred to the Department of Agriculture for De-
3 partment Reimbursable Programs, commonly referred to
4 as Greenbook charges. Nothing in this paragraph shall
5 prohibit or limit the use of reimbursable agreements re-
6 quested by the Forest Service in order to obtain services
7 from the Department of Agriculture's National Informa-
8 tion Technology Center and the Department of Agri-
9 culture's International Technology Service.

10 Of the funds available to the Forest Service, up to
11 \$5,000,000 shall be available for priority projects within
12 the scope of the approved budget, which shall be carried
13 out by the Youth Conservation Corps and shall be carried
14 out under the authority of the Public Lands Corps Act
15 of 1993, Public Law 103-82, as amended by Public Lands
16 Corps Healthy Forests Restoration Act of 2005, Public
17 Law 109-154.

18 Of the funds available to the Forest Service, \$4,000
19 is available to the Chief of the Forest Service for official
20 reception and representation expenses.

21 Pursuant to sections 405(b) and 410(b) of Public
22 Law 101-593, of the funds available to the Forest Service,
23 up to \$3,000,000 may be advanced in a lump sum to the
24 National Forest Foundation to aid conservation partner-
25 ship projects in support of the Forest Service mission,

1 without regard to when the Foundation incurs expenses,
2 for projects on or benefitting National Forest System
3 lands or related to Forest Service programs: *Provided*,
4 That of the Federal funds made available to the Founda-
5 tion, no more than \$300,000 shall be available for admin-
6 istrative expenses: *Provided further*, That the Foundation
7 shall obtain, by the end of the period of Federal financial
8 assistance, private contributions to match on at least one-
9 for-one basis funds made available by the Forest Service:
10 *Provided further*, That the Foundation may transfer Fed-
11 eral funds to a Federal or a non-Federal recipient for a
12 project at the same rate that the recipient has obtained
13 the non-Federal matching funds.

14 Pursuant to section 2(b)(2) of Public Law 98-244,
15 up to \$3,000,000 of the funds available to the Forest
16 Service may be advanced to the National Fish and Wildlife
17 Foundation in a lump sum to aid cost-share conservation
18 projects, without regard to when expenses are incurred,
19 on or benefitting National Forest System lands or related
20 to Forest Service programs: *Provided*, That such funds
21 shall be matched on at least a one-for-one basis by the
22 Foundation or its sub-recipients: *Provided further*, That
23 the Foundation may transfer Federal funds to a Federal
24 or non-Federal recipient for a project at the same rate

1 that the recipient has obtained the non-Federal matching
2 funds.

3 Funds appropriated to the Forest Service shall be
4 available for interactions with and providing technical as-
5 sistance to rural communities and natural resource-based
6 businesses for sustainable rural development purposes.

7 Funds appropriated to the Forest Service shall be
8 available for payments to counties within the Columbia
9 River Gorge National Scenic Area, pursuant to section
10 14(c)(1) and (2), and section 16(a)(2) of Public Law 99-
11 663.

12 Any funds appropriated to the Forest Service may
13 be used to meet the non-Federal share requirement in sec-
14 tion 502(c) of the Older Americans Act of 1965 (42
15 U.S.C. 3056(c)(2)).

16 Funds available to the Forest Service, not to exceed
17 \$65,000,000, shall be assessed for the purpose of per-
18 forming fire, administrative and other facilities mainte-
19 nance and decommissioning. Such assessments shall occur
20 using a square foot rate charged on the same basis the
21 agency uses to assess programs for payment of rent, utili-
22 ties, and other support services.

23 Notwithstanding any other provision of law, any ap-
24 propriations or funds available to the Forest Service not
25 to exceed \$500,000 may be used to reimburse the Office

1 of the General Counsel (OGC), Department of Agri-
2 culture, for travel and related expenses incurred as a re-
3 sult of OGC assistance or participation requested by the
4 Forest Service at meetings, training sessions, management
5 reviews, land purchase negotiations and similar nonlitiga-
6 tion-related matters. Future budget justifications for both
7 the Forest Service and the Department of Agriculture
8 should clearly display the sums previously transferred and
9 the requested funding transfers.

10 An eligible individual who is employed in any project
11 funded under title V of the Older Americans Act of 1965
12 (42 U.S.C. 3056 et seq.) and administered by the Forest
13 Service shall be considered to be a Federal employee for
14 purposes of chapter 171 of title 28, United States Code.

15 DEPARTMENT OF HEALTH AND HUMAN
16 SERVICES

17 INDIAN HEALTH SERVICE

18 INDIAN HEALTH SERVICES

19 For expenses necessary to carry out the Act of Au-
20 gust 5, 1954 (68 Stat. 674), the Indian Self-Determina-
21 tion and Education Assistance Act, the Indian Health
22 Care Improvement Act, and titles II and III of the Public
23 Health Service Act with respect to the Indian Health Serv-
24 ice, \$3,566,387,000, together with payments received dur-
25 ing the fiscal year pursuant to 42 U.S.C. 238(b) and

1 238b, for services furnished by the Indian Health Service:
2 *Provided*, That funds made available to tribes and tribal
3 organizations through contracts, grant agreements, or any
4 other agreements or compacts authorized by the Indian
5 Self-Determination and Education Assistance Act of 1975
6 (25 U.S.C. 450), shall be deemed to be obligated at the
7 time of the grant or contract award and thereafter shall
8 remain available to the tribe or tribal organization without
9 fiscal year limitation: *Provided further*, That,
10 \$914,139,000 for Purchased/Referred Care, including
11 \$51,500,000 for the Indian Catastrophic Health Emer-
12 gency Fund, shall remain available until expended: *Pro-*
13 *vided further*, That, of the funds provided, up to
14 \$36,000,000 shall remain available until expended for im-
15 plementation of the loan repayment program under section
16 108 of the Indian Health Care Improvement Act: *Provided*
17 *further*, That, of the funds provided, \$2,000,000 shall be
18 used to supplement funds available for operational costs
19 at tribal clinics operated under an Indian Self-Determina-
20 tion and Education Assistance Act compact or contract
21 where health care is delivered in space acquired through
22 a full service lease, which is not eligible for maintenance
23 and improvement and equipment funds from the Indian
24 Health Service, and \$2,000,000 shall be for accreditation
25 emergencies: *Provided further*, That the amounts collected

1 by the Federal Government as authorized by sections 104
2 and 108 of the Indian Health Care Improvement Act (25
3 U.S.C. 1613a and 1616a) during the preceding fiscal year
4 for breach of contracts shall be deposited to the Fund au-
5 thorized by section 108A of the Act (25 U.S.C. 1616a-
6 1) and shall remain available until expended and, notwith-
7 standing section 108A(c) of the Act (25 U.S.C. 1616a-
8 1(c)), funds shall be available to make new awards under
9 the loan repayment and scholarship programs under sec-
10 tions 104 and 108 of the Act (25 U.S.C. 1613a and
11 1616a): *Provided further*, That, notwithstanding any other
12 provision of law, the amounts made available within this
13 account for the methamphetamine and suicide prevention
14 and treatment initiative, for the domestic violence preven-
15 tion initiative, to improve collections from public and pri-
16 vate insurance at Indian Health Service and tribally oper-
17 ated facilities, and for accreditation emergencies shall be
18 allocated at the discretion of the Director of the Indian
19 Health Service and shall remain available until expended:
20 *Provided further*, That funds provided in this Act may be
21 used for annual contracts and grants that fall within 2
22 fiscal years, provided the total obligation is recorded in
23 the year the funds are appropriated: *Provided further*,
24 That the amounts collected by the Secretary of Health and
25 Human Services under the authority of title IV of the In-

1 dian Health Care Improvement Act shall remain available
2 until expended for the purpose of achieving compliance
3 with the applicable conditions and requirements of titles
4 XVIII and XIX of the Social Security Act, except for those
5 related to the planning, design, or construction of new fa-
6 cilities: *Provided further*, That funding contained herein
7 for scholarship programs under the Indian Health Care
8 Improvement Act (25 U.S.C. 1613) shall remain available
9 until expended: *Provided further*, That amounts received
10 by tribes and tribal organizations under title IV of the In-
11 dian Health Care Improvement Act shall be reported and
12 accounted for and available to the receiving tribes and
13 tribal organizations until expended: *Provided further*, That
14 the Bureau of Indian Affairs may collect from the Indian
15 Health Service, tribes and tribal organizations operating
16 health facilities pursuant to Public Law 93–638, such in-
17 dividually identifiable health information relating to dis-
18 abled children as may be necessary for the purpose of car-
19 rying out its functions under the Individuals with Disabil-
20 ities Education Act (20 U.S.C. 1400, et seq.): *Provided*
21 *further*, That the Indian Health Care Improvement Fund
22 may be used, as needed, to carry out activities typically
23 funded under the Indian Health Facilities account.

1 CONTRACT SUPPORT COSTS

2 For payments to tribes and tribal organizations for
3 contract support costs associated with Indian Self-Deter-
4 mination and Education Assistance Act agreements with
5 the Indian Health Service for fiscal year 2016, such sums
6 as may be necessary: *Provided*, That amounts obligated
7 but not expended by a tribe or tribal organization for con-
8 tract support costs for such agreements for the current
9 fiscal year shall be applied to contract support costs other-
10 wise due for such agreements for subsequent fiscal years:
11 *Provided further*, That, notwithstanding any other provi-
12 sion of law, no amounts made available under this heading
13 shall be available for transfer to another budget account.

14 INDIAN HEALTH FACILITIES

15 For construction, repair, maintenance, improvement,
16 and equipment of health and related auxiliary facilities,
17 including quarters for personnel; preparation of plans,
18 specifications, and drawings; acquisition of sites, purchase
19 and erection of modular buildings, and purchases of trail-
20 ers; and for provision of domestic and community sanita-
21 tion facilities for Indians, as authorized by section 7 of
22 the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian
23 Self-Determination Act, and the Indian Health Care Im-
24 provement Act, and for expenses necessary to carry out
25 such Acts and titles II and III of the Public Health Serv-

1 ice Act with respect to environmental health and facilities
2 support activities of the Indian Health Service,
3 \$523,232,000, to remain available until expended: *Pro-*
4 *vided*, That, notwithstanding any other provision of law,
5 funds appropriated for the planning, design, construction,
6 renovation or expansion of health facilities for the benefit
7 of an Indian tribe or tribes may be used to purchase land
8 on which such facilities will be located: *Provided further*,
9 That not to exceed \$500,000 may be used by the Indian
10 Health Service to purchase TRANSAM equipment from
11 the Department of Defense for distribution to the Indian
12 Health Service and tribal facilities: *Provided further*, That
13 none of the funds appropriated to the Indian Health Serv-
14 ice may be used for sanitation facilities construction for
15 new homes funded with grants by the housing programs
16 of the United States Department of Housing and Urban
17 Development: *Provided further*, That not to exceed
18 \$2,700,000 from this account and the “Indian Health
19 Services” account may be used by the Indian Health Serv-
20 ice to obtain ambulances for the Indian Health Service
21 and tribal facilities in conjunction with an existing inter-
22 agency agreement between the Indian Health Service and
23 the General Services Administration: *Provided further*,
24 That not to exceed \$500,000 may be placed in a Demoli-
25 tion Fund, to remain available until expended, and be used

1 by the Indian Health Service for the demolition of Federal
2 buildings.

3 ADMINISTRATIVE PROVISIONS—INDIAN HEALTH SERVICE

4 Appropriations provided in this Act to the Indian
5 Health Service shall be available for services as authorized
6 by 5 U.S.C. 3109 at rates not to exceed the per diem rate
7 equivalent to the maximum rate payable for senior-level
8 positions under 5 U.S.C. 5376; hire of passenger motor
9 vehicles and aircraft; purchase of medical equipment; pur-
10 chase of reprints; purchase, renovation and erection of
11 modular buildings and renovation of existing facilities;
12 payments for telephone service in private residences in the
13 field, when authorized under regulations approved by the
14 Secretary; uniforms or allowances therefor as authorized
15 by 5 U.S.C. 5901–5902; and for expenses of attendance
16 at meetings that relate to the functions or activities of the
17 Indian Health Service: *Provided*, That in accordance with
18 the provisions of the Indian Health Care Improvement
19 Act, non-Indian patients may be extended health care at
20 all tribally administered or Indian Health Service facili-
21 ties, subject to charges, and the proceeds along with funds
22 recovered under the Federal Medical Care Recovery Act
23 (42 U.S.C. 2651–2653) shall be credited to the account
24 of the facility providing the service and shall be available
25 without fiscal year limitation: *Provided further*, That not-

1 withstanding any other law or regulation, funds trans-
2 ferred from the Department of Housing and Urban Devel-
3 opment to the Indian Health Service shall be administered
4 under Public Law 86–121, the Indian Sanitation Facilities
5 Act and Public Law 93–638: *Provided further*, That funds
6 appropriated to the Indian Health Service in this Act, ex-
7 cept those used for administrative and program direction
8 purposes, shall not be subject to limitations directed at
9 curtailing Federal travel and transportation: *Provided fur-*
10 *ther*, That none of the funds made available to the Indian
11 Health Service in this Act shall be used for any assess-
12 ments or charges by the Department of Health and
13 Human Services unless identified in the budget justifica-
14 tion and provided in this Act, or approved by the House
15 and Senate Committees on Appropriations through the re-
16 programming process: *Provided further*, That notwith-
17 standing any other provision of law, funds previously or
18 herein made available to a tribe or tribal organization
19 through a contract, grant, or agreement authorized by
20 title I or title V of the Indian Self-Determination and
21 Education Assistance Act of 1975 (25 U.S.C. 450), may
22 be deobligated and reobligated to a self-determination con-
23 tract under title I, or a self-governance agreement under
24 title V of such Act and thereafter shall remain available
25 to the tribe or tribal organization without fiscal year limi-

1 tation: *Provided further*, That none of the funds made
2 available to the Indian Health Service in this Act shall
3 be used to implement the final rule published in the Fed-
4 eral Register on September 16, 1987, by the Department
5 of Health and Human Services, relating to the eligibility
6 for the health care services of the Indian Health Service
7 until the Indian Health Service has submitted a budget
8 request reflecting the increased costs associated with the
9 proposed final rule, and such request has been included
10 in an appropriations Act and enacted into law: *Provided*
11 *further*, That with respect to functions transferred by the
12 Indian Health Service to tribes or tribal organizations, the
13 Indian Health Service is authorized to provide goods and
14 services to those entities on a reimbursable basis, includ-
15 ing payments in advance with subsequent adjustment, and
16 the reimbursements received therefrom, along with the
17 funds received from those entities pursuant to the Indian
18 Self-Determination Act, may be credited to the same or
19 subsequent appropriation account from which the funds
20 were originally derived, with such amounts to remain
21 available until expended: *Provided further*, That reim-
22 bursements for training, technical assistance, or services
23 provided by the Indian Health Service will contain total
24 costs, including direct, administrative, and overhead asso-
25 ciated with the provision of goods, services, or technical

1 assistance: *Provided further*, That the appropriation struc-
2 ture for the Indian Health Service may not be altered
3 without advance notification to the House and Senate
4 Committees on Appropriations: *Provided further*, That the
5 Indian Health Service shall develop a strategic plan for
6 the Urban Indian Health program in consultation with
7 urban Indians and the National Academy of Public Ad-
8 ministration, and shall publish such plan not later than
9 one year after the date of enactment of this Act.

10 NATIONAL INSTITUTES OF HEALTH

11 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH

12 SCIENCES

13 For necessary expenses for the National Institute of
14 Environmental Health Sciences in carrying out activities
15 set forth in section 311(a) of the Comprehensive Environ-
16 mental Response, Compensation, and Liability Act of
17 1980 (42 U.S.C. 9660(a)) and section 126(g) of the
18 Superfund Amendments and Reauthorization Act of 1986,
19 \$77,349,000.

20 AGENCY FOR TOXIC SUBSTANCES AND DISEASE

21 REGISTRY

22 TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC

23 HEALTH

24 For necessary expenses for the Agency for Toxic Sub-
25 stances and Disease Registry (ATSDR) in carrying out

1 activities set forth in sections 104(i) and 111(c)(4) of the
2 Comprehensive Environmental Response, Compensation,
3 and Liability Act of 1980 (CERCLA) and section 3019
4 of the Solid Waste Disposal Act, \$74,691,000, of which
5 up to \$1,000 per eligible employee of the Agency for Toxic
6 Substances and Disease Registry shall remain available
7 until expended for Individual Learning Accounts: *Pro-*
8 *vided*, That notwithstanding any other provision of law,
9 in lieu of performing a health assessment under section
10 104(i)(6) of CERCLA, the Administrator of ATSDR may
11 conduct other appropriate health studies, evaluations, or
12 activities, including, without limitation, biomedical testing,
13 clinical evaluations, medical monitoring, and referral to
14 accredited healthcare providers: *Provided further*, That in
15 performing any such health assessment or health study,
16 evaluation, or activity, the Administrator of ATSDR shall
17 not be bound by the deadlines in section 104(i)(6)(A) of
18 CERCLA: *Provided further*, That none of the funds appro-
19 priated under this heading shall be available for ATSDR
20 to issue in excess of 40 toxicological profiles pursuant to
21 section 104(i) of CERCLA during fiscal year 2016, and
22 existing profiles may be updated as necessary.

1 OTHER RELATED AGENCIES
2 EXECUTIVE OFFICE OF THE PRESIDENT
3 COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF
4 ENVIRONMENTAL QUALITY

5 For necessary expenses to continue functions as-
6 signed to the Council on Environmental Quality and Office
7 of Environmental Quality pursuant to the National Envi-
8 ronmental Policy Act of 1969, the Environmental Quality
9 Improvement Act of 1970, and Reorganization Plan No.
10 1 of 1977, and not to exceed \$750 for official reception
11 and representation expenses, \$3,000,000: *Provided*, That
12 notwithstanding section 202 of the National Environ-
13 mental Policy Act of 1970, the Council shall consist of
14 one member, appointed by the President, by and with the
15 advice and consent of the Senate, serving as chairman and
16 exercising all powers, functions, and duties of the Council.

17 CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD
18 SALARIES AND EXPENSES

19 For necessary expenses in carrying out activities pur-
20 suant to section 112(r)(6) of the Clean Air Act, including
21 hire of passenger vehicles, uniforms or allowances there-
22 for, as authorized by 5 U.S.C. 5901–5902, and for serv-
23 ices authorized by 5 U.S.C. 3109 but at rates for individ-
24 uals not to exceed the per diem equivalent to the maximum
25 rate payable for senior level positions under 5 U.S.C.

1 5376, \$11,000,000: *Provided*, That the Chemical Safety
2 and Hazard Investigation Board (Board) shall have not
3 more than three career Senior Executive Service positions:
4 *Provided further*, That notwithstanding any other provi-
5 sion of law, the individual appointed to the position of In-
6 spector General of the Environmental Protection Agency
7 (EPA) shall, by virtue of such appointment, also hold the
8 position of Inspector General of the Board: *Provided fur-*
9 *ther*, That notwithstanding any other provision of law, the
10 Inspector General of the Board shall utilize personnel of
11 the Office of Inspector General of EPA in performing the
12 duties of the Inspector General of the Board, and shall
13 not appoint any individuals to positions within the Board.

14 OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

15 SALARIES AND EXPENSES

16 (INCLUDING TRANSFER OF FUNDS)

17 For necessary expenses of the Office of Navajo and
18 Hopi Indian Relocation as authorized by Public Law 93-
19 531, \$15,000,000, to remain available until expended:
20 *Provided*, That funds provided in this or any other appro-
21 priations Act are to be used to relocate eligible individuals
22 and groups including evictees from District 6, Hopi-parti-
23 tioned lands residents, those in significantly substandard
24 housing, and all others certified as eligible and not in-
25 cluded in the preceding categories: *Provided further*, That

1 none of the funds contained in this or any other Act may
2 be used by the Office of Navajo and Hopi Indian Reloca-
3 tion to evict any single Navajo or Navajo family who, as
4 of November 30, 1985, was physically domiciled on the
5 lands partitioned to the Hopi Tribe unless a new or re-
6 placement home is provided for such household: *Provided*
7 *further*, That no relocatee will be provided with more than
8 one new or replacement home: *Provided further*, That the
9 Office shall relocate any certified eligible relocatees who
10 have selected and received an approved homesite on the
11 Navajo reservation or selected a replacement residence off
12 the Navajo reservation or on the land acquired pursuant
13 to 25 U.S.C. 640d–10: *Provided further*, That \$200,000
14 shall be transferred to the Office of Inspector General of
15 the Department of the Interior, to remain available until
16 expended, for audits and investigations of the Office of
17 Navajo and Hopi Indian Relocation, consistent with the
18 Inspector General Act of 1978 (5 U.S.C. App.).

19 INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE
20 CULTURE AND ARTS DEVELOPMENT

21 PAYMENT TO THE INSTITUTE

22 For payment to the Institute of American Indian and
23 Alaska Native Culture and Arts Development, as author-
24 ized by title XV of Public Law 99–498 (20 U.S.C. 56 part

1 A), \$11,619,000, to remain available until September 30,
2 2017.

3 SMITHSONIAN INSTITUTION

4 SALARIES AND EXPENSES

5 For necessary expenses of the Smithsonian Institu-
6 tion, as authorized by law, including research in the fields
7 of art, science, and history; development, preservation, and
8 documentation of the National Collections; presentation of
9 public exhibits and performances; collection, preparation,
10 dissemination, and exchange of information and publica-
11 tions; conduct of education, training, and museum assist-
12 ance programs; maintenance, alteration, operation, lease
13 agreements of no more than 30 years, and protection of
14 buildings, facilities, and approaches; not to exceed
15 \$100,000 for services as authorized by 5 U.S.C. 3109; and
16 purchase, rental, repair, and cleaning of uniforms for em-
17 ployees, \$696,045,000, to remain available until Sep-
18 tember 30, 2017, except as otherwise provided herein; of
19 which not to exceed \$48,233,000 for the instrumentation
20 program, collections acquisition, exhibition reinstallation,
21 the National Museum of African American History and
22 Culture, and the repatriation of skeletal remains program
23 shall remain available until expended; and including such
24 funds as may be necessary to support American overseas
25 research centers: *Provided*, That funds appropriated here-

1 in are available for advance payments to independent con-
2 tractors performing research services or participating in
3 official Smithsonian presentations.

4 FACILITIES CAPITAL

5 For necessary expenses of repair, revitalization, and
6 alteration of facilities owned or occupied by the Smithso-
7 nian Institution, by contract or otherwise, as authorized
8 by section 2 of the Act of August 22, 1949 (63 Stat. 623),
9 and for construction, including necessary personnel,
10 \$144,198,000, to remain available until expended, of
11 which not to exceed \$10,000 shall be for services as au-
12 thorized by 5 U.S.C. 3109.

13 NATIONAL GALLERY OF ART

14 SALARIES AND EXPENSES

15 For the upkeep and operations of the National Gal-
16 lery of Art, the protection and care of the works of art
17 therein, and administrative expenses incident thereto, as
18 authorized by the Act of March 24, 1937 (50 Stat. 51),
19 as amended by the public resolution of April 13, 1939
20 (Public Resolution 9, Seventy-sixth Congress), including
21 services as authorized by 5 U.S.C. 3109; payment in ad-
22 vance when authorized by the treasurer of the Gallery for
23 membership in library, museum, and art associations or
24 societies whose publications or services are available to
25 members only, or to members at a price lower than to the

1 general public; purchase, repair, and cleaning of uniforms
2 for guards, and uniforms, or allowances therefor, for other
3 employees as authorized by law (5 U.S.C. 5901–5902);
4 purchase or rental of devices and services for protecting
5 buildings and contents thereof, and maintenance, alter-
6 ation, improvement, and repair of buildings, approaches,
7 and grounds; and purchase of services for restoration and
8 repair of works of art for the National Gallery of Art by
9 contracts made, without advertising, with individuals,
10 firms, or organizations at such rates or prices and under
11 such terms and conditions as the Gallery may deem prop-
12 er, \$124,988,000, to remain available until September 30,
13 2017, of which not to exceed \$3,578,000 for the special
14 exhibition program shall remain available until expended.

15 REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

16 For necessary expenses of repair, restoration and
17 renovation of buildings, grounds and facilities owned or
18 occupied by the National Gallery of Art, by contract or
19 otherwise, for operating lease agreements of no more than
20 10 years, with no extensions or renewals beyond the 10
21 years, that address space needs created by the ongoing
22 renovations in the Master Facilities Plan, as authorized,
23 \$22,564,000, to remain available until expended: *Pro-*
24 *vided*, That contracts awarded for environmental systems,
25 protection systems, and exterior repair or renovation of

1 buildings of the National Gallery of Art may be negotiated
2 with selected contractors and awarded on the basis of con-
3 tractor qualifications as well as price.

4 JOHN F. KENNEDY CENTER FOR THE PERFORMING
5 ARTS
6 OPERATIONS AND MAINTENANCE

7 For necessary expenses for the operation, mainte-
8 nance and security of the John F. Kennedy Center for
9 the Performing Arts, \$21,660,000.

10 CAPITAL REPAIR AND RESTORATION

11 For necessary expenses for capital repair and restora-
12 tion of the existing features of the building and site of
13 the John F. Kennedy Center for the Performing Arts,
14 \$14,740,000, to remain available until expended.

15 WOODROW WILSON INTERNATIONAL CENTER FOR
16 SCHOLARS
17 SALARIES AND EXPENSES

18 For expenses necessary in carrying out the provisions
19 of the Woodrow Wilson Memorial Act of 1968 (82 Stat.
20 1356) including hire of passenger vehicles and services as
21 authorized by 5 U.S.C. 3109, \$10,500,000, to remain
22 available until September 30, 2017.

1 NATIONAL FOUNDATION ON THE ARTS AND THE
2 HUMANITIES

3 NATIONAL ENDOWMENT FOR THE ARTS
4 GRANTS AND ADMINISTRATION

5 For necessary expenses to carry out the National
6 Foundation on the Arts and the Humanities Act of 1965,
7 \$147,949,000 shall be available to the National Endow-
8 ment for the Arts for the support of projects and produc-
9 tions in the arts, including arts education and public out-
10 reach activities, through assistance to organizations and
11 individuals pursuant to section 5 of the Act, for program
12 support, and for administering the functions of the Act,
13 to remain available until expended.

14 NATIONAL ENDOWMENT FOR THE HUMANITIES
15 GRANTS AND ADMINISTRATION

16 For necessary expenses to carry out the National
17 Foundation on the Arts and the Humanities Act of 1965,
18 \$147,942,000 to remain available until expended, of which
19 \$137,042,000 shall be available for support of activities
20 in the humanities, pursuant to section 7(c) of the Act and
21 for administering the functions of the Act; and
22 \$10,900,000 shall be available to carry out the matching
23 grants program pursuant to section 10(a)(2) of the Act,
24 including \$8,500,000 for the purposes of section 7(h):
25 *Provided*, That appropriations for carrying out section

1 10(a)(2) shall be available for obligation only in such
2 amounts as may be equal to the total amounts of gifts,
3 bequests, devises of money, and other property accepted
4 by the chairman or by grantees of the National Endow-
5 ment for the Humanities under the provisions of sections
6 11(a)(2)(B) and 11(a)(3)(B) during the current and pre-
7 ceding fiscal years for which equal amounts have not pre-
8 viously been appropriated.

9 ADMINISTRATIVE PROVISIONS

10 None of the funds appropriated to the National
11 Foundation on the Arts and the Humanities may be used
12 to process any grant or contract documents which do not
13 include the text of 18 U.S.C. 1913: *Provided*, That none
14 of the funds appropriated to the National Foundation on
15 the Arts and the Humanities may be used for official re-
16 ception and representation expenses: *Provided further*,
17 That funds from nonappropriated sources may be used as
18 necessary for official reception and representation ex-
19 penses: *Provided further*, That the Chairperson of the Na-
20 tional Endowment for the Arts may approve grants of up
21 to \$10,000, if in the aggregate the amount of such grants
22 does not exceed 5 percent of the sums appropriated for
23 grantmaking purposes per year: *Provided further*, That
24 such small grant actions are taken pursuant to the terms

1 of an expressed and direct delegation of authority from
2 the National Council on the Arts to the Chairperson.

3 COMMISSION OF FINE ARTS

4 SALARIES AND EXPENSES

5 For expenses of the Commission of Fine Arts under
6 chapter 91 of title 40, United States Code, \$2,653,000:
7 *Provided*, That the Commission is authorized to charge
8 fees to cover the full costs of its publications, and such
9 fees shall be credited to this account as an offsetting col-
10 lection, to remain available until expended without further
11 appropriation: *Provided further*, That the Commission is
12 authorized to accept gifts, including objects, papers, art-
13 work, drawings and artifacts, that pertain to the history
14 and design of the Nation's Capital or the history and ac-
15 tivities of the Commission of Fine Arts, for the purpose
16 of artistic display, study or education.

17 NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

18 For necessary expenses as authorized by Public Law
19 99–190 (20 U.S.C. 956a), \$2,000,000.

20 ADVISORY COUNCIL ON HISTORIC PRESERVATION

21 SALARIES AND EXPENSES

22 For necessary expenses of the Advisory Council on
23 Historic Preservation (Public Law 89–665), \$6,080,000.

1 NATIONAL CAPITAL PLANNING COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses of the National Capital Plan-
4 ning Commission under chapter 87 of title 40, United
5 States Code, including services as authorized by 5 U.S.C.
6 3109, \$8,348,000: *Provided*, That one-quarter of 1 per-
7 cent of the funds provided under this heading may be used
8 for official reception and representational expenses associ-
9 ated with hosting international visitors engaged in the
10 planning and physical development of world capitals.

11 UNITED STATES HOLOCAUST MEMORIAL MUSEUM

12 HOLOCAUST MEMORIAL MUSEUM

13 For expenses of the Holocaust Memorial Museum, as
14 authorized by Public Law 106–292 (36 U.S.C. 2301–
15 2310), \$54,000,000, of which \$1,215,000 shall remain
16 available until September 30, 2018, for the Museum’s
17 equipment replacement program; and of which \$2,500,000
18 for the Museum’s repair and rehabilitation program and
19 \$1,264,000 for the Museum’s outreach initiatives program
20 shall remain available until expended.

21 DWIGHT D. EISENHOWER MEMORIAL COMMISSION

22 SALARIES AND EXPENSES

23 For necessary expenses, including the costs of con-
24 struction design, of the Dwight D. Eisenhower Memorial

1 Commission, \$1,000,000, to remain available until ex-
2 pended.

1 TITLE IV
2 GENERAL PROVISIONS
3 (INCLUDING TRANSFERS OF FUNDS)
4 RESTRICTION ON USE OF FUNDS

5 SEC. 401. No part of any appropriation contained in
6 this Act shall be available for any activity or the publica-
7 tion or distribution of literature that in any way tends to
8 promote public support or opposition to any legislative
9 proposal on which Congressional action is not complete
10 other than to communicate to Members of Congress as
11 described in 18 U.S.C. 1913.

12 OBLIGATION OF APPROPRIATIONS

13 SEC. 402. No part of any appropriation contained in
14 this Act shall remain available for obligation beyond the
15 current fiscal year unless expressly so provided herein.

16 DISCLOSURE OF ADMINISTRATIVE EXPENSES

17 SEC. 403. The amount and basis of estimated over-
18 head charges, deductions, reserves or holdbacks, including
19 working capital fund and cost pool charges, from pro-
20 grams, projects, activities and subactivities to support gov-
21 ernment-wide, departmental, agency, or bureau adminis-
22 trative functions or headquarters, regional, or central op-
23 erations shall be presented in annual budget justifications
24 and subject to approval by the Committees on Appropria-
25 tions of the House of Representatives and the Senate.

1 Changes to such estimates shall be presented to the Com-
2 mittees on Appropriations for approval.

3 MINING APPLICATIONS

4 SEC. 404. (a) LIMITATION OF FUNDS.—None of the
5 funds appropriated or otherwise made available pursuant
6 to this Act shall be obligated or expended to accept or
7 process applications for a patent for any mining or mill
8 site claim located under the general mining laws.

9 (b) EXCEPTIONS.—Subsection (a) shall not apply if
10 the Secretary of the Interior determines that, for the claim
11 concerned (1) a patent application was filed with the Sec-
12 retary on or before September 30, 1994; and (2) all re-
13 quirements established under sections 2325 and 2326 of
14 the Revised Statutes (30 U.S.C. 29 and 30) for vein or
15 lode claims, sections 2329, 2330, 2331, and 2333 of the
16 Revised Statutes (30 U.S.C. 35, 36, and 37) for placer
17 claims, and section 2337 of the Revised Statutes (30
18 U.S.C. 42) for mill site claims, as the case may be, were
19 fully complied with by the applicant by that date.

20 (c) REPORT.—On September 30, 2017, the Secretary
21 of the Interior shall file with the House and Senate Com-
22 mittees on Appropriations and the Committee on Natural
23 Resources of the House and the Committee on Energy and
24 Natural Resources of the Senate a report on actions taken
25 by the Department under the plan submitted pursuant to

1 section 314(c) of the Department of the Interior and Re-
2 lated Agencies Appropriations Act, 1997 (Public Law
3 104–208).

4 (d) MINERAL EXAMINATIONS.—In order to process
5 patent applications in a timely and responsible manner,
6 upon the request of a patent applicant, the Secretary of
7 the Interior shall allow the applicant to fund a qualified
8 third-party contractor to be selected by the Director of the
9 Bureau of Land Management to conduct a mineral exam-
10 ination of the mining claims or mill sites contained in a
11 patent application as set forth in subsection (b). The Bu-
12 reau of Land Management shall have the sole responsi-
13 bility to choose and pay the third-party contractor in ac-
14 cordance with the standard procedures employed by the
15 Bureau of Land Management in the retention of third-
16 party contractors.

17 CONTRACT SUPPORT COSTS, PRIOR YEAR LIMITATION

18 SEC. 405. Sections 405 and 406 of division F of the
19 Consolidated and Further Continuing Appropriations Act,
20 2015 (Public Law 113–235) shall continue in effect in fis-
21 cal year 2016.

22 CONTRACT SUPPORT COSTS, FISCAL YEAR 2016

23 LIMITATION

24 SEC. 406. Amounts provided by this Act for fiscal
25 year 2016 under the headings “Department of Health and

1 Human Services, Indian Health Service, Contract Support
2 Costs” and “Department of the Interior, Bureau of Indian
3 Affairs and Bureau of Indian Education, Contract Sup-
4 port Costs” are the only amounts available for contract
5 support costs arising out of self-determination or self-gov-
6 ernance contracts, grants, compacts, or annual funding
7 agreements for fiscal year 2016 with the Bureau of Indian
8 Affairs or the Indian Health Service: *Provided*, That such
9 amounts provided by this Act are not available for pay-
10 ment of claims for contract support costs for prior years,
11 or for repayments of payments for settlements or judg-
12 ments awarding contract support costs for prior years.

13 FOREST MANAGEMENT PLANS

14 SEC. 407. The Secretary of Agriculture shall not be
15 considered to be in violation of subparagraph 6(f)(5)(A)
16 of the Forest and Rangeland Renewable Resources Plan-
17 ning Act of 1974 (16 U.S.C. 1604(f)(5)(A)) solely because
18 more than 15 years have passed without revision of the
19 plan for a unit of the National Forest System. Nothing
20 in this section exempts the Secretary from any other re-
21 quirement of the Forest and Rangeland Renewable Re-
22 sources Planning Act (16 U.S.C. 1600 et seq.) or any
23 other law: *Provided*, That if the Secretary is not acting
24 expeditiously and in good faith, within the funding avail-
25 able, to revise a plan for a unit of the National Forest

1 System, this section shall be void with respect to such plan
2 and a court of proper jurisdiction may order completion
3 of the plan on an accelerated basis.

4 PROHIBITION WITHIN NATIONAL MONUMENTS

5 SEC. 408. No funds provided in this Act may be ex-
6 pended to conduct preleasing, leasing and related activities
7 under either the Mineral Leasing Act (30 U.S.C. 181 et
8 seq.) or the Outer Continental Shelf Lands Act (43 U.S.C.
9 1331 et seq.) within the boundaries of a National Monu-
10 ment established pursuant to the Act of June 8, 1906 (16
11 U.S.C. 431 et seq.) as such boundary existed on January
12 20, 2001, except where such activities are allowed under
13 the Presidential proclamation establishing such monu-
14 ment.

15 LIMITATION ON TAKINGS

16 SEC. 409. Unless otherwise provided herein, no funds
17 appropriated in this Act for the acquisition of lands or
18 interests in lands may be expended for the filing of dec-
19 larations of taking or complaints in condemnation without
20 the approval of the House and Senate Committees on Ap-
21 propriations: *Provided*, That this provision shall not apply
22 to funds appropriated to implement the Everglades Na-
23 tional Park Protection and Expansion Act of 1989, or to
24 funds appropriated for Federal assistance to the State of

1 Florida to acquire lands for Everglades restoration pur-
2 poses.

3 TIMBER SALE REQUIREMENTS

4 SEC. 410. No timber sale in Alaska’s Region 10 shall
5 be advertised if the indicated rate is deficit (defined as
6 the value of the timber is not sufficient to cover all logging
7 and stumpage costs and provide a normal profit and risk
8 allowance under the Forest Service’s appraisal process)
9 when appraised using a residual value appraisal. The west-
10 ern red cedar timber from those sales which is surplus
11 to the needs of the domestic processors in Alaska, shall
12 be made available to domestic processors in the contiguous
13 48 United States at prevailing domestic prices. All addi-
14 tional western red cedar volume not sold to Alaska or con-
15 tiguous 48 United States domestic processors may be ex-
16 ported to foreign markets at the election of the timber sale
17 holder. All Alaska yellow cedar may be sold at prevailing
18 export prices at the election of the timber sale holder.

19 PROHIBITION ON NO-BID CONTRACTS

20 SEC. 411. None of the funds appropriated or other-
21 wise made available by this Act to executive branch agen-
22 cies may be used to enter into any Federal contract unless
23 such contract is entered into in accordance with the re-
24 quirements of Chapter 33 of title 41, United States Code,

1 or Chapter 137 of title 10, United States Code, and the
2 Federal Acquisition Regulation, unless—

3 (1) Federal law specifically authorizes a con-
4 tract to be entered into without regard for these re-
5 quirements, including formula grants for States, or
6 federally recognized Indian tribes; or

7 (2) such contract is authorized by the Indian
8 Self-Determination and Education Assistance Act
9 (Public Law 93–638, 25 U.S.C. 450 et seq.) or by
10 any other Federal laws that specifically authorize a
11 contract within an Indian tribe as defined in section
12 4(e) of that Act (25 U.S.C. 450b(e)); or

13 (3) such contract was awarded prior to the date
14 of enactment of this Act.

15 POSTING OF REPORTS

16 SEC. 412. (a) Any agency receiving funds made avail-
17 able in this Act, shall, subject to subsections (b) and (c),
18 post on the public website of that agency any report re-
19 quired to be submitted by the Congress in this or any
20 other Act, upon the determination by the head of the agen-
21 cy that it shall serve the national interest.

22 (b) Subsection (a) shall not apply to a report if—

23 (1) the public posting of the report com-
24 promises national security; or

25 (2) the report contains proprietary information.

1 (c) The head of the agency posting such report shall
2 do so only after such report has been made available to
3 the requesting Committee or Committees of Congress for
4 no less than 45 days.

5 NATIONAL ENDOWMENT FOR THE ARTS GRANT

6 GUIDELINES

7 SEC. 413. Of the funds provided to the National En-
8 dowment for the Arts—

9 (1) The Chairperson shall only award a grant
10 to an individual if such grant is awarded to such in-
11 dividual for a literature fellowship, National Herit-
12 age Fellowship, or American Jazz Masters Fellow-
13 ship.

14 (2) The Chairperson shall establish procedures
15 to ensure that no funding provided through a grant,
16 except a grant made to a State or local arts agency,
17 or regional group, may be used to make a grant to
18 any other organization or individual to conduct ac-
19 tivity independent of the direct grant recipient.
20 Nothing in this subsection shall prohibit payments
21 made in exchange for goods and services.

22 (3) No grant shall be used for seasonal support
23 to a group, unless the application is specific to the
24 contents of the season, including identified programs
25 or projects.

1 NATIONAL ENDOWMENT FOR THE ARTS PROGRAM

2 PRIORITIES

3 SEC. 414. (a) In providing services or awarding fi-
4 nancial assistance under the National Foundation on the
5 Arts and the Humanities Act of 1965 from funds appro-
6 priated under this Act, the Chairperson of the National
7 Endowment for the Arts shall ensure that priority is given
8 to providing services or awarding financial assistance for
9 projects, productions, workshops, or programs that serve
10 underserved populations.

11 (b) In this section:

12 (1) The term “underserved population” means
13 a population of individuals, including urban minori-
14 ties, who have historically been outside the purview
15 of arts and humanities programs due to factors such
16 as a high incidence of income below the poverty line
17 or to geographic isolation.

18 (2) The term “poverty line” means the poverty
19 line (as defined by the Office of Management and
20 Budget, and revised annually in accordance with sec-
21 tion 673(2) of the Community Services Block Grant
22 Act (42 U.S.C. 9902(2))) applicable to a family of
23 the size involved.

24 (c) In providing services and awarding financial as-
25 sistance under the National Foundation on the Arts and

1 Humanities Act of 1965 with funds appropriated by this
2 Act, the Chairperson of the National Endowment for the
3 Arts shall ensure that priority is given to providing serv-
4 ices or awarding financial assistance for projects, produc-
5 tions, workshops, or programs that will encourage public
6 knowledge, education, understanding, and appreciation of
7 the arts.

8 (d) With funds appropriated by this Act to carry out
9 section 5 of the National Foundation on the Arts and Hu-
10 manities Act of 1965—

11 (1) the Chairperson shall establish a grant cat-
12 egory for projects, productions, workshops, or pro-
13 grams that are of national impact or availability or
14 are able to tour several States;

15 (2) the Chairperson shall not make grants ex-
16 ceeding 15 percent, in the aggregate, of such funds
17 to any single State, excluding grants made under the
18 authority of paragraph (1);

19 (3) the Chairperson shall report to the Con-
20 gress annually and by State, on grants awarded by
21 the Chairperson in each grant category under sec-
22 tion 5 of such Act; and

23 (4) the Chairperson shall encourage the use of
24 grants to improve and support community-based
25 music performance and education.

1 STATUS OF BALANCES OF APPROPRIATIONS

2 SEC. 415. The Department of the Interior, the Envi-
3 ronmental Protection Agency, the Forest Service, and the
4 Indian Health Service shall provide the Committees on
5 Appropriations of the House of Representatives and Sen-
6 ate quarterly reports on the status of balances of appro-
7 priations including all uncommitted, committed, and unob-
8 ligated funds in each program and activity.

9 REPORT ON USE OF CLIMATE CHANGE FUNDS

10 SEC. 416. Not later than 120 days after the date on
11 which the President's fiscal year 2017 budget request is
12 submitted to the Congress, the President shall submit a
13 comprehensive report to the Committees on Appropria-
14 tions of the House of Representatives and the Senate de-
15 scribing in detail all Federal agency funding, domestic and
16 international, for climate change programs, projects, and
17 activities in fiscal years 2015 and 2016, including an ac-
18 counting of funding by agency with each agency identi-
19 fying climate change programs, projects, and activities
20 and associated costs by line item as presented in the Presi-
21 dent's Budget Appendix, and including citations and link-
22 ages where practicable to each strategic plan that is driv-
23 ing funding within each climate change program, project,
24 and activity listed in the report.

1 PROHIBITION ON USE OF FUNDS

2 SEC. 417. Notwithstanding any other provision of
3 law, none of the funds made available in this Act or any
4 other Act may be used to promulgate or implement any
5 regulation requiring the issuance of permits under title V
6 of the Clean Air Act (42 U.S.C. 7661 et seq.) for carbon
7 dioxide, nitrous oxide, water vapor, or methane emissions
8 resulting from biological processes associated with live-
9 stock production.

10 GREENHOUSE GAS REPORTING RESTRICTIONS

11 SEC. 418. Notwithstanding any other provision of
12 law, none of the funds made available in this or any other
13 Act may be used to implement any provision in a rule,
14 if that provision requires mandatory reporting of green-
15 house gas emissions from manure management systems.

16 MODIFICATION OF AUTHORITIES

17 SEC. 419. (a) Section 8162(m)(3) of the Department
18 of Defense Appropriations Act, 2000 (40 U.S.C. 8903
19 note; Public Law 106–79) is amended by striking “Sep-
20 tember 30, 2015” and inserting “September 30, 2016”.

21 (b) For fiscal year 2016, the authority provided by
22 the provisos under the heading “Dwight D. Eisenhower
23 Memorial Commission—Capital Construction” in division
24 E of Public Law 112–74 shall not be in effect.

1 FUNDING PROHIBITION

2 SEC. 420. None of the funds made available by this
3 or any other Act may be used to regulate the lead content
4 of ammunition, ammunition components, or fishing tackle
5 under the Toxic Substances Control Act (15 U.S.C. 2601
6 et seq.) or any other law.

7 CONTRACTING AUTHORITIES

8 SEC. 421. Section 412 of Division E of Public Law
9 112–74 is amended by striking “fiscal year 2015,” and
10 inserting “fiscal year 2017,”.

11 CHESAPEAKE BAY INITIATIVE

12 SEC. 422. Section 502(c) of the Chesapeake Bay Ini-
13 tiative Act of 1998 (Public Law 105–312; 16 U.S.C. 461
14 note) is amended by striking “2015” and inserting
15 “2017”.

16 EXTENSION OF GRAZING PERMITS

17 SEC. 423. The terms and conditions of section 325
18 of Public Law 108–108 (117 Stat. 1307), regarding graz-
19 ing permits issued by the Forest Service on any lands not
20 subject to administration under section 402 of the Federal
21 Lands Policy and Management Act (43 U.S.C. 1752),
22 shall remain in effect for fiscal year 2016.

23 USE OF AMERICAN IRON AND STEEL

24 SEC. 424. (a)(1) None of the funds made available
25 by a State water pollution control revolving fund as au-

1 thorized by section 1452 of the Safe Drinking Water Act
2 (42 U.S.C. 300j-12) shall be used for a project for the
3 construction, alteration, maintenance, or repair of a public
4 water system or treatment works unless all of the iron and
5 steel products used in the project are produced in the
6 United States.

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

13 (b) Subsection (a) shall not apply in any case or cat-
14 egory of cases in which the Administrator of the Environ-
15 mental Protection Agency (in this section referred to as
16 the “Administrator”) finds that—

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

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

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

1 (c) If the Administrator receives a request for a waiv-
2 er under this section, the Administrator shall make avail-
3 able to the public on an informal basis a copy of the re-
4 quest and information available to the Administrator con-
5 cerning the request, and shall allow for informal public
6 input on the request for at least 15 days prior to making
7 a finding based on the request. The Administrator shall
8 make the request and accompanying information available
9 by electronic means, including on the official public Inter-
10 net Web site of the Environmental Protection Agency.

11 (d) This section shall be applied in a manner con-
12 sistent with United States obligations under international
13 agreements.

14 (e) The Administrator may retain up to 0.25 percent
15 of the funds appropriated in this Act for the Clean and
16 Drinking Water State Revolving Funds for carrying out
17 the provisions described in subsection (a)(1) for manage-
18 ment and oversight of the requirements of this section.

19 NOTIFICATION REQUIREMENTS

20 SEC. 425. (a) DEFINITIONS.—In this section:

21 (1) ADMINISTRATOR.—The term “Adminis-
22 trator” means the Administrator of the Environ-
23 mental Protection Agency.

24 (2) AFFECTED STATE.—The term “affected
25 State” means any of the Great Lakes States (as de-

1 fined in section 118(a)(3) of the Federal Water Pol-
2 lution Control Act (33 U.S.C. 1268(a)(3))).

3 (3) DISCHARGE.—The term “discharge” means
4 a discharge as defined in section 502 of the Federal
5 Water Pollution Control Act (33 U.S.C. 1362).

6 (4) GREAT LAKES.—The term “Great Lakes”
7 means any of the waters as defined in section
8 118(a)(3) of the Federal Water Pollution Control
9 Act (33 U.S.C. 1268(a)(3)).

10 (5) TREATMENT WORKS.—The term “treatment
11 works” has the meaning given the term in section
12 212 of the Federal Water Pollution Control Act (33
13 U.S.C. 1292).

14 (b) REQUIREMENTS.—

15 (1) IN GENERAL.—The Administrator shall
16 work with affected States having publicly owned
17 treatment works that discharge to the Great Lakes
18 to create public notice requirements for a combined
19 sewer overflow discharge to the Great Lakes.

20 (2) NOTICE REQUIREMENTS.—The notice re-
21 quirements referred to in paragraph (1) shall pro-
22 vide for—

23 (i) the method of the notice;

24 (ii) the contents of the notice, in accord-
25 ance with paragraph (3); and

1 (iii) requirements for public availability of
2 the notice.

3 (3) MINIMUM REQUIREMENTS.—

4 (A) IN GENERAL.—The contents of the no-
5 tice under paragraph (1) shall include—

6 (i) the dates and times of the applica-
7 ble discharge;

8 (ii) the volume of the discharge; and

9 (iii) a description of any public access
10 areas impacted by the discharge.

11 (B) CONSISTENCY.—The minimum re-
12 quirements under this paragraph shall be con-
13 sistent for all affected States.

14 (4) ADDITIONAL REQUIREMENTS.—The Admin-
15 istrator shall work with the affected States to in-
16 clude—

17 (A) follow-up notice requirements that pro-
18 vide a description of—

19 (i) each applicable discharge;

20 (ii) the cause of the discharge; and

21 (iii) plans to prevent a reoccurrence of
22 a combined sewer overflow discharge to the
23 Great Lakes consistent with section 402 of
24 the Federal Water Pollution Control Act
25 (33 U.S.C. 1342) or an administrative

1 order or consent decree under such Act;
2 and

3 (B) annual publication requirements that
4 list each treatment works from which the Ad-
5 ministrators or the affected State receive a fol-
6 low-up notice.

7 (5) TIMING.—

8 (A) The notice and publication require-
9 ments described in this subsection shall be im-
10 plemented by not later than 2 years after the
11 date of enactment of this Act.

12 (B) The Administrator of the EPA may
13 extend the implementation deadline for indi-
14 vidual communities if the Administrator deter-
15 mines the community needs additional time to
16 comply in order to avoid undue economic hard-
17 ship.

18 (6) STATE ACTION.—Nothing in this subsection
19 prohibits an affected State from establishing a State
20 notice requirement in the event of a discharge that
21 is more stringent than the requirements described in
22 this subsection.

1 GREAT LAKES RESTORATION INITIATIVE

2 SEC. 426. Section 118(c) of the Federal Water Pollu-
3 tion Control Act (33 U.S.C. 1268(c)) is amended by strik-
4 ing paragraph (7) and inserting the following:

5 “(7) GREAT LAKES RESTORATION INITIA-
6 TIVE.—

7 “(A) ESTABLISHMENT.—There is estab-
8 lished in the Agency a Great Lakes Restoration
9 Initiative (referred to in this paragraph as the
10 ‘Initiative’) to carry out programs and projects
11 for Great Lakes protection and restoration.

12 “(B) FOCUS AREAS.—The Initiative shall
13 prioritize programs and projects carried out in
14 coordination with non-Federal partners and
15 programs and projects that address priority
16 areas each fiscal year, including—

17 “(i) the remediation of toxic sub-
18 stances and areas of concern;

19 “(ii) the prevention and control of
20 invasive species and the impacts of invasive
21 species;

22 “(iii) the protection and restoration of
23 nearshore health and the prevention and
24 mitigation of nonpoint source pollution;

1 “(iv) habitat and wildlife protection
2 and restoration, including wetlands res-
3 toration and preservation; and

4 “(v) accountability, monitoring, eval-
5 uation, communication, and partnership
6 activities.

7 “(C) PROJECTS.—Under the Initiative, the
8 Agency shall collaborate with Federal partners,
9 including the Great Lakes Interagency Task
10 Force, to select the best combination of pro-
11 grams and projects for Great Lakes protection
12 and restoration using appropriate principles
13 and criteria, including whether a program or
14 project provides—

15 “(i) the ability to achieve strategic
16 and measurable environmental outcomes
17 that implement the Great Lakes Action
18 Plan and the Great Lakes Water Quality
19 Agreement;

20 “(ii) the feasibility of—

21 “(I) prompt implementation;

22 “(II) timely achievement of re-
23 sults; and

24 “(III) resource leveraging; and

1 “(iii) the opportunity to improve
2 interagency and inter-organizational co-
3 ordination and collaboration to reduce du-
4 plication and streamline efforts.

5 “(D) IMPLEMENTATION OF PROJECTS.—

6 “(i) IN GENERAL.—Subject to sub-
7 paragraph (G)(ii), funds made available to
8 carry out the Initiative shall be used to
9 strategically implement—

10 “(I) Federal projects; and

11 “(II) projects carried out in co-
12 ordination with States, Indian tribes,
13 municipalities, institutions of higher
14 education, and other organizations.

15 “(ii) TRANSFER OF FUNDS.—With
16 amounts made available for the Initiative
17 each fiscal year, the Administrator may—

18 “(I) transfer not more than the
19 total amount appropriated under sub-
20 paragraph (G)(i) for the fiscal year to
21 the head of any Federal department
22 or agency, with the concurrence of the
23 department or agency head, to carry
24 out activities to support the Initiative

1 and the Great Lakes Water Quality
2 Agreement; and

3 “(II) enter into an interagency
4 agreement with the head of any Fed-
5 eral department or agency to carry
6 out activities described in subclause
7 (I).

8 “(E) SCOPE.—

9 “(i) IN GENERAL.—Projects shall be
10 carried out under the Initiative on multiple
11 levels, including—

12 “(I) Great Lakes-wide; and

13 “(II) Great Lakes basin-wide.

14 “(ii) LIMITATION.—No funds made
15 available to carry out the Initiative may be
16 used for any water infrastructure activity
17 (other than a green infrastructure project
18 that improves habitat and other ecosystem
19 functions in the Great Lakes) for which
20 amounts are made available from—

21 “(I) a State water pollution con-
22 trol revolving fund established under
23 title VI; or

24 “(II) a State drinking water re-
25 volving loan fund established under

1 section 1452 of the Safe Drinking
2 Water Act (42 U.S.C. 300j–12).

3 “(F) ACTIVITIES BY OTHER FEDERAL
4 AGENCIES.—Each relevant Federal department
5 or agency shall, to the maximum extent prac-
6 ticable—

7 “(i) maintain the base level of funding
8 for the Great Lakes activities of that de-
9 partment or agency without regard to
10 funding under the Initiative; and

11 “(ii) identify new activities and
12 projects to support the environmental goals
13 of the Initiative.

14 “(G) FUNDING.—There are authorized to
15 be appropriated to carry out this paragraph for
16 fiscal year 2016, \$300,000,000.”.

17 JOHN F. KENNEDY CENTER REAUTHORIZATION

18 SEC. 427. Section 13 of the John F. Kennedy Center
19 Act (20 U.S.C. 76r) is amended by striking subsections
20 (a) and (b) and inserting the following:

21 “(a) MAINTENANCE, REPAIR, AND SECURITY.—
22 There is authorized to be appropriated to the Board to
23 carry out section 4(a)(1)(H), \$22,000,000 for fiscal year
24 2016.

1 “(b) CAPITAL PROJECTS.—There is authorized to be
2 appropriated to the Board to carry out subparagraphs (F)
3 and (G) of section 4(a)(1), \$15,000,000 for fiscal year
4 2016.”.

5 This division may be cited as the “Department of the
6 Interior, Environment, and Related Agencies Appropria-
7 tions Act, 2016”.

1 **DIVISION H—DEPARTMENTS OF LABOR,**
2 **HEALTH AND HUMAN SERVICES, AND**
3 **EDUCATION, AND RELATED AGENCIES**
4 **APPROPRIATIONS ACT, 2016**

5 TITLE I

6 DEPARTMENT OF LABOR

7 EMPLOYMENT AND TRAINING ADMINISTRATION

8 TRAINING AND EMPLOYMENT SERVICES

9 For necessary expenses of the Workforce Innovation
10 and Opportunity Act (referred to in this Act as “WIOA”),
11 the Second Chance Act of 2007, the National Apprentice-
12 ship Act, and the Women in Apprenticeship and Nontradi-
13 tional Occupations Act of 1992 (“WANTO Act”),
14 \$3,335,425,000, plus reimbursements, shall be available.

15 Of the amounts provided:

16 (1) for grants to States for adult employment
17 and training activities, youth activities, and dis-
18 located worker employment and training activities,
19 \$2,709,832,000 as follows:

20 (A) \$815,556,000 for adult employment
21 and training activities, of which \$103,556,000
22 shall be available for the period July 1, 2016
23 through June 30, 2017, and of which
24 \$712,000,000 shall be available for the period
25 October 1, 2016 through June 30, 2017;

1 (B) \$873,416,000 for youth activities,
2 which shall be available for the period April 1,
3 2016 through June 30, 2017; and

4 (C) \$1,020,860,000 for dislocated worker
5 employment and training activities, of which
6 \$160,860,000 shall be available for the period
7 July 1, 2016 through June 30, 2017, and of
8 which \$860,000,000 shall be available for the
9 period October 1, 2016 through June 30, 2017:

10 *Provided*, That pursuant to section 128(a)(1) of the
11 WIOA, the amount available to the Governor for
12 statewide workforce investment activities shall not
13 exceed 15 percent of the amount allotted to the
14 State from each of the appropriations under the pre-
15 ceding subparagraphs: *Provided further*, That the
16 funds available for allotment to outlying areas to
17 carry out subtitle B of title I of the WIOA shall not
18 be subject to the requirements of section
19 127(b)(1)(B)(ii) of such Act; and

20 (2) for national programs, \$625,593,000 as fol-
21 lows:

22 (A) \$220,859,000 for the dislocated work-
23 ers assistance national reserve, of which
24 \$20,859,000 shall be available for the period
25 July 1, 2016 through September 30, 2017, and

1 of which \$200,000,000 shall be available for the
2 period October 1, 2016 through September 30,
3 2017: *Provided*, That funds provided to carry
4 out section 132(a)(2)(A) of the WIOA may be
5 used to provide assistance to a State for state-
6 wide or local use in order to address cases
7 where there have been worker dislocations
8 across multiple sectors or across multiple local
9 areas and such workers remain dislocated; co-
10 ordinate the State workforce development plan
11 with emerging economic development needs; and
12 train such eligible dislocated workers: *Provided*
13 *further*, That funds provided to carry out sec-
14 tions 168(b) and 169(c) of the WIOA may be
15 used for technical assistance and demonstration
16 projects, respectively, that provide assistance to
17 new entrants in the workforce and incumbent
18 workers: *Provided further*, That notwithstanding
19 section 168(b) of the WIOA, of the funds pro-
20 vided under this subparagraph, the Secretary of
21 Labor (referred to in this title as “Secretary”)
22 may reserve not more than 10 percent of such
23 funds to provide technical assistance and carry
24 out additional activities related to the transition
25 to the WIOA: *Provided further*, That, of the

1 funds provided under this subparagraph,
2 \$19,000,000 shall be made available for appli-
3 cations submitted in accordance with section
4 170 of the WIOA for training and employment
5 assistance for workers dislocated from coal
6 mines and coal-fired power plants;

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

11 (C) \$81,896,000 for migrant and seasonal
12 farmworker programs under section 167 of the
13 WIOA, including \$75,885,000 for formula
14 grants (of which not less than 70 percent shall
15 be for employment and training services),
16 \$5,517,000 for migrant and seasonal housing
17 (of which not less than 70 percent shall be for
18 permanent housing), and \$494,000 for other
19 discretionary purposes, which shall be available
20 for the period July 1, 2016 through June 30,
21 2017: *Provided*, That notwithstanding any
22 other provision of law or related regulation, the
23 Department of Labor shall take no action lim-
24 iting the number or proportion of eligible par-
25 ticipants receiving related assistance services or

1 discouraging grantees from providing such serv-
2 ices;

3 (D) \$994,000 for carrying out the
4 WANTO Act, which shall be available for the
5 period July 1, 2016 through June 30, 2017;

6 (E) \$84,534,000 for YouthBuild activities
7 as described in section 171 of the WIOA, which
8 shall be available for the period April 1, 2016
9 through June 30, 2017;

10 (F) \$3,232,000 for technical assistance ac-
11 tivities under section 168 of the WIOA, which
12 shall be available for the period July 1, 2016
13 through June 30, 2017;

14 (G) \$88,078,000 for ex-offender activities,
15 under the authority of section 169 of the WIOA
16 and section 212 of the Second Chance Act of
17 2007, which shall be available for the period
18 April 1, 2016 through June 30, 2017: *Provided,*
19 That of this amount, \$20,000,000 shall be for
20 competitive grants to national and regional
21 intermediaries for activities that prepare young
22 ex-offenders and school dropouts for employ-
23 ment, with a priority for projects serving high-
24 crime, high-poverty areas;

1 (1) \$1,581,825,000 for Job Corps Operations,
2 which shall be available for the period July 1, 2016
3 through June 30, 2017;

4 (2) \$75,000,000 for construction, rehabilitation
5 and acquisition of Job Corps Centers, which shall be
6 available for the period July 1, 2016 through June
7 30, 2019, and which may include the acquisition,
8 maintenance, and repair of major items of equip-
9 ment: *Provided*, That the Secretary may transfer up
10 to 15 percent of such funds to meet the operational
11 needs of such centers or to achieve administrative ef-
12 ficiencies: *Provided further*, That any funds trans-
13 ferred pursuant to the preceding proviso shall not be
14 available for obligation after June 30, 2017: *Pro-*
15 *vided further*, That the Committees on Appropria-
16 tions of the House of Representatives and the Sen-
17 ate are notified at least 15 days in advance of any
18 transfer; and

19 (3) \$32,330,000 for necessary expenses of Job
20 Corps, which shall be available for obligation for the
21 period October 1, 2015 through September 30,
22 2016:

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

1 division, any part of the appropriation provided under this
2 heading may remain available for obligation beyond the
3 current fiscal year pursuant to the authorities of section
4 245(c) of the Trade Act of 1974 (19 U.S.C. 2317(c)).

5 STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT
6 SERVICE OPERATIONS

7 For authorized administrative expenses,
8 \$89,066,000, together with not to exceed \$3,480,812,000
9 which may be expended from the Employment Security
10 Administration Account in the Unemployment Trust Fund
11 (“the Trust Fund”), of which:

12 (1) \$2,725,550,000 from the Trust Fund is for
13 grants to States for the administration of State un-
14 employment insurance laws as authorized under title
15 III of the Social Security Act (including not less
16 than \$95,000,000 to conduct in-person reemploy-
17 ment and eligibility assessments and unemployment
18 insurance improper payment reviews, and to provide
19 reemployment services and referrals to training as
20 appropriate, for claimants of unemployment insur-
21 ance for ex-service members under 5 U.S.C. 8521 et.
22 seq. and for the claimants of regular unemployment
23 compensation who are profiled as most likely to ex-
24 haust their benefits in each State, and \$3,000,000
25 for continued support of the Unemployment Insur-

1 ance Integrity Center of Excellence), the administra-
2 tion of unemployment insurance for Federal employ-
3 ees and for ex-service members as authorized under
4 5 U.S.C. 8501–8523, and the administration of
5 trade readjustment allowances, reemployment trade
6 adjustment assistance, and alternative trade adjust-
7 ment assistance under the Trade Act of 1974 and
8 under section 231(a) of the Trade Adjustment As-
9 sistance Extension Act of 2011 and section 405(a)
10 of the Trade Preferences Extension Act of 2015,
11 and shall be available for obligation by the States
12 through December 31, 2016, except that funds used
13 for automation acquisitions shall be available for
14 Federal obligation through December 31, 2016, and
15 for State obligation through September 30, 2018, or,
16 if the automation acquisition is being carried out
17 through consortia of States, for State obligation
18 through September 30, 2021, and for expenditure
19 through September 30, 2022, and funds for competi-
20 tive grants awarded to States for improved oper-
21 ations and to conduct in-person assessments and re-
22 views and provide reemployment services and refer-
23 rals shall be available for Federal obligation through
24 December 31, 2016, and for obligation by the States
25 through September 30, 2018, and funds for the Un-

1 employment Insurance Integrity Center of Excel-
2 lence shall be available for obligation by the State
3 through September 30, 2017, and funds used for
4 unemployment insurance workloads experienced by
5 the States through September 30, 2016 shall be
6 available for Federal obligation through December
7 31, 2016;

8 (2) \$14,547,000 from the Trust Fund is for na-
9 tional activities necessary to support the administra-
10 tion of the Federal-State unemployment insurance
11 system;

12 (3) \$658,587,000 from the Trust Fund, to-
13 gether with \$21,413,000 from the General Fund of
14 the Treasury, is for grants to States in accordance
15 with section 6 of the Wagner-Peyser Act, and shall
16 be available for Federal obligation for the period
17 July 1, 2016 through June 30, 2017;

18 (4) \$19,818,000 from the Trust Fund is for na-
19 tional activities of the Employment Service, includ-
20 ing administration of the work opportunity tax cred-
21 it under section 51 of the Internal Revenue Code of
22 1986, and the provision of technical assistance and
23 staff training under the Wagner-Peyser Act;

24 (5) \$62,310,000 from the Trust Fund is for the
25 administration of foreign labor certifications and re-

1 lated activities under the Immigration and Nation-
2 ality Act and related laws, of which \$48,028,000
3 shall be available for the Federal administration of
4 such activities, and \$14,282,000 shall be available
5 for grants to States for the administration of such
6 activities; and

7 (6) \$67,653,000 from the General Fund is to
8 provide workforce information, national electronic
9 tools, and one-stop system building under the Wag-
10 ner-Peyser Act and shall be available for Federal ob-
11 ligation for the period July 1, 2016 through June
12 30, 2017:

13 *Provided*, That to the extent that the Average Weekly In-
14 sured Unemployment (“AWIU”) for fiscal year 2016 is
15 projected by the Department of Labor to exceed
16 2,680,000, an additional \$28,600,000 from the Trust
17 Fund shall be available for obligation for every 100,000
18 increase in the AWIU level (including a pro rata amount
19 for any increment less than 100,000) to carry out title
20 III of the Social Security Act: *Provided further*, That
21 funds appropriated in this Act that are allotted to a State
22 to carry out activities under title III of the Social Security
23 Act may be used by such State to assist other States in
24 carrying out activities under such title III if the other
25 States include areas that have suffered a major disaster

1 declared by the President under the Robert T. Stafford
2 Disaster Relief and Emergency Assistance Act: *Provided*
3 *further*, That the Secretary may use funds appropriated
4 for grants to States under title III of the Social Security
5 Act to make payments on behalf of States for the use of
6 the National Directory of New Hires under section
7 453(j)(8) of such Act: *Provided further*, That the Sec-
8 retary may use funds appropriated for grants to States
9 under title III of the Social Security Act to make pay-
10 ments on behalf of States to the entity operating the State
11 Information Data Exchange System: *Provided further*,
12 That funds appropriated in this Act which are used to es-
13 tablish a national one-stop career center system, or which
14 are used to support the national activities of the Federal-
15 State unemployment insurance, employment service, or
16 immigration programs, may be obligated in contracts,
17 grants, or agreements with States and non-State entities:
18 *Provided further*, That States awarded competitive grants
19 for improved operations under title III of the Social Secu-
20 rity Act, or awarded grants to support the national activi-
21 ties of the Federal-State unemployment insurance system,
22 may award subgrants to other States under such grants,
23 subject to the conditions applicable to the grants: *Provided*
24 *further*, That funds appropriated under this Act for activi-
25 ties authorized under title III of the Social Security Act

1 and the Wagner-Peyser Act may be used by States to fund
2 integrated Unemployment Insurance and Employment
3 Service automation efforts, notwithstanding cost allocation
4 principles prescribed under the Office of Management and
5 Budget Circular A-87: *Provided further*, That the Sec-
6 retary, at the request of a State participating in a consor-
7 tium with other States, may reallocate funds allotted to such
8 State under title III of the Social Security Act to other
9 States participating in the consortium in order to carry
10 out activities that benefit the administration of the unem-
11 ployment compensation law of the State making the re-
12 quest: *Provided further*, That the Secretary may collect
13 fees for the costs associated with additional data collec-
14 tion, analyses, and reporting services relating to the Na-
15 tional Agricultural Workers Survey requested by State
16 and local governments, public and private institutions of
17 higher education, and nonprofit organizations and may
18 utilize such sums, in accordance with the provisions of 29
19 U.S.C. 9a, for the National Agricultural Workers Survey
20 infrastructure, methodology, and data to meet the infor-
21 mation collection and reporting needs of such entities,
22 which shall be credited to this appropriation and shall re-
23 main available until September 30, 2017, for such pur-
24 poses.

1 In addition, \$20,000,000 from the Employment Se-
2 curity Administration Account of the Unemployment
3 Trust Fund shall be available for in-person reemployment
4 and eligibility assessments and unemployment insurance
5 improper payment reviews and to provide reemployment
6 services and referrals to training as appropriate, which
7 shall be available for Federal obligations through Decem-
8 ber 31, 2016, and for State obligation through September
9 30, 2018.

10 ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND
11 OTHER FUNDS

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

23 PROGRAM ADMINISTRATION

24 For expenses of administering employment and train-
25 ing programs, \$104,577,000, together with not to exceed

1 \$49,982,000 which may be expended from the Employ-
2 ment Security Administration Account in the Unemploy-
3 ment Trust Fund.

4 EMPLOYEE BENEFITS SECURITY ADMINISTRATION
5 SALARIES AND EXPENSES

6 For necessary expenses for the Employee Benefits
7 Security Administration, \$181,000,000.

8 PENSION BENEFIT GUARANTY CORPORATION
9 PENSION BENEFIT GUARANTY CORPORATION FUND

10 The Pension Benefit Guaranty Corporation (“Cor-
11 poration”) is authorized to make such expenditures, in-
12 cluding financial assistance authorized by subtitle E of
13 title IV of the Employee Retirement Income Security Act
14 of 1974, within limits of funds and borrowing authority
15 available to the Corporation, and in accord with law, and
16 to make such contracts and commitments without regard
17 to fiscal year limitations, as provided by 31 U.S.C. 9104,
18 as may be necessary in carrying out the program, includ-
19 ing associated administrative expenses, through Sep-
20 tember 30, 2016, for the Corporation: *Provided*, That
21 none of the funds available to the Corporation for fiscal
22 year 2016 shall be available for obligations for administra-
23 tive expenses in excess of \$431,799,000: *Provided further*,
24 That to the extent that the number of new plan partici-
25 pants in plans terminated by the Corporation exceeds

1 100,000 in fiscal year 2016, an amount not to exceed an
2 additional \$9,200,000 shall be available through Sep-
3 tember 30, 2017, for obligation for administrative ex-
4 penses for every 20,000 additional terminated partici-
5 pants: *Provided further*, That obligations in excess of the
6 amounts provided in this paragraph may be incurred for
7 unforeseen and extraordinary pretermination expenses or
8 extraordinary multiemployer program related expenses
9 after approval by the Office of Management and Budget
10 and notification of the Committees on Appropriations of
11 the House of Representatives and the Senate.

12 WAGE AND HOUR DIVISION

13 SALARIES AND EXPENSES

14 For necessary expenses for the Wage and Hour Divi-
15 sion, including reimbursement to State, Federal, and local
16 agencies and their employees for inspection services ren-
17 dered, \$227,500,000.

18 OFFICE OF LABOR-MANAGEMENT STANDARDS

19 SALARIES AND EXPENSES

20 For necessary expenses for the Office of Labor-Man-
21 agement Standards, \$40,593,000.

1 OFFICE OF FEDERAL CONTRACT COMPLIANCE

2 PROGRAMS

3 SALARIES AND EXPENSES

4 For necessary expenses for the Office of Federal Con-
5 tract Compliance Programs, \$105,476,000.

6 OFFICE OF WORKERS' COMPENSATION PROGRAMS

7 SALARIES AND EXPENSES

8 For necessary expenses for the Office of Workers'
9 Compensation Programs, \$113,324,000, together with
10 \$2,177,000 which may be expended from the Special Fund
11 in accordance with sections 39(c), 44(d), and 44(j) of the
12 Longshore and Harbor Workers' Compensation Act.

13 SPECIAL BENEFITS

14 (INCLUDING TRANSFER OF FUNDS)

15 For the payment of compensation, benefits, and ex-
16 penses (except administrative expenses) accruing during
17 the current or any prior fiscal year authorized by 5 U.S.C.
18 81; continuation of benefits as provided for under the
19 heading "Civilian War Benefits" in the Federal Security
20 Agency Appropriation Act, 1947; the Employees' Com-
21 pensation Commission Appropriation Act, 1944; section
22 5(f) of the War Claims Act (50 U.S.C. App. 2004); obliga-
23 tions incurred under the War Hazards Compensation Act
24 (42 U.S.C. 1701 et seq.); and 50 percent of the additional
25 compensation and benefits required by section 10(h) of the

1 Longshore and Harbor Workers' Compensation Act,
2 \$210,000,000, together with such amounts as may be nec-
3 essary to be charged to the subsequent year appropriation
4 for the payment of compensation and other benefits for
5 any period subsequent to August 15 of the current year,
6 for deposit into and to assume the attributes of the Em-
7 ployees' Compensation Fund established under 5 U.S.C.
8 8147(a): *Provided*, That amounts appropriated may be
9 used under 5 U.S.C. 8104 by the Secretary to reimburse
10 an employer, who is not the employer at the time of injury,
11 for portions of the salary of a re-employed, disabled bene-
12 ficiary: *Provided further*, That balances of reimbursements
13 unobligated on September 30, 2015, shall remain available
14 until expended for the payment of compensation, benefits,
15 and expenses: *Provided further*, That in addition there
16 shall be transferred to this appropriation from the Postal
17 Service and from any other corporation or instrumentality
18 required under 5 U.S.C. 8147(c) to pay an amount for
19 its fair share of the cost of administration, such sums as
20 the Secretary determines to be the cost of administration
21 for employees of such fair share entities through Sep-
22 tember 30, 2016: *Provided further*, That of those funds
23 transferred to this account from the fair share entities to
24 pay the cost of administration of the Federal Employees'

1 Compensation Act, \$62,170,000 shall be made available
2 to the Secretary as follows:

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

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

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

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

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

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

20 SPECIAL BENEFITS FOR DISABLED COAL MINERS

21 For carrying out title IV of the Federal Mine Safety
22 and Health Act of 1977, as amended by Public Law 107-
23 275, \$69,302,000, to remain available until expended.

24 For making after July 31 of the current fiscal year,
25 benefit payments to individuals under title IV of such Act,

1 for costs incurred in the current fiscal year, such amounts
2 as may be necessary.

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

6 ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES

7 OCCUPATIONAL ILLNESS COMPENSATION FUND

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

15 BLACK LUNG DISABILITY TRUST FUND

16 (INCLUDING TRANSFER OF FUNDS)

17 Such sums as may be necessary from the Black Lung
18 Disability Trust Fund (the “Fund”), to remain available
19 until expended, for payment of all benefits authorized by
20 section 9501(d)(1), (2), (6), and (7) of the Internal Rev-
21 enue Code of 1986; and repayment of, and payment of
22 interest on advances, as authorized by section 9501(d)(4)
23 of that Act. In addition, the following amounts may be
24 expended from the Fund for fiscal year 2016 for expenses
25 of operation and administration of the Black Lung Bene-

1 fits program, as authorized by section 9501(d)(5): not to
2 exceed \$35,244,000 for transfer to the Office of Workers'
3 Compensation Programs, "Salaries and Expenses"; not to
4 exceed \$30,279,000 for transfer to Departmental Manage-
5 ment, "Salaries and Expenses"; not to exceed \$327,000
6 for transfer to Departmental Management, "Office of In-
7 spector General"; and not to exceed \$356,000 for pay-
8 ments into miscellaneous receipts for the expenses of the
9 Department of the Treasury.

10 OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

11 SALARIES AND EXPENSES

12 For necessary expenses for the Occupational Safety
13 and Health Administration, \$552,787,000, including not
14 to exceed \$100,850,000 which shall be the maximum
15 amount available for grants to States under section 23(g)
16 of the Occupational Safety and Health Act (the "Act"),
17 which grants shall be no less than 50 percent of the costs
18 of State occupational safety and health programs required
19 to be incurred under plans approved by the Secretary
20 under section 18 of the Act; and, in addition, notwith-
21 standing 31 U.S.C. 3302, the Occupational Safety and
22 Health Administration may retain up to \$499,000 per fis-
23 cal year of training institute course tuition and fees, other-
24 wise authorized by law to be collected, and may utilize
25 such sums for occupational safety and health training and

1 education: *Provided*, That notwithstanding 31 U.S.C.
2 3302, the Secretary is authorized, during the fiscal year
3 ending September 30, 2016, to collect and retain fees for
4 services provided to Nationally Recognized Testing Lab-
5 oratories, and may utilize such sums, in accordance with
6 the provisions of 29 U.S.C. 9a, to administer national and
7 international laboratory recognition programs that ensure
8 the safety of equipment and products used by workers in
9 the workplace: *Provided further*, That none of the funds
10 appropriated under this paragraph shall be obligated or
11 expended to prescribe, issue, administer, or enforce any
12 standard, rule, regulation, or order under the Act which
13 is applicable to any person who is engaged in a farming
14 operation which does not maintain a temporary labor
15 camp and employs 10 or fewer employees: *Provided fur-*
16 *ther*, That no funds appropriated under this paragraph
17 shall be obligated or expended to administer or enforce
18 any standard, rule, regulation, or order under the Act with
19 respect to any employer of 10 or fewer employees who is
20 included within a category having a Days Away, Re-
21 stricted, or Transferred (“DART”) occupational injury
22 and illness rate, at the most precise industrial classifica-
23 tion code for which such data are published, less than the
24 national average rate as such rates are most recently pub-
25 lished by the Secretary, acting through the Bureau of

1 Labor Statistics, in accordance with section 24 of the Act,
2 except—

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

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

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

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

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

22 (6) to take any action authorized by the Act
23 with respect to complaints of discrimination against
24 employees for exercising rights under the Act:

1 *Provided further*, That the foregoing proviso shall not
2 apply to any person who is engaged in a farming operation
3 which does not maintain a temporary labor camp and em-
4 ploys 10 or fewer employees: *Provided further*, That
5 \$10,537,000 shall be available for Susan Harwood train-
6 ing grants.

7 MINE SAFETY AND HEALTH ADMINISTRATION

8 SALARIES AND EXPENSES

9 For necessary expenses for the Mine Safety and
10 Health Administration, \$375,887,000, including purchase
11 and bestowal of certificates and trophies in connection
12 with mine rescue and first-aid work, and the hire of pas-
13 senger motor vehicles, including up to \$2,000,000 for
14 mine rescue and recovery activities and not less than
15 \$8,441,000 for State assistance grants: *Provided*, That
16 notwithstanding 31 U.S.C. 3302, not to exceed \$750,000
17 may be collected by the National Mine Health and Safety
18 Academy for room, board, tuition, and the sale of training
19 materials, otherwise authorized by law to be collected, to
20 be available for mine safety and health education and
21 training activities: *Provided further*, That notwithstanding
22 31 U.S.C. 3302, the Mine Safety and Health Administra-
23 tion is authorized to collect and retain up to \$2,499,000
24 from fees collected for the approval and certification of
25 equipment, materials, and explosives for use in mines, and

1 may utilize such sums for such activities: *Provided further*,
2 That the Secretary is authorized to accept lands, build-
3 ings, equipment, and other contributions from public and
4 private sources and to prosecute projects in cooperation
5 with other agencies, Federal, State, or private: *Provided*
6 *further*, That the Mine Safety and Health Administration
7 is authorized to promote health and safety education and
8 training in the mining community through cooperative
9 programs with States, industry, and safety associations:
10 *Provided further*, That the Secretary is authorized to rec-
11 ognize the Joseph A. Holmes Safety Association as a prin-
12 cipal safety association and, notwithstanding any other
13 provision of law, may provide funds and, with or without
14 reimbursement, personnel, including service of Mine Safe-
15 ty and Health Administration officials as officers in local
16 chapters or in the national organization: *Provided further*,
17 That any funds available to the Department of Labor may
18 be used, with the approval of the Secretary, to provide
19 for the costs of mine rescue and survival operations in the
20 event of a major disaster.

21 BUREAU OF LABOR STATISTICS

22 SALARIES AND EXPENSES

23 For necessary expenses for the Bureau of Labor Sta-
24 tistics, including advances or reimbursements to State,
25 Federal, and local agencies and their employees for serv-

1 ices rendered, \$544,000,000, together with not to exceed
2 \$65,000,000 which may be expended from the Employ-
3 ment Security Administration account in the Unemploy-
4 ment Trust Fund.

5 OFFICE OF DISABILITY EMPLOYMENT POLICY

6 SALARIES AND EXPENSES

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

12 DEPARTMENTAL MANAGEMENT

13 SALARIES AND EXPENSES

14 (INCLUDING TRANSFER OF FUNDS)

15 For necessary expenses for Departmental Manage-
16 ment, including the hire of three passenger motor vehicles,
17 \$334,065,000, together with not to exceed \$308,000,
18 which may be expended from the Employment Security
19 Administration account in the Unemployment Trust
20 Fund: *Provided*, That \$59,825,000 for the Bureau of
21 International Labor Affairs shall be available for obliga-
22 tion through December 31, 2016: *Provided further*, That
23 funds available to the Bureau of International Labor Af-
24 fairs may be used to administer or operate international
25 labor activities, bilateral and multilateral technical assist-

1 ance, and microfinance programs, by or through contracts,
2 grants, subgrants and other arrangements: *Provided fur-*
3 *ther*, That not more than \$53,825,000 shall be for pro-
4 grams to combat exploitative child labor internationally
5 and not less than \$6,000,000 shall be used to implement
6 model programs that address worker rights issues through
7 technical assistance in countries with which the United
8 States has free trade agreements or trade preference pro-
9 grams: *Provided further*, That \$8,040,000 shall be used
10 for program evaluation and shall be available for obliga-
11 tion through September 30, 2017: *Provided further*, That
12 funds available for program evaluation may be used to ad-
13 minister grants for the purpose of evaluation: *Provided*
14 *further*, That grants made for the purpose of evaluation
15 shall be awarded through fair and open competition: *Pro-*
16 *vided further*, That funds available for program evaluation
17 may be transferred to any other appropriate account in
18 the Department for such purpose: *Provided further*, That
19 the Committees on Appropriations of the House of Rep-
20 resentatives and the Senate are notified at least 15 days
21 in advance of any transfer: *Provided further*, That the
22 funds available to the Women's Bureau may be used for
23 grants to serve and promote the interests of women in the
24 workforce.

1 VETERANS EMPLOYMENT AND TRAINING

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

7 (1) \$175,000,000 is for Jobs for Veterans State
8 grants under 38 U.S.C. 4102A(b)(5) to support dis-
9 abled veterans' outreach program specialists under
10 section 4103A of such title and local veterans' em-
11 ployment representatives under section 4104(b) of
12 such title, and for the expenses described in section
13 4102A(b)(5)(C), which shall be available for obliga-
14 tion by the States through December 31, 2016, and
15 not to exceed 3 percent for the necessary Federal ex-
16 penditures for data systems and contract support to
17 allow for the tracking of participant and perform-
18 ance information: *Provided*, That, in addition, such
19 funds may be used to support such specialists and
20 representatives in the provision of services to
21 transitioning members of the Armed Forces who
22 have participated in the Transition Assistance Pro-
23 gram and have been identified as in need of inten-
24 sive services, to members of the Armed Forces who
25 are wounded, ill, or injured and receiving treatment

1 in military treatment facilities or warrior transition
2 units, and to the spouses or other family caregivers
3 of such wounded, ill, or injured members;

4 (2) \$14,100,000 is for carrying out the Transi-
5 tion Assistance Program under 38 U.S.C. 4113 and
6 10 U.S.C. 1144;

7 (3) \$40,487,000 is for Federal administration
8 of chapters 41, 42, and 43 of title 38, United States
9 Code; and

10 (4) \$3,414,000 is for the National Veterans'
11 Employment and Training Services Institute under
12 38 U.S.C. 4109:

13 *Provided*, That the Secretary may reallocate among the
14 appropriations provided under paragraphs (1) through (4)
15 above an amount not to exceed 3 percent of the appropria-
16 tion from which such reallocation is made.

17 In addition, from the General Fund of the Treasury,
18 \$38,109,000 is for carrying out programs to assist home-
19 less veterans and veterans at risk of homelessness who are
20 transitioning from certain institutions under sections
21 2021, 2021A, and 2023 of title 38, United States Code:
22 *Provided*, That notwithstanding subsections (c)(3) and (d)
23 of section 2023, the Secretary may award grants through
24 September 30, 2016, to provide services under such sec-
25 tion: *Provided further*, That services provided under sec-

1 tion 2023 may include, in addition to services to the indi-
2 viduals described in subsection (e) of such section, services
3 to veterans recently released from incarceration who are
4 at risk of homelessness.

5 IT MODERNIZATION

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

9 OFFICE OF INSPECTOR GENERAL

10 For salaries and expenses of the Office of Inspector
11 General in carrying out the provisions of the Inspector
12 General Act of 1978, \$80,640,000, together with not to
13 exceed \$5,660,000 which may be expended from the Em-
14 ployment Security Administration account in the Unem-
15 ployment Trust Fund.

16 GENERAL PROVISIONS

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

22 (TRANSFER OF FUNDS)

23 SEC. 102. Not to exceed 1 percent of any discre-
24 tionary funds (pursuant to the Balanced Budget and
25 Emergency Deficit Control Act of 1985) which are appro-

1 priated for the current fiscal year for the Department of
2 Labor in this Act may be transferred between a program,
3 project, or activity, but no such program, project, or activ-
4 ity shall be increased by more than 3 percent by any such
5 transfer: *Provided*, That the transfer authority granted by
6 this section shall not be used to create any new program
7 or to fund any project or activity for which no funds are
8 provided in this Act: *Provided further*, That the Commit-
9 tees on Appropriations of the House of Representatives
10 and the Senate are notified at least 15 days in advance
11 of any transfer.

12 SEC. 103. In accordance with Executive Order
13 13126, none of the funds appropriated or otherwise made
14 available pursuant to this Act shall be obligated or ex-
15 pended for the procurement of goods mined, produced,
16 manufactured, or harvested or services rendered, in whole
17 or in part, by forced or indentured child labor in industries
18 and host countries already identified by the United States
19 Department of Labor prior to enactment of this Act.

20 SEC. 104. Except as otherwise provided in this sec-
21 tion, none of the funds made available to the Department
22 of Labor for grants under section 414(c) of the American
23 Competitiveness and Workforce Improvement Act of 1998
24 (29 U.S.C. 2916a) may be used for any purpose other
25 than competitive grants for training individuals who are

1 older than 16 years of age and are not currently enrolled
2 in school within a local educational agency in the occupa-
3 tions and industries for which employers are using H-1B
4 visas to hire foreign workers, and the related activities
5 necessary to support such training: *Provided*, That up to
6 \$13,000,000 of such funds shall be available for obligation
7 through September 30, 2017 to process permanent foreign
8 labor certifications under section 212(a)(5)(A) of the Im-
9 migration and Nationality Act (8 U.S.C. 1182(a)(5)(A)):
10 *Provided further*, That the funding limitation under this
11 section shall not apply to funding provided pursuant to
12 solicitations for grant applications issued before January
13 15, 2014.

14 SEC. 105. None of the funds made available by this
15 Act under the heading “Employment and Training Ad-
16 ministration” shall be used by a recipient or subrecipient
17 of such funds to pay the salary and bonuses of an indi-
18 vidual, either as direct costs or indirect costs, at a rate
19 in excess of Executive Level II. This limitation shall not
20 apply to vendors providing goods and services as defined
21 in Office of Management and Budget Circular A-133.
22 Where States are recipients of such funds, States may es-
23 tablish a lower limit for salaries and bonuses of those re-
24 ceiving salaries and bonuses from subrecipients of such
25 funds, taking into account factors including the relative

1 cost-of-living in the State, the compensation levels for
2 comparable State or local government employees, and the
3 size of the organizations that administer Federal pro-
4 grams involved including Employment and Training Ad-
5 ministration programs.

6 (TRANSFER OF FUNDS)

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

15 (TRANSFER OF FUNDS)

16 SEC. 107. (a) The Secretary may reserve not more
17 than 0.75 percent from each appropriation made available
18 in this Act identified in subsection (b) in order to carry
19 out evaluations of any of the programs or activities that
20 are funded under such accounts. Any funds reserved under
21 this section shall be transferred to “Departmental Man-
22 agement” for use by the Office of the Chief Evaluation
23 Officer within the Department of Labor, and shall be
24 available for obligation through September 30, 2017: *Pro-*
25 *vided*, That such funds shall only be available if the Chief

1 Evaluation Officer of the Department of Labor submits
2 a plan to the Committees on Appropriations of the House
3 of Representatives and the Senate describing the evalua-
4 tions to be carried out 15 days in advance of any transfer.

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

20 SEC. 108. (a) Section 7 of the Fair Labor Standards
21 Act of 1938 (29 U.S.C. 207) shall be applied as if the
22 following text is part of such section:

23 “(s)(1) The provisions of this section shall not apply
24 for a period of 2 years after the occurrence of a major
25 disaster to any employee—

1 “(A) employed to adjust or evaluate claims re-
2 sulting from or relating to such major disaster, by
3 an employer not engaged, directly or through an af-
4 filiate, in underwriting, selling, or marketing prop-
5 erty, casualty, or liability insurance policies or con-
6 tracts;

7 “(B) who receives from such employer on aver-
8 age weekly compensation of not less than \$591.00
9 per week or any minimum weekly amount estab-
10 lished by the Secretary, whichever is greater, for the
11 number of weeks such employee is engaged in any
12 of the activities described in subparagraph (C); and

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

14 “(i) interviewing insured individuals, indi-
15 viduals who suffered injuries or other damages
16 or losses arising from or relating to a disaster,
17 witnesses, or physicians;

18 “(ii) inspecting property damage or review-
19 ing factual information to prepare damage esti-
20 mates;

21 “(iii) evaluating and making recommenda-
22 tions regarding coverage or compensability of
23 claims or determining liability or value aspects
24 of claims;

25 “(iv) negotiating settlements; or

1 “(v) making recommendations regarding
2 litigation.

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

5 “(3) For purposes of this subsection—

6 “(A) the term ‘major disaster’ means any dis-
7 aster or catastrophe declared or designated by any
8 State or Federal agency or department;

9 “(B) the term ‘employee employed to adjust or
10 evaluate claims resulting from or relating to such
11 major disaster’ means an individual who timely se-
12 cured or secures a license required by applicable law
13 to engage in and perform the activities described in
14 clauses (i) through (v) of paragraph (1)(C) relating
15 to a major disaster, and is employed by an employer
16 that maintains worker compensation insurance cov-
17 erage or protection for its employees, if required by
18 applicable law, and withholds applicable Federal,
19 State, and local income and payroll taxes from the
20 wages, salaries and any benefits of such employees;
21 and

22 “(C) the term ‘affiliate’ means a company that,
23 by reason of ownership or control of 25 percent or
24 more of the outstanding shares of any class of voting
25 securities of one or more companies, directly or indi-

1 rectly, controls, is controlled by, or is under common
2 control with, another company.”.

3 (b) This section shall be effective on the date of en-
4 actment of this Act.

5 SEC. 109. Notwithstanding any other provision of
6 law, beginning October 1, 2015, the Secretary of Labor,
7 in consultation with the Secretary of Agriculture may se-
8 lect an entity to operate a Civilian Conservation Center
9 on a competitive basis in accordance with section 147 of
10 the WIOA, if the Secretary of Labor determines such Cen-
11 ter has had consistently low performance under the per-
12 formance accountability system in effect for the Job Corps
13 program prior to July 1, 2016, or with respect to expected
14 levels of performance established under section 159(c) of
15 such Act beginning July 1, 2016.

16 SEC. 110. None of the funds made available by this
17 Act may be used to implement, administer, or enforce the
18 Establishing a Minimum Wage for Contractors regulation
19 published by the Department of Labor in the Federal Reg-
20 ister on October 7, 2014 (79 Fed. Reg. 60634 et seq.),
21 with respect to Federal contracts, permits, or other con-
22 tract-like instruments entered into with the Federal Gov-
23 ernment in connection with Federal property or lands, spe-
24 cifically related to offering seasonal recreational services
25 or seasonal recreation equipment rental for the general

1 public: *Provided*, That this section shall not apply to lodg-
2 ing and food services associated with seasonal recreation
3 services.

4 SEC. 111. (a) FLEXIBILITY WITH RESPECT TO THE
5 CROSSING OF H-2B NONIMMIGRANTS WORKING IN THE
6 SEAFOOD INDUSTRY.—

7 (1) IN GENERAL.—Subject to paragraph (2), if
8 a petition for H-2B nonimmigrants filed by an em-
9 ployer in the seafood industry is granted, the em-
10 ployer may bring the nonimmigrants described in
11 the petition into the United States at any time dur-
12 ing the 120-day period beginning on the start date
13 for which the employer is seeking the services of the
14 nonimmigrants without filing another petition.

15 (2) REQUIREMENTS FOR CROSSINGS AFTER
16 90TH DAY.—An employer in the seafood industry
17 may not bring H-2B nonimmigrants into the United
18 States after the date that is 90 days after the start
19 date for which the employer is seeking the services
20 of the nonimmigrants unless the employer—

21 (A) completes a new assessment of the
22 local labor market by—

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

1 (ii) posting the job opportunity on the
2 appropriate Department of Labor Elec-
3 tronic Job Registry and at the employer's
4 place of employment; and

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

7 (i) applies for the job; and

8 (ii) will be available at the time and
9 place of need.

10 (3) EXEMPTION FROM RULES WITH RESPECT
11 TO STAGGERING.—The Secretary of Labor shall not
12 consider an employer in the seafood industry who
13 brings H-2B nonimmigrants into the United States
14 during the 120-day period specified in paragraph (1)
15 to be staggering the date of need in violation of sec-
16 tion 655.20(d) of title 20, Code of Federal Regula-
17 tions, or any other applicable provision of law.

18 (b) H-2B NONIMMIGRANTS DEFINED.—In this sec-
19 tion, the term “H-2B nonimmigrants” means aliens ad-
20 mitted to the United States pursuant to section
21 101(a)(15)(H)(ii)(B) of the Immigration and Nationality
22 Act (8 U.S.C. 1101(a)(15)(H)(ii)(B)).

23 SEC. 112. The determination of prevailing wage for
24 the purposes of the H-2B program shall be the greater
25 of—(1) the actual wage level paid by the employer to other

1 employees with similar experience and qualifications for
2 such position in the same location; or (2) the prevailing
3 wage level for the occupational classification of the posi-
4 tion in the geographic area in which the H-2B non-
5 immigrant will be employed, based on the best information
6 available at the time of filing the petition. In the deter-
7 mination of prevailing wage for the purposes of the H-
8 2B program, the Secretary shall accept private wage sur-
9 veys even in instances where Occupational Employment
10 Statistics survey data are available unless the Secretary
11 determines that the methodology and data in the provided
12 survey are not statistically supported.

13 SEC. 113. None of the funds in this Act shall be used
14 to enforce the definition of corresponding employment
15 found in 20 CFR 655.5 or the three-fourths guarantee
16 rule definition found in 20 CFR 655.20, or any references
17 thereto. Further, for the purpose of regulating admission
18 of temporary workers under the H-2B program, the defi-
19 nition of temporary need shall be that provided in 8 CFR
20 214.2(h)(6)(ii)(B).

21 SEC. 114. None of the funds in this Act shall be used
22 to implement 20 CFR 655.70 and 20 CFR 655.71.

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

1 TITLE II
2 DEPARTMENT OF HEALTH AND HUMAN
3 SERVICES
4 HEALTH RESOURCES AND SERVICES ADMINISTRATION
5 PRIMARY HEALTH CARE

6 For carrying out titles II and III of the Public Health
7 Service Act (referred to in this Act as the “PHS Act”)
8 with respect to primary health care and the Native Hawai-
9 ian Health Care Act of 1988, \$1,491,522,000 (in addition
10 to the \$3,600,000,000 previously appropriated to the
11 Community Health Center Fund for fiscal year 2016):
12 *Provided*, That no more than \$100,000 shall be available
13 until expended for carrying out the provisions of section
14 224(o) of the PHS Act: *Provided further*, That no more
15 than \$99,893,000 shall be available until expended for
16 carrying out the provisions of Public Law 104–73 and for
17 expenses incurred by the Department of Health and
18 Human Services (referred to in this Act as “HHS”) per-
19 taining to administrative claims made under such law:
20 *Provided further*, That of funds provided for the Health
21 Centers program, as defined by section 330 of the PHS
22 Act, by this Act or any other Act for fiscal year 2016,
23 not less than \$200,000,000 shall be obligated in fiscal year
24 2016 to support new access points, grants to expand med-
25 ical services, behavioral health, oral health, pharmacy, or

1 vision services, and not less than \$150,000,000 shall be
2 obligated in fiscal year 2016 for construction and capital
3 improvement costs: *Provided further*, That the time limita-
4 tion in section 330(e)(3) of the PHS Act shall not apply
5 in fiscal year 2016.

6 HEALTH WORKFORCE

7 For carrying out titles III, VII, and VIII of the PHS
8 Act with respect to the health workforce, section 1128E
9 of the Social Security Act, and the Health Care Quality
10 Improvement Act of 1986, \$786,895,000: *Provided*, That
11 sections 747(c)(2), 751(j)(2), 762(k), and the proportional
12 funding amounts in paragraphs (1) through (4) of section
13 756(e) of the PHS Act shall not apply to funds made
14 available under this heading: *Provided further*, That for
15 any program operating under section 751 of the PHS Act
16 on or before January 1, 2009, the Secretary of Health
17 and Human Services (referred to in this title as the “Sec-
18 retary”) may hereafter waive any of the requirements con-
19 tained in sections 751(d)(2)(A) and 751(d)(2)(B) of such
20 Act for the full project period of a grant under such sec-
21 tion: *Provided further*, That no funds shall be available
22 for section 340G–1 of the PHS Act: *Provided further*,
23 That fees collected for the disclosure of information under
24 section 427(b) of the Health Care Quality Improvement
25 Act of 1986 and sections 1128E(d)(2) and 1921 of the

1 Social Security Act shall be sufficient to recover the full
2 costs of operating the programs authorized by such sec-
3 tions and shall remain available until expended for the Na-
4 tional Practitioner Data Bank: *Provided further*, That
5 funds transferred to this account to carry out section 846
6 and subpart 3 of part D of title III of the PHS Act may
7 be used to make prior year adjustments to awards made
8 under such sections.

9 MATERNAL AND CHILD HEALTH

10 For carrying out titles III, XI, XII, and XIX of the
11 PHS Act with respect to maternal and child health, title
12 V of the Social Security Act, and section 712 of the Amer-
13 ican Jobs Creation Act of 2004, \$845,117,000: *Provided*,
14 That notwithstanding sections 502(a)(1) and 502(b)(1) of
15 the Social Security Act, not more than \$77,093,000 shall
16 be available for carrying out special projects of regional
17 and national significance pursuant to section 501(a)(2) of
18 such Act and \$10,276,000 shall be available for projects
19 described in subparagraphs (A) through (F) of section
20 501(a)(3) of such Act.

21 RYAN WHITE HIV/AIDS PROGRAM

22 For carrying out title XXVI of the PHS Act with
23 respect to the Ryan White HIV/AIDS program,
24 \$2,322,781,000, of which \$1,970,881,000 shall remain
25 available to the Secretary through September 30, 2018,

1 for parts A and B of title XXVI of the PHS Act, and
2 of which not less than \$900,313,000 shall be for State
3 AIDS Drug Assistance Programs under the authority of
4 section 2616 or 311(c) of such Act.

5 HEALTH CARE SYSTEMS

6 For carrying out titles III and XII of the PHS Act
7 with respect to health care systems, and the Stem Cell
8 Therapeutic and Research Act of 2005, \$103,193,000, of
9 which \$122,000 shall be available until expended for facili-
10 ties renovations at the Gillis W. Long Hansen's Disease
11 Center.

12 RURAL HEALTH

13 For carrying out titles III and IV of the PHS Act
14 with respect to rural health, section 427(a) of the Federal
15 Coal Mine Health and Safety Act of 1969, and sections
16 711 and 1820 of the Social Security Act, \$149,571,000,
17 of which \$41,609,000 from general revenues, notwith-
18 standing section 1820(j) of the Social Security Act, shall
19 be available for carrying out the Medicare rural hospital
20 flexibility grants program: *Provided*, That of the funds
21 made available under this heading for Medicare rural hos-
22 pital flexibility grants, \$14,942,000 shall be available for
23 the Small Rural Hospital Improvement Grant Program
24 for quality improvement and adoption of health informa-
25 tion technology and up to \$1,000,000 shall be to carry

1 out section 1820(g)(6) of the Social Security Act, with
2 funds provided for grants under section 1820(g)(6) avail-
3 able for the purchase and implementation of telehealth
4 services, including pilots and demonstrations on the use
5 of electronic health records to coordinate rural veterans
6 care between rural providers and the Department of Vet-
7 erans Affairs electronic health record system: *Provided*
8 *further*, That notwithstanding section 338J(k) of the PHS
9 Act, \$9,511,000 shall be available for State Offices of
10 Rural Health.

11

FAMILY PLANNING

12 For carrying out the program under title X of the
13 PHS Act to provide for voluntary family planning
14 projects, \$286,479,000: *Provided*, That amounts provided
15 to said projects under such title shall not be expended for
16 abortions, that all pregnancy counseling shall be nondirec-
17 tive, and that such amounts shall not be expended for any
18 activity (including the publication or distribution of lit-
19 erature) that in any way tends to promote public support
20 or opposition to any legislative proposal or candidate for
21 public office.

22

PROGRAM MANAGEMENT

23 For program support in the Health Resources and
24 Services Administration, \$154,000,000: *Provided*, That
25 funds made available under this heading may be used to

1 supplement program support funding provided under the
2 headings “Primary Health Care”, “Health Workforce”,
3 “Maternal and Child Health”, “Ryan White HIV/AIDS
4 Program”, “Health Care Systems”, and “Rural Health”.

5 VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

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

15 CENTERS FOR DISEASE CONTROL AND PREVENTION

16 IMMUNIZATION AND RESPIRATORY DISEASES

17 For carrying out titles II, III, XVII, and XXI, and
18 section 2821 of the PHS Act, titles II and IV of the Immi-
19 gration and Nationality Act, and section 501 of the Ref-
20 ugee Education Assistance Act, with respect to immuniza-
21 tion and respiratory diseases, \$459,055,000.

22 HIV/AIDS, VIRAL HEPATITIS, SEXUALLY TRANSMITTED
23 DISEASES, AND TUBERCULOSIS PREVENTION

24 For carrying out titles II, III, XVII, and XXIII of
25 the PHS Act with respect to HIV/AIDS, viral hepatitis,

1 sexually transmitted diseases, and tuberculosis prevention,
2 \$1,122,278,000.

3 EMERGING AND ZOOONOTIC INFECTIOUS DISEASES

4 For carrying out titles II, III, and XVII, and section
5 2821 of the PHS Act, titles II and IV of the Immigration
6 and Nationality Act, and section 501 of the Refugee Edu-
7 cation Assistance Act, with respect to emerging and
8 zoonotic infectious diseases, \$527,885,000.

9 CHRONIC DISEASE PREVENTION AND HEALTH

10 PROMOTION

11 For carrying out titles II, III, XI, XV, XVII, and
12 XIX of the PHS Act with respect to chronic disease pre-
13 vention and health promotion, \$838,146,000: *Provided*,
14 That funds appropriated under this account may be avail-
15 able for making grants under section 1509 of the PHS
16 Act for not less than 21 States, tribes, or tribal organiza-
17 tions: *Provided further*, That of the funds available under
18 this heading, \$10,000,000 shall be available to continue
19 and expand community specific extension and outreach
20 programs to combat obesity in counties with the highest
21 levels of obesity: *Provided further*, That the proportional
22 funding requirements under section 1503(a) of the PHS
23 Act shall not apply to funds made available under this
24 heading.

1 BIRTH DEFECTS, DEVELOPMENTAL DISABILITIES,
2 DISABILITIES AND HEALTH

3 For carrying out titles II, III, XI, and XVII of the
4 PHS Act with respect to birth defects, developmental dis-
5 abilities, disabilities and health, \$135,610,000.

6 PUBLIC HEALTH SCIENTIFIC SERVICES

7 For carrying out titles II, III, and XVII of the PHS
8 Act with respect to health statistics, surveillance, health
9 informatics, and workforce development, \$491,597,000.

10 ENVIRONMENTAL HEALTH

11 For carrying out titles II, III, and XVII of the PHS
12 Act with respect to environmental health, \$165,303,000.

13 INJURY PREVENTION AND CONTROL

14 For carrying out titles II, III, and XVII of the PHS
15 Act with respect to injury prevention and control,
16 \$236,059,000: *Provided*, That of the funds provided under
17 this heading, \$70,000,000 shall be available for an evi-
18 dence-based opioid drug overdose prevention program.

19 NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND
20 HEALTH

21 For carrying out titles II, III, and XVII of the PHS
22 Act, sections 101, 102, 103, 201, 202, 203, 301, and 501
23 of the Federal Mine Safety and Health Act, section 13
24 of the Mine Improvement and New Emergency Response
25 Act, and sections 20, 21, and 22 of the Occupational Safe-

1 ty and Health Act, with respect to occupational safety and
2 health, \$339,121,000.

3 ENERGY EMPLOYEES OCCUPATIONAL ILLNESS

4 COMPENSATION PROGRAM

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

11 GLOBAL HEALTH

12 For carrying out titles II, III, and XVII of the PHS
13 Act with respect to global health, \$427,121,000, of which
14 \$128,421,000 for international HIV/AIDS shall remain
15 available through September 30, 2017: *Provided*, That
16 funds may be used for purchase and insurance of official
17 motor vehicles in foreign countries.

18 PUBLIC HEALTH PREPAREDNESS AND RESPONSE

19 For carrying out titles II, III, and XVII of the PHS
20 Act with respect to public health preparedness and re-
21 sponse, and for expenses necessary to support activities
22 related to countering potential biological, nuclear, radio-
23 logical, and chemical threats to civilian populations,
24 \$1,405,000,000, of which \$575,000,000 shall remain
25 available until expended for the Strategic National Stock-

1 pile: *Provided*, That in the event the Director of the CDC
2 activates the Emergency Operations Center, the Director
3 of the CDC may detail CDC staff without reimbursement
4 for up to 90 days to support the work of the CDC Emer-
5 gency Operations Center, so long as the Director provides
6 a notice to the Committees on Appropriations of the
7 House of Representatives and the Senate within 15 days
8 of the use of this authority and a full report within 30
9 days after use of this authority which includes the number
10 of staff and funding level broken down by the originating
11 center and number of days detailed: *Provided further*,
12 That funds appropriated under this heading may be used
13 to support a contract for the operation and maintenance
14 of an aircraft in direct support of activities throughout
15 CDC to ensure the agency is prepared to address public
16 health preparedness emergencies.

17 BUILDINGS AND FACILITIES

18 (INCLUDING TRANSFER OF FUNDS)

19 For acquisition of real property, equipment, construc-
20 tion, demolition, and renovation of facilities, \$10,000,000,
21 which shall remain available until September 30, 2020:
22 *Provided*, That funds previously set-aside by CDC for re-
23 pair and upgrade of the Lake Lynn Experimental Mine
24 and Laboratory shall be used to acquire a replacement
25 mine safety research facility: *Provided further*, That in ad-

1 dition, the prior year unobligated balance of any amounts
2 assigned to former employees in accounts of CDC made
3 available for Individual Learning Accounts shall be cred-
4 ited to and merged with the amounts made available under
5 this heading to support the replacement of the mine safety
6 research facility.

7 CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT

8 For carrying out titles II, III, XVII and XIX, and
9 section 2821 of the PHS Act and for cross-cutting activi-
10 ties and program support for activities funded in other
11 appropriations included in this Act for the Centers for
12 Disease Control and Prevention, \$113,570,000: *Provided*,
13 That paragraphs (1) through (3) of subsection (b) of sec-
14 tion 2821 of the PHS Act shall not apply to funds appro-
15 priated under this heading and in all other accounts of
16 the CDC: *Provided further*, That employees of CDC or the
17 Public Health Service, both civilian and commissioned of-
18 ficers, detailed to States, municipalities, or other organiza-
19 tions under authority of section 214 of the PHS Act, or
20 in overseas assignments, shall be treated as non-Federal
21 employees for reporting purposes only and shall not be in-
22 cluded within any personnel ceiling applicable to the Agen-
23 cy, Service, or HHS during the period of detail or assign-
24 ment: *Provided further*, That CDC may use up to \$10,000
25 from amounts appropriated to CDC in this Act for official

1 reception and representation expenses when specifically
2 approved by the Director of CDC: *Provided further*, That
3 in addition, such sums as may be derived from authorized
4 user fees, which shall be credited to the appropriation
5 charged with the cost thereof: *Provided further*, That with
6 respect to the previous proviso, authorized user fees from
7 the Vessel Sanitation Program and the Respirator Certifi-
8 cation Program shall be available through September 30,
9 2017.

10 NATIONAL INSTITUTES OF HEALTH

11 NATIONAL CANCER INSTITUTE

12 For carrying out section 301 and title IV of the PHS
13 Act with respect to cancer, \$5,214,701,000, of which up
14 to \$16,000,000 may be used for facilities repairs and im-
15 provements at the National Cancer Institute—Frederick
16 Federally Funded Research and Development Center in
17 Frederick, Maryland.

18 NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

19 For carrying out section 301 and title IV of the PHS
20 Act with respect to cardiovascular, lung, and blood dis-
21 eases, and blood and blood products, \$3,115,538,000.

901

1 NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL
2 RESEARCH

3 For carrying out section 301 and title IV of the PHS
4 Act with respect to dental and craniofacial diseases,
5 \$415,582,000.

6 NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND
7 KIDNEY DISEASES

8 For carrying out section 301 and title IV of the PHS
9 Act with respect to diabetes and digestive and kidney dis-
10 ease, \$1,818,357,000.

11 NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS
12 AND STROKE

13 For carrying out section 301 and title IV of the PHS
14 Act with respect to neurological disorders and stroke,
15 \$1,696,139,000.

16 NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS
17 DISEASES

18 For carrying out section 301 and title IV of the PHS
19 Act with respect to allergy and infectious diseases,
20 \$4,629,928,000.

21 NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

22 For carrying out section 301 and title IV of the PHS
23 Act with respect to general medical sciences,
24 \$2,512,073,000, of which \$780,000,000 shall be from
25 funds available under section 241 of the PHS Act: *Pro-*

1 *vided*, That not less than \$320,840,000 is provided for
2 the Institutional Development Awards program.

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

5 For carrying out section 301 and title IV of the PHS
6 Act with respect to child health and human development,
7 \$1,339,802,000.

8 NATIONAL EYE INSTITUTE

9 For carrying out section 301 and title IV of the PHS
10 Act with respect to eye diseases and visual disorders,
11 \$715,903,000.

12 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH
13 SCIENCES

14 For carrying out section 301 and title IV of the PHS
15 Act with respect to environmental health sciences,
16 \$693,702,000.

17 NATIONAL INSTITUTE ON AGING

18 For carrying out section 301 and title IV of the PHS
19 Act with respect to aging, \$1,600,191,000.

20 NATIONAL INSTITUTE OF ARTHRITIS AND
21 MUSCULOSKELETAL AND SKIN DISEASES

22 For carrying out section 301 and title IV of the PHS
23 Act with respect to arthritis and musculoskeletal and skin
24 diseases, \$542,141,000.

1 NATIONAL INSTITUTE ON DEAFNESS AND OTHER
2 COMMUNICATION DISORDERS

3 For carrying out section 301 and title IV of the PHS
4 Act with respect to deafness and other communication dis-
5 orders, \$423,031,000.

6 NATIONAL INSTITUTE OF NURSING RESEARCH

7 For carrying out section 301 and title IV of the PHS
8 Act with respect to nursing research, \$146,485,000.

9 NATIONAL INSTITUTE ON ALCOHOL ABUSE AND
10 ALCOHOLISM

11 For carrying out section 301 and title IV of the PHS
12 Act with respect to alcohol abuse and alcoholism,
13 \$467,700,000.

14 NATIONAL INSTITUTE ON DRUG ABUSE

15 For carrying out section 301 and title IV of the PHS
16 Act with respect to drug abuse, \$1,077,488,000.

17 NATIONAL INSTITUTE OF MENTAL HEALTH

18 For carrying out section 301 and title IV of the PHS
19 Act with respect to mental health, \$1,548,390,000.

20 NATIONAL HUMAN GENOME RESEARCH INSTITUTE

21 For carrying out section 301 and title IV of the PHS
22 Act with respect to human genome research,
23 \$518,956,000.

1 NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND
2 BIOENGINEERING

3 For carrying out section 301 and title IV of the PHS
4 Act with respect to biomedical imaging and bioengineering
5 research, \$346,795,000.

6 NATIONAL CENTER FOR COMPLEMENTARY AND
7 INTEGRATIVE HEALTH

8 For carrying out section 301 and title IV of the PHS
9 Act with respect to complementary and integrative health,
10 \$130,789,000.

11 NATIONAL INSTITUTE ON MINORITY HEALTH AND
12 HEALTH DISPARITIES

13 For carrying out section 301 and title IV of the PHS
14 Act with respect to minority health and health disparities
15 research, \$279,718,000.

16 JOHN E. FOGARTY INTERNATIONAL CENTER

17 For carrying out the activities of the John E. Fogarty
18 International Center (described in subpart 2 of part E of
19 title IV of the PHS Act), \$70,447,000.

20 NATIONAL LIBRARY OF MEDICINE

21 For carrying out section 301 and title IV of the PHS
22 Act with respect to health information communications,
23 \$394,664,000: *Provided*, That of the amounts available for
24 improvement of information systems, \$4,000,000 shall be
25 available until September 30, 2017: *Provided further*, That

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

6 NATIONAL CENTER FOR ADVANCING TRANSLATIONAL
7 SCIENCES

8 For carrying out section 301 and title IV of the PHS
9 Act with respect to translational sciences, \$685,417,000:
10 *Provided*, That up to \$25,835,000 shall be available to im-
11 plement section 480 of the PHS Act, relating to the Cures
12 Acceleration Network: *Provided further*, That at least
13 \$500,000,000 is provided to the Clinical and Translational
14 Sciences Awards program.

15 OFFICE OF THE DIRECTOR

16 For carrying out the responsibilities of the Office of
17 the Director, NIH, \$1,558,600,000, of which up to
18 \$30,000,000 may be used to carry out section 215 of this
19 Act: *Provided*, That funding shall be available for the pur-
20 chase of not to exceed 29 passenger motor vehicles for re-
21 placement only: *Provided further*, That all funds credited
22 to the NIH Management Fund shall remain available for
23 one fiscal year after the fiscal year in which they are de-
24 posited: *Provided further*, That \$165,000,000 shall be for
25 the National Children’s Study Follow-on: *Provided further*,

1 That NIH shall submit a spend plan on the next phase
2 of the study in the previous proviso to the Committees
3 on Appropriations of the House of Representatives and the
4 Senate not later than 90 days after the date of enactment
5 of this Act: *Provided further*, That \$663,039,000 shall be
6 available for the Common Fund established under section
7 402A(c)(1) of the PHS Act: *Provided further*, That of the
8 funds provided, \$10,000 shall be for official reception and
9 representation expenses when specifically approved by the
10 Director of the NIH: *Provided further*, That the Office of
11 AIDS Research within the Office of the Director of the
12 NIH may spend up to \$8,000,000 to make grants for con-
13 struction or renovation of facilities as provided for in sec-
14 tion 2354(a)(5)(B) of the PHS Act: *Provided further*,
15 That up to \$130,000,000 of the funds provided to the
16 Common Fund are available to support the trans-NIH
17 Precision Medicine Initiative: *Provided further*, That of the
18 amount provided to the NIH, the Director of the NIH
19 shall enter into an agreement with the National Academy
20 of Sciences, as part of the studies conducted under section
21 489 of the PHS Act, to conduct a comprehensive study
22 on policies affecting the next generation of researchers in
23 the United States: *Provided further*, That, of the funds
24 from Institute, Center, and Office of the Director accounts
25 within “Department of Health and Human Services, Na-

1 tional Institutes of Health,” in order to strengthen privacy
2 protections for human research participants, NIH shall re-
3 quire investigators receiving NIH funding for new and
4 competing research projects designed to generate and ana-
5 lyze large volumes of data derived from human research
6 participants to obtain a certificate of confidentiality.

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

15 BUILDINGS AND FACILITIES

16 For the study of, construction of, renovation of, and
17 acquisition of equipment for, facilities of or used by NIH,
18 including the acquisition of real property, \$128,863,000,
19 to remain available through September 30, 2020.

20 SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

21 ADMINISTRATION

22 MENTAL HEALTH

23 For carrying out titles III, V, and XIX of the PHS
24 Act with respect to mental health, and the Protection and
25 Advocacy for Individuals with Mental Illness Act,

1 \$1,133,948,000: *Provided*, That notwithstanding section
2 520A(f)(2) of the PHS Act, no funds appropriated for car-
3 rying out section 520A shall be available for carrying out
4 section 1971 of the PHS Act: *Provided further*, That in
5 addition to amounts provided herein, \$21,039,000 shall be
6 available under section 241 of the PHS Act to carry out
7 subpart I of part B of title XIX of the PHS Act to fund
8 section 1920(b) technical assistance, national data, data
9 collection and evaluation activities, and further that the
10 total available under this Act for section 1920(b) activities
11 shall not exceed 5 percent of the amounts appropriated
12 for subpart I of part B of title XIX: *Provided further*, That
13 section 520E(b)(2) of the PHS Act shall not apply to
14 funds appropriated in this Act for fiscal year 2016: *Pro-*
15 *vided further*, That of the amount appropriated under this
16 heading, \$46,887,000 shall be for the National Child
17 Traumatic Stress Initiative as described in section 582 of
18 the PHS Act: *Provided further*, That notwithstanding sec-
19 tion 565(b)(1) of the PHS Act, technical assistance may
20 be provided to a public entity to establish or operate a
21 system of comprehensive community mental health serv-
22 ices to children with a serious emotional disturbance, with-
23 out regard to whether the public entity receives a grant
24 under section 561(a) of such Act: *Provided further*, That
25 States shall expend at least 10 percent of the amount each

1 receives for carrying out section 1911 of the PHS Act to
2 support evidence-based programs that address the needs
3 of individuals with early serious mental illness, including
4 psychotic disorders, regardless of the age of the individual
5 at onset: *Provided further*, That none of the funds pro-
6 vided for section 1911 of the PHS Act shall be subject
7 to section 241 of such Act: *Provided further*, That of the
8 funds made available under this heading, \$15,000,000
9 shall be to carry out section 224 of the Protecting Access
10 to Medicare Act of 2014 (Public Law 113–93; 42 U.S.C.
11 290aa 22 note).

12 SUBSTANCE ABUSE TREATMENT

13 For carrying out titles III, V, and XIX of the PHS
14 Act with respect to substance abuse treatment and section
15 1922(a) of the PHS Act with respect to substance abuse
16 prevention, \$2,114,224,000: *Provided*, That in addition to
17 amounts provided herein, the following amounts shall be
18 available under section 241 of the PHS Act: (1)
19 \$79,200,000 to carry out subpart II of part B of title XIX
20 of the PHS Act to fund section 1935(b) technical assist-
21 ance, national data, data collection and evaluation activi-
22 ties, and further that the total available under this Act
23 for section 1935(b) activities shall not exceed 5 percent
24 of the amounts appropriated for subpart II of part B of
25 title XIX; and (2) \$2,000,000 to evaluate substance abuse

1 treatment programs: *Provided further*, That none of the
2 funds provided for section 1921 of the PHS Act shall be
3 subject to section 241 of such Act.

4 SUBSTANCE ABUSE PREVENTION

5 For carrying out titles III and V of the PHS Act
6 with respect to substance abuse prevention, \$211,219,000.

7 HEALTH SURVEILLANCE AND PROGRAM SUPPORT

8 For program support and cross-cutting activities that
9 supplement activities funded under the headings “Mental
10 Health”, “Substance Abuse Treatment”, and “Substance
11 Abuse Prevention” in carrying out titles III, V, and XIX
12 of the PHS Act and the Protection and Advocacy for Indi-
13 viduals with Mental Illness Act in the Substance Abuse
14 and Mental Health Services Administration,
15 \$174,878,000: *Provided*, That in addition to amounts pro-
16 vided herein, \$31,428,000 shall be available under section
17 241 of the PHS Act to supplement funds available to
18 carry out national surveys on drug abuse and mental
19 health, to collect and analyze program data, and to con-
20 duct public awareness and technical assistance activities:
21 *Provided further*, That, in addition, fees may be collected
22 for the costs of publications, data, data tabulations, and
23 data analysis completed under title V of the PHS Act and
24 provided to a public or private entity upon request, which
25 shall be credited to this appropriation and shall remain

1 available until expended for such purposes: *Provided fur-*
2 *ther*, That amounts made available in this Act for carrying
3 out section 501(m) of the PHS Act shall remain available
4 through September 30, 2017: *Provided further*, That funds
5 made available under this heading may be used to supple-
6 ment program support funding provided under the head-
7 ings “Mental Health”, “Substance Abuse Treatment”,
8 and “Substance Abuse Prevention”.

9 AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

10 HEALTHCARE RESEARCH AND QUALITY

11 For carrying out titles III and IX of the PHS Act,
12 part A of title XI of the Social Security Act, and section
13 1013 of the Medicare Prescription Drug, Improvement,
14 and Modernization Act of 2003, \$334,000,000: *Provided*,
15 That section 947(c) of the PHS Act shall not apply in
16 fiscal year 2016: *Provided further*, That in addition,
17 amounts received from Freedom of Information Act fees,
18 reimbursable and interagency agreements, and the sale of
19 data shall be credited to this appropriation and shall re-
20 main available until September 30, 2017.

21 CENTERS FOR MEDICARE AND MEDICAID SERVICES

22 GRANTS TO STATES FOR MEDICAID

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

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

7 For making payments to States or in the case of sec-
8 tion 1928 on behalf of States under title XIX of the Social
9 Security Act for the first quarter of fiscal year 2017,
10 \$115,582,502,000, to remain available until expended.

11 Payment under such title XIX may be made for any
12 quarter with respect to a State plan or plan amendment
13 in effect during such quarter, if submitted in or prior to
14 such quarter and approved in that or any subsequent
15 quarter.

16 PAYMENTS TO HEALTH CARE TRUST FUNDS

17 For payment to the Federal Hospital Insurance
18 Trust Fund and the Federal Supplementary Medical In-
19 surance Trust Fund, as provided under sections 217(g),
20 1844, and 1860D–16 of the Social Security Act, sections
21 103(e) and 111(d) of the Social Security Amendments of
22 1965, section 278(d)(3) of Public Law 97–248, and for
23 administrative expenses incurred pursuant to section
24 201(g) of the Social Security Act, \$283,171,800,000.

1 In addition, for making matching payments under
2 section 1844 and benefit payments under section 1860D–
3 16 of the Social Security Act that were not anticipated
4 in budget estimates, such sums as may be necessary.

5 PROGRAM MANAGEMENT

6 For carrying out, except as otherwise provided, titles
7 XI, XVIII, XIX, and XXI of the Social Security Act, titles
8 XIII and XXVII of the PHS Act, the Clinical Laboratory
9 Improvement Amendments of 1988, and other responsibil-
10 ities of the Centers for Medicare and Medicaid Services,
11 not to exceed \$3,669,744,000, to be transferred from the
12 Federal Hospital Insurance Trust Fund and the Federal
13 Supplementary Medical Insurance Trust Fund, as author-
14 ized by section 201(g) of the Social Security Act; together
15 with all funds collected in accordance with section 353 of
16 the PHS Act and section 1857(e)(2) of the Social Security
17 Act, funds retained by the Secretary pursuant to section
18 302 of the Tax Relief and Health Care Act of 2006; and
19 such sums as may be collected from authorized user fees
20 and the sale of data, which shall be credited to this ac-
21 count and remain available until September 30, 2021: *Pro-*
22 *vided*, That all funds derived in accordance with 31 U.S.C.
23 9701 from organizations established under title XIII of
24 the PHS Act shall be credited to and available for carrying
25 out the purposes of this appropriation: *Provided further*,

1 That the Secretary is directed to collect fees in fiscal year
2 2016 from Medicare Advantage organizations pursuant to
3 section 1857(e)(2) of the Social Security Act and from eli-
4 gible organizations with risk-sharing contracts under sec-
5 tion 1876 of that Act pursuant to section 1876(k)(4)(D)
6 of that Act.

7 HEALTH CARE FRAUD AND ABUSE CONTROL ACCOUNT

8 In addition to amounts otherwise available for pro-
9 gram integrity and program management, \$681,000,000,
10 to remain available through September 30, 2017, to be
11 transferred from the Federal Hospital Insurance Trust
12 Fund and the Federal Supplementary Medical Insurance
13 Trust Fund, as authorized by section 201(g) of the Social
14 Security Act, of which \$486,120,000 shall be for the Medi-
15 care Integrity Program at the Centers for Medicare and
16 Medicaid Services, including administrative costs, to con-
17 duct oversight activities for Medicare Advantage under
18 Part C and the Medicare Prescription Drug Program
19 under Part D of the Social Security Act and for activities
20 described in section 1893(b) of such Act, of which
21 \$67,200,000 shall be for the Department of Health and
22 Human Services Office of Inspector General to carry out
23 fraud and abuse activities authorized by section
24 1817(k)(3) of such Act, of which \$67,200,000 shall be for
25 the Medicaid and Children's Health Insurance Program

1 (“CHIP”) program integrity activities, and of which
2 \$60,480,000 shall be for the Department of Justice to
3 carry out fraud and abuse activities authorized by section
4 1817(k)(3) of such Act: *Provided*, That the report re-
5 quired by section 1817(k)(5) of the Social Security Act
6 for fiscal year 2016 shall include measures of the oper-
7 ational efficiency and impact on fraud, waste, and abuse
8 in the Medicare, Medicaid, and CHIP programs for the
9 funds provided by this appropriation: *Provided further*,
10 That of the amount provided under this heading,
11 \$311,000,000 is provided to meet the terms of section
12 251(b)(2)(C)(ii) of the Balanced Budget and Emergency
13 Deficit Control Act of 1985, as amended, and
14 \$370,000,000 is additional new budget authority specified
15 for purposes of section 251(b)(2)(C) of such Act: *Provided*
16 *further*, That the Secretary shall support the full cost of
17 the Senior Medicare Patrol program to combat health care
18 fraud and abuse from the funds provided to this account.

19 ADMINISTRATION FOR CHILDREN AND FAMILIES

20 PAYMENTS TO STATES FOR CHILD SUPPORT

21 ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

22 For carrying out, except as otherwise provided, titles
23 I, IV–D, X, XI, XIV, and XVI of the Social Security Act
24 and the Act of July 5, 1960, \$2,944,906,000, to remain
25 available until expended; and for such purposes for the

1 first quarter of fiscal year 2017, \$1,300,000,000, to re-
2 main available until expended.

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

9 LOW INCOME HOME ENERGY ASSISTANCE

10 For making payments under subsections (b) and (d)
11 of section 2602 of the Low Income Home Energy Assist-
12 ance Act of 1981, \$3,390,304,000: *Provided*, That all but
13 \$491,000,000 of this amount shall be allocated as though
14 the total appropriation for such payments for fiscal year
15 2016 was less than \$1,975,000,000: *Provided further*,
16 That notwithstanding section 2609A(a), of the amounts
17 appropriated under section 2602(b), not more than
18 \$2,988,000 of such amounts may be reserved by the Sec-
19 retary for technical assistance, training, and monitoring
20 of program activities for compliance with internal controls,
21 policies and procedures and may, in addition to the au-
22 thorities provided in section 2609A(a)(1), use such funds
23 through contracts with private entities that do not qualify
24 as nonprofit organizations.

1 REFUGEE AND ENTRANT ASSISTANCE

2 For necessary expenses for refugee and entrant as-
3 sistance activities authorized by section 414 of the Immi-
4 gration and Nationality Act and section 501 of the Ref-
5 ugee Education Assistance Act of 1980, and for carrying
6 out section 462 of the Homeland Security Act of 2002,
7 section 235 of the William Wilberforce Trafficking Victims
8 Protection Reauthorization Act of 2008, the Trafficking
9 Victims Protection Act of 2000 (“TVPA”), section 203
10 of the Trafficking Victims Protection Reauthorization Act
11 of 2005, and the Torture Victims Relief Act of 1998,
12 \$1,674,691,000, of which \$1,645,201,000 shall remain
13 available through September 30, 2018 for carrying out
14 such sections 414, 501, 462, and 235: *Provided*, That
15 amounts available under this heading to carry out such
16 section 203 and the TVPA shall also be available for re-
17 search and evaluation with respect to activities under
18 those authorities: *Provided further*, That the limitation in
19 section 205 of this Act regarding transfers increasing any
20 appropriation shall apply to transfers to appropriations
21 under this heading by substituting “10 percent” for “3
22 percent”.

1 under such subparagraph for a State to carry out State
2 programs pursuant to title XX–A of such Act shall be 10
3 percent.

4 CHILDREN AND FAMILIES SERVICES PROGRAMS

5 For carrying out, except as otherwise provided, the
6 Runaway and Homeless Youth Act, the Head Start Act,
7 the Child Abuse Prevention and Treatment Act, sections
8 303 and 313 of the Family Violence Prevention and Serv-
9 ices Act, the Native American Programs Act of 1974, title
10 II of the Child Abuse Prevention and Treatment and
11 Adoption Reform Act of 1978 (adoption opportunities),
12 part B–1 of title IV and sections 429, 473A, 477(i), 1110,
13 1114A, and 1115 of the Social Security Act; for making
14 payments under the Community Services Block Grant Act
15 (“CSBG Act”), and the Assets for Independence Act; for
16 necessary administrative expenses to carry out titles I, IV,
17 V, X, XI, XIV, XVI, and XX–A of the Social Security
18 Act, the Act of July 5, 1960, the Low Income Home En-
19 ergy Assistance Act of 1981, title IV of the Immigration
20 and Nationality Act, and section 501 of the Refugee Edu-
21 cation Assistance Act of 1980; and for the administration
22 of prior year obligations made by the Administration for
23 Children and Families under the Developmental Disabil-
24 ities Assistance and Bill of Rights Act and the Help Amer-
25 ica Vote Act of 2002, \$10,984,268,000, of which

1 \$37,943,000, to remain available through September 30,
2 2017, shall be for grants to States for adoption and legal
3 guardianship incentive payments, as defined by section
4 473A of the Social Security Act and may be made for
5 adoptions completed before September 30, 2016: *Provided*,
6 That \$9,168,095,000 shall be for making payments under
7 the Head Start Act: *Provided further*, That of the amount
8 in the previous proviso, \$8,214,095,000 shall be available
9 for payments under section 640 of the Head Start Act,
10 of which \$141,000,000 shall be available for a cost of liv-
11 ing adjustment notwithstanding section 640(a)(3)(A) of
12 such Act: *Provided further*, That notwithstanding such
13 section 640, of the amount in the second preceding pro-
14 viso, \$294,000,000 (of which up to one percent may be
15 reserved for research and evaluation) shall be available
16 through December 31, 2016 for award by the Secretary
17 to grantees that apply for supplemental funding to in-
18 crease their hours of program operations and for training
19 and technical assistance for such activities: *Provided fur-*
20 *ther*, That of the amount provided for making payments
21 under the Head Start Act, \$25,000,000 shall be available
22 for allocation by the Secretary to supplement activities de-
23 scribed in paragraphs (7)(B) and (9) of section 641(c) of
24 such Act under the Designation Renewal System, estab-
25 lished under the authority of sections 641(c)(7),

1 645A(b)(12) and 645A(d) of such Act: *Provided further,*
2 That notwithstanding such section 640, of the amount
3 provided for making payments under the Head Start Act,
4 and in addition to funds otherwise available under such
5 section 640 for such purposes, \$635,000,000 shall be
6 available through March 31, 2017 for Early Head Start
7 programs as described in section 645A of such Act, for
8 conversion of Head Start services to Early Head Start
9 services as described in section 645(a)(5)(A) of such Act,
10 for discretionary grants for high quality infant and toddler
11 care through Early Head Start-Child Care Partnerships,
12 to entities defined as eligible under section 645A(d) of
13 such Act, for training and technical assistance for such
14 activities, and for up to \$14,000,000 in Federal costs of
15 administration and evaluation, and, notwithstanding sec-
16 tion 645A(c)(2) of such Act, these funds are available to
17 serve children under age 4: *Provided further,* That funds
18 described in the preceding two provisos shall not be in-
19 cluded in the calculation of “base grant” in subsequent
20 fiscal years, as such term is used in section 640(a)(7)(A)
21 of such Act: *Provided further,* That \$751,383,000 shall be
22 for making payments under the CSBG Act: *Provided fur-*
23 *ther,* That \$36,733,000 shall be for sections 680 and
24 678E(b)(2) of the CSBG Act, of which not less than
25 \$29,883,000 shall be for section 680(a)(2) and not less

1 than \$6,500,000 shall be for section 680(a)(3)(B) of such
2 Act: *Provided further*, That to the extent Community Serv-
3 ices Block Grant funds are distributed as grant funds by
4 a State to an eligible entity as provided under the CSBG
5 Act, and have not been expended by such entity, they shall
6 remain with such entity for carryover into the next fiscal
7 year for expenditure by such entity consistent with pro-
8 gram purposes: *Provided further*, That the Secretary shall
9 establish procedures regarding the disposition of intan-
10 gible assets and program income that permit such assets
11 acquired with, and program income derived from, grant
12 funds authorized under section 680 of the CSBG Act to
13 become the sole property of such grantees after a period
14 of not more than 12 years after the end of the grant pe-
15 riod for any activity consistent with section 680(a)(2)(A)
16 of the CSBG Act: *Provided further*, That intangible assets
17 in the form of loans, equity investments and other debt
18 instruments, and program income may be used by grant-
19 ees for any eligible purpose consistent with section
20 680(a)(2)(A) of the CSBG Act: *Provided further*, That
21 these procedures shall apply to such grant funds made
22 available after November 29, 1999: *Provided further*, That
23 funds appropriated for section 680(a)(2) of the CSBG Act
24 shall be available for financing construction and rehabili-
25 tation and loans or investments in private business enter-

1 prizes owned by community development corporations:
2 *Provided further*, That the Secretary shall issue perform-
3 ance standards for nonprofit organizations receiving funds
4 from State and territorial grantees under the CSBG Act,
5 and such States and territories shall assure the implemen-
6 tation of such standards prior to September 30, 2016, and
7 include information on such implementation in the report
8 required by section 678E(2) of such Act: *Provided further*,
9 That, to the extent funds for the Assets for Independence
10 (AFI) Act provided in this Act are distributed as grant
11 funds to a qualified entity and have not been expended
12 by such entity within 3 years after the date of the award,
13 such funds may be recaptured and, during the fiscal year
14 of such recapture, reallocated among other qualified enti-
15 ties, to remain available to such entities for 5 years: *Pro-*
16 *vided further*, That \$1,864,000 shall be for a human serv-
17 ices case management system for federally declared disas-
18 ters, to include a comprehensive national case manage-
19 ment contract and Federal costs of administering the sys-
20 tem: *Provided further*, That up to \$2,000,000 shall be for
21 improving the Public Assistance Reporting Information
22 System, including grants to States to support data collec-
23 tion for a study of the system's effectiveness.

1 PROMOTING SAFE AND STABLE FAMILIES

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

6 PAYMENTS FOR FOSTER CARE AND PERMANENCY

7 For carrying out, except as otherwise provided, title
8 IV-E of the Social Security Act, \$5,298,000,000.

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

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

17 ADMINISTRATION FOR COMMUNITY LIVING

18 AGING AND DISABILITY SERVICES PROGRAMS

19 (INCLUDING TRANSFER OF FUNDS)

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

ities Assistance and Bill of Rights Act, parts 2 and 5 of subtitle D of title II of the Help America Vote Act of 2002, the Assistive Technology Act of 1998, titles II and VII (and section 14 with respect to such titles) of the Rehabilitation Act of 1973 , and for Department-wide coordination of policy and program activities that assist individuals with disabilities, \$1,912,735,000, together with \$52,115,000 to be transferred from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund to carry out section 4360 of the Omnibus Budget Reconciliation Act of 1990: *Provided*, That amounts appropriated under this heading may be used for grants to States under section 361 of the OAA only for disease prevention and health promotion programs and activities which have been demonstrated through rigorous evaluation to be evidence-based and effective: *Provided further*, That notwithstanding any other provision of this Act, funds made available under this heading to carry out section 311 of the OAA may be transferred to the Secretary of Agriculture in accordance with such section: *Provided further*, That \$2,000,000 shall be for competitive grants to support alternative financing programs that provide for the purchase of assistive technology devices, such as a low-interest loan fund; an interest buy-down program; a revolving loan fund; a loan guar-

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

1 physical impairments), that has as the requested remedy
2 the closure of State operated intermediate care facilities
3 for people with intellectual or developmental disabilities,
4 unless reasonable public notice of the action has been pro-
5 vided to such individuals (or, in the case of mental inca-
6 pacitation, the legal guardians who have been specifically
7 awarded authority by the courts to make healthcare and
8 residential decisions on behalf of such individuals) who are
9 affected by such action, within 90 days of instituting such
10 legal action, which informs such individuals (or such legal
11 guardians) of their legal rights and how to exercise such
12 rights consistent with current Federal Rules of Civil Pro-
13 cedure: *Provided further*, That the limitations in the imme-
14 diately preceding proviso shall not apply in the case of an
15 individual who is neither competent to consent nor has a
16 legal guardian, nor shall the proviso apply in the case of
17 individuals who are a ward of the State or subject to pub-
18 lic guardianship.

19 OFFICE OF THE SECRETARY

20 GENERAL DEPARTMENTAL MANAGEMENT

21 For necessary expenses, not otherwise provided, for
22 general departmental management, including hire of six
23 passenger motor vehicles, and for carrying out titles III,
24 XVII, XXI, and section 229 of the PHS Act, the United
25 States-Mexico Border Health Commission Act, and re-

1 search studies under section 1110 of the Social Security
2 Act, \$456,009,000, together with \$64,828,000 from the
3 amounts available under section 241 of the PHS Act to
4 carry out national health or human services research and
5 evaluation activities: *Provided*, That of this amount,
6 \$53,900,000 shall be for minority AIDS prevention and
7 treatment activities: *Provided further*, That of the funds
8 made available under this heading, \$101,000,000 shall be
9 for making competitive contracts and grants to public and
10 private entities to fund medically accurate and age appro-
11 priate programs that reduce teen pregnancy and for the
12 Federal costs associated with administering and evalu-
13 ating such contracts and grants, of which not more than
14 10 percent of the available funds shall be for training and
15 technical assistance, evaluation, outreach, and additional
16 program support activities, and of the remaining amount
17 75 percent shall be for replicating programs that have
18 been proven effective through rigorous evaluation to re-
19 duce teenage pregnancy, behavioral risk factors underlying
20 teenage pregnancy, or other associated risk factors, and
21 25 percent shall be available for research and demonstra-
22 tion grants to develop, replicate, refine, and test additional
23 models and innovative strategies for preventing teenage
24 pregnancy: *Provided further*, That of the amounts pro-
25 vided under this heading from amounts available under

1 section 241 of the PHS Act, \$6,800,000 shall be available
2 to carry out evaluations (including longitudinal evalua-
3 tions) of teenage pregnancy prevention approaches: *Pro-*
4 *vided further*, That of the funds made available under this
5 heading, \$10,000,000 shall be for making competitive
6 grants which exclusively implement education in sexual
7 risk avoidance (defined as voluntarily refraining from non-
8 marital sexual activity): *Provided further*, That funding for
9 such competitive grants for sexual risk avoidance shall use
10 medically accurate information referenced to peer-re-
11 viewed publications by educational, scientific, govern-
12 mental, or health organizations; implement an evidence-
13 based approach integrating research findings with prac-
14 tical implementation that aligns with the needs and de-
15 sired outcomes for the intended audience; and teach the
16 benefits associated with self-regulation, success sequenc-
17 ing for poverty prevention, healthy relationships, goal set-
18 ting, and resisting sexual coercion, dating violence, and
19 other youth risk behaviors such as underage drinking or
20 illicit drug use without normalizing teen sexual activity:
21 *Provided further*, That no more than 10 percent of the
22 funding for such competitive grants for sexual risk avoid-
23 ance shall be available for technical assistance and admin-
24 istrative costs of such programs: *Provided further*, That
25 funds provided in this Act for embryo adoption activities

1 may be used to provide to individuals adopting embryos,
2 through grants and other mechanisms, medical and ad-
3 ministrative services deemed necessary for such adoptions:
4 *Provided further*, That such services shall be provided con-
5 sistent with 42 CFR 59.5(a)(4).

6 OFFICE OF MEDICARE HEARINGS AND APPEALS

7 For expenses necessary for the Office of Medicare
8 Hearings and Appeals, \$107,381,000, to be transferred in
9 appropriate part from the Federal Hospital Insurance
10 Trust Fund and the Federal Supplementary Medical In-
11 surance Trust Fund.

12 OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH
13 INFORMATION TECHNOLOGY

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

19 OFFICE OF INSPECTOR GENERAL

20 For expenses necessary for the Office of Inspector
21 General, including the hire of passenger motor vehicles for
22 investigations, in carrying out the provisions of the Inspec-
23 tor General Act of 1978, \$75,000,000: *Provided*, That of
24 such amount, necessary sums shall be available for pro-
25 viding protective services to the Secretary and inves-

1 tivating non-payment of child support cases for which non-
2 payment is a Federal offense under 18 U.S.C. 228.

3 OFFICE FOR CIVIL RIGHTS

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

6 RETIREMENT PAY AND MEDICAL BENEFITS FOR

7 COMMISSIONED OFFICERS

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

15 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY

16 FUND

17 For expenses necessary to support activities related
18 to countering potential biological, nuclear, radiological,
19 chemical, and cybersecurity threats to civilian populations,
20 and for other public health emergencies, \$950,958,000, of
21 which \$511,700,000 shall remain available through Sep-
22 tember 30, 2017, for expenses necessary to support ad-
23 vanced research and development pursuant to section
24 319L of the PHS Act and other administrative expenses
25 of the Biomedical Advanced Research and Development

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

11 For expenses necessary for procuring security coun-
12 termeasures (as defined in section 319F-2(c)(1)(B) of the
13 PHS Act), \$510,000,000, to remain available until ex-
14 pended.

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

1 construction or renovation necessary to secure sufficient
2 supplies of such vaccines or biologics.

3 GENERAL PROVISIONS

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

8 SEC. 202. None of the funds appropriated in this title
9 shall be used to pay the salary of an individual, through
10 a grant or other extramural mechanism, at a rate in excess
11 of Executive Level II.

12 SEC. 203. None of the funds appropriated in this Act
13 may be expended pursuant to section 241 of the PHS Act,
14 except for funds specifically provided for in this Act, or
15 for other taps and assessments made by any office located
16 in HHS, prior to the preparation and submission of a re-
17 port by the Secretary to the Committees on Appropria-
18 tions of the House of Representatives and the Senate de-
19 tailing the planned uses of such funds.

20 SEC. 204. Notwithstanding section 241(a) of the
21 PHS Act, such portion as the Secretary shall determine,
22 but not more than 2.5 percent, of any amounts appro-
23 priated for programs authorized under such Act shall be
24 made available for the evaluation (directly, or by grants

1 or contracts) and the implementation and effectiveness of
2 programs funded in this title.

3 (TRANSFER OF FUNDS)

4 SEC. 205. Not to exceed 1 percent of any discre-
5 tionary funds (pursuant to the Balanced Budget and
6 Emergency Deficit Control Act of 1985) which are appro-
7 priated for the current fiscal year for HHS in this Act
8 may be transferred between appropriations, but no such
9 appropriation shall be increased by more than 3 percent
10 by any such transfer: *Provided*, That the transfer author-
11 ity granted by this section shall not be used to create any
12 new program or to fund any project or activity for which
13 no funds are provided in this Act: *Provided further*, That
14 the Committees on Appropriations of the House of Rep-
15 resentatives and the Senate are notified at least 15 days
16 in advance of any transfer.

17 SEC. 206. In lieu of the timeframe specified in section
18 338E(c)(2) of the PHS Act, terminations described in
19 such section may occur up to 60 days after the execution
20 of a contract awarded in fiscal year 2016 under section
21 338B of such Act.

22 SEC. 207. None of the funds appropriated in this Act
23 may be made available to any entity under title X of the
24 PHS Act unless the applicant for the award certifies to
25 the Secretary that it encourages family participation in

1 the decision of minors to seek family planning services and
2 that it provides counseling to minors on how to resist at-
3 tempts to coerce minors into engaging in sexual activities.

4 SEC. 208. Notwithstanding any other provision of
5 law, no provider of services under title X of the PHS Act
6 shall be exempt from any State law requiring notification
7 or the reporting of child abuse, child molestation, sexual
8 abuse, rape, or incest.

9 SEC. 209. None of the funds appropriated by this Act
10 (including funds appropriated to any trust fund) may be
11 used to carry out the Medicare Advantage program if the
12 Secretary denies participation in such program to an oth-
13 erwise eligible entity (including a Provider Sponsored Or-
14 ganization) because the entity informs the Secretary that
15 it will not provide, pay for, provide coverage of, or provide
16 referrals for abortions: *Provided*, That the Secretary shall
17 make appropriate prospective adjustments to the capita-
18 tion payment to such an entity (based on an actuarially
19 sound estimate of the expected costs of providing the serv-
20 ice to such entity's enrollees): *Provided further*, That noth-
21 ing in this section shall be construed to change the Medi-
22 care program's coverage for such services and a Medicare
23 Advantage organization described in this section shall be
24 responsible for informing enrollees where to obtain infor-
25 mation about all Medicare covered services.

1 SEC. 210. None of the funds made available in this
2 title may be used, in whole or in part, to advocate or pro-
3 mote gun control.

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

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

15 (1) The Secretary may exercise authority equiv-
16 alent to that available to the Secretary of State in
17 section 2(c) of the State Department Basic Authori-
18 ties Act of 1956. The Secretary shall consult with
19 the Secretary of State and relevant Chief of Mission
20 to ensure that the authority provided in this section
21 is exercised in a manner consistent with section 207
22 of the Foreign Service Act of 1980 and other appli-
23 cable statutes administered by the Department of
24 State.

1 (2) The Secretary is authorized to provide such
2 funds by advance or reimbursement to the Secretary
3 of State as may be necessary to pay the costs of ac-
4 quisition, lease, alteration, renovation, and manage-
5 ment of facilities outside of the United States for
6 the use of HHS. The Department of State shall co-
7 operate fully with the Secretary to ensure that HHS
8 has secure, safe, functional facilities that comply
9 with applicable regulation governing location, set-
10 back, and other facilities requirements and serve the
11 purposes established by this Act. The Secretary is
12 authorized, in consultation with the Secretary of
13 State, through grant or cooperative agreement, to
14 make available to public or nonprofit private institu-
15 tions or agencies in participating foreign countries,
16 funds to acquire, lease, alter, or renovate facilities in
17 those countries as necessary to conduct programs of
18 assistance for international health activities, includ-
19 ing activities relating to HIV/AIDS and other infec-
20 tious diseases, chronic and environmental diseases,
21 and other health activities abroad.

22 (3) The Secretary is authorized to provide to
23 personnel appointed or assigned by the Secretary to
24 serve abroad, allowances and benefits similar to
25 those provided under chapter 9 of title I of the For-

1 (TRANSFER OF FUNDS)

2 SEC. 214. Of the amounts made available in this Act
3 for NIH, the amount for research related to the human
4 immunodeficiency virus, as jointly determined by the Di-
5 rector of NIH and the Director of the Office of AIDS Re-
6 search, shall be made available to the “Office of AIDS
7 Research” account. The Director of the Office of AIDS
8 Research shall transfer from such account amounts nec-
9 essary to carry out section 2353(d)(3) of the PHS Act.

10 SEC. 215. (a) AUTHORITY.—Notwithstanding any
11 other provision of law, the Director of NIH (“Director”)
12 may use funds available under section 402(b)(7) or
13 402(b)(12) of the PHS Act to enter into transactions
14 (other than contracts, cooperative agreements, or grants)
15 to carry out research identified pursuant to such section
16 402(b)(7) (pertaining to the Common Fund) or research
17 and activities described in such section 402(b)(12).

18 (b) PEER REVIEW.—In entering into transactions
19 under subsection (a), the Director may utilize such peer
20 review procedures (including consultation with appropriate
21 scientific experts) as the Director determines to be appro-
22 priate to obtain assessments of scientific and technical
23 merit. Such procedures shall apply to such transactions
24 in lieu of the peer review and advisory council review pro-
25 cedures that would otherwise be required under sections

1 301(a)(3), 405(b)(1)(B), 405(b)(2), 406(a)(3)(A), 492,
2 and 494 of the PHS Act.

3 SEC. 216. Not to exceed \$45,000,000 of funds appro-
4 priated by this Act to the institutes and centers of the
5 National Institutes of Health may be used for alteration,
6 repair, or improvement of facilities, as necessary for the
7 proper and efficient conduct of the activities authorized
8 herein, at not to exceed \$3,500,000 per project.

9 (TRANSFER OF FUNDS)

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

21 SEC. 218. In addition to amounts provided herein,
22 payments made for research organisms or substances, au-
23 thorized under section 301(a) of the PHS Act, shall be
24 retained and credited to the appropriations accounts of the
25 Institutes and Centers of the NIH making the substance

1 or organism available under section 301(a). Amounts cred-
2 ited to the account under this authority shall be available
3 for obligation through September 30, 2017.

4 SEC. 219. (a) The Biomedical Advanced Research
5 and Development Authority (“BARDA”) may enter into
6 a contract, for more than one but no more than 10 pro-
7 gram years, for purchase of research services or of security
8 countermeasures, as that term is defined in section 319F–
9 2(c)(1)(B) of the PHS Act (42 U.S.C. 247d–6b(c)(1)(B)),
10 if—

11 (1) funds are available and obligated—

12 (A) for the full period of the contract or
13 for the first fiscal year in which the contract is
14 in effect; and

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

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

22 (b) A contract entered into under this section—

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

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

3 SEC. 220. (a) The Secretary shall establish a publicly
4 accessible Web site to provide information regarding the
5 uses of funds made available under section 4002 of the
6 Patient Protection and Affordable Care Act of 2010
7 (“ACA”).

8 (b) With respect to funds provided under section
9 4002 of the ACA, the Secretary shall include on the Web
10 site established under subsection (a) at a minimum the
11 following information:

12 (1) In the case of each transfer of funds under
13 section 4002(c), a statement indicating the program
14 or activity receiving funds, the operating division or
15 office that will administer the funds, and the
16 planned uses of the funds, to be posted not later
17 than the day after the transfer is made.

18 (2) Identification (along with a link to the full
19 text) of each funding opportunity announcement, re-
20 quest for proposals, or other announcement or solici-
21 tation of proposals for grants, cooperative agree-
22 ments, or contracts intended to be awarded using
23 such funds, to be posted not later than the day after
24 the announcement or solicitation is issued.

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

7 (4) A report detailing the uses of all funds
8 transferred under section 4002(c) during the fiscal
9 year, to be posted not later than 90 days after the
10 end of the fiscal year.

11 (c) With respect to awards made in fiscal years 2013
12 through 2016, the Secretary shall also include on the Web
13 site established under subsection (a), semi-annual reports
14 from each entity awarded a grant, cooperative agreement,
15 or contract from such funds with a value of \$25,000 or
16 more, summarizing the activities undertaken and identi-
17 fying any sub-grants or sub-contracts awarded (including
18 the purpose of the award and the identity of the recipient),
19 to be posted not later than 30 days after the end of each
20 6-month period.

21 (d) In carrying out this section, the Secretary shall—

22 (1) present the information required in sub-
23 section (b)(1) on a single webpage or on a single
24 database;

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

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

8 (1) For each such fiscal year, the section of
9 such Act under which such funds were appropriated,
10 a statement indicating the program, project, or ac-
11 tivity receiving such funds, the Federal operating di-
12 vision or office that administers such program, and
13 the amount of funding received in discretionary or
14 mandatory appropriations.

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

19 (c) In carrying out this section, the Secretary may
20 exclude from the report employees or contractors who—

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

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

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

7 SEC. 223. The Secretary shall publish, as part of the
8 fiscal year 2017 budget of the President submitted under
9 section 1105(a) of title 31, United States Code, informa-
10 tion that details the uses of all funds used by the Centers
11 for Medicare and Medicaid Services specifically for Health
12 Insurance Exchanges for each fiscal year since the enact-
13 ment of the ACA and the proposed uses for such funds
14 for fiscal year 2017. Such information shall include, for
15 each such fiscal year, the amount of funds used for each
16 activity specified under the heading “Health Insurance
17 Exchange Transparency” in the explanatory statement de-
18 scribed in section 4 (in the matter preceding division A
19 of this consolidated Act).

20 SEC. 224. (a) The Secretary shall provide to the
21 Committees on Appropriations of the House of Represent-
22 atives and the Senate:

23 (1) Detailed monthly enrollment figures from
24 the Exchanges established under the Patient Protec-

1 tion and Affordable Care Act of 2010 pertaining to
2 enrollments during the open enrollment period; and

3 (2) Notification of any new or competitive grant
4 awards, including supplements, authorized under
5 section 330 of the Public Health Service Act.

6 (b) The Committees on Appropriations of the House
7 and Senate must be notified at least 2 business days in
8 advance of any public release of enrollment information
9 or the award of such grants.

10 SEC. 225. None of the funds made available by this
11 Act from the Federal Hospital Insurance Trust Fund or
12 the Federal Supplemental Medical Insurance Trust Fund,
13 or transferred from other accounts funded by this Act to
14 the “Centers for Medicare and Medicaid Services—Pro-
15 gram Management” account, may be used for payments
16 under section 1342(b)(1) of Public Law 111–148 (relating
17 to risk corridors).

18 SEC. 226. In addition to the amounts otherwise avail-
19 able for “Centers for Medicare and Medicaid Services,
20 Program Management”, the Secretary of Health and
21 Human Services may transfer up to \$305,000,000 to such
22 account from the Federal Hospital Insurance Trust Fund
23 and the Federal Supplementary Medical Insurance Trust
24 Fund to support program management activity related to
25 the Medicare Program: *Provided*, That except for the fore-

1 going purpose, such funds may not be used to support any
2 provision of Public Law 111–148 or Public Law 111–152
3 (or any amendment made by either such Public Law) or
4 to supplant any other amounts within such account.

5 (RESCISSION)

6 SEC. 227. The following unobligated balances of
7 amounts appropriated prior to fiscal year 2007 for “De-
8 partment of Health and Human Services, Health Re-
9 sources and Services Administration” are hereby perma-
10 nently rescinded:

11 (1) \$281,003 appropriated to carry out section
12 1610(b) of the PHS Act;

13 (2) \$3,611 appropriated to carry out section
14 1602(e) of the PHS Act;

15 (3) \$105,576 appropriated in section 167 of di-
16 vision H of Public Law 108–199; and

17 (4) \$55,793 appropriated to carry out the Na-
18 tional Cord Blood Stem Cell Bank Program.

19 SEC. 228. The Secretary shall include in the fiscal
20 year 2017 budget justification an analysis of how section
21 2713 of the PHS Act will impact eligibility for discre-
22 tionary HHS programs.

23 SEC. 229. Effective during the period beginning on
24 November 1, 2015 and ending January 1, 2018, any pro-
25 vision of law that refers (including through cross-reference

1 to another provision of law) to the current recommenda-
2 tions of the United States Preventive Services Task Force
3 with respect to breast cancer screening, mammography,
4 and prevention shall be administered by the Secretary in-
5 volved as if—

6 (1) such reference to such current recommenda-
7 tions were a reference to the recommendations of
8 such Task Force with respect to breast cancer
9 screening, mammography, and prevention last issued
10 before 2009; and

11 (2) such recommendations last issued before
12 2009 applied to any screening mammography modal-
13 ity under section 1861(jj) of the Social Security Act
14 (42 U.S.C. 1395x(jj)).

15 (TRANSFER OF FUNDS)

16 SEC. 230. (a) IN GENERAL.—Subject to the suc-
17 ceeding provisions of this section, activities authorized
18 under part A of title IV and section 1108(b) of the Social
19 Security Act shall continue through September 30, 2016,
20 in the manner authorized for fiscal year 2015, and out
21 of any money in the Treasury of the United States not
22 otherwise appropriated, there are hereby appropriated
23 such sums as may be necessary for such purpose. Grants
24 and payments may be made pursuant to this authority
25 through September 30, 2016 at the level provided for such

1 activities for fiscal year 2015, except as provided in sub-
2 section (b).

3 (b) CONTINGENCY FUND.—In the case of the Contin-
4 gency Fund for State Welfare Programs established under
5 section 403(b) of the Social Security Act—

6 (1) the amount appropriated for such section
7 403(b) shall be \$608,000,000 for each of fiscal years
8 2016 and 2017, notwithstanding section 228(b)(1)
9 of the Department of Health and Human Services
10 Appropriations Act, 2015;

11 (2) the requirement to reserve funds provided
12 for in section 403(b)(2) of the Social Security Act
13 shall not apply during fiscal years 2016 and 2017;
14 and

15 (3) grants and payments may only be made
16 from such Fund for fiscal year 2016 after the appli-
17 cation of subsection (c).

18 (c) CENSUS RESEARCH AND WELFARE RESEARCH.—
19 Of the amount made available under subsection (b)(1) for
20 section 403(b) of the Social Security Act for fiscal year
21 2016—

22 (1) \$15,000,000 is hereby transferred to the
23 Children's Research and Technical Assistance ac-
24 count in the Administration for Children and Fami-
25 lies at the Department of Health and Human Serv-

1 ices and made available to carry out section 413(h)
2 of the Social Security Act; and

3 (2) \$10,000,000 is hereby transferred and
4 made available to the Bureau of the Census to con-
5 duct activities using the Survey of Income and Pro-
6 gram Participation to obtain information to enable
7 interested parties to evaluate the impact of the
8 amendments made by title I of the Personal Respon-
9 sibility and Work Opportunity Reconciliation Act of
10 1996.

11 SEC. 231. Section 1886(m)(6) of the Social Security
12 Act (42 U.S.C. 1395ww(m)(6)) is amended—

13 (1) in subparagraph (A)(i) by striking “sub-
14 paragraph (C)” and inserting “subparagraphs (C)
15 and (E)”; and

16 (2) by adding at the end the following new sub-
17 paragraph:

18 “(E) TEMPORARY EXCEPTION FOR CER-
19 TAIN SEVERE WOUND DISCHARGES FROM CER-
20 TAIN LONG-TERM CARE HOSPITALS.—

21 “(i) IN GENERAL.—In the case of a
22 discharge occurring prior to January 1,
23 2017, subparagraph (A)(i) shall not apply
24 (and payment shall be made to a long-term

1 care hospital without regard to this para-
2 graph) if such discharge—

3 “(I) is from a long-term care
4 hospital that is—

5 “(aa) identified by the
6 amendment made by section
7 4417(a) of the Balanced Budget
8 Act of 1997 (42 U.S.C. 1395ww
9 note, Public Law 105–33); and

10 “(bb) located in a rural area
11 (as defined in subsection
12 (d)(2)(D)) or treated as being so
13 located pursuant to subsection
14 (d)(8)(E); and

15 “(II) the individual discharged
16 has a severe wound.

17 “(ii) SEVERE WOUND DEFINED.—In
18 this subparagraph, the term ‘severe wound’
19 means a stage 3 wound, stage 4 wound,
20 unstageable wound, non-healing surgical
21 wound, infected wound, fistula, osteomy-
22 elitis, or wound with morbid obesity, as
23 identified in the claim from the long-term
24 care hospital.”.

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

1 TITLE III
2 DEPARTMENT OF EDUCATION
3 EDUCATION FOR THE DISADVANTAGED

4 For carrying out title I of the Elementary and Sec-
5 ondary Education Act of 1965 (referred to in this Act as
6 “ESEA”) and section 418A of the Higher Education Act
7 of 1965 (referred to in this Act as “HEA”),
8 \$16,016,790,000, of which \$5,127,006,000 shall become
9 available on July 1, 2016, and shall remain available
10 through September 30, 2017, and of which
11 \$10,841,177,000 shall become available on October 1,
12 2016, and shall remain available through September 30,
13 2017, for academic year 2016–2017: *Provided*, That
14 \$6,459,401,000 shall be for basic grants under section
15 1124 of the ESEA: *Provided further*, That up to
16 \$3,984,000 of these funds shall be available to the Sec-
17 retary of Education (referred to in this title as “Sec-
18 retary”) on October 1, 2015, to obtain annually updated
19 local educational agency-level census poverty data from
20 the Bureau of the Census: *Provided further*, That
21 \$1,362,301,000 shall be for concentration grants under
22 section 1124A of the ESEA: *Provided further*, That
23 \$3,544,050,000 shall be for targeted grants under section
24 1125 of the ESEA: *Provided further*, That
25 \$3,544,050,000 shall be for education finance incentive

1 grants under section 1125A of the ESEA: *Provided fur-*
2 *ther*, That funds available under sections 1124, 1124A,
3 1125 and 1125A of the ESEA may be used to provide
4 homeless children and youths with services not ordinarily
5 provided to other students under those sections, including
6 supporting the liaison designated pursuant to section
7 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assist-
8 ance Act, and providing transportation pursuant to section
9 722(g)(1)(J)(iii) of such Act: *Provided further*, That
10 \$450,000,000 shall be available for school improvement
11 grants under section 1003(g) of the ESEA, which shall
12 be allocated by the Secretary through the formula de-
13 scribed in section 1003(g)(2) and shall be used consistent
14 with the requirements of section 1003(g), except that
15 State and local educational agencies may use such funds
16 to serve any school eligible to receive assistance under part
17 A of title I that has not made adequate yearly progress
18 for at least 2 years or is in the State's lowest quintile of
19 performance based on proficiency rates and, in the case
20 of secondary schools, priority shall be given to those
21 schools with graduation rates below 60 percent: *Provided*
22 *further*, That notwithstanding section 1003(g)(5)(C) of
23 the ESEA, the Secretary may permit a State educational
24 agency to establish an award period of up to 5 years for
25 each participating local educational agency: *Provided fur-*

1 *ther*, That funds available for school improvement grants
2 for fiscal year 2014 and thereafter may be used by a local
3 educational agency to implement a whole-school reform
4 strategy for a school using an evidence-based strategy that
5 ensures whole-school reform is undertaken in partnership
6 with a strategy developer offering a whole-school reform
7 program that is based on at least a moderate level of evi-
8 dence that the program will have a statistically significant
9 effect on student outcomes, including at least one well-
10 designed and well-implemented experimental or quasi-ex-
11 perimental study: *Provided further*, That funds available
12 for school improvement grants may be used by a local edu-
13 cational agency to implement an alternative State-deter-
14 mined school improvement strategy that has been estab-
15 lished by a State educational agency with the approval of
16 the Secretary: *Provided further*, That a local educational
17 agency that is determined to be eligible for services under
18 subpart 1 or 2 of part B of title VI of the ESEA may
19 modify not more than one element of a school improve-
20 ment grant model: *Provided further*, That notwithstanding
21 section 1003(g)(5)(A), each State educational agency may
22 establish a maximum subgrant size of not more than
23 \$2,000,000 for each participating school applicable to
24 such funds: *Provided further*, That the Secretary may re-
25 serve up to 5 percent of the funds available for section

1 1003(g) of the ESEA to carry out activities to build State
2 and local educational agency capacity to implement effec-
3 tively the school improvement grants program: *Provided*
4 *further*, That \$190,000,000 shall be available under sec-
5 tion 1502 of the ESEA for a comprehensive literacy devel-
6 opment and education program to advance literacy skills,
7 including pre-literacy skills, reading, and writing, for stu-
8 dents from birth through grade 12, including limited-
9 English-proficient students and students with disabilities,
10 of which one-half of 1 percent shall be reserved for the
11 Secretary of the Interior for such a program at schools
12 funded by the Bureau of Indian Education, one-half of
13 1 percent shall be reserved for grants to the outlying areas
14 for such a program, up to 5 percent may be reserved for
15 national activities, and the remainder shall be used to
16 award competitive grants to State educational agencies for
17 such a program, of which a State educational agency may
18 reserve up to 5 percent for State leadership activities, in-
19 cluding technical assistance and training, data collection,
20 reporting, and administration, and shall subgrant not less
21 than 95 percent to local educational agencies or, in the
22 case of early literacy, to local educational agencies or other
23 nonprofit providers of early childhood education that part-
24 ner with a public or private nonprofit organization or
25 agency with a demonstrated record of effectiveness in im-

1 proving the early literacy development of children from
2 birth through kindergarten entry and in providing profes-
3 sional development in early literacy, giving priority to such
4 agencies or other entities serving greater numbers or per-
5 centages of disadvantaged children: *Provided further*, That
6 the State educational agency shall ensure that at least 15
7 percent of the subgranted funds are used to serve children
8 from birth through age 5, 40 percent are used to serve
9 students in kindergarten through grade 5, and 40 percent
10 are used to serve students in middle and high school in-
11 cluding an equitable distribution of funds between middle
12 and high schools: *Provided further*, That eligible entities
13 receiving subgrants from State educational agencies shall
14 use such funds for services and activities that have the
15 characteristics of effective literacy instruction through
16 professional development, screening and assessment, tar-
17 geted interventions for students reading below grade level
18 and other research-based methods of improving classroom
19 instruction and practice: *Provided further*, That
20 \$44,623,000 shall be for carrying out section 418A of the
21 HEA.

22 IMPACT AID

23 For carrying out programs of financial assistance to
24 federally affected schools authorized by title VIII of the
25 ESEA, \$1,305,603,000, of which \$1,168,233,000 shall be

1 for basic support payments under section 8003(b),
2 \$48,316,000 shall be for payments for children with dis-
3 abilities under section 8003(d), \$17,406,000 shall be for
4 construction under section 8007(a), \$66,813,000 shall be
5 for Federal property payments under section 8002, and
6 \$4,835,000, to remain available until expended, shall be
7 for facilities maintenance under section 8008: *Provided,*
8 That for purposes of computing the amount of a payment
9 for an eligible local educational agency under section
10 8003(a) for school year 2015–2016, children enrolled in
11 a school of such agency that would otherwise be eligible
12 for payment under section 8003(a)(1)(B) of such Act, but
13 due to the deployment of both parents or legal guardians,
14 or a parent or legal guardian having sole custody of such
15 children, or due to the death of a military parent or legal
16 guardian while on active duty (so long as such children
17 reside on Federal property as described in section
18 8003(a)(1)(B)), are no longer eligible under such section,
19 shall be considered as eligible students under such section,
20 provided such students remain in average daily attendance
21 at a school in the same local educational agency they at-
22 tended prior to their change in eligibility status.

23 SCHOOL IMPROVEMENT PROGRAMS

24 For carrying out school improvement activities au-
25 thorized by parts A and B of title II, part B of title IV,

1 parts A and B of title VI, and parts B and C of title VII
2 of the ESEA; the McKinney-Vento Homeless Assistance
3 Act; section 203 of the Educational Technical Assistance
4 Act of 2002; the Compact of Free Association Amend-
5 ments Act of 2003; and the Civil Rights Act of 1964,
6 \$4,433,629,000, of which \$2,611,619,000 shall become
7 available on July 1, 2016, and remain available through
8 September 30, 2017, and of which \$1,681,441,000 shall
9 become available on October 1, 2016, and shall remain
10 available through September 30, 2017, for academic year
11 2016–2017: *Provided*, That funds made available to carry
12 out part B of title VII of the ESEA may be used for con-
13 struction, renovation, and modernization of any elemen-
14 tary school, secondary school, or structure related to an
15 elementary school or secondary school, run by the Depart-
16 ment of Education of the State of Hawaii, that serves a
17 predominantly Native Hawaiian student body: *Provided*
18 *further*, That funds made available to carry out part C
19 of title VII of the ESEA shall be awarded on a competitive
20 basis, and also may be used for construction: *Provided fur-*
21 *ther*, That \$51,445,000 shall be available to carry out sec-
22 tion 203 of the Educational Technical Assistance Act of
23 2002 and the Secretary shall make such arrangements as
24 determined to be necessary to ensure that the Bureau of
25 Indian Education has access to services provided under

1 this section: *Provided further*, That \$16,699,000 shall be
2 available to carry out the Supplemental Education Grants
3 program for the Federated States of Micronesia and the
4 Republic of the Marshall Islands: *Provided further*, That
5 the Secretary may reserve up to 5 percent of the amount
6 referred to in the previous proviso to provide technical as-
7 sistance in the implementation of these grants: *Provided*
8 *further*, That up to 4.0 percent of the funds for subpart
9 1 of part A of title II of the ESEA shall be reserved by
10 the Secretary for competitive awards for teacher or prin-
11 cipal recruitment and training or professional enhance-
12 ment activities, including for civic education instruction,
13 to national not-for-profit organizations, of which up to 8
14 percent may only be used for research, dissemination, eval-
15 uation, and technical assistance for competitive awards
16 carried out under this proviso: *Provided further*, That
17 \$152,717,000 shall be to carry out part B of title II of
18 the ESEA: *Provided further*, That none of the funds made
19 available by this Act shall be used to allow 21st Century
20 Community Learning Centers initiative funding for ex-
21 panded learning time unless these activities provide en-
22 richment and engaging academic activities for students at
23 least 300 additional program hours before, during, or
24 after the traditional school day and supplements but does
25 not supplant school day requirements.

1 INDIAN EDUCATION

2 For expenses necessary to carry out, to the extent
3 not otherwise provided, title VII, part A of the ESEA,
4 \$143,939,000.

5 INNOVATION AND IMPROVEMENT

6 For carrying out activities authorized by part G of
7 title I, subpart 5 of part A and parts C and D of title
8 II, parts B, C, and D of title V of the ESEA, and section
9 14007 of division A of the American Recovery and Rein-
10 vestment Act of 2009, as amended, \$1,181,226,000: *Pro-*
11 *vided*, That up to \$120,000,000 shall be available through
12 December 31, 2016 for section 14007 of division A of
13 Public Law 111–5, and up to 5 percent of such funds may
14 be used for technical assistance and the evaluation of ac-
15 tivities carried out under such section: *Provided further*,
16 That the education facilities clearinghouse established
17 through a competitive process in fiscal year 2013 may col-
18 lect and disseminate information on effective educational
19 practices and the latest research on the planning, design,
20 financing, construction, improvement, operation, and
21 maintenance of safe, healthy, high-performance public fa-
22 cilities for early learning programs, kindergarten through
23 grade 12, and higher education: *Provided further*, That
24 \$230,000,000 of the funds for subpart 1 of part D of title
25 V of the ESEA shall be for competitive grants to local

1 educational agencies, including charter schools that are
2 local educational agencies, or States, or partnerships of:
3 (1) a local educational agency, a State, or both; and (2)
4 at least one nonprofit organization to develop and imple-
5 ment performance-based compensation systems for teach-
6 ers, principals, and other personnel in high-need schools:
7 *Provided further*, That such performance-based compensa-
8 tion systems must consider gains in student academic
9 achievement as well as classroom evaluations conducted
10 multiple times during each school year among other fac-
11 tors and provide educators with incentives to take on addi-
12 tional responsibilities and leadership roles: *Provided fur-*
13 *ther*, That recipients of such grants shall demonstrate that
14 such performance-based compensation systems are devel-
15 oped with the input of teachers and school leaders in the
16 schools and local educational agencies to be served by the
17 grant: *Provided further*, That recipients of such grants
18 may use such funds to develop or improve systems and
19 tools (which may be developed and used for the entire local
20 educational agency or only for schools served under the
21 grant) that would enhance the quality and success of the
22 compensation system, such as high-quality teacher evalua-
23 tions and tools to measure growth in student achievement:
24 *Provided further*, That applications for such grants shall
25 include a plan to sustain financially the activities con-

1 ducted and systems developed under the grant once the
2 grant period has expired: *Provided further*, That up to 5
3 percent of such funds for competitive grants shall be avail-
4 able for technical assistance, training, peer review of appli-
5 cations, program outreach, and evaluation activities: *Pro-*
6 *vided further*, That \$250,000,000 of the funds for part
7 D of title V of the ESEA shall be available through De-
8 cember 31, 2016 for carrying out, in accordance with the
9 applicable requirements of part D of title V of the ESEA,
10 a preschool development grants program: *Provided further*,
11 That the Secretary, jointly with the Secretary of HHS,
12 shall make competitive awards to States for activities that
13 build the capacity within the State to develop, enhance,
14 or expand high-quality preschool programs, including com-
15 prehensive services and family engagement, for preschool-
16 aged children from families at or below 200 percent of
17 the Federal poverty line: *Provided further*, That each State
18 may subgrant a portion of such grant funds to local edu-
19 cational agencies and other early learning providers (in-
20 cluding, but not limited to, Head Start programs and li-
21 censed child care providers), or consortia thereof, for the
22 implementation of high-quality preschool programs for
23 children from families at or below 200 percent of the Fed-
24 eral poverty line: *Provided further*, That subgrantees that
25 are local educational agencies shall form strong partner-

1 ships with early learning providers and that subgrantees
2 that are early learning providers shall form strong part-
3 nerships with local educational agencies, in order to carry
4 out the requirements of the subgrant: *Provided further,*
5 That up to 3 percent of such funds for preschool develop-
6 ment grants shall be available for technical assistance,
7 evaluation, and other national activities related to such
8 grants: *Provided further,* That \$10,000,000 of funds avail-
9 able under part D of title V of the ESEA shall be for
10 the Full-Service Community Schools program: *Provided*
11 *further,* That of the funds available for part B of title V
12 of the ESEA, the Secretary shall use up to \$10,000,000
13 to carry out activities under section 5205(b) and shall use
14 not less than \$16,000,000 for subpart 2: *Provided further,*
15 That of the funds available for subpart 1 of part B of
16 title V of the ESEA, and notwithstanding section 5205(a),
17 the Secretary shall reserve up to \$100,000,000 to make
18 multiple awards to non-profit charter management organi-
19 zations and other entities that are not for-profit entities
20 for the replication and expansion of successful charter
21 school models and shall reserve not less than \$11,000,000
22 to carry out the activities described in section 5205(a),
23 including improving quality and oversight of charter
24 schools and providing technical assistance and grants to
25 authorized public chartering agencies in order to increase

1 the number of high-performing charter schools: *Provided*
2 *further*, That funds available for part B of title V of the
3 ESEA may be used for grants that support preschool edu-
4 cation in charter schools: *Provided further*, That each ap-
5 plication submitted pursuant to section 5203(a) shall de-
6 scribe a plan to monitor and hold accountable authorized
7 public chartering agencies through such activities as pro-
8 viding technical assistance or establishing a professional
9 development program, which may include evaluation, plan-
10 ning, training, and systems development for staff of au-
11 thorized public chartering agencies to improve the capacity
12 of such agencies in the State to authorize, monitor, and
13 hold accountable charter schools: *Provided further*, That
14 each application submitted pursuant to section 5203(a)
15 shall contain assurances that State law, regulations, or
16 other policies require that: (1) each authorized charter
17 school in the State operate under a legally binding charter
18 or performance contract between itself and the school's
19 authorized public chartering agency that describes the
20 rights and responsibilities of the school and the public
21 chartering agency; conduct annual, timely, and inde-
22 pendent audits of the school's financial statements that
23 are filed with the school's authorized public chartering
24 agency; and demonstrate improved student academic
25 achievement; and (2) authorized public chartering agen-

1 cies use increases in student academic achievement for all
2 groups of students described in section 1111(b)(2)(C)(v)
3 of the ESEA as one of the most important factors when
4 determining to renew or revoke a school's charter.

5 SAFE SCHOOLS AND CITIZENSHIP EDUCATION

6 For carrying out activities authorized by part A of
7 title IV and subparts 1, 2, and 10 of part D of title V
8 of the ESEA, \$244,815,000: *Provided*, That \$75,000,000
9 shall be available for subpart 2 of part A of title IV, of
10 which up to \$5,000,000, to remain available until ex-
11 pended, shall be for the Project School Emergency Re-
12 sponse to Violence (“Project SERV”) program to provide
13 education-related services to local educational agencies
14 and institutions of higher education in which the learning
15 environment has been disrupted due to a violent or trau-
16 matic crisis: *Provided further*, That \$73,254,000 shall be
17 available through December 31, 2016 for Promise Neigh-
18 borhoods.

19 ENGLISH LANGUAGE ACQUISITION

20 For carrying out part A of title III of the ESEA,
21 \$737,400,000, which shall become available on July 1,
22 2016, and shall remain available through September 30,
23 2017, except that 6.5 percent of such amount shall be
24 available on October 1, 2015, and shall remain available
25 through September 30, 2017, to carry out activities under

1 section 3111(c)(1)(C): *Provided*, That the Secretary shall
2 use estimates of the American Community Survey child
3 counts for the most recent 3-year period available to cal-
4 culate allocations under such part.

5 SPECIAL EDUCATION

6 For carrying out the Individuals with Disabilities
7 Education Act (IDEA) and the Special Olympics Sport
8 and Empowerment Act of 2004, \$12,976,858,000, of
9 which \$3,456,259,000 shall become available on July 1,
10 2016, and shall remain available through September 30,
11 2017, and of which \$9,283,383,000 shall become available
12 on October 1, 2016, and shall remain available through
13 September 30, 2017, for academic year 2016–2017: *Pro-*
14 *vided*, That the amount for section 611(b)(2) of the IDEA
15 shall be equal to the lesser of the amount available for
16 that activity during fiscal year 2015, increased by the
17 amount of inflation as specified in section 619(d)(2)(B)
18 of the IDEA, or the percent change in the funds appro-
19 priated under section 611(i) of the IDEA, but not less
20 than the amount for that activity during fiscal year 2015:
21 *Provided further*, That the Secretary shall, without regard
22 to section 611(d) of the IDEA, distribute to all other
23 States (as that term is defined in section 611(g)(2)), sub-
24 ject to the third proviso, any amount by which a State's
25 allocation under section 611(d), from funds appropriated

1 under this heading, is reduced under section
2 612(a)(18)(B), according to the following: 85 percent on
3 the basis of the States' relative populations of children
4 aged 3 through 21 who are of the same age as children
5 with disabilities for whom the State ensures the avail-
6 ability of a free appropriate public education under this
7 part, and 15 percent to States on the basis of the States'
8 relative populations of those children who are living in pov-
9 erty: *Provided further*, That the Secretary may not dis-
10 tribute any funds under the previous proviso to any State
11 whose reduction in allocation from funds appropriated
12 under this heading made funds available for such a dis-
13 tribution: *Provided further*, That the States shall allocate
14 such funds distributed under the second proviso to local
15 educational agencies in accordance with section 611(f):
16 *Provided further*, That the amount by which a State's allo-
17 cation under section 611(d) of the IDEA is reduced under
18 section 612(a)(18)(B) and the amounts distributed to
19 States under the previous provisos in fiscal year 2012 or
20 any subsequent year shall not be considered in calculating
21 the awards under section 611(d) for fiscal year 2013 or
22 for any subsequent fiscal years: *Provided further*, That,
23 notwithstanding the provision in section 612(a)(18)(B) re-
24 garding the fiscal year in which a State's allocation under
25 section 611(d) is reduced for failure to comply with the

1 requirement of section 612(a)(18)(A), the Secretary may
2 apply the reduction specified in section 612(a)(18)(B) over
3 a period of consecutive fiscal years, not to exceed five,
4 until the entire reduction is applied: *Provided further,*
5 That the Secretary may, in any fiscal year in which a
6 State's allocation under section 611 is reduced in accord-
7 ance with section 612(a)(18)(B), reduce the amount a
8 State may reserve under section 611(e)(1) by an amount
9 that bears the same relation to the maximum amount de-
10 scribed in that paragraph as the reduction under section
11 612(a)(18)(B) bears to the total allocation the State
12 would have received in that fiscal year under section
13 611(d) in the absence of the reduction: *Provided further,*
14 That the Secretary shall either reduce the allocation of
15 funds under section 611 for any fiscal year following the
16 fiscal year for which the State fails to comply with the
17 requirement of section 612(a)(18)(A) as authorized by
18 section 612(a)(18)(B), or seek to recover funds under sec-
19 tion 452 of the General Education Provisions Act (20
20 U.S.C. 1234a): *Provided further,* That the funds reserved
21 under 611(c) of the IDEA may be used to provide tech-
22 nical assistance to States to improve the capacity of the
23 States to meet the data collection requirements of sections
24 616 and 618 and to administer and carry out other serv-
25 ices and activities to improve data collection, coordination,

1 quality, and use under parts B and C of the IDEA: *Pro-*
2 *vided further*, That the level of effort a local educational
3 agency must meet under section 613(a)(2)(A)(iii) of the
4 IDEA, in the year after it fails to maintain effort is the
5 level of effort that would have been required in the absence
6 of that failure and not the LEA's reduced level of expendi-
7 tures: *Provided further*, That the Secretary may use funds
8 made available for the State Personnel Development
9 Grants program under part D, subpart 1 of IDEA to
10 evaluate program performance under such subpart.

11 REHABILITATION SERVICES AND DISABILITY RESEARCH

12 For carrying out, to the extent not otherwise pro-
13 vided, the Rehabilitation Act of 1973 and the Helen Keller
14 National Center Act, \$3,529,605,000, of which
15 \$3,391,770,000 shall be for grants for vocational rehabili-
16 tation services under title I of the Rehabilitation Act: *Pro-*
17 *vided*, That the Secretary may use amounts provided in
18 this Act that remain available subsequent to the reallocot-
19 ment of funds to States pursuant to section 110(b) of the
20 Rehabilitation Act for innovative activities aimed at im-
21 proving the outcomes of individuals with disabilities as de-
22 fined in section 7(20)(B) of the Rehabilitation Act, includ-
23 ing activities aimed at improving the education and post-
24 school outcomes of children receiving Supplemental Secu-
25 rity Income (“SSI”) and their families that may result

1 *Provided*, That from the total amount available, the Uni-
2 versity may at its discretion use funds for the endowment
3 program as authorized under section 207 of such Act.

4 CAREER, TECHNICAL, AND ADULT EDUCATION

5 For carrying out, to the extent not otherwise pro-
6 vided, the Carl D. Perkins Career and Technical Edu-
7 cation Act of 2006 and the Adult Education and Family
8 Literacy Act (“AEFLA”), \$1,720,686,000, of which
9 \$929,686,000 shall become available on July 1, 2016, and
10 shall remain available through September 30, 2017, and
11 of which \$791,000,000 shall become available on October
12 1, 2016, and shall remain available through September 30,
13 2017: *Provided*, That of the amounts made available for
14 AEFLA, \$13,712,000 shall be for national leadership ac-
15 tivities under section 242.

16 STUDENT FINANCIAL ASSISTANCE

17 For carrying out subparts 1, 3, and 10 of part A,
18 and part C of title IV of the HEA, \$24,198,210,000,
19 which shall remain available through September 30, 2017.

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

22 STUDENT AID ADMINISTRATION

23 For Federal administrative expenses to carry out part
24 D of title I, and subparts 1, 3, 9, and 10 of part A, and
25 parts B, C, D, and E of title IV of the HEA, and subpart

1 1 of part A of title VII of the Public Health Service Act,
2 \$1,551,854,000, to remain available through September
3 30, 2017: *Provided*, That the Secretary shall, no later than
4 March 1, 2016, allocate new student loan borrower ac-
5 counts to eligible student loan servicers on the basis of
6 their performance compared to all loan servicers utilizing
7 established common metrics, and on the basis of the ca-
8 pacity of each servicer to process new and existing ac-
9 counts.

10 HIGHER EDUCATION

11 For carrying out, to the extent not otherwise pro-
12 vided, titles II, III, IV, V, VI, and VII of the HEA, the
13 Mutual Educational and Cultural Exchange Act of 1961,
14 and section 117 of the Carl D. Perkins Career and Tech-
15 nical Education Act of 2006, \$1,982,185,000: *Provided*,
16 That notwithstanding any other provision of law, funds
17 made available in this Act to carry out title VI of the HEA
18 and section 102(b)(6) of the Mutual Educational and Cul-
19 tural Exchange Act of 1961 may be used to support visits
20 and study in foreign countries by individuals who are par-
21 ticipating in advanced foreign language training and inter-
22 national studies in areas that are vital to United States
23 national security and who plan to apply their language
24 skills and knowledge of these countries in the fields of gov-
25 ernment, the professions, or international development:

1 gressional Budget Act of 1974: *Provided further*, That
2 these funds are available to subsidize total loan principal,
3 any part of which is to be guaranteed, not to exceed
4 \$302,099,000: *Provided further*, That these funds may be
5 used to support loans to public and private Historically
6 Black Colleges and Universities without regard to the limi-
7 tations within section 344(a) of the HEA.

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

12 INSTITUTE OF EDUCATION SCIENCES

13 For carrying out activities authorized by the Edu-
14 cation Sciences Reform Act of 2002, the National Assess-
15 ment of Educational Progress Authorization Act, section
16 208 of the Educational Technical Assistance Act of 2002,
17 and section 664 of the Individuals with Disabilities Edu-
18 cation Act, \$618,015,000, which shall remain available
19 through September 30, 2017: *Provided*, That funds avail-
20 able to carry out section 208 of the Educational Technical
21 Assistance Act may be used to link Statewide elementary
22 and secondary data systems with early childhood, postsec-
23 ondary, and workforce data systems, or to further develop
24 such systems: *Provided further*, That up to \$6,000,000 of
25 the funds available to carry out section 208 of the Edu-

1 cational Technical Assistance Act may be used for awards
2 to public or private organizations or agencies to support
3 activities to improve data coordination, quality, and use
4 at the local, State, and national levels: *Provided further,*
5 That \$157,235,000 shall be for carrying out activities au-
6 thorized by the National Assessment of Educational
7 Progress Authorization Act.

8 DEPARTMENTAL MANAGEMENT

9 PROGRAM ADMINISTRATION

10 For carrying out, to the extent not otherwise pro-
11 vided, the Department of Education Organization Act, in-
12 cluding rental of conference rooms in the District of Co-
13 lumbia and hire of three passenger motor vehicles,
14 \$432,000,000, of which up to \$1,000,000, to remain avail-
15 able until expended, may be for relocation of, and renova-
16 tion of buildings occupied by, Department staff.

17 OFFICE FOR CIVIL RIGHTS

18 For expenses necessary for the Office for Civil
19 Rights, as authorized by section 203 of the Department
20 of Education Organization Act, \$107,000,000.

21 OFFICE OF INSPECTOR GENERAL

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

1 SEC. 307. The Secretary, in consultation with the Di-
2 rector of the Institute of Education Sciences, may reserve
3 funds under section 9601 of the ESEA (subject to the lim-
4 itations in subsections (b) and (c) of that section) in order
5 to carry out activities authorized under paragraphs (1)
6 and (2) of subsection (a) of that section with respect to
7 any ESEA program funded in this Act and without re-
8 spect to the source of funds for those activities: *Provided*,
9 That high-quality evaluations of ESEA programs shall be
10 prioritized, before using funds for any other evaluation ac-
11 tivities: *Provided further*, That any funds reserved under
12 this section shall be available from July 1, 2016 through
13 September 30, 2017: *Provided further*, That not later than
14 10 days prior to the initial obligation of funds reserved
15 under this section, the Secretary, in consultation with the
16 Director, shall submit an evaluation plan to the Senate
17 Committees on Appropriations and Health, Education,
18 Labor, and Pensions and the House Committees on Ap-
19 propriations and Education and the Workforce which
20 identifies the source and amount of funds reserved under
21 this section, the impact on program grantees if funds are
22 withheld, the programs to be evaluated with such funds,
23 how ESEA programs will be regularly evaluated, and how
24 findings from evaluations completed under this section will
25 be widely disseminated.

1 SEC. 308. (a) An institution of higher education that
2 maintains an endowment fund supported with funds ap-
3 propriated for title III or V of the HEA for fiscal year
4 2016 may use the income from that fund to award schol-
5 arships to students, subject to the limitation in section
6 331(c)(3)(B)(i) of the HEA. The use of such income for
7 such purposes, prior to the enactment of this Act, shall
8 be considered to have been an allowable use of that in-
9 come, subject to that limitation.

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

12 SEC. 309. Section 114(f) of the HEA (20 U.S.C.
13 1011c(f)) is amended by striking “2015” and inserting
14 “2016”.

15 SEC. 310. Section 458(a) of the HEA (20 U.S.C.
16 1087h(a)) is amended in paragraph (4) by striking
17 “2014” and inserting “2016”.

18 SEC. 311. Section 428(c)(1) of the HEA (20 U.S.C.
19 1078(c)(1)) is amended by striking “95 percent” and in-
20 serting “100 percent”.

21 SEC. 312. Notwithstanding section 5(b) of the Every
22 Student Succeeds Act, funds provided in this Act for non-
23 competitive formula grant programs authorized by the
24 ESEA for use during academic year 2016–2017 shall be
25 administered in accordance with the ESEA as in effect

1 on the day before the date of enactment of the Every Stu-
2 dent Succeeds Act.

3 SEC. 313. CAREER PATHWAYS PROGRAMS.—

4 (1) Subsection (d) of section 484 of the HEA
5 is amended by replacing (d)(2) with the following:

6 “(2) ELIGIBLE CAREER PATHWAY PROGRAM.—

7 In this subsection, the term ‘eligible career pathway
8 program’ means a program that combines rigorous
9 and high-quality education, training, and other serv-
10 ices that—

11 “(A) aligns with the skill needs of indus-
12 tries in the economy of the State or regional
13 economy involved;

14 “(B) prepares an individual to be success-
15 ful in any of a full range of secondary or post-
16 secondary education options, including appren-
17 ticeships registered under the Act of August 16,
18 1937 (commonly known as the ‘National Ap-
19 prenticeship Act’; 50 Stat. 664, chapter 663; 29
20 U.S.C. 50 et seq.) (referred to individually in
21 this Act as an ‘apprenticeship’, except in sec-
22 tion 171);

23 “(C) includes counseling to support an in-
24 dividual in achieving the individual’s education
25 and career goals;

1 “(D) includes, as appropriate, education
2 offered concurrently with and in the same con-
3 text as workforce preparation activities and
4 training for a specific occupation or occupa-
5 tional cluster;

6 “(E) organizes education, training, and
7 other services to meet the particular needs of
8 an individual in a manner that accelerates the
9 educational and career advancement of the indi-
10 vidual to the extent practicable;

11 “(F) enables an individual to attain a sec-
12 ondary school diploma or its recognized equiva-
13 lent, and at least 1 recognized postsecondary
14 credential; and

15 “(G) helps an individual enter or advance
16 within a specific occupation or occupational
17 cluster.”.

18 (2) Subsection (b) of section 401 of the HEA
19 is amended by striking the addition to (b)(2)(A)(ii)
20 made by subsection 309(b) of division G of Public
21 Law 113–235.

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

1 TITLE IV
2 RELATED AGENCIES
3 COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE
4 BLIND OR SEVERELY DISABLED
5 SALARIES AND EXPENSES

6 For expenses necessary for the Committee for Pur-
7 chase From People Who Are Blind or Severely Disabled
8 established under section 8502 of title 41, United States
9 Code, \$6,191,000: *Provided*, That in order to authorize
10 any central nonprofit agency designated pursuant to sec-
11 tion 8503(e) of title 41, United States Code, to perform
12 contract requirements of the Committee as prescribed
13 under section 51–3.2 of title 41, Code of Federal Regula-
14 tions, the Committee shall within 180 days after the date
15 of enactment of this Act enter into a written agreement
16 with any such central nonprofit agency: *Provided further*,
17 That such agreement entered into under the preceding
18 proviso shall contain such auditing, oversight, and report-
19 ing provisions as necessary to implement chapter 85 of
20 title 41, United States Code: *Provided further*, That such
21 agreement shall include the elements listed under the
22 heading “Committee For Purchase From People Who Are
23 Blind or Severely Disabled—Written Agreement Ele-
24 ments” in the explanatory statement described in section
25 4 (in the matter preceding division A of this consolidated

1 Act): *Provided further*, That after 180 days from the date
2 of enactment of this Act a fee may not be charged under
3 section 51–3.5 of title 41, Code of Federal Regulations,
4 unless such fee is under the terms of the written agree-
5 ment between the Committee and any such central non-
6 profit agency: *Provided further*, That no less than
7 \$750,000 shall be available for the Office of Inspector
8 General.

9 ADMINISTRATIVE PROVISIONS

10 SEC. 401. (a) Section 8G of the Inspector General
11 Act of 1978 (5 U.S.C. App.) is amended—

12 (1) in subsection (a)—

13 (A) in paragraph (2), by inserting “the
14 Committee for Purchase From People Who Are
15 Blind or Severely Disabled,” after “the Board
16 for International Broadcasting,”; and

17 (B) in paragraph (4)—

18 (i) by redesignating subparagraphs
19 (D) through (H) as subparagraphs (E)
20 through (I), respectively; and

21 (ii) by inserting after subparagraph
22 (C) the following new subparagraph:

23 “(D) with respect to the Committee for
24 Purchase From People Who Are Blind or Se-
25 verely Disabled, such term means the Chairman

1 of the Committee for Purchase From People
2 Who Are Blind or Severely Disabled;” and
3 (2) in subsection (e)(1)—

4 (A) by striking “board or commission”, the
5 first place it appears, and inserting “board,
6 chairman of a committee, or commission”; and

7 (B) by striking “board or commission”, the
8 second place it appears, and inserting “board,
9 committee, or commission”.

10 (b) Not later than 180 days after the date of the en-
11 actment of this Act, the Chairman of the Committee for
12 Purchase From People Who Are Blind or Severely Dis-
13 abled shall appoint an Inspector General for the Com-
14 mittee.

15 (c) This section, and the amendments made by this
16 section, shall take effect on the date that is 180 days after
17 the date of the enactment of this Act.

18 SEC. 402. Not later than 30 days after the end of
19 each fiscal year quarter, beginning with the first quarter
20 of fiscal year 2016, the Committee For Purchase From
21 People Who Are Blind or Severely Disabled shall submit
22 to the Committees on Oversight and Government Reform
23 and Education and the Workforce of the House of Rep-
24 resentatives, the Committees on Homeland Security and
25 Governmental Affairs and Health, Education, Labor, and

1 Pensions of the Senate, and the Committees on Appropria-
2 tions of the House of Representatives and the Senate, the
3 reports described under the heading “Committee For Pur-
4 chase From People Who Are Blind or Severely Disabled—
5 Requested Reports” in the explanatory statement de-
6 scribed in section 4 (in the matter preceding division A
7 of this consolidated Act).

8 CORPORATION FOR NATIONAL AND COMMUNITY SERVICE
9 OPERATING EXPENSES

10 For necessary expenses for the Corporation for Na-
11 tional and Community Service (referred to in this title as
12 “CNCS”) to carry out the Domestic Volunteer Service Act
13 of 1973 (referred to in this title as “1973 Act”) and the
14 National and Community Service Act of 1990 (referred
15 to in this title as “1990 Act”), \$787,929,000, notwith-
16 standing sections 198B(b)(3), 198S(g), 501(a)(4)(C), and
17 501(a)(4)(F) of the 1990 Act: *Provided*, That of the
18 amounts provided under this heading: (1) up to 1 percent
19 of program grant funds may be used to defray the costs
20 of conducting grant application reviews, including the use
21 of outside peer reviewers and electronic management of
22 the grants cycle; (2) \$50,000,000 shall be available for
23 expenses to carry out section 198K of the 1990 Act; (3)
24 \$16,038,000 shall be available to provide assistance to
25 State commissions on national and community service,

1 under section 126(a) of the 1990 Act and notwithstanding
2 section 501(a)(5)(B) of the 1990 Act; (4) \$30,000,000
3 shall be available to carry out subtitle E of the 1990 Act;
4 and (5) \$3,800,000 shall be available for expenses author-
5 ized under section 501(a)(4)(F) of the 1990 Act, which,
6 notwithstanding the provisions of section 198P shall be
7 awarded by CNCS on a competitive basis: *Provided fur-*
8 *ther*, That for the purposes of carrying out the 1990 Act,
9 satisfying the requirements in section 122(c)(1)(D) may
10 include a determination of need by the local community:
11 *Provided further*, That not to exceed 20 percent of funds
12 made available under section 198K of the 1990 Act may
13 be used for Social Innovation Fund Pilot Program-related
14 performance-based awards for Pay for Success projects
15 and shall remain available through September 30, 2017:
16 *Provided further*, That, with respect to the previous pro-
17 viso, any funds obligated for such projects shall remain
18 available for disbursement until expended, notwith-
19 standing 31 U.S.C. 1552(a): *Provided further*, That any
20 funds deobligated from projects under section 198K of the
21 1990 Act shall immediately be available for activities au-
22 thorized under section 198K of such Act.

1 PAYMENT TO THE NATIONAL SERVICE TRUST

2 (INCLUDING TRANSFER OF FUNDS)

3 For payment to the National Service Trust estab-
4 lished under subtitle D of title I of the 1990 Act,
5 \$220,000,000, to remain available until expended: *Pro-*
6 *vided*, That CNCS may transfer additional funds from the
7 amount provided within “Operating Expenses” allocated
8 to grants under subtitle C of title I of the 1990 Act to
9 the National Service Trust upon determination that such
10 transfer is necessary to support the activities of national
11 service participants and after notice is transmitted to the
12 Committees on Appropriations of the House of Represent-
13 atives and the Senate: *Provided further*, That amounts ap-
14 propriated for or transferred to the National Service Trust
15 may be invested under section 145(b) of the 1990 Act
16 without regard to the requirement to apportion funds
17 under 31 U.S.C. 1513(b).

18 SALARIES AND EXPENSES

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

1 U.S.C. 3109, and not to exceed \$2,500 for official recep-
2 tion and representation expenses, \$81,737,000.

3 OFFICE OF INSPECTOR GENERAL

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

7 ADMINISTRATIVE PROVISIONS

8 SEC. 403. CNCS shall make any significant changes
9 to program requirements, service delivery or policy only
10 through public notice and comment rulemaking. For fiscal
11 year 2016, during any grant selection process, an officer
12 or employee of CNCS shall not knowingly disclose any cov-
13 ered grant selection information regarding such selection,
14 directly or indirectly, to any person other than an officer
15 or employee of CNCS that is authorized by CNCS to re-
16 ceive such information.

17 SEC. 404. AmeriCorps programs receiving grants
18 under the National Service Trust program shall meet an
19 overall minimum share requirement of 24 percent for the
20 first 3 years that they receive AmeriCorps funding, and
21 thereafter shall meet the overall minimum share require-
22 ment as provided in section 2521.60 of title 45, Code of
23 Federal Regulations, without regard to the operating costs
24 match requirement in section 121(e) or the member sup-
25 port Federal share limitations in section 140 of the 1990

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

3 SEC. 405. Donations made to CNCS under section
4 196 of the 1990 Act for the purposes of financing pro-
5 grams and operations under titles I and II of the 1973
6 Act or subtitle B, C, D, or E of title I of the 1990 Act
7 shall be used to supplement and not supplant current pro-
8 grams and operations.

9 SEC. 406. In addition to the requirements in section
10 146(a) of the 1990 Act, use of an educational award for
11 the purpose described in section 148(a)(4) shall be limited
12 to individuals who are veterans as defined under section
13 101 of the Act.

14 SEC. 407. For the purpose of carrying out section
15 189D of the 1990 Act—

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

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

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

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

3 CORPORATION FOR PUBLIC BROADCASTING

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

1 In addition, for the costs associated with replacing
2 and upgrading the public broadcasting interconnection
3 system, \$40,000,000.

4 FEDERAL MEDIATION AND CONCILIATION SERVICE
5 SALARIES AND EXPENSES

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

1 tor of the Service is authorized to accept and use on behalf
2 of the United States gifts of services and real, personal,
3 or other property in the aid of any projects or functions
4 within the Director's jurisdiction.

5 FEDERAL MINE SAFETY AND HEALTH REVIEW

6 COMMISSION

7 SALARIES AND EXPENSES

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

10 INSTITUTE OF MUSEUM AND LIBRARY SERVICES

11 OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS

12 AND ADMINISTRATION

13 For carrying out the Museum and Library Services
14 Act of 1996 and the National Museum of African Amer-
15 ican History and Culture Act, \$230,000,000.

16 MEDICAID AND CHIP PAYMENT AND ACCESS

17 COMMISSION

18 SALARIES AND EXPENSES

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

21 MEDICARE PAYMENT ADVISORY COMMISSION

22 SALARIES AND EXPENSES

23 For expenses necessary to carry out section 1805 of
24 the Social Security Act, \$11,925,000, to be transferred to
25 this appropriation from the Federal Hospital Insurance

1 Trust Fund and the Federal Supplementary Medical In-
2 surance Trust Fund.

3 NATIONAL COUNCIL ON DISABILITY

4 SALARIES AND EXPENSES

5 For expenses necessary for the National Council on
6 Disability as authorized by title IV of the Rehabilitation
7 Act of 1973, \$3,250,000.

8 NATIONAL LABOR RELATIONS BOARD

9 SALARIES AND EXPENSES

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

1 ADMINISTRATIVE PROVISIONS

2 SEC. 408. None of the funds provided by this Act
3 or previous Acts making appropriations for the National
4 Labor Relations Board may be used to issue any new ad-
5 ministrative directive or regulation that would provide em-
6 ployees any means of voting through any electronic means
7 in an election to determine a representative for the pur-
8 poses of collective bargaining.

9 NATIONAL MEDIATION BOARD

10 SALARIES AND EXPENSES

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

14 OCCUPATIONAL SAFETY AND HEALTH REVIEW

15 COMMISSION

16 SALARIES AND EXPENSES

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

19 RAILROAD RETIREMENT BOARD

20 DUAL BENEFITS PAYMENTS ACCOUNT

21 For payment to the Dual Benefits Payments Ac-
22 count, authorized under section 15(d) of the Railroad Re-
23 tirement Act of 1974, \$29,000,000, which shall include
24 amounts becoming available in fiscal year 2016 pursuant
25 to section 224(e)(1)(B) of Public Law 98-76; and in addi-

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

9 FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT

10 ACCOUNTS

11 For payment to the accounts established in the
12 Treasury for the payment of benefits under the Railroad
13 Retirement Act for interest earned on unnegotiated
14 checks, \$150,000, to remain available through September
15 30, 2017, which shall be the maximum amount available
16 for payment pursuant to section 417 of Public Law 98–
17 76.

18 LIMITATION ON ADMINISTRATION

19 For necessary expenses for the Railroad Retirement
20 Board (“Board”) for administration of the Railroad Re-
21 tirement Act and the Railroad Unemployment Insurance
22 Act, \$111,225,000, to be derived in such amounts as de-
23 termined by the Board from the railroad retirement ac-
24 counts and from moneys credited to the railroad unem-
25 ployment insurance administration fund: *Provided*, That

1 notwithstanding section 7(b)(9) of the Railroad Retire-
2 ment Act this limitation may be used to hire attorneys
3 only through the excepted service: *Provided further*, That
4 the previous proviso shall not change the status under
5 Federal employment laws of any attorney hired by the
6 Railroad Retirement Board prior to January 1, 2013.

7 LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

8 For expenses necessary for the Office of Inspector
9 General for audit, investigatory and review activities, as
10 authorized by the Inspector General Act of 1978, not more
11 than \$8,437,000, to be derived from the railroad retire-
12 ment accounts and railroad unemployment insurance ac-
13 count.

14 SOCIAL SECURITY ADMINISTRATION

15 PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

16 For payment to the Federal Old-Age and Survivors
17 Insurance Trust Fund and the Federal Disability Insur-
18 ance Trust Fund, as provided under sections 201(m),
19 228(g), and 1131(b)(2) of the Social Security Act,
20 \$11,400,000.

21 SUPPLEMENTAL SECURITY INCOME PROGRAM

22 For carrying out titles XI and XVI of the Social Se-
23 curity Act, section 401 of Public Law 92-603, section 212
24 of Public Law 93-66, as amended, and section 405 of
25 Public Law 95-216, including payment to the Social Secu-

1 rity trust funds for administrative expenses incurred pur-
2 suant to section 201(g)(1) of the Social Security Act,
3 \$46,305,733,000, to remain available until expended: *Pro-*
4 *vided*, That any portion of the funds provided to a State
5 in the current fiscal year and not obligated by the State
6 during that year shall be returned to the Treasury: *Pro-*
7 *vided further*, That not more than \$101,000,000 shall be
8 available for research and demonstrations under sections
9 1110, 1115, and 1144 of the Social Security Act, and re-
10 main available through September 30, 2018.

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

15 For making benefit payments under title XVI of the
16 Social Security Act for the first quarter of fiscal year
17 2017, \$14,500,000,000, to remain available until ex-
18 pended.

19 LIMITATION ON ADMINISTRATIVE EXPENSES

20 For necessary expenses, including the hire of two pas-
21 senger motor vehicles, and not to exceed \$20,000 for offi-
22 cial reception and representation expenses, not more than
23 \$10,598,945,000 may be expended, as authorized by sec-
24 tion 201(g)(1) of the Social Security Act, from any one
25 or all of the trust funds referred to in such section: *Pro-*

1 *vided*, That not less than \$2,300,000 shall be for the So-
2 cial Security Advisory Board: *Provided further*, That,
3 \$116,000,000 may be used for the costs associated with
4 conducting continuing disability reviews under titles II
5 and XVI of the Social Security Act and conducting rede-
6 terminations of eligibility under title XVI of the Social Se-
7 curity Act: *Provided further*, That the Commissioner may
8 allocate additional funds under this paragraph above the
9 level specified in the previous proviso for such activities
10 but only to reconcile estimated and actual unit costs for
11 conducting such activities and after notifying the Commit-
12 tees on Appropriations of the House of Representatives
13 and the Senate at least 15 days in advance of any such
14 reallocation: *Provided further*, That the acquisition of serv-
15 ices to conduct and manage representative payee reviews
16 shall be made using full and open competition procedures:
17 *Provided further*, That, \$150,000,000, to remain available
18 until expended, shall be for necessary expenses for the ren-
19 ovation and modernization of the Arthur J. Altmeyer
20 Building: *Provided further*, That unobligated balances of
21 funds provided under this paragraph at the end of fiscal
22 year 2016 not needed for fiscal year 2016 shall remain
23 available until expended to invest in the Social Security
24 Administration information technology and telecommuni-
25 cations hardware and software infrastructure, including

1 related equipment and non-payroll administrative expenses
2 associated solely with this information technology and tele-
3 communications infrastructure: *Provided further*, That the
4 Commissioner of Social Security shall notify the Commit-
5 tees on Appropriations of the House of Representatives
6 and the Senate prior to making unobligated balances
7 available under the authority in the previous proviso: *Pro-*
8 *vided further*, That reimbursement to the trust funds
9 under this heading for expenditures for official time for
10 employees of the Social Security Administration pursuant
11 to 5 U.S.C. 7131, and for facilities or support services
12 for labor organizations pursuant to policies, regulations,
13 or procedures referred to in section 7135(b) of such title
14 shall be made by the Secretary of the Treasury, with inter-
15 est, from amounts in the general fund not otherwise ap-
16 propriated, as soon as possible after such expenditures are
17 made.

18 In addition, for the costs associated with continuing
19 disability reviews under titles II and XVI of the Social
20 Security Act and for the cost associated with conducting
21 redeterminations of eligibility under title XVI of the Social
22 Security Act, \$1,426,000,000 may be expended, as au-
23 thorized by section 201(g)(1) of the Social Security Act,
24 from any one or all of the trust funds referred to therein:
25 *Provided*, That, of such amount, \$273,000,000 is provided

1 to meet the terms of section 251(b)(2)(B)(ii)(III) of the
2 Balanced Budget and Emergency Deficit Control Act of
3 1985, as amended, and \$1,153,000,000 is additional new
4 budget authority specified for purposes of section
5 251(b)(2)(B) of such Act: *Provided further*, That the Com-
6 missioner shall provide to the Congress (at the conclusion
7 of the fiscal year) a report on the obligation and expendi-
8 ture of these funds, similar to the reports that were re-
9 quired by section 103(d)(2) of Public Law 104–121 for
10 fiscal years 1996 through 2002.

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

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

1003

1 OFFICE OF INSPECTOR GENERAL

2 (INCLUDING TRANSFER OF FUNDS)

3 For expenses necessary for the Office of Inspector
4 General in carrying out the provisions of the Inspector
5 General Act of 1978, \$29,787,000, together with not to
6 exceed \$75,713,000, to be transferred and expended as
7 authorized by section 201(g)(1) of the Social Security Act
8 from the Federal Old-Age and Survivors Insurance Trust
9 Fund and the Federal Disability Insurance Trust Fund.

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

19 TITLE V

20 GENERAL PROVISIONS

21 (TRANSFER OF FUNDS)

22 SEC. 501. The Secretaries of Labor, Health and
23 Human Services, and Education are authorized to transfer
24 unexpended balances of prior appropriations to accounts
25 corresponding to current appropriations provided in this

1 Act. Such transferred balances shall be used for the same
2 purpose, and for the same periods of time, for which they
3 were originally appropriated.

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

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

23 (b) No part of any appropriation contained in this
24 Act or transferred pursuant to section 4002 of Public Law
25 111–148 shall be used to pay the salary or expenses of

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

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

19 SEC. 504. The Secretaries of Labor and Education
20 are authorized to make available not to exceed \$28,000
21 and \$20,000, respectively, from funds available for sala-
22 ries and expenses under titles I and III, respectively, for
23 official reception and representation expenses; the Direc-
24 tor of the Federal Mediation and Conciliation Service is
25 authorized to make available for official reception and rep-

1 representation expenses not to exceed \$5,000 from the funds
2 available for “Federal Mediation and Conciliation Service,
3 Salaries and Expenses”; and the Chairman of the Na-
4 tional Mediation Board is authorized to make available for
5 official reception and representation expenses not to ex-
6 ceed \$5,000 from funds available for “National Mediation
7 Board, Salaries and Expenses”.

8 SEC. 505. When issuing statements, press releases,
9 requests for proposals, bid solicitations and other docu-
10 ments describing projects or programs funded in whole or
11 in part with Federal money, all grantees receiving Federal
12 funds included in this Act, including but not limited to
13 State and local governments and recipients of Federal re-
14 search grants, shall clearly state—

15 (1) the percentage of the total costs of the pro-
16 gram or project which will be financed with Federal
17 money;

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

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

23 SEC. 506. (a) None of the funds appropriated in this
24 Act, and none of the funds in any trust fund to which

1 funds are appropriated in this Act, shall be expended for
2 any abortion.

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

7 (c) The term “health benefits coverage” means the
8 package of services covered by a managed care provider
9 or organization pursuant to a contract or other arrange-
10 ment.

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

13 (1) if the pregnancy is the result of an act of
14 rape or incest; or

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

21 (b) Nothing in the preceding section shall be con-
22 strued as prohibiting the expenditure by a State, locality,
23 entity, or private person of State, local, or private funds
24 (other than a State’s or locality’s contribution of Medicaid
25 matching funds).

1 (c) Nothing in the preceding section shall be con-
2 strued as restricting the ability of any managed care pro-
3 vider from offering abortion coverage or the ability of a
4 State or locality to contract separately with such a pro-
5 vider for such coverage with State funds (other than a
6 State's or locality's contribution of Medicaid matching
7 funds).

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

15 (2) In this subsection, the term "health care entity"
16 includes an individual physician or other health care pro-
17 fessional, a hospital, a provider-sponsored organization, a
18 health maintenance organization, a health insurance plan,
19 or any other kind of health care facility, organization, or
20 plan.

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

23 (1) the creation of a human embryo or embryos
24 for research purposes; or

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

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

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

20 (b) The limitation in subsection (a) shall not apply
21 when there is significant medical evidence of a therapeutic
22 advantage to the use of such drug or other substance or
23 that federally sponsored clinical trials are being conducted
24 to determine therapeutic advantage.

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

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

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

17 (2) such entity has not submitted a report as
18 required by that section for the most recent year for
19 which such requirement was applicable to such enti-
20 ty.

21 SEC. 512. None of the funds made available in this
22 Act may be transferred to any department, agency, or in-
23 strumentality of the United States Government, except
24 pursuant to a transfer made by, or transfer authority pro-
25 vided in, this Act or any other appropriation Act.

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

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

- 16 (1) creates new programs;
- 17 (2) eliminates a program, project, or activity;
- 18 (3) increases funds or personnel by any means
19 for any project or activity for which funds have been
20 denied or restricted;
- 21 (4) relocates an office or employees;
- 22 (5) reorganizes or renames offices;
- 23 (6) reorganizes programs or activities; or
- 24 (7) contracts out or privatizes any functions or
25 activities presently performed by Federal employees;

1 unless the Committees on Appropriations of the House of
2 Representatives and the Senate are consulted 15 days in
3 advance of such reprogramming or of an announcement
4 of intent relating to such reprogramming, whichever oc-
5 curs earlier, and are notified in writing 10 days in advance
6 of such reprogramming.

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

16 (1) augments existing programs, projects (in-
17 cluding construction projects), or activities;

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

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

1 unless the Committees on Appropriations of the House of
2 Representatives and the Senate are consulted 15 days in
3 advance of such reprogramming or of an announcement
4 of intent relating to such reprogramming, whichever oc-
5 curs earlier, and are notified in writing 10 days in advance
6 of such reprogramming.

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

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

17 SEC. 516. Within 45 days of enactment of this Act,
18 each department and related agency funded through this
19 Act shall submit an operating plan that details at the pro-
20 gram, project, and activity level any funding allocations
21 for fiscal year 2016 that are different than those specified
22 in this Act, the accompanying detailed table in the explan-
23 atory statement described in section 4 (in the matter pre-
24 ceding division A of this consolidated Act), or the fiscal
25 year 2016 budget request.

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

16 SEC. 518. None of the funds appropriated in this Act
17 shall be expended or obligated by the Commissioner of So-
18 cial Security, for purposes of administering Social Security
19 benefit payments under title II of the Social Security Act,
20 to process any claim for credit for a quarter of coverage
21 based on work performed under a social security account
22 number that is not the claimant's number and the per-
23 formance of such work under such number has formed the
24 basis for a conviction of the claimant of a violation of sec-
25 tion 208(a)(6) or (7) of the Social Security Act.

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

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

24 SEC. 521. (a) None of the funds made available in
25 this Act may be used to maintain or establish a computer

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

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

7 SEC. 522. None of the funds made available under
8 this or any other Act, or any prior Appropriations Act,
9 may be provided to the Association of Community Organi-
10 zations for Reform Now (ACORN), or any of its affiliates,
11 subsidiaries, allied organizations, or successors.

12 SEC. 523. For purposes of carrying out Executive
13 Order 13589, Office of Management and Budget Memo-
14 randum M-12-12 dated May 11, 2012, and requirements
15 contained in the annual appropriations bills relating to
16 conference attendance and expenditures:

17 (1) the operating divisions of HHS shall be con-
18 sidered independent agencies; and

19 (2) attendance at and support for scientific con-
20 ferences shall be tabulated separately from and not
21 included in agency totals.

22 SEC. 524. Federal agencies funded under this Act
23 shall clearly state within the text, audio, or video used for
24 advertising or educational purposes, including emails or
25 Internet postings, that the communication is printed, pub-

1 lished, or produced and disseminated at U.S. taxpayer ex-
2 pense. The funds used by a Federal agency to carry out
3 this requirement shall be derived from amounts made
4 available to the agency for advertising or other commu-
5 nications regarding the programs and activities of the
6 agency.

7 SEC. 525. (a) Federal agencies may use Federal dis-
8 cretionary funds that are made available in this Act to
9 carry out up to 10 Performance Partnership Pilots. Such
10 Pilots shall—

11 (1) be designed to improve outcomes for discon-
12 nected youth;

13 (2) include communities that have recently ex-
14 perience civil unrest; and

15 (3) involve Federal programs targeted on dis-
16 connected youth, or designed to prevent youth from
17 disconnecting from school or work, that provide edu-
18 cation, training, employment, and other related so-
19 cial services. Such Pilots shall be governed by the
20 provisions of section 526 of division H of Public
21 Law 113–76, except that in carrying out such Pilots
22 section 526 shall be applied by substituting “FISCAL
23 YEAR 2016” for “FISCAL YEAR 2014” in the title
24 of subsection (b) and by substituting “September

1 30, 2020” for “September 30, 2018” each place it
2 appears.

3 (b) In addition, Federal agencies may use Federal
4 discretionary funds that are made available in this Act to
5 participate in Performance Partnership Pilots that are
6 being carried out pursuant to the authority provided by
7 section 526 of division H of Public Law 113–76, and sec-
8 tion 524 of division G of Public Law 113–235: *Provided*,
9 That new pilots that are being carried out with discre-
10 tionary funds made available in division G of Public Law
11 113–235 shall include communities that have recently ex-
12 perienced civil unrest.

13 SEC. 526. Not later than 30 days after the end of
14 each calendar quarter, beginning with the first quarter of
15 fiscal year 2013, the Departments of Labor, Health and
16 Human Services and Education and the Social Security
17 Administration shall provide the Committees on Appro-
18 priations of the House of Representatives and Senate a
19 quarterly report on the status of balances of appropria-
20 tions: *Provided*, That for balances that are unobligated
21 and uncommitted, committed, and obligated but unex-
22 pended, the quarterly reports shall separately identify the
23 amounts attributable to each source year of appropriation
24 (beginning with fiscal year 2012, or, to the extent feasible,
25 earlier fiscal years) from which balances were derived.

1 SEC. 527. Section 2812(d)(2) of the Public Health
2 Service Act (42 U.S.C. 300hh–11(d)(2)) is amended—

3 (1) by redesignating the three sentences as sub-
4 paragraphs (A), (B), and (C), respectively, and in-
5 denting accordingly;

6 (2) in subparagraph (A), as so redesignated, by
7 striking “An” and inserting “IN GENERAL.—An”;

8 (3) in subparagraph (B), as so redesignated, by
9 striking “With” and inserting “APPLICATION TO
10 TRAINING PROGRAMS.—With”;

11 (4) in subparagraph (C), as so redesignated, by
12 striking “In” and inserting “RESPONSIBILITY OF
13 LABOR SECRETARY.—In”; and

14 (5) by adding at the end the following new sub-
15 paragraphs:

16 “(D) COMPUTATION OF PAY.—In the event
17 of an injury to such an intermittent disaster re-
18 sponse appointee, the position of the employee
19 shall be deemed to be ‘one which would have af-
20 farded employment for substantially a whole
21 year’, for purposes of section 8114(d)(2) of
22 such title.

23 “(E) CONTINUATION OF PAY.—The weekly
24 pay of such an employee shall be deemed to be
25 the hourly pay in effect on the date of the in-

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1 **DIVISION I—LEGISLATIVE BRANCH**
2 **APPROPRIATIONS ACT, 2016**

3 **TITLE I**

4 **LEGISLATIVE BRANCH**

5 **SENATE**

6 **EXPENSE ALLOWANCES**

7 For expense allowances of the Vice President,
8 \$18,760; the President Pro Tempore of the Senate,
9 \$37,520; Majority Leader of the Senate, \$39,920; Minor-
10 ity Leader of the Senate, \$39,920; Majority Whip of the
11 Senate, \$9,980; Minority Whip of the Senate, \$9,980;
12 Chairmen of the Majority and Minority Conference Com-
13 mittees, \$4,690 for each Chairman; and Chairmen of the
14 Majority and Minority Policy Committees, \$4,690 for each
15 Chairman; in all, \$174,840.

16 **REPRESENTATION ALLOWANCES FOR THE MAJORITY**
17 **AND MINORITY LEADERS**

18 For representation allowances of the Majority and
19 Minority Leaders of the Senate, \$14,070 for each such
20 Leader; in all, \$28,140.

21 **SALARIES, OFFICERS AND EMPLOYEES**

22 For compensation of officers, employees, and others
23 as authorized by law, including agency contributions,
24 \$179,185,311, which shall be paid from this appropriation
25 without regard to the following limitations:

1022

1 OFFICE OF THE VICE PRESIDENT

2 For the Office of the Vice President, \$2,417,248.

3 OFFICE OF THE PRESIDENT PRO TEMPORE

4 For the Office of the President Pro Tempore,
5 \$723,466.

6 OFFICES OF THE MAJORITY AND MINORITY LEADERS

7 For Offices of the Majority and Minority Leaders,
8 \$5,255,576.

9 OFFICES OF THE MAJORITY AND MINORITY WHIPS

10 For Offices of the Majority and Minority Whips,
11 \$3,359,424.

12 COMMITTEE ON APPROPRIATIONS

13 For salaries of the Committee on Appropriations,
14 \$15,142,000.

15 CONFERENCE COMMITTEES

16 For the Conference of the Majority and the Con-
17 ference of the Minority, at rates of compensation to be
18 fixed by the Chairman of each such committee,
19 \$1,658,000 for each such committee; in all, \$3,316,000.

20 OFFICES OF THE SECRETARIES OF THE CONFERENCE OF
21 THE MAJORITY AND THE CONFERENCE OF THE MINORITY

22 For Offices of the Secretaries of the Conference of
23 the Majority and the Conference of the Minority,
24 \$817,402.

1023

1 POLICY COMMITTEES

2 For salaries of the Majority Policy Committee and
3 the Minority Policy Committee, \$1,692,905 for each such
4 committee; in all, \$3,385,810.

5 OFFICE OF THE CHAPLAIN

6 For Office of the Chaplain, \$436,886.

7 OFFICE OF THE SECRETARY

8 For Office of the Secretary, \$24,772,000.

9 OFFICE OF THE SERGEANT AT ARMS AND DOORKEEPER

10 For Office of the Sergeant at Arms and Doorkeeper,
11 \$69,000,000.

12 OFFICES OF THE SECRETARIES FOR THE MAJORITY AND

13 MINORITY

14 For Offices of the Secretary for the Majority and the
15 Secretary for the Minority, \$1,762,000.

16 AGENCY CONTRIBUTIONS AND RELATED EXPENSES

17 For agency contributions for employee benefits, as
18 authorized by law, and related expenses, \$48,797,499.

19 OFFICE OF THE LEGISLATIVE COUNSEL OF THE SENATE

20 For salaries and expenses of the Office of the Legisla-
21 tive Counsel of the Senate, \$5,408,500.

22 OFFICE OF SENATE LEGAL COUNSEL

23 For salaries and expenses of the Office of Senate
24 Legal Counsel, \$1,120,000.

1 EXPENSE ALLOWANCES OF THE SECRETARY OF THE
2 SENATE, SERGEANT AT ARMS AND DOORKEEPER OF
3 THE SENATE, AND SECRETARIES FOR THE MAJOR-
4 ITY AND MINORITY OF THE SENATE

5 For expense allowances of the Secretary of the Sen-
6 ate, \$7,110; Sergeant at Arms and Doorkeeper of the Sen-
7 ate, \$7,110; Secretary for the Majority of the Senate,
8 \$7,110; Secretary for the Minority of the Senate, \$7,110;
9 in all, \$28,440.

10 CONTINGENT EXPENSES OF THE SENATE

11 INQUIRIES AND INVESTIGATIONS

12 For expenses of inquiries and investigations ordered
13 by the Senate, or conducted under paragraph 1 of rule
14 XXVI of the Standing Rules of the Senate, section 112
15 of the Supplemental Appropriations and Rescission Act,
16 1980 (Public Law 96–304), and Senate Resolution 281,
17 96th Congress, agreed to March 11, 1980, \$133,265,000,
18 of which \$26,650,000 shall remain available until Sep-
19 tember 30, 2018.

20 EXPENSES OF THE UNITED STATES SENATE CAUCUS ON

21 INTERNATIONAL NARCOTICS CONTROL

22 For expenses of the United States Senate Caucus on
23 International Narcotics Control, \$508,000.

1025

1 SECRETARY OF THE SENATE

2 For expenses of the Office of the Secretary of the
3 Senate, \$8,750,000 of which \$4,350,000 shall remain
4 available until September 30, 2020 and of which
5 \$2,500,000 shall remain available until expended.

6 SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE

7 For expenses of the Office of the Sergeant at Arms
8 and Doorkeeper of the Senate, \$130,000,000, which shall
9 remain available until September 30, 2020.

10 MISCELLANEOUS ITEMS

11 For miscellaneous items, \$21,390,270 which shall re-
12 main available until September 30, 2018.

13 SENATORS' OFFICIAL PERSONNEL AND OFFICE EXPENSE

14 ACCOUNT

15 For Senators' Official Personnel and Office Expense
16 Account, \$390,000,000 of which \$19,121,212 shall remain
17 available until September 30, 2018.

18 OFFICIAL MAIL COSTS

19 For expenses necessary for official mail costs of the
20 Senate, \$300,000.

1 ADMINISTRATIVE PROVISIONS

2 REQUIRING AMOUNTS REMAINING IN SENATORS' OFFI-
3 CIAL PERSONNEL AND OFFICE EXPENSE ACCOUNT
4 TO BE USED FOR DEFICIT REDUCTION OR TO RE-
5 DUCE THE FEDERAL DEBT

6 SEC. 1. Notwithstanding any other provision of law,
7 any amounts appropriated under this Act under the head-
8 ing "SENATE" under the heading "CONTINGENT EX-
9 PENSES OF THE SENATE" under the heading "SENATORS'
10 OFFICIAL PERSONNEL AND OFFICE EXPENSE ACCOUNT"
11 shall be available for obligation only during the fiscal year
12 or fiscal years for which such amounts are made available.
13 Any unexpended balances under such allowances remain-
14 ing after the end of the period of availability shall be re-
15 turned to the Treasury in accordance with the undesig-
16 nated paragraph under the center heading "GENERAL
17 PROVISION" under chapter XI of the Third Supple-
18 mental Appropriation Act, 1957 (2 U.S.C. 4107) and used
19 for deficit reduction (or, if there is no Federal budget def-
20 icit after all such payments have been made, for reducing
21 the Federal debt, in such manner as the Secretary of the
22 Treasury considers appropriate).

23 AUTHORITY FOR TRANSFER OF FUNDS

24 SEC. 2. Section 1 of the Legislative Branch Appro-
25 priations Act, 1991 (2 U.S.C. 6153) is amended—

1 (1) by redesignating subsections (c) and (d) as
2 subsections (d) and (e), respectively;

3 (2) by inserting after subsection (b) the fol-
4 lowing:

5 “(c)(1) The Chaplain of the Senate may, during any
6 fiscal year, at the election of the Chaplain of the Senate,
7 transfer funds from the appropriation account for salaries
8 for the Office of the Chaplain of the Senate to the account,
9 within the contingent fund of the Senate, from which ex-
10 penses are payable for the Office of the Chaplain.

11 “(2) The Chaplain of the Senate may, during any fis-
12 cal year, at the election of the Chaplain of the Senate,
13 transfer funds from the appropriation account for ex-
14 penses, within the contingent fund of the Senate, for the
15 Office of the Chaplain to the account from which salaries
16 are payable for the Office of the Chaplain of the Senate.”;

17 (3) in subsection (d), as so redesignated—

18 (A) in paragraph (1), by inserting “or the
19 Office of the Chaplain of the Senate, as the
20 case may be,” after “such committee” each
21 place it appears; and

22 (B) in paragraph (2), by inserting “or the
23 Chaplain of the Senate, as the case may be,”
24 after “the Chairman”; and

1 (4) in subsection (e), as so redesignated, by in-
2 serting “or the Chaplain of the Senate, as the case
3 may be,” after “The Chairman of a committee”.

4 HOUSE OF REPRESENTATIVES

5 SALARIES AND EXPENSES

6 For salaries and expenses of the House of Represent-
7 atives, \$1,180,736,000, as follows:

8 HOUSE LEADERSHIP OFFICES

9 For salaries and expenses, as authorized by law,
10 \$22,278,891, including: Office of the Speaker,
11 \$6,645,417, including \$25,000 for official expenses of the
12 Speaker; Office of the Majority Floor Leader, \$2,180,048,
13 including \$10,000 for official expenses of the Majority
14 Leader; Office of the Minority Floor Leader, \$7,114,471,
15 including \$10,000 for official expenses of the Minority
16 Leader; Office of the Majority Whip, including the Chief
17 Deputy Majority Whip, \$1,886,632, including \$5,000 for
18 official expenses of the Majority Whip; Office of the Mi-
19 nority Whip, including the Chief Deputy Minority Whip,
20 \$1,459,639, including \$5,000 for official expenses of the
21 Minority Whip; Republican Conference, \$1,505,426;
22 Democratic Caucus, \$1,487,258: *Provided*, That such
23 amount for salaries and expenses shall remain available
24 from January 3, 2016 until January 2, 2017.

1 MEMBERS' REPRESENTATIONAL ALLOWANCES
2 INCLUDING MEMBERS' CLERK HIRE, OFFICIAL
3 EXPENSES OF MEMBERS, AND OFFICIAL MAIL

4 For Members' representational allowances, including
5 Members' clerk hire, official expenses, and official mail,
6 \$554,317,732.

7 COMMITTEE EMPLOYEES

8 STANDING COMMITTEES, SPECIAL AND SELECT

9 For salaries and expenses of standing committees,
10 special and select, authorized by House resolutions,
11 \$123,903,173: *Provided*, That such amount shall remain
12 available for such salaries and expenses until December
13 31, 2016.

14 COMMITTEE ON APPROPRIATIONS

15 For salaries and expenses of the Committee on Ap-
16 propriations, \$23,271,004, including studies and examina-
17 tions of executive agencies and temporary personal serv-
18 ices for such committee, to be expended in accordance with
19 section 202(b) of the Legislative Reorganization Act of
20 1946 and to be available for reimbursement to agencies
21 for services performed: *Provided*, That such amount shall
22 remain available for such salaries and expenses until De-
23 cember 31, 2016.

1 SALARIES, OFFICERS AND EMPLOYEES

2 For compensation and expenses of officers and em-
3 ployees, as authorized by law, \$178,531,768, including:
4 for salaries and expenses of the Office of the Clerk, includ-
5 ing the positions of the Chaplain and the Historian, and
6 including not more than \$25,000 for official representa-
7 tion and reception expenses, of which not more than
8 \$20,000 is for the Family Room and not more than
9 \$2,000 is for the Office of the Chaplain, \$24,980,898; for
10 salaries and expenses of the Office of the Sergeant at
11 Arms, including the position of Superintendent of Garages
12 and the Office of Emergency Management, and including
13 not more than \$3,000 for official representation and re-
14 ception expenses, \$14,827,120 of which \$4,784,229 shall
15 remain available until expended; for salaries and expenses
16 of the Office of the Chief Administrative Officer including
17 not more than \$3,000 for official representation and re-
18 ception expenses, \$117,165,000, of which \$1,350,000
19 shall remain available until expended; for salaries and ex-
20 penses of the Office of the Inspector General, \$4,741,809;
21 for salaries and expenses of the Office of General Counsel,
22 \$1,413,450; for salaries and expenses of the Office of the
23 Parliamentarian, including the Parliamentarian, \$2,000
24 for preparing the Digest of Rules, and not more than
25 \$1,000 for official representation and reception expenses,

1 \$1,974,606; for salaries and expenses of the Office of the
2 Law Revision Counsel of the House, \$3,119,766; for sala-
3 ries and expenses of the Office of the Legislative Counsel
4 of the House, \$8,352,975; for salaries and expenses of the
5 Office of Interparliamentary Affairs, \$814,069; for other
6 authorized employees, \$1,142,075.

7 ALLOWANCES AND EXPENSES

8 For allowances and expenses as authorized by House
9 resolution or law, \$278,433,432, including: supplies, mate-
10 rials, administrative costs and Federal tort claims,
11 \$3,625,236; official mail for committees, leadership of-
12 fices, and administrative offices of the House, \$190,486;
13 Government contributions for health, retirement, Social
14 Security, and other applicable employee benefits,
15 \$251,629,425, to remain available until March 31, 2017;
16 Business Continuity and Disaster Recovery, \$16,217,008
17 of which \$5,000,000 shall remain available until expended;
18 transition activities for new members and staff,
19 \$2,084,000, to remain available until expended; Wounded
20 Warrior Program \$2,500,000, to remain available until
21 expended; Office of Congressional Ethics, \$1,467,030; and
22 miscellaneous items including purchase, exchange, mainte-
23 nance, repair and operation of House motor vehicles,
24 interparliamentary receptions, and gratuities to heirs of
25 deceased employees of the House, \$720,247.

1 ADMINISTRATIVE PROVISIONS

2 REQUIRING AMOUNTS REMAINING IN MEMBERS' REP-
3 REPRESENTATIONAL ALLOWANCES TO BE USED FOR
4 DEFICIT REDUCTION OR TO REDUCE THE FEDERAL
5 DEBT

6 SEC. 101. (a) Notwithstanding any other provision
7 of law, any amounts appropriated under this Act for
8 "HOUSE OF REPRESENTATIVES—SALARIES AND
9 EXPENSES—MEMBERS' REPRESENTATIONAL ALLOW-
10 ANCES" shall be available only for fiscal year 2016. Any
11 amount remaining after all payments are made under such
12 allowances for fiscal year 2016 shall be deposited in the
13 Treasury and used for deficit reduction (or, if there is no
14 Federal budget deficit after all such payments have been
15 made, for reducing the Federal debt, in such manner as
16 the Secretary of the Treasury considers appropriate).

17 (b) REGULATIONS.—The Committee on House Ad-
18 ministration of the House of Representatives shall have
19 authority to prescribe regulations to carry out this section.

20 (c) DEFINITION.—As used in this section, the term
21 "Member of the House of Representatives" means a Rep-
22 resentative in, or a Delegate or Resident Commissioner
23 to, the Congress.

1 DELIVERY OF BILLS AND RESOLUTIONS

2 SEC. 102. None of the funds made available in this
3 Act may be used to deliver a printed copy of a bill, joint
4 resolution, or resolution to the office of a Member of the
5 House of Representatives (including a Delegate or Resi-
6 dent Commissioner to the Congress) unless the Member
7 requests a copy.

8 DELIVERY OF CONGRESSIONAL RECORD

9 SEC. 103. None of the funds made available by this
10 Act may be used to deliver a printed copy of any version
11 of the Congressional Record to the office of a Member of
12 the House of Representatives (including a Delegate or
13 Resident Commissioner to the Congress).

14 LIMITATION ON AMOUNT AVAILABLE TO LEASE VEHICLES

15 SEC. 104. None of the funds made available in this
16 Act may be used by the Chief Administrative Officer of
17 the House of Representatives to make any payments from
18 any Members' Representational Allowance for the leasing
19 of a vehicle, excluding mobile district offices, in an aggre-
20 gate amount that exceeds \$1,000 for the vehicle in any
21 month.

22 LIMITATION ON PRINTED COPIES OF U.S. CODE TO
23 HOUSE

24 SEC. 105. None of the funds made available by this
25 Act may be used to provide an aggregate number of more

1 than 50 printed copies of any edition of the United States
2 Code to all offices of the House of Representatives.

3 DELIVERY OF REPORTS OF DISBURSEMENTS

4 SEC. 106. None of the funds made available by this
5 Act may be used to deliver a printed copy of the report
6 of disbursements for the operations of the House of Rep-
7 resentatives under section 106 of the House of Represent-
8 atives Administrative Reform Technical Corrections Act
9 (2 U.S.C. 5535) to the office of a Member of the House
10 of Representatives (including a Delegate or Resident Com-
11 missioner to the Congress).

12 DELIVERY OF DAILY CALENDAR

13 SEC. 107. None of the funds made available by this
14 Act may be used to deliver to the office of a Member of
15 the House of Representatives (including a Delegate or
16 Resident Commissioner to the Congress) a printed copy
17 of the Daily Calendar of the House of Representatives
18 which is prepared by the Clerk of the House of Represent-
19 atives.

20 DELIVERY OF CONGRESSIONAL PICTORIAL DIRECTORY

21 SEC. 108. None of the funds made available by this
22 Act may be used to deliver a printed copy of the Congres-
23 sional Pictorial Directory to the office of a Member of the
24 House of Representatives (including a Delegate or Resi-
25 dent Commissioner to the Congress).

1035

1 JOINT ITEMS

2 For Joint Committees, as follows:

3 JOINT ECONOMIC COMMITTEE

4 For salaries and expenses of the Joint Economic
5 Committee, \$4,203,000, to be disbursed by the Secretary
6 of the Senate.

7 JOINT CONGRESSIONAL COMMITTEE ON INAUGURAL
8 CEREMONIES OF 2017

9 For salaries and expenses associated with conducting
10 the inaugural ceremonies of the President and Vice Presi-
11 dent of the United States, January 20, 2017, in accord-
12 ance with such program as may be adopted by the joint
13 congressional committee authorized to conduct the inau-
14 gural ceremonies of 2017, \$1,250,000 to be disbursed by
15 the Secretary of the Senate and to remain available until
16 September 30, 2017: *Provided*, That funds made available
17 under this heading shall be available for payment, on a
18 direct or reimbursable basis, whether incurred on, before,
19 or after, October 1, 2016: *Provided further*, That the com-
20 pensation of any employee of the Committee on Rules and
21 Administration of the Senate who has been designated to
22 perform service with respect to the inaugural ceremonies
23 of 2017 shall continue to be paid by the Committee on
24 Rules and Administration, but the account from which
25 such staff member is paid may be reimbursed for the serv-

1 ices of the staff member out of funds made available under
2 this heading: *Provided further*, That there are authorized
3 to be paid from the appropriations account for “Expenses
4 of Inquiries and Investigations” of the Senate such sums
5 as may be necessary, without fiscal year limitation, for
6 agency contributions related to the compensation of em-
7 ployees of the joint congressional committee.

8 JOINT COMMITTEE ON TAXATION

9 For salaries and expenses of the Joint Committee on
10 Taxation, \$10,095,000, to be disbursed by the Chief Ad-
11 ministrative Officer of the House of Representatives.

12 For other joint items, as follows:

13 OFFICE OF THE ATTENDING PHYSICIAN

14 For medical supplies, equipment, and contingent ex-
15 penses of the emergency rooms, and for the Attending
16 Physician and his assistants, including:

17 (1) an allowance of \$2,175 per month to the
18 Attending Physician;

19 (2) an allowance of \$1,300 per month to the
20 Senior Medical Officer;

21 (3) an allowance of \$725 per month each to
22 three medical officers while on duty in the Office of
23 the Attending Physician;

24 (4) an allowance of \$725 per month to 2 assist-
25 ants and \$580 per month each not to exceed 11 as-

1 sistants on the basis heretofore provided for such as-
2 sistants; and

3 (5) \$2,692,000 for reimbursement to the De-
4 partment of the Navy for expenses incurred for staff
5 and equipment assigned to the Office of the Attend-
6 ing Physician, which shall be advanced and credited
7 to the applicable appropriation or appropriations
8 from which such salaries, allowances, and other ex-
9 penses are payable and shall be available for all the
10 purposes thereof, \$3,784,000, to be disbursed by the
11 Chief Administrative Officer of the House of Rep-
12 resentatives.

13 OFFICE OF CONGRESSIONAL ACCESSIBILITY SERVICES

14 SALARIES AND EXPENSES

15 For salaries and expenses of the Office of Congres-
16 sional Accessibility Services, \$1,400,000, to be disbursed
17 by the Secretary of the Senate.

18 CAPITOL POLICE

19 SALARIES

20 For salaries of employees of the Capitol Police, in-
21 cluding overtime, hazardous duty pay, and Government
22 contributions for health, retirement, social security, pro-
23 fessional liability insurance, and other applicable employee
24 benefits, \$309,000,000 of which overtime shall not exceed
25 \$30,928,000 unless the Committee on Appropriations of

1 the House and Senate are notified, to be disbursed by the
2 Chief of the Capitol Police or his designee.

3 GENERAL EXPENSES

4 For necessary expenses of the Capitol Police, includ-
5 ing motor vehicles, communications and other equipment,
6 security equipment and installation, uniforms, weapons,
7 supplies, materials, training, medical services, forensic
8 services, stenographic services, personal and professional
9 services, the employee assistance program, the awards pro-
10 gram, postage, communication services, travel advances,
11 relocation of instructor and liaison personnel for the Fed-
12 eral Law Enforcement Training Center, and not more
13 than \$5,000 to be expended on the certification of the
14 Chief of the Capitol Police in connection with official rep-
15 resentation and reception expenses, \$66,000,000, to be
16 disbursed by the Chief of the Capitol Police or his des-
17 ignee: *Provided*, That, notwithstanding any other provi-
18 sion of law, the cost of basic training for the Capitol Police
19 at the Federal Law Enforcement Training Center for fis-
20 cal year 2016 shall be paid by the Secretary of Homeland
21 Security from funds available to the Department of Home-
22 land Security.

1 ADMINISTRATIVE PROVISION

2 DEPOSIT OF REIMBURSEMENTS FOR LAW ENFORCEMENT

3 ASSISTANCE

4 SEC. 1001. (a) IN GENERAL.—Section 2802(a)(1) of
5 the Supplemental Appropriations Act, 2001 (2 U.S.C.
6 1905(a)(1)) is amended by striking “District of Colum-
7 bia)” and inserting the following: “District of Columbia),
8 and from any other source in the case of assistance pro-
9 vided in connection with an activity that was not spon-
10 sored by Congress”.

11 (b) CONFORMING AMENDMENT.—Section 2802(a)(2)
12 of such Act (2 U.S.C. 1905(a)(2)) is amended by striking
13 “law enforcement assistance to any Federal, State, or local
14 government agency (including any agency of the District
15 of Columbia)” and inserting “any law enforcement assist-
16 ance for which reimbursement described in paragraph (1)
17 is made”.

18 (c) EFFECTIVE DATE.—The amendments made by
19 this section shall only apply with respect to any reimburse-
20 ment received before, on, or after the date of the enact-
21 ment of the Act.

22 OFFICE OF COMPLIANCE

23 SALARIES AND EXPENSES

24 For salaries and expenses of the Office of Compli-
25 ance, as authorized by section 305 of the Congressional

1 Accountability Act of 1995 (2 U.S.C. 1385), \$3,959,000,
2 of which \$450,000 shall remain available until September
3 30, 2017: *Provided*, That not more than \$500 may be ex-
4 pended on the certification of the Executive Director of
5 the Office of Compliance in connection with official rep-
6 resentation and reception expenses.

7 CONGRESSIONAL BUDGET OFFICE

8 SALARIES AND EXPENSES

9 For salaries and expenses necessary for operation of
10 the Congressional Budget Office, including not more than
11 \$6,000 to be expended on the certification of the Director
12 of the Congressional Budget Office in connection with offi-
13 cial representation and reception expenses, \$46,500,000.

14 ARCHITECT OF THE CAPITOL

15 CAPITAL CONSTRUCTION AND OPERATIONS

16 For salaries for the Architect of the Capitol, and
17 other personal services, at rates of pay provided by law;
18 for all necessary expenses for surveys and studies, con-
19 struction, operation, and general and administrative sup-
20 port in connection with facilities and activities under the
21 care of the Architect of the Capitol including the Botanic
22 Garden; electrical substations of the Capitol, Senate and
23 House office buildings, and other facilities under the juris-
24 diction of the Architect of the Capitol; including fur-
25 nishings and office equipment; including not more than

1 \$5,000 for official reception and representation expenses,
2 to be expended as the Architect of the Capitol may ap-
3 prove; for purchase or exchange, maintenance, and oper-
4 ation of a passenger motor vehicle, \$91,589,000.

5 CAPITOL BUILDING

6 For all necessary expenses for the maintenance, care
7 and operation of the Capitol, \$46,737,000, of which
8 \$22,737,000 shall remain available until September 30,
9 2020.

10 CAPITOL GROUNDS

11 For all necessary expenses for care and improvement
12 of grounds surrounding the Capitol, the Senate and House
13 office buildings, and the Capitol Power Plant,
14 \$11,880,000, of which \$2,000,000 shall remain available
15 until September 30, 2020.

16 SENATE OFFICE BUILDINGS

17 For all necessary expenses for the maintenance, care
18 and operation of Senate office buildings; and furniture and
19 furnishings to be expended under the control and super-
20 vision of the Architect of the Capitol, \$84,221,000, of
21 which \$26,283,000 shall remain available until September
22 30, 2020.

23 HOUSE OFFICE BUILDINGS

24 For all necessary expenses for the maintenance, care
25 and operation of the House office buildings,

1 \$174,962,000, of which \$48,885,000 shall remain avail-
2 able until September 30, 2020, and of which \$62,000,000
3 shall remain available until expended for the restoration
4 and renovation of the Cannon House Office Building.

5 In addition, for a payment to the House Historic
6 Buildings Revitalization Trust Fund, \$10,000,000, to re-
7 main available until expended.

8 CAPITOL POWER PLANT

9 For all necessary expenses for the maintenance, care
10 and operation of the Capitol Power Plant; lighting, heat-
11 ing, power (including the purchase of electrical energy)
12 and water and sewer services for the Capitol, Senate and
13 House office buildings, Library of Congress buildings, and
14 the grounds about the same, Botanic Garden, Senate ga-
15 rage, and air conditioning refrigeration not supplied from
16 plants in any of such buildings; heating the Government
17 Publishing Office and Washington City Post Office, and
18 heating and chilled water for air conditioning for the Su-
19 preme Court Building, the Union Station complex, the
20 Thurgood Marshall Federal Judiciary Building and the
21 Folger Shakespeare Library, expenses for which shall be
22 advanced or reimbursed upon request of the Architect of
23 the Capitol and amounts so received shall be deposited
24 into the Treasury to the credit of this appropriation,
25 \$94,722,499, of which \$17,581,499 shall remain available

1 until September 30, 2020: *Provided*, That not more than
2 \$9,000,000 of the funds credited or to be reimbursed to
3 this appropriation as herein provided shall be available for
4 obligation during fiscal year 2016.

5 LIBRARY BUILDINGS AND GROUNDS

6 For all necessary expenses for the mechanical and
7 structural maintenance, care and operation of the Library
8 buildings and grounds, \$40,689,000, of which
9 \$15,746,000 shall remain available until September 30,
10 2020.

11 CAPITOL POLICE BUILDINGS, GROUNDS, AND SECURITY

12 For all necessary expenses for the maintenance, care
13 and operation of buildings, grounds and security enhance-
14 ments of the United States Capitol Police, wherever lo-
15 cated, the Alternate Computer Facility, and AOC security
16 operations, \$25,434,000, of which \$7,901,000 shall re-
17 main available until September 30, 2020.

18 BOTANIC GARDEN

19 For all necessary expenses for the maintenance, care
20 and operation of the Botanic Garden and the nurseries,
21 buildings, grounds, and collections; and purchase and ex-
22 change, maintenance, repair, and operation of a passenger
23 motor vehicle; all under the direction of the Joint Com-
24 mittee on the Library, \$12,113,000, of which \$2,100,000
25 shall remain available until September 30, 2020: *Provided*,

1 That, of the amount made available under this heading,
2 the Architect of the Capitol may obligate and expend such
3 sums as may be necessary for the maintenance, care and
4 operation of the National Garden established under sec-
5 tion 307E of the Legislative Branch Appropriations Act,
6 1989 (2 U.S.C. 2146), upon vouchers approved by the Ar-
7 chitect of the Capitol or a duly authorized designee.

8 CAPITOL VISITOR CENTER

9 For all necessary expenses for the operation of the
10 Capitol Visitor Center, \$20,557,000.

11 ADMINISTRATIVE PROVISIONS

12 NO BONUSES FOR CONTRACTORS BEHIND SCHEDULE OR
13 OVER BUDGET

14 SEC. 1101. None of the funds made available in this
15 Act for the Architect of the Capitol may be used to make
16 incentive or award payments to contractors for work on
17 contracts or programs for which the contractor is behind
18 schedule or over budget, unless the Architect of the Cap-
19 itol, or agency-employed designee, determines that any
20 such deviations are due to unforeseeable events, govern-
21 ment-driven scope changes, or are not significant within
22 the overall scope of the project and/or program.

23 SCRIMS

24 SEC. 1102. None of the funds made available by this
25 Act may be used for scrims containing photographs of

1 building facades during restoration or construction
2 projects performed by the Architect of the Capitol.

3 ACQUISITION OF PARCEL AT FORT MEADE

4 SEC. 1103. (a) ACQUISITION.—The Architect of the
5 Capitol is authorized to acquire from the Maryland State
6 Highway Administration, at no cost to the United States,
7 a parcel of real property (including improvements thereon)
8 consisting of approximately 7.34 acres located within the
9 portion of Fort George G. Meade in Anne Arundel County,
10 Maryland, that was transferred to the Architect of the
11 Capitol by the Secretary of the Army pursuant to section
12 122 of the Military Construction Appropriations Act, 1994
13 (2 U.S.C. 141 note).

14 (b) TERMS AND CONDITIONS.—The terms and condi-
15 tions applicable under subsections (b) and (d) of section
16 122 of the Military Construction Appropriations Act, 1994
17 (2 U.S.C. 141 note) to the property acquired by the Archi-
18 tect of the Capitol pursuant to such section shall apply
19 to the real property acquired by the Architect pursuant
20 to the authority of this section.

21 LIBRARY OF CONGRESS

22 SALARIES AND EXPENSES

23 For all necessary expenses of the Library of Congress
24 not otherwise provided for, including development and
25 maintenance of the Library's catalogs; custody and custo-

1 dial care of the Library buildings; special clothing; clean-
2 ing, laundering and repair of uniforms; preservation of
3 motion pictures in the custody of the Library; operation
4 and maintenance of the American Folklife Center in the
5 Library; preparation and distribution of catalog records
6 and other publications of the Library; hire or purchase
7 of one passenger motor vehicle; and expenses of the Li-
8 brary of Congress Trust Fund Board not properly charge-
9 able to the income of any trust fund held by the Board,
10 \$425,971,000, of which not more than \$6,000,000 shall
11 be derived from collections credited to this appropriation
12 during fiscal year 2016, and shall remain available until
13 expended, under the Act of June 28, 1902 (chapter 1301;
14 32 Stat. 480; 2 U.S.C. 150) and not more than \$350,000
15 shall be derived from collections during fiscal year 2016
16 and shall remain available until expended for the develop-
17 ment and maintenance of an international legal informa-
18 tion database and activities related thereto: *Provided*,
19 That the Library of Congress may not obligate or expend
20 any funds derived from collections under the Act of June
21 28, 1902, in excess of the amount authorized for obliga-
22 tion or expenditure in appropriations Acts: *Provided fur-*
23 *ther*, That the total amount available for obligation shall
24 be reduced by the amount by which collections are less
25 than \$6,350,000: *Provided further*, That, of the total

1 amount appropriated, not more than \$12,000 may be ex-
2 pended, on the certification of the Librarian of Congress,
3 in connection with official representation and reception ex-
4 penses for the Overseas Field Offices: *Provided further*,
5 That of the total amount appropriated, \$8,231,000 shall
6 remain available until expended for the digital collections
7 and educational curricula program: *Provided further*,
8 That, of the total amount appropriated, \$1,300,000 shall
9 remain available until expended for upgrade of the Legis-
10 lative Branch Financial Management System.

11 COPYRIGHT OFFICE

12 SALARIES AND EXPENSES

13 For all necessary expenses of the Copyright Office,
14 \$58,875,000, of which not more than \$30,000,000, to re-
15 main available until expended, shall be derived from collec-
16 tions credited to this appropriation during fiscal year 2016
17 under section 708(d) of title 17, United States Code: *Pro-*
18 *vided*, That the Copyright Office may not obligate or ex-
19 pend any funds derived from collections under such sec-
20 tion, in excess of the amount authorized for obligation or
21 expenditure in appropriations Acts: *Provided further*, That
22 not more than \$5,777,000 shall be derived from collections
23 during fiscal year 2016 under sections 111(d)(2),
24 119(b)(3), 803(e), 1005, and 1316 of such title: *Provided*
25 *further*, That the total amount available for obligation

1 shall be reduced by the amount by which collections are
2 less than \$35,777,000: *Provided further*, That not more
3 than \$100,000 of the amount appropriated is available for
4 the maintenance of an “International Copyright Institute”
5 in the Copyright Office of the Library of Congress for the
6 purpose of training nationals of developing countries in
7 intellectual property laws and policies: *Provided further*,
8 That not more than \$6,500 may be expended, on the cer-
9 tification of the Librarian of Congress, in connection with
10 official representation and reception expenses for activities
11 of the International Copyright Institute and for copyright
12 delegations, visitors, and seminars: *Provided further*, That,
13 notwithstanding any provision of chapter 8 of title 17,
14 United States Code, any amounts made available under
15 this heading which are attributable to royalty fees and
16 payments received by the Copyright Office pursuant to
17 sections 111, 119, and chapter 10 of such title may be
18 used for the costs incurred in the administration of the
19 Copyright Royalty Judges program, with the exception of
20 the costs of salaries and benefits for the Copyright Royalty
21 Judges and staff under section 802(e).

22 CONGRESSIONAL RESEARCH SERVICE

23 SALARIES AND EXPENSES

24 For all necessary expenses to carry out the provisions
25 of section 203 of the Legislative Reorganization Act of

1 1946 (2 U.S.C. 166) and to revise and extend the Anno-
2 tated Constitution of the United States of America,
3 \$106,945,000: *Provided*, That no part of such amount
4 may be used to pay any salary or expense in connection
5 with any publication, or preparation of material therefor
6 (except the Digest of Public General Bills), to be issued
7 by the Library of Congress unless such publication has
8 obtained prior approval of either the Committee on House
9 Administration of the House of Representatives or the
10 Committee on Rules and Administration of the Senate.

11 BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED
12 SALARIES AND EXPENSES

13 For all necessary expenses to carry out the Act of
14 March 3, 1931 (chapter 400; 46 Stat. 1487; 2 U.S.C.
15 135a), \$50,248,000: *Provided*, That of the total amount
16 appropriated, \$650,000 shall be available to contract to
17 provide newspapers to blind and physically handicapped
18 residents at no cost to the individual.

19 ADMINISTRATIVE PROVISIONS

20 REIMBURSABLE AND REVOLVING FUND ACTIVITIES

21 SEC. 1201. (a) IN GENERAL.—For fiscal year 2016,
22 the obligational authority of the Library of Congress for
23 the activities described in subsection (b) may not exceed
24 \$186,015,000.

1 (b) ACTIVITIES.—The activities referred to in sub-
2 section (a) are reimbursable and revolving fund activities
3 that are funded from sources other than appropriations
4 to the Library in appropriations Acts for the legislative
5 branch.

6 LIBRARIAN OF CONGRESS EMERITUS

7 SEC. 1202. (a) DESIGNATION OF JAMES BILLINGTON
8 AS LIBRARIAN OF CONGRESS EMERITUS.—As an hon-
9 orary designation, James H. Billington, upon leaving serv-
10 ice as the Librarian of Congress, may be known as the
11 Librarian of Congress Emeritus.

12 (b) NO APPOINTMENT TO GOVERNMENT SERVICE;
13 AVAILABILITY OF INCIDENTAL SUPPORT.—The honorary
14 designation under this section does not constitute an ap-
15 pointment to a position in the Federal Government under
16 title 5, United States Code. Notwithstanding the previous
17 sentence, in connection with his activities as Librarian of
18 Congress Emeritus, James H. Billington may receive inci-
19 dental administrative and clerical support through the Li-
20 brary of Congress.

21 GOVERNMENT PUBLISHING OFFICE

22 CONGRESSIONAL PUBLISHING

23 (INCLUDING TRANSFER OF FUNDS)

24 For authorized publishing of congressional informa-
25 tion and the distribution of congressional information in

1 any format; expenses necessary for preparing the semi-
2 monthly and session index to the Congressional Record,
3 as authorized by law (section 902 of title 44, United
4 States Code); publishing of Government publications au-
5 thorized by law to be distributed to Members of Congress;
6 and publishing, and distribution of Government publica-
7 tions authorized by law to be distributed without charge
8 to the recipient, \$79,736,000: *Provided*, That this appro-
9 priation shall not be available for paper copies of the per-
10 manent edition of the Congressional Record for individual
11 Representatives, Resident Commissioners or Delegates au-
12 thorized under section 906 of title 44, United States Code:
13 *Provided further*, That this appropriation shall be available
14 for the payment of obligations incurred under the appro-
15 priations for similar purposes for preceding fiscal years:
16 *Provided further*, That notwithstanding the 2-year limita-
17 tion under section 718 of title 44, United States Code,
18 none of the funds appropriated or made available under
19 this Act or any other Act for printing and binding and
20 related services provided to Congress under chapter 7 of
21 title 44, United States Code, may be expended to print
22 a document, report, or publication after the 27-month pe-
23 riod beginning on the date that such document, report,
24 or publication is authorized by Congress to be printed, un-
25 less Congress reauthorizes such printing in accordance

1 with section 718 of title 44, United States Code: *Provided*
2 *further*, That any unobligated or unexpended balances in
3 this account or accounts for similar purposes for preceding
4 fiscal years may be transferred to the Government Pub-
5 lishing Office Business Operations Revolving Fund for
6 carrying out the purposes of this heading, subject to the
7 approval of the Committees on Appropriations of the
8 House of Representatives and Senate: *Provided further*,
9 That notwithstanding sections 901, 902, and 906 of title
10 44, United States Code, this appropriation may be used
11 to prepare indexes to the Congressional Record on only
12 a monthly and session basis.

13 PUBLIC INFORMATION PROGRAMS OF THE

14 SUPERINTENDENT OF DOCUMENTS

15 SALARIES AND EXPENSES

16 (INCLUDING TRANSFER OF FUNDS)

17 For expenses of the public information programs of
18 the Office of Superintendent of Documents necessary to
19 provide for the cataloging and indexing of Government
20 publications and their distribution to the public, Members
21 of Congress, other Government agencies, and designated
22 depository and international exchange libraries as author-
23 ized by law, \$30,500,000: *Provided*, That amounts of not
24 more than \$2,000,000 from current year appropriations
25 are authorized for producing and disseminating Congres-

1 sional serial sets and other related publications for fiscal
2 years 2014 and 2015 to depository and other designated
3 libraries: *Provided further*, That any unobligated or unex-
4 pended balances in this account or accounts for similar
5 purposes for preceding fiscal years may be transferred to
6 the Government Publishing Office Business Operations
7 Revolving Fund for carrying out the purposes of this head-
8 ing, subject to the approval of the Committees on Appro-
9 priations of the House of Representatives and Senate.

10 GOVERNMENT PUBLISHING OFFICE BUSINESS

11 OPERATIONS REVOLVING FUND

12 For payment to the Government Publishing Office
13 Business Operations Revolving Fund, \$6,832,000, to re-
14 main available until expended, for information technology
15 development and facilities repair: *Provided*, That the Gov-
16 ernment Publishing Office is hereby authorized to make
17 such expenditures, within the limits of funds available and
18 in accordance with law, and to make such contracts and
19 commitments without regard to fiscal year limitations as
20 provided by section 9104 of title 31, United States Code,
21 as may be necessary in carrying out the programs and
22 purposes set forth in the budget for the current fiscal year
23 for the Government Publishing Office Business Operations
24 Revolving Fund: *Provided further*, That not more than
25 \$7,500 may be expended on the certification of the Direc-

1 tor of the Government Publishing Office in connection
2 with official representation and reception expenses: *Pro-*
3 *vided further*, That the business operations revolving fund
4 shall be available for the hire or purchase of not more than
5 12 passenger motor vehicles: *Provided further*, That ex-
6 penditures in connection with travel expenses of the advi-
7 sory councils to the Director of the Government Pub-
8 lishing Office shall be deemed necessary to carry out the
9 provisions of title 44, United States Code: *Provided fur-*
10 *ther*, That the business operations revolving fund shall be
11 available for temporary or intermittent services under sec-
12 tion 3109(b) of title 5, United States Code, but at rates
13 for individuals not more than the daily equivalent of the
14 annual rate of basic pay for level V of the Executive
15 Schedule under section 5316 of such title: *Provided fur-*
16 *ther*, That activities financed through the business oper-
17 ations revolving fund may provide information in any for-
18 mat: *Provided further*, That the business operations revol-
19 ing fund and the funds provided under the heading “Pub-
20 lic Information Programs of the Superintendent of Docu-
21 ments” may not be used for contracted security services
22 at GPO’s passport facility in the District of Columbia.

1055

1 GOVERNMENT ACCOUNTABILITY OFFICE

2 SALARIES AND EXPENSES

3 For necessary expenses of the Government Account-
4 ability Office, including not more than \$12,500 to be ex-
5 pended on the certification of the Comptroller General of
6 the United States in connection with official representa-
7 tion and reception expenses; temporary or intermittent
8 services under section 3109(b) of title 5, United States
9 Code, but at rates for individuals not more than the daily
10 equivalent of the annual rate of basic pay for level IV of
11 the Executive Schedule under section 5315 of such title;
12 hire of one passenger motor vehicle; advance payments in
13 foreign countries in accordance with section 3324 of title
14 31, United States Code; benefits comparable to those pay-
15 able under sections 901(5), (6), and (8) of the Foreign
16 Service Act of 1980 (22 U.S.C. 4081(5), (6), and (8));
17 and under regulations prescribed by the Comptroller Gen-
18 eral of the United States, rental of living quarters in for-
19 eign countries, \$531,000,000: *Provided*, That, in addition,
20 \$25,450,000 of payments received under sections 782,
21 791, 3521, and 9105 of title 31, United States Code, shall
22 be available without fiscal year limitation: *Provided fur-*
23 *ther*, That this appropriation and appropriations for ad-
24 ministrative expenses of any other department or agency
25 which is a member of the National Intergovernmental

1 Audit Forum or a Regional Intergovernmental Audit
2 Forum shall be available to finance an appropriate share
3 of either Forum's costs as determined by the respective
4 Forum, including necessary travel expenses of non-Federal
5 participants: *Provided further*, That payments hereunder
6 to the Forum may be credited as reimbursements to any
7 appropriation from which costs involved are initially fi-
8 nanced.

9 ADMINISTRATIVE PROVISION

10 FEDERAL GOVERNMENT DETAILS

11 SEC. 1301. (a) PERMITTING DETAILS FROM OTHER
12 FEDERAL OFFICES.—Section 731 of title 31, United
13 States Code, is amended by adding at the end the fol-
14 lowing new subsection:

15 “(k) FEDERAL GOVERNMENT DETAILS.—The activi-
16 ties of the Government Accountability Office may, in the
17 reasonable discretion of the Comptroller General, be car-
18 ried out by receiving details of personnel from other offices
19 of the Federal Government on a reimbursable, partially-
20 reimbursable, or nonreimbursable basis.”.

21 (b) EFFECTIVE DATE.—The amendment made by
22 subsection (a) shall apply with respect to fiscal year 2016
23 and each succeeding fiscal year.

1057

1 OPEN WORLD LEADERSHIP CENTER TRUST
2 FUND

3 For a payment to the Open World Leadership Center
4 Trust Fund for financing activities of the Open World
5 Leadership Center under section 313 of the Legislative
6 Branch Appropriations Act, 2001 (2 U.S.C. 1151),
7 \$5,600,000: *Provided*, That funds made available to sup-
8 port Russian participants shall only be used for those en-
9 gaging in free market development, humanitarian activi-
10 ties, and civic engagement, and shall not be used for offi-
11 cials of the central government of Russia.

12 JOHN C. STENNIS CENTER FOR PUBLIC
13 SERVICE TRAINING AND DEVELOPMENT

14 For payment to the John C. Stennis Center for Pub-
15 lic Service Development Trust Fund established under
16 section 116 of the John C. Stennis Center for Public Serv-
17 ice Training and Development Act (2 U.S.C. 1105),
18 \$430,000.

19 TITLE II

20 GENERAL PROVISIONS

21 MAINTENANCE AND CARE OF PRIVATE VEHICLES

22 SEC. 201. No part of the funds appropriated in this
23 Act shall be used for the maintenance or care of private
24 vehicles, except for emergency assistance and cleaning as
25 may be provided under regulations relating to parking fa-

1 cilities for the House of Representatives issued by the
2 Committee on House Administration and for the Senate
3 issued by the Committee on Rules and Administration.

4 FISCAL YEAR LIMITATION

5 SEC. 202. No part of the funds appropriated in this
6 Act shall remain available for obligation beyond fiscal year
7 2016 unless expressly so provided in this Act.

8 RATES OF COMPENSATION AND DESIGNATION

9 SEC. 203. Whenever in this Act any office or position
10 not specifically established by the Legislative Pay Act of
11 1929 (46 Stat. 32 et seq.) is appropriated for or the rate
12 of compensation or designation of any office or position
13 appropriated for is different from that specifically estab-
14 lished by such Act, the rate of compensation and the des-
15 ignation in this Act shall be the permanent law with re-
16 spect thereto: *Provided*, That the provisions in this Act
17 for the various items of official expenses of Members, offi-
18 cers, and committees of the Senate and House of Rep-
19 resentatives, and clerk hire for Senators and Members of
20 the House of Representatives shall be the permanent law
21 with respect thereto.

22 CONSULTING SERVICES

23 SEC. 204. The expenditure of any appropriation
24 under this Act for any consulting service through procure-
25 ment contract, under section 3109 of title 5, United States

1 Code, shall be limited to those contracts where such ex-
2 penditures are a matter of public record and available for
3 public inspection, except where otherwise provided under
4 existing law, or under existing Executive order issued
5 under existing law.

6 COSTS OF LBFMC

7 SEC. 205. Amounts available for administrative ex-
8 penses of any legislative branch entity which participates
9 in the Legislative Branch Financial Managers Council
10 (LBFMC) established by charter on March 26, 1996, shall
11 be available to finance an appropriate share of LBFMC
12 costs as determined by the LBFMC, except that the total
13 LBFMC costs to be shared among all participating legisla-
14 tive branch entities (in such allocations among the entities
15 as the entities may determine) may not exceed \$2,000.

16 LANDSCAPE MAINTENANCE

17 SEC. 206. For fiscal year 2016 and each fiscal year
18 thereafter, the Architect of the Capitol, in consultation
19 with the District of Columbia, is authorized to maintain
20 and improve the landscape features, excluding streets, in
21 Square 580 up to the beginning of I-395.

22 LIMITATION ON TRANSFERS

23 SEC. 207. None of the funds made available in this
24 Act may be transferred to any department, agency, or in-
25 strumentality of the United States Government, except

1 pursuant to a transfer made by, or transfer authority pro-
2 vided in, this Act or any other appropriation Act.

3 GUIDED TOURS OF THE CAPITOL

4 SEC. 208. (a) Except as provided in subsection (b),
5 none of the funds made available to the Architect of the
6 Capitol in this Act may be used to eliminate or restrict
7 guided tours of the United States Capitol which are led
8 by employees and interns of offices of Members of Con-
9 gress and other offices of the House of Representatives
10 and Senate.

11 (b) At the direction of the Capitol Police Board, or
12 at the direction of the Architect of the Capitol with the
13 approval of the Capitol Police Board, guided tours of the
14 United States Capitol which are led by employees and in-
15 terns described in subsection (a) may be suspended tempo-
16 rarily or otherwise subject to restriction for security or re-
17 lated reasons to the same extent as guided tours of the
18 United States Capitol which are led by the Architect of
19 the Capitol.

20 BATTERY RECHARGING STATIONS FOR PRIVATELY OWNED
21 VEHICLES IN PARKING AREAS UNDER THE JURISDIC-
22 TION OF THE LIBRARIAN OF CONGRESS AT NO NET
23 COST TO THE FEDERAL GOVERNMENT

24 SEC. 209. (a) DEFINITION.—In this section, the term
25 “covered employee” means—

1 (1) an employee of the Library of Congress; or

2 (2) any other individual who is authorized to
3 park in any parking area under the jurisdiction of
4 the Library of Congress on the Library of Congress
5 buildings and grounds.

6 (b) AUTHORITY.—

7 (1) IN GENERAL.—Subject to paragraph (3),
8 funds appropriated to the Architect of the Capitol
9 under the heading “Capitol Power Plant” under the
10 heading “ARCHITECT OF THE CAPITOL” in
11 any fiscal year are available to construct, operate,
12 and maintain on a reimbursable basis battery re-
13 charging stations in parking areas under the juris-
14 diction of the Library of Congress on Library of
15 Congress buildings and grounds for use by privately
16 owned vehicles used by covered employees.

17 (2) VENDORS AUTHORIZED.—In carrying out
18 paragraph (1), the Architect of the Capitol may use
19 one or more vendors on a commission basis.

20 (3) APPROVAL OF CONSTRUCTION.—The Archi-
21 tect of the Capitol may construct or direct the con-
22 struction of battery recharging stations described
23 under paragraph (1) after—

24 (A) submission of written notice detailing
25 the numbers and locations of the battery re-

1 charging stations to the Joint Committee on the
2 Library; and

3 (B) approval by that Committee.

4 (c) FEES AND CHARGES.—

5 (1) IN GENERAL.—Subject to paragraph (2),
6 the Architect of the Capitol shall charge fees or
7 charges for electricity provided to covered employees
8 sufficient to cover the costs to the Architect of the
9 Capitol to carry out this section, including costs to
10 any vendors or other costs associated with maintain-
11 ing the battery charging stations.

12 (2) APPROVAL OF FEES OR CHARGES.—The Ar-
13 chitect of the Capitol may establish and adjust fees
14 or charges under paragraph (1) after—

15 (A) submission of written notice detailing
16 the amount of the fee or charge to be estab-
17 lished or adjusted to the Joint Committee on
18 the Library; and

19 (B) approval by that Committee.

20 (d) DEPOSIT AND AVAILABILITY OF FEES, CHARGES,
21 AND COMMISSIONS.—Any fees, charges, or commissions
22 collected by the Architect of the Capitol under this section
23 shall be—

1 (1) deposited in the Treasury to the credit of
2 the appropriations account described under sub-
3 section (b); and

4 (2) available for obligation without further ap-
5 propriation during the fiscal year collected.

6 (e) REPORTS.—

7 (1) IN GENERAL.—Not later than 30 days after
8 the end of each fiscal year, the Architect of the Cap-
9 itol shall submit a report on the financial adminis-
10 tration and cost recovery of activities under this sec-
11 tion with respect to that fiscal year to the Joint
12 Committee on the Library and the Committees on
13 Appropriations of the House of Representatives and
14 Senate.

15 (2) AVOIDING SUBSIDY.—

16 (A) DETERMINATION.—Not later than 3
17 years after the date of enactment of this Act
18 and every 3 years thereafter, the Architect of
19 the Capitol shall submit a report to the Joint
20 Committee on the Library determining whether
21 covered employees using battery charging sta-
22 tions as authorized by this section are receiving
23 a subsidy from the taxpayers.

24 (B) MODIFICATION OF RATES AND
25 FEES.—If a determination is made under sub-

1 paragraph (A) that a subsidy is being received,
2 the Architect of the Capitol shall submit a plan
3 to the Joint Committee on the Library on how
4 to update the program to ensure no subsidy is
5 being received. If the Joint Committee does not
6 act on the plan within 60 days, the Architect of
7 the Capitol shall take appropriate steps to in-
8 crease rates or fees to ensure reimbursement
9 for the cost of the program consistent with an
10 appropriate schedule for amortization, to be
11 charged to those using the charging stations.

12 (f) EFFECTIVE DATE.—This section shall apply with
13 respect to fiscal year 2016 and each fiscal year thereafter.

14 SELF-CERTIFICATION OF PERFORMANCE APPRAISAL
15 SYSTEMS FOR SENIOR-LEVEL EMPLOYEES

16 SEC. 210. (a) SELF-CERTIFICATION BY LIBRARIAN
17 OF CONGRESS, ARCHITECT OF THE CAPITOL, AND DIREC-
18 TOR OF GOVERNMENT PUBLISHING OFFICE.—Section
19 5307(d) of title 5, United States Code, is amended—

20 (1) in paragraph (1)(A), by striking “this title
21 or section 332(f), 603, or 604 of title 28” and in-
22 serting “this title, section 332(f), 603, or 604 of
23 title 28, or section 108 of the Legislative Branch
24 Appropriations Act, 1991 (2 U.S.C. 1849)”; and

1 (2) by adding at the end the following new
2 paragraph:

3 “(5)(A) Notwithstanding any provision of para-
4 graph (3), any regulations, certifications, or other
5 measures necessary to carry out this subsection—

6 “(i) with respect to employees of the Li-
7 brary of Congress shall be the responsibility of
8 the Librarian of Congress;

9 “(ii) with respect to employees of the Of-
10 fice of the Architect of the Capitol shall be the
11 responsibility of the Architect of the Capitol;
12 and

13 “(iii) with respect to employees of the Gov-
14 ernment Publishing Office shall be the responsi-
15 bility of the Director of the Government Pub-
16 lishing Office.

17 “(B) The regulations under this paragraph
18 shall be consistent with those promulgated under
19 paragraph (3).”.

20 (b) EFFECTIVE DATE.—The amendment made by
21 subsection (a) shall take effect on the date of the enact-
22 ment of this Act.

23 This division may be cited as the “Legislative Branch
24 Appropriations Act, 2016”.

1 **DIVISION J—MILITARY CONSTRUCTION**
2 **AND VETERANS AFFAIRS, AND RE-**
3 **LATED AGENCIES APPROPRIATIONS**
4 **ACT, 2016**

5 TITLE I

6 DEPARTMENT OF DEFENSE

7 MILITARY CONSTRUCTION, ARMY

8 For acquisition, construction, installation, and equip-
9 ment of temporary or permanent public works, military
10 installations, facilities, and real property for the Army as
11 currently authorized by law, including personnel in the
12 Army Corps of Engineers and other personal services nec-
13 essary for the purposes of this appropriation, and for con-
14 struction and operation of facilities in support of the func-
15 tions of the Commander in Chief, \$663,245,000, to re-
16 main available until September 30, 2020: *Provided*, That,
17 of this amount, not to exceed \$109,245,000 shall be avail-
18 able for study, planning, design, architect and engineer
19 services, and host nation support, as authorized by law,
20 unless the Secretary of the Army determines that addi-
21 tional obligations are necessary for such purposes and no-
22 tifies the Committees on Appropriations of both Houses
23 of Congress of the determination and the reasons therefor.

1 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

2 For acquisition, construction, installation, and equip-
3 ment of temporary or permanent public works, naval in-
4 stallations, facilities, and real property for the Navy and
5 Marine Corps as currently authorized by law, including
6 personnel in the Naval Facilities Engineering Command
7 and other personal services necessary for the purposes of
8 this appropriation, \$1,669,239,000, to remain available
9 until September 30, 2020: *Provided*, That, of this amount,
10 not to exceed \$91,649,000 shall be available for study,
11 planning, design, and architect and engineer services, as
12 authorized by law, unless the Secretary of the Navy deter-
13 mines that additional obligations are necessary for such
14 purposes and notifies the Committees on Appropriations
15 of both Houses of Congress of the determination and the
16 reasons therefor: *Provided further*, That none of the funds
17 made available under this heading may be obligated for
18 the Townsend Bombing Range Expansion, Phase 2, until
19 the Secretary of the Navy enters into an agreement with
20 local stakeholders that addresses the disposition and man-
21 agement of the timber and forest resources in the pro-
22 posed areas of expansion.

23 MILITARY CONSTRUCTION, AIR FORCE

24 For acquisition, construction, installation, and equip-
25 ment of temporary or permanent public works, military

1 installations, facilities, and real property for the Air Force
2 as currently authorized by law, \$1,389,185,000, to remain
3 available until September 30, 2020: *Provided*, That of this
4 amount, not to exceed \$89,164,000 shall be available for
5 study, planning, design, and architect and engineer serv-
6 ices, as authorized by law, unless the Secretary of the Air
7 Force determines that additional obligations are necessary
8 for such purposes and notifies the Committees on Appro-
9 priations of both Houses of Congress of the determination
10 and the reasons therefor.

11 MILITARY CONSTRUCTION, DEFENSE-WIDE

12 (INCLUDING TRANSFER OF FUNDS)

13 For acquisition, construction, installation, and equip-
14 ment of temporary or permanent public works, installa-
15 tions, facilities, and real property for activities and agen-
16 cies of the Department of Defense (other than the military
17 departments), as currently authorized by law,
18 \$2,242,867,000, to remain available until September 30,
19 2020: *Provided*, That such amounts of this appropriation
20 as may be determined by the Secretary of Defense may
21 be transferred to such appropriations of the Department
22 of Defense available for military construction or family
23 housing as the Secretary may designate, to be merged with
24 and to be available for the same purposes, and for the
25 same time period, as the appropriation or fund to which

1 transferred: *Provided further*, That of the amount appro-
2 priated, not to exceed \$175,404,000 shall be available for
3 study, planning, design, and architect and engineer serv-
4 ices, as authorized by law, unless the Secretary of Defense
5 determines that additional obligations are necessary for
6 such purposes and notifies the Committees on Appropria-
7 tions of both Houses of Congress of the determination and
8 the reasons therefor: *Provided further*, That of the funds
9 made available by this title to construct fiscal year 2016
10 Special Operations Command military construction
11 projects, not to exceed 75 percent shall be available until
12 the Commander of the Special Operations Command has
13 complied with the certification and reporting requirements
14 in the last proviso under the heading “Department of De-
15 fense—Military Construction, Defense-Wide” in title I of
16 H.R. 2029, as passed by the House of Representatives on
17 April 30, 2015.

18 MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

19 For construction, acquisition, expansion, rehabilita-
20 tion, and conversion of facilities for the training and ad-
21 ministration of the Army National Guard, and contribu-
22 tions therefor, as authorized by chapter 1803 of title 10,
23 United States Code, and Military Construction Authoriza-
24 tion Acts, \$197,237,000, to remain available until Sep-
25 tember 30, 2020: *Provided*, That, of the amount appro-

1 priated, not to exceed \$20,337,000 shall be available for
2 study, planning, design, and architect and engineer serv-
3 ices, as authorized by law, unless the Director of the Army
4 National Guard determines that additional obligations are
5 necessary for such purposes and notifies the Committees
6 on Appropriations of both Houses of Congress of the de-
7 termination and the reasons therefor.

8 MILITARY CONSTRUCTION, AIR NATIONAL GUARD

9 For construction, acquisition, expansion, rehabilita-
10 tion, and conversion of facilities for the training and ad-
11 ministration of the Air National Guard, and contributions
12 therefor, as authorized by chapter 1803 of title 10, United
13 States Code, and Military Construction Authorization
14 Acts, \$138,738,000, to remain available until September
15 30, 2020: *Provided*, That, of the amount appropriated, not
16 to exceed \$5,104,000 shall be available for study, plan-
17 ning, design, and architect and engineer services, as au-
18 thorized by law, unless the Director of the Air National
19 Guard determines that additional obligations are nec-
20 essary for such purposes and notifies the Committees on
21 Appropriations of both Houses of Congress of the deter-
22 mination and the reasons therefor.

23 MILITARY CONSTRUCTION, ARMY RESERVE

24 For construction, acquisition, expansion, rehabilita-
25 tion, and conversion of facilities for the training and ad-

1 ministration of the Army Reserve as authorized by chapter
2 1803 of title 10, United States Code, and Military Con-
3 struction Authorization Acts, \$113,595,000, to remain
4 available until September 30, 2020: *Provided*, That, of the
5 amount appropriated, not to exceed \$9,318,000 shall be
6 available for study, planning, design, and architect and en-
7 gineer services, as authorized by law, unless the Chief of
8 the Army Reserve determines that additional obligations
9 are necessary for such purposes and notifies the Commit-
10 tees on Appropriations of both Houses of Congress of the
11 determination and the reasons therefor.

12 MILITARY CONSTRUCTION, NAVY RESERVE

13 For construction, acquisition, expansion, rehabilita-
14 tion, and conversion of facilities for the training and ad-
15 ministration of the reserve components of the Navy and
16 Marine Corps as authorized by chapter 1803 of title 10,
17 United States Code, and Military Construction Authoriza-
18 tion Acts, \$36,078,000, to remain available until Sep-
19 tember 30, 2020: *Provided*, That, of the amount appro-
20 priated, not to exceed \$2,208,000 shall be available for
21 study, planning, design, and architect and engineer serv-
22 ices, as authorized by law, unless the Secretary of the
23 Navy determines that additional obligations are necessary
24 for such purposes and notifies the Committees on Appro-

1 priations of both Houses of Congress of the determination
2 and the reasons therefor.

3 MILITARY CONSTRUCTION, AIR FORCE RESERVE

4 For construction, acquisition, expansion, rehabilita-
5 tion, and conversion of facilities for the training and ad-
6 ministration of the Air Force Reserve as authorized by
7 chapter 1803 of title 10, United States Code, and Military
8 Construction Authorization Acts, \$65,021,000, to remain
9 available until September 30, 2020: *Provided*, That, of the
10 amount appropriated, not to exceed \$13,400,000 shall be
11 available for study, planning, design, and architect and en-
12 gineer services, as authorized by law, unless the Chief of
13 the Air Force Reserve determines that additional obliga-
14 tions are necessary for such purposes and notifies the
15 Committees on Appropriations of both Houses of Congress
16 of the determination and the reasons therefor.

17 NORTH ATLANTIC TREATY ORGANIZATION

18 SECURITY INVESTMENT PROGRAM

19 For the United States share of the cost of the North
20 Atlantic Treaty Organization Security Investment Pro-
21 gram for the acquisition and construction of military fa-
22 cilities and installations (including international military
23 headquarters) and for related expenses for the collective
24 defense of the North Atlantic Treaty Area as authorized
25 by section 2806 of title 10, United States Code, and Mili-

1 payment, leasing, minor construction, principal and inter-
2 est charges, and insurance premiums, as authorized by
3 law, \$353,036,000.

4 FAMILY HOUSING CONSTRUCTION, AIR FORCE

5 For expenses of family housing for the Air Force for
6 construction, including acquisition, replacement, addition,
7 expansion, extension, and alteration, as authorized by law,
8 \$160,498,000, to remain available until September 30,
9 2020.

10 FAMILY HOUSING OPERATION AND MAINTENANCE, AIR
11 FORCE

12 For expenses of family housing for the Air Force for
13 operation and maintenance, including debt payment, leas-
14 ing, minor construction, principal and interest charges,
15 and insurance premiums, as authorized by law,
16 \$331,232,000.

17 FAMILY HOUSING OPERATION AND MAINTENANCE,
18 DEFENSE-WIDE

19 For expenses of family housing for the activities and
20 agencies of the Department of Defense (other than the
21 military departments) for operation and maintenance,
22 leasing, and minor construction, as authorized by law,
23 \$58,668,000.

1 DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

2 For deposit into the Department of Defense Base
3 Closure Account, established by section 2906(a) of the De-
4 fense Base Closure and Realignment Act of 1990 (10
5 U.S.C. 2687 note), \$266,334,000, to remain available
6 until expended.

7 ADMINISTRATIVE PROVISIONS

8 SEC. 101. None of the funds made available in this
9 title shall be expended for payments under a cost-plus-a-
10 fixed-fee contract for construction, where cost estimates
11 exceed \$25,000, to be performed within the United States,
12 except Alaska, without the specific approval in writing of
13 the Secretary of Defense setting forth the reasons there-
14 for.

15 SEC. 102. Funds made available in this title for con-
16 struction shall be available for hire of passenger motor ve-
17 hicles.

18 SEC. 103. Funds made available in this title for con-
19 struction may be used for advances to the Federal High-
20 way Administration, Department of Transportation, for
21 the construction of access roads as authorized by section
22 210 of title 23, United States Code, when projects author-
23 ized therein are certified as important to the national de-
24 fense by the Secretary of Defense.

1 SEC. 104. None of the funds made available in this
2 title may be used to begin construction of new bases in
3 the United States for which specific appropriations have
4 not been made.

5 SEC. 105. None of the funds made available in this
6 title shall be used for purchase of land or land easements
7 in excess of 100 percent of the value as determined by
8 the Army Corps of Engineers or the Naval Facilities Engi-
9 neering Command, except: (1) where there is a determina-
10 tion of value by a Federal court; (2) purchases negotiated
11 by the Attorney General or the designee of the Attorney
12 General; (3) where the estimated value is less than
13 \$25,000; or (4) as otherwise determined by the Secretary
14 of Defense to be in the public interest.

15 SEC. 106. None of the funds made available in this
16 title shall be used to: (1) acquire land; (2) provide for site
17 preparation; or (3) install utilities for any family housing,
18 except housing for which funds have been made available
19 in annual Acts making appropriations for military con-
20 struction.

21 SEC. 107. None of the funds made available in this
22 title for minor construction may be used to transfer or
23 relocate any activity from one base or installation to an-
24 other, without prior notification to the Committees on Ap-
25 propriations of both Houses of Congress.

1 SEC. 108. None of the funds made available in this
2 title may be used for the procurement of steel for any con-
3 struction project or activity for which American steel pro-
4 ducers, fabricators, and manufacturers have been denied
5 the opportunity to compete for such steel procurement.

6 SEC. 109. None of the funds available to the Depart-
7 ment of Defense for military construction or family hous-
8 ing during the current fiscal year may be used to pay real
9 property taxes in any foreign nation.

10 SEC. 110. None of the funds made available in this
11 title may be used to initiate a new installation overseas
12 without prior notification to the Committees on Appro-
13 priations of both Houses of Congress.

14 SEC. 111. None of the funds made available in this
15 title may be obligated for architect and engineer contracts
16 estimated by the Government to exceed \$500,000 for
17 projects to be accomplished in Japan, in any North Atlan-
18 tic Treaty Organization member country, or in countries
19 bordering the Arabian Gulf, unless such contracts are
20 awarded to United States firms or United States firms
21 in joint venture with host nation firms.

22 SEC. 112. None of the funds made available in this
23 title for military construction in the United States terri-
24 tories and possessions in the Pacific and on Kwajalein
25 Atoll, or in countries bordering the Arabian Gulf, may be

1 used to award any contract estimated by the Government
2 to exceed \$1,000,000 to a foreign contractor: *Provided*,
3 That this section shall not be applicable to contract
4 awards for which the lowest responsive and responsible bid
5 of a United States contractor exceeds the lowest respon-
6 sive and responsible bid of a foreign contractor by greater
7 than 20 percent: *Provided further*, That this section shall
8 not apply to contract awards for military construction on
9 Kwajalein Atoll for which the lowest responsive and re-
10 sponsible bid is submitted by a Marshallese contractor.

11 SEC. 113. The Secretary of Defense shall inform the
12 appropriate committees of both Houses of Congress, in-
13 cluding the Committees on Appropriations, of plans and
14 scope of any proposed military exercise involving United
15 States personnel 30 days prior to its occurring, if amounts
16 expended for construction, either temporary or permanent,
17 are anticipated to exceed \$100,000.

18 SEC. 114. Funds appropriated to the Department of
19 Defense for construction in prior years shall be available
20 for construction authorized for each such military depart-
21 ment by the authorizations enacted into law during the
22 current session of Congress.

23 SEC. 115. For military construction or family housing
24 projects that are being completed with funds otherwise ex-
25 pired or lapsed for obligation, expired or lapsed funds may

1 be used to pay the cost of associated supervision, inspec-
2 tion, overhead, engineering and design on those projects
3 and on subsequent claims, if any.

4 SEC. 116. Notwithstanding any other provision of
5 law, any funds made available to a military department
6 or defense agency for the construction of military projects
7 may be obligated for a military construction project or
8 contract, or for any portion of such a project or contract,
9 at any time before the end of the fourth fiscal year after
10 the fiscal year for which funds for such project were made
11 available, if the funds obligated for such project: (1) are
12 obligated from funds available for military construction
13 projects; and (2) do not exceed the amount appropriated
14 for such project, plus any amount by which the cost of
15 such project is increased pursuant to law.

16 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 117. Subject to 30 days prior notification, or
18 14 days for a notification provided in an electronic me-
19 dium pursuant to sections 480 and 2883 of title 10,
20 United States Code, to the Committees on Appropriations
21 of both Houses of Congress, such additional amounts as
22 may be determined by the Secretary of Defense may be
23 transferred to: (1) the Department of Defense Family
24 Housing Improvement Fund from amounts appropriated
25 for construction in “Family Housing” accounts, to be

1 merged with and to be available for the same purposes
2 and for the same period of time as amounts appropriated
3 directly to the Fund; or (2) the Department of Defense
4 Military Unaccompanied Housing Improvement Fund
5 from amounts appropriated for construction of military
6 unaccompanied housing in “Military Construction” ac-
7 counts, to be merged with and to be available for the same
8 purposes and for the same period of time as amounts ap-
9 propriated directly to the Fund: *Provided*, That appropria-
10 tions made available to the Funds shall be available to
11 cover the costs, as defined in section 502(5) of the Con-
12 gressional Budget Act of 1974, of direct loans or loan
13 guarantees issued by the Department of Defense pursuant
14 to the provisions of subchapter IV of chapter 169 of title
15 10, United States Code, pertaining to alternative means
16 of acquiring and improving military family housing, mili-
17 tary unaccompanied housing, and supporting facilities.

18 (INCLUDING TRANSFER OF FUNDS)

19 SEC. 118. In addition to any other transfer authority
20 available to the Department of Defense, amounts may be
21 transferred from the Department of Defense Base Closure
22 Account to the fund established by section 1013(d) of the
23 Demonstration Cities and Metropolitan Development Act
24 of 1966 (42 U.S.C. 3374) to pay for expenses associated
25 with the Homeowners Assistance Program incurred under

1 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall
2 be merged with and be available for the same purposes
3 and for the same time period as the fund to which trans-
4 ferred.

5 SEC. 119. Notwithstanding any other provision of
6 law, funds made available in this title for operation and
7 maintenance of family housing shall be the exclusive
8 source of funds for repair and maintenance of all family
9 housing units, including general or flag officer quarters:
10 *Provided*, That not more than \$35,000 per unit may be
11 spent annually for the maintenance and repair of any gen-
12 eral or flag officer quarters without 30 days prior notifica-
13 tion, or 14 days for a notification provided in an electronic
14 medium pursuant to sections 480 and 2883 of title 10,
15 United States Code, to the Committees on Appropriations
16 of both Houses of Congress, except that an after-the-fact
17 notification shall be submitted if the limitation is exceeded
18 solely due to costs associated with environmental remedi-
19 ation that could not be reasonably anticipated at the time
20 of the budget submission: *Provided further*, That the
21 Under Secretary of Defense (Comptroller) is to report an-
22 nually to the Committees on Appropriations of both
23 Houses of Congress all operation and maintenance ex-
24 penditures for each individual general or flag officer quar-
25 ters for the prior fiscal year.

1 (1) performs a testing mission or function that
2 is not performed by any other unit in the Army and
3 is specifically stipulated in title 10, United States
4 Code; and

5 (2) is located at a military installation at which
6 the total number of civilian employees of the Depart-
7 ment of the Army and Army contractor personnel
8 employed exceeds 10 percent of the total number of
9 members of the regular and reserve components of
10 the Army assigned to the installation.

11 (b) EXCEPTION.—Subsection (a) shall not apply if
12 the Secretary of the Army certifies to the congressional
13 defense committees that in proposing the relocation of the
14 unit of the Army, the Secretary complied with Army Regu-
15 lation 5–10 relating to the policy, procedures, and respon-
16 sibilities for Army stationing actions.

17 SEC. 123. Amounts appropriated or otherwise made
18 available in an account funded under the headings in this
19 title may be transferred among projects and activities
20 within the account in accordance with the reprogramming
21 guidelines for military construction and family housing
22 construction contained in Department of Defense Finan-
23 cial Management Regulation 7000.14–R, Volume 3, Chap-
24 ter 7, of February 2009, as in effect on the date of enact-
25 ment of this Act.

1 global war on terrorism or as an emergency requirement),
2 \$134,000,000 are hereby rescinded.

3 SEC. 128. For an additional amount for “Military
4 Construction, Army”, \$34,500,000, to remain available
5 until September 30, 2020: *Provided*, That such funds may
6 only be obligated to carry out construction projects identi-
7 fied in the Department of the Army’s Unfunded Priority
8 List for Fiscal Year 2016 submitted to Congress: *Provided*
9 *further*, That such funding is for projects as authorized
10 in the National Defense Authorization Act for Fiscal Year
11 2016: *Provided further*, That, not later than 30 days after
12 enactment of this Act, the Secretary of the Army shall
13 submit to the Committees on Appropriations of both
14 Houses of Congress an expenditure plan for funds pro-
15 vided under this section.

16 SEC. 129. For an additional amount for “Military
17 Construction, Navy and Marine Corps”, \$34,500,000, to
18 remain available until September 30, 2020: *Provided*,
19 That such funds may only be obligated to carry out con-
20 struction projects identified in the Department of the
21 Navy’s Unfunded Priority List for Fiscal Year 2016: *Pro-*
22 *vided further*, That such funding is for projects as author-
23 ized in the National Defense Authorization Act for Fiscal
24 Year 2016: *Provided further*, That, not later than 30 days
25 after enactment of this Act, the Secretary of the Navy

1 shall submit to the Committees on Appropriations of both
2 Houses of Congress an expenditure plan for funds pro-
3 vided under this section.

4 SEC. 130. For an additional amount for “Military
5 Construction, Army National Guard”, \$51,300,000, to re-
6 main available until September 30, 2020: *Provided*, That
7 such funds may only be obligated to carry out construction
8 projects identified in the Department of the Army’s Un-
9 funded Priority List for Fiscal Year 2016 submitted to
10 Congress: *Provided further*, That such funding is for
11 projects as authorized in the National Defense Authoriza-
12 tion Act for Fiscal Year 2016: *Provided further*, That, not
13 later than 30 days after enactment of this Act, the Sec-
14 retary of the Army shall submit to the Committees on Ap-
15 propriations of both Houses of Congress an expenditure
16 plan for funds provided under this section.

17 SEC. 131. For an additional amount for “Military
18 Construction, Army Reserve”, \$34,200,000, to remain
19 available until September 30, 2020: *Provided*, That such
20 funds may only be obligated to carry out construction
21 projects identified in the Department of the Army’s Un-
22 funded Priority List for Fiscal Year 2016 submitted to
23 Congress: *Provided further*, That such funding is for
24 projects as authorized in the National Defense Authoriza-
25 tion Act for Fiscal Year 2016: *Provided further*, That, not

1 later than 30 days after enactment of this Act, the Sec-
2 retary of the Army shall submit to the Committees on Ap-
3 propriations of both Houses of Congress an expenditure
4 plan for funds provided under this section.

5 SEC. 132. Notwithstanding section 124, for an addi-
6 tional amount for “Military Construction, Army” in this
7 title, \$30,000,000 is provided for advances to the Federal
8 Highway Administration, Department of Transportation,
9 for construction of access roads as authorized by section
10 210 of title 23, United States Code.

11 SEC. 133. For an additional amount for “Military
12 Construction, Air Force”, \$21,000,000, to remain avail-
13 able until September 30, 2020: *Provided*, That such funds
14 may only be obligated to carry out construction projects
15 identified in the Department of the Air Force’s Unfunded
16 Priority List for Fiscal Year 2016 submitted to Congress:
17 *Provided further*, That such funding is for projects as au-
18 thorized in the National Defense Authorization Act for
19 Fiscal Year 2016: *Provided further*, That not later than
20 30 days after enactment of this Act, the Secretary of the
21 Air Force shall submit to the Committees on Appropria-
22 tions of both Houses of Congress an expenditure plan for
23 funds provided under this section.

24 SEC. 134. For an additional amount for “Military
25 Construction, Air National Guard”, \$6,100,000, to remain

1 gency operations directly related to the global war on ter-
2 rorism or as an emergency requirement), \$105,000,000
3 are hereby rescinded.

4 SEC. 137. For an additional amount for “Military
5 Construction, Air Force Reserve”, \$10,400,000, to remain
6 available until September 30, 2020: *Provided*, That such
7 funds may only be obligated to carry out construction
8 projects identified in the Department of the Air Force’s
9 Unfunded Priority List for Fiscal Year 2016 submitted
10 to Congress: *Provided further*, That such funding is for
11 projects as authorized in the National Defense Authoriza-
12 tion Act for Fiscal Year 2016: *Provided further*, That not
13 later than 30 days after enactment of this Act, the Sec-
14 retary of the Air Force shall submit to the Committees
15 on Appropriations of both Houses of Congress an expendi-
16 ture plan for funds provided under this section.

17 SEC. 138. Notwithstanding any other provision of
18 law, none of the funds appropriated or otherwise made
19 available by this or any other Act may be used to consoli-
20 date or relocate any element of a United States Air Force
21 Rapid Engineer Deployable Heavy Operational Repair
22 Squadron Engineer (RED HORSE) outside of the United
23 States until the Secretary of the Air Force (1) completes
24 an analysis and comparison of the cost and infrastructure
25 investment required to consolidate or relocate a RED

1 HORSE squadron outside of the United States versus
2 within the United States; (2) provides to the Committees
3 on Appropriations of both Houses of Congress (“the Com-
4 mittees”) a report detailing the findings of the cost anal-
5 ysis; and (3) certifies in writing to the Committees that
6 the preferred site for the consolidation or relocation yields
7 the greatest savings for the Air Force: *Provided*, That the
8 term “United States” in this section does not include any
9 territory or possession of the United States.

10 SEC. 139. None of the funds made available by this
11 Act may be used to carry out the closure or transfer of
12 the United States Naval Station, Guantánamo Bay, Cuba.

1091

1 TITLE II
2 DEPARTMENT OF VETERANS AFFAIRS
3 VETERANS BENEFITS ADMINISTRATION
4 COMPENSATION AND PENSIONS
5 (INCLUDING TRANSFER OF FUNDS)

6 For the payment of compensation benefits to or on
7 behalf of veterans and a pilot program for disability ex-
8 aminations as authorized by section 107 and chapters 11,
9 13, 18, 51, 53, 55, and 61 of title 38, United States Code;
10 pension benefits to or on behalf of veterans as authorized
11 by chapters 15, 51, 53, 55, and 61 of title 38, United
12 States Code; and burial benefits, the Reinstated Entitle-
13 ment Program for Survivors, emergency and other offi-
14 cers' retirement pay, adjusted-service credits and certifi-
15 cates, payment of premiums due on commercial life insur-
16 ance policies guaranteed under the provisions of title IV
17 of the Servicemembers Civil Relief Act (50 U.S.C. App.
18 541 et seq.) and for other benefits as authorized by sec-
19 tions 107, 1312, 1977, and 2106, and chapters 23, 51,
20 53, 55, and 61 of title 38, United States Code,
21 \$162,948,673,000, to remain available until expended, of
22 which \$86,083,128,000 shall become available on October
23 1, 2016: *Provided*, That not to exceed \$15,562,000 of the
24 amount made available for fiscal year 2016 and
25 \$16,021,000 of the amount made available for fiscal year

1 2017 under this heading shall be reimbursed to “General
2 Operating Expenses, Veterans Benefits Administration”,
3 and “Information Technology Systems” for necessary ex-
4 penses in implementing the provisions of chapters 51, 53,
5 and 55 of title 38, United States Code, the funding source
6 for which is specifically provided as the “Compensation
7 and Pensions” appropriation: *Provided further*, That such
8 sums as may be earned on an actual qualifying patient
9 basis, shall be reimbursed to “Medical Care Collections
10 Fund” to augment the funding of individual medical facili-
11 ties for nursing home care provided to pensioners as au-
12 thorized.

13 READJUSTMENT BENEFITS

14 For the payment of readjustment and rehabilitation
15 benefits to or on behalf of veterans as authorized by chap-
16 ters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and
17 61 of title 38, United States Code, \$30,654,185,000, to
18 remain available until expended, of which
19 \$16,340,828,000 shall become available on October 1,
20 2016: *Provided*, That expenses for rehabilitation program
21 services and assistance which the Secretary is authorized
22 to provide under subsection (a) of section 3104 of title
23 38, United States Code, other than under paragraphs (1),
24 (2), (5), and (11) of that subsection, shall be charged to
25 this account.

1 VETERANS INSURANCE AND INDEMNITIES

2 For military and naval insurance, national service life
3 insurance, servicemen's indemnities, service-disabled vet-
4 erans insurance, and veterans mortgage life insurance as
5 authorized by chapters 19 and 21, title 38, United States
6 Code, \$169,080,000, to remain available until expended,
7 of which \$91,920,000 shall become available on October
8 1, 2016.

9 VETERANS HOUSING BENEFIT PROGRAM FUND

10 For the cost of direct and guaranteed loans, such
11 sums as may be necessary to carry out the program, as
12 authorized by subchapters I through III of chapter 37 of
13 title 38, United States Code: *Provided*, That such costs,
14 including the cost of modifying such loans, shall be as de-
15 fined in section 502 of the Congressional Budget Act of
16 1974: *Provided further*, That, during fiscal year 2016,
17 within the resources available, not to exceed \$500,000 in
18 gross obligations for direct loans are authorized for spe-
19 cially adapted housing loans.

20 In addition, for administrative expenses to carry out
21 the direct and guaranteed loan programs, \$164,558,000.

22 VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

23 For the cost of direct loans, \$31,000, as authorized
24 by chapter 31 of title 38, United States Code: *Provided*,
25 That such costs, including the cost of modifying such

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1 loans, shall be as defined in section 502 of the Congres-
2 sional Budget Act of 1974: *Provided further*, That funds
3 made available under this heading are available to sub-
4 sidize gross obligations for the principal amount of direct
5 loans not to exceed \$2,952,000.

6 In addition, for administrative expenses necessary to
7 carry out the direct loan program, \$367,000, which may
8 be paid to the appropriation for “General Operating Ex-
9 penses, Veterans Benefits Administration”.

10 NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM

11 ACCOUNT

12 For administrative expenses to carry out the direct
13 loan program authorized by subchapter V of chapter 37
14 of title 38, United States Code, \$1,134,000.

15 VETERANS HEALTH ADMINISTRATION

16 MEDICAL SERVICES

17 For necessary expenses for furnishing, as authorized
18 by law, inpatient and outpatient care and treatment to
19 beneficiaries of the Department of Veterans Affairs and
20 veterans described in section 1705(a) of title 38, United
21 States Code, including care and treatment in facilities not
22 under the jurisdiction of the Department, and including
23 medical supplies and equipment, bioengineering services,
24 food services, and salaries and expenses of healthcare em-
25 ployees hired under title 38, United States Code, aid to

1 State homes as authorized by section 1741 of title 38,
2 United States Code, assistance and support services for
3 caregivers as authorized by section 1720G of title 38,
4 United States Code, loan repayments authorized by sec-
5 tion 604 of the Caregivers and Veterans Omnibus Health
6 Services Act of 2010 (Public Law 111–163; 124 Stat.
7 1174; 38 U.S.C. 7681 note), and hospital care and med-
8 ical services authorized by section 1787 of title 38, United
9 States Code; \$2,369,158,000, which shall be in addition
10 to funds previously appropriated under this heading that
11 became available on October 1, 2015; and, in addition,
12 \$51,673,000,000, plus reimbursements, shall become
13 available on October 1, 2016, and shall remain available
14 until September 30, 2017: *Provided*, That, of the amount
15 made available on October 1, 2016, under this heading,
16 \$1,400,000,000 shall remain available until September 30,
17 2018: *Provided further*, That, notwithstanding any other
18 provision of law, the Secretary of Veterans Affairs shall
19 establish a priority for the provision of medical treatment
20 for veterans who have service-connected disabilities, lower
21 income, or have special needs: *Provided further*, That, not-
22 withstanding any other provision of law, the Secretary of
23 Veterans Affairs shall give priority funding for the provi-
24 sion of basic medical benefits to veterans in enrollment
25 priority groups 1 through 6: *Provided further*, That, not-

1 withstanding any other provision of law, the Secretary of
2 Veterans Affairs may authorize the dispensing of prescrip-
3 tion drugs from Veterans Health Administration facilities
4 to enrolled veterans with privately written prescriptions
5 based on requirements established by the Secretary: *Pro-*
6 *vided further*, That the implementation of the program de-
7 scribed in the previous proviso shall incur no additional
8 cost to the Department of Veterans Affairs: *Provided fur-*
9 *ther*, That, of the amount made available on October 1,
10 2016, under this heading, not less than \$1,500,000,000
11 shall be available for Hepatitis C Virus (HCV) clinical
12 treatments, including clinical treatments with modern
13 medications that have significantly higher cure rates than
14 older medications, are easier to prescribe, and have fewer
15 and milder side effects: *Provided further*, That the Sec-
16 retary of Veterans Affairs shall ensure that sufficient
17 amounts appropriated under this heading for medical sup-
18 plies and equipment are available for the acquisition of
19 gender appropriate prosthetics.

20 MEDICAL SUPPORT AND COMPLIANCE

21 For necessary expenses in the administration of the
22 medical, hospital, nursing home, domiciliary, construction,
23 supply, and research activities, as authorized by law; ad-
24 ministrative expenses in support of capital policy activi-
25 ties; and administrative and legal expenses of the Depart-

1 ment for collecting and recovering amounts owed the De-
2 partment as authorized under chapter 17 of title 38,
3 United States Code, and the Federal Medical Care Recov-
4 ery Act (42 U.S.C. 2651 et seq.), \$6,524,000,000, plus
5 reimbursements, shall become available on October 1,
6 2016, and shall remain available until September 30,
7 2017: *Provided*, That, of the amount made available on
8 October 1, 2016, under this heading, \$100,000,000 shall
9 remain available until September 30, 2018.

10

MEDICAL FACILITIES

11 For necessary expenses for the maintenance and op-
12 eration of hospitals, nursing homes, domiciliary facilities,
13 and other necessary facilities of the Veterans Health Ad-
14 ministration; for administrative expenses in support of
15 planning, design, project management, real property ac-
16 quisition and disposition, construction, and renovation of
17 any facility under the jurisdiction or for the use of the
18 Department; for oversight, engineering, and architectural
19 activities not charged to project costs; for repairing, alter-
20 ing, improving, or providing facilities in the several hos-
21 pitals and homes under the jurisdiction of the Depart-
22 ment, not otherwise provided for, either by contract or by
23 the hire of temporary employees and purchase of mate-
24 rials; for leases of facilities; and for laundry services;
25 \$105,132,000, which shall be in addition to funds pre-

1 viously appropriated under this heading that became avail-
2 able on October 1, 2015; and, in addition,
3 \$5,074,000,000, plus reimbursements, shall become avail-
4 able on October 1, 2016, and shall remain available until
5 September 30, 2017: *Provided*, That, of the amount made
6 available on October 1, 2016, under this heading,
7 \$250,000,000 shall remain available until September 30,
8 2018.

9 MEDICAL AND PROSTHETIC RESEARCH

10 For necessary expenses in carrying out programs of
11 medical and prosthetic research and development as au-
12 thorized by chapter 73 of title 38, United States Code,
13 \$630,735,000, plus reimbursements, shall remain avail-
14 able until September 30, 2017: *Provided*, That the Sec-
15 retary of Veterans Affairs shall ensure that sufficient
16 amounts appropriated under this heading are available for
17 gender appropriate prosthetic research and toxic exposure
18 research.

19 NATIONAL CEMETERY ADMINISTRATION

20 For necessary expenses of the National Cemetery Ad-
21 ministration for operations and maintenance, not other-
22 wise provided for, including uniforms or allowances there-
23 for; cemeterial expenses as authorized by law; purchase
24 of one passenger motor vehicle for use in cemeterial oper-
25 ations; hire of passenger motor vehicles; and repair, alter-

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1 ation or improvement of facilities under the jurisdiction
2 of the National Cemetery Administration, \$271,220,000,
3 of which not to exceed \$26,600,000 shall remain available
4 until September 30, 2017.

5 DEPARTMENTAL ADMINISTRATION

6 GENERAL ADMINISTRATION

7 (INCLUDING TRANSFER OF FUNDS)

8 For necessary operating expenses of the Department
9 of Veterans Affairs, not otherwise provided for, including
10 administrative expenses in support of Department-wide
11 capital planning, management and policy activities, uni-
12 forms, or allowances therefor; not to exceed \$25,000 for
13 official reception and representation expenses; hire of pas-
14 senger motor vehicles; and reimbursement of the General
15 Services Administration for security guard services,
16 \$336,659,000, of which not to exceed \$10,000,000 shall
17 remain available until September 30, 2017: *Provided,*
18 That funds provided under this heading may be trans-
19 ferred to “General Operating Expenses, Veterans Benefits
20 Administration”.

21 BOARD OF VETERANS APPEALS

22 For necessary operating expenses of the Board of
23 Veterans Appeals, \$109,884,000, of which not to exceed
24 \$10,788,000 shall remain available until September 30,
25 2017.

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1 GENERAL OPERATING EXPENSES, VETERANS BENEFITS
2 ADMINISTRATION

3 For necessary operating expenses of the Veterans
4 Benefits Administration, not otherwise provided for, in-
5 cluding hire of passenger motor vehicles, reimbursement
6 of the General Services Administration for security guard
7 services, and reimbursement of the Department of De-
8 fense for the cost of overseas employee mail,
9 \$2,707,734,000: *Provided*, That expenses for services and
10 assistance authorized under paragraphs (1), (2), (5), and
11 (11) of section 3104(a) of title 38, United States Code,
12 that the Secretary of Veterans Affairs determines are nec-
13 essary to enable entitled veterans: (1) to the maximum ex-
14 tent feasible, to become employable and to obtain and
15 maintain suitable employment; or (2) to achieve maximum
16 independence in daily living, shall be charged to this ac-
17 count: *Provided further*, That, of the funds made available
18 under this heading, not to exceed \$160,000,000 shall re-
19 main available until September 30, 2017.

20 INFORMATION TECHNOLOGY SYSTEMS
21 (INCLUDING TRANSFER OF FUNDS)

22 For necessary expenses for information technology
23 systems and telecommunications support, including devel-
24 opmental information systems and operational information
25 systems; for pay and associated costs; and for the capital

1 asset acquisition of information technology systems, in-
2 cluding management and related contractual costs of said
3 acquisitions, including contractual costs associated with
4 operations authorized by section 3109 of title 5, United
5 States Code, \$4,133,363,000, plus reimbursements: *Pro-*
6 *vided*, That \$1,115,757,000 shall be for pay and associ-
7 ated costs, of which not to exceed \$34,800,000 shall re-
8 main available until September 30, 2017: *Provided further*,
9 That \$2,512,863,000 shall be for operations and mainte-
10 nance, of which not to exceed \$175,000,000 shall remain
11 available until September 30, 2017: *Provided further*, That
12 \$504,743,000 shall be for information technology systems
13 development, modernization, and enhancement, and shall
14 remain available until September 30, 2017: *Provided fur-*
15 *ther*, That amounts made available for information tech-
16 nology systems development, modernization, and enhance-
17 ment may not be obligated or expended until the Secretary
18 of Veterans Affairs or the Chief Information Officer of
19 the Department of Veterans Affairs submits to the Com-
20 mittees on Appropriations of both Houses of Congress a
21 certification of the amounts, in parts or in full, to be obli-
22 gated and expended for each development project: *Pro-*
23 *vided further*, That amounts made available for salaries
24 and expenses, operations and maintenance, and informa-
25 tion technology systems development, modernization, and

1 enhancement may be transferred among the three sub-
2 accounts after the Secretary of Veterans Affairs requests
3 from the Committees on Appropriations of both Houses
4 of Congress the authority to make the transfer and an
5 approval is issued: *Provided further*, That amounts made
6 available for the “Information Technology Systems” ac-
7 count for development, modernization, and enhancement
8 may be transferred among projects or to newly defined
9 projects: *Provided further*, That no project may be in-
10 creased or decreased by more than \$1,000,000 of cost
11 prior to submitting a request to the Committees on Appro-
12 priations of both Houses of Congress to make the transfer
13 and an approval is issued, or absent a response, a period
14 of 30 days has elapsed: *Provided further*, That funds under
15 this heading may be used by the Interagency Program Of-
16 fice through the Department of Veterans Affairs to define
17 data standards, code sets, and value sets used to enable
18 interoperability: *Provided further*, That, of the funds made
19 available for information technology systems development,
20 modernization, and enhancement for VistA Evolution, not
21 more than 25 percent may be obligated or expended until
22 the Secretary of Veterans Affairs submits to the Commit-
23 tees on Appropriations of both Houses of Congress, and
24 such Committees approve, a report that describes: (1) the
25 status of and changes to the VistA Evolution program

1 plan dated March 24, 2014 (hereinafter referred to as the
2 “Plan”), the VistA 4 product roadmap dated February 26,
3 2015 (“Roadmap”), and the VistA 4 Incremental Life
4 Cycle Cost Estimate, dated October 26, 2014; (2) any
5 changes to the scope or functionality of projects within
6 the VistA Evolution program as established in the Plan;
7 (3) actual program costs incurred to date; (4) progress
8 in meeting the schedule milestones that have been estab-
9 lished in the Plan; (5) a Project Management Account-
10 ability System (PMAS) Dashboard Progress report that
11 identifies each VistA Evolution project being tracked
12 through PMAS, what functionality it is intended to pro-
13 vide, and what evaluation scores it has received through-
14 out development; (6) the definition being used for inter-
15 operability between the electronic health record systems
16 of the Department of Defense and the Department of Vet-
17 erans Affairs, the metrics to measure the extent of inter-
18 operability, the milestones and timeline associated with
19 achieving interoperability, and the baseline measurements
20 associated with interoperability; (7) progress toward devel-
21 oping and implementing all components and levels of
22 interoperability, including semantic interoperability; (8)
23 the change management tools in place to facilitate the im-
24 plementation of VistA Evolution and interoperability; and
25 (9) any changes to the governance structure for the VistA

1 Evolution program and its chain of decisionmaking au-
2 thority: *Provided further*, That the funds made available
3 under this heading for information technology systems de-
4 velopment, modernization, and enhancement, shall be for
5 the projects, and in the amounts, specified under this
6 heading in the explanatory statement described in section
7 4 (in the matter preceding division A of this consolidated
8 Act).

9 OFFICE OF INSPECTOR GENERAL

10 For necessary expenses of the Office of Inspector
11 General, to include information technology, in carrying out
12 the provisions of the Inspector General Act of 1978 (5
13 U.S.C. App.), \$136,766,000, of which not to exceed
14 \$12,676,000 shall remain available until September 30,
15 2017.

16 CONSTRUCTION, MAJOR PROJECTS

17 For constructing, altering, extending, and improving
18 any of the facilities, including parking projects, under the
19 jurisdiction or for the use of the Department of Veterans
20 Affairs, or for any of the purposes set forth in sections
21 316, 2404, 2406 and chapter 81 of title 38, United States
22 Code, not otherwise provided for, including planning, ar-
23 chitectural and engineering services, construction manage-
24 ment services, maintenance or guarantee period services
25 costs associated with equipment guarantees provided

1 under the project, services of claims analysts, offsite utility
2 and storm drainage system construction costs, and site ac-
3 quisition, where the estimated cost of a project is more
4 than the amount set forth in section 8104(a)(3)(A) of title
5 38, United States Code, or where funds for a project were
6 made available in a previous major project appropriation,
7 \$1,243,800,000, of which \$1,163,800,000 shall remain
8 available until September 30, 2020, and of which
9 \$80,000,000 shall remain available until expended: *Pro-*
10 *vided*, That except for advance planning activities, includ-
11 ing needs assessments which may or may not lead to cap-
12 ital investments, and other capital asset management re-
13 lated activities, including portfolio development and man-
14 agement activities, and investment strategy studies funded
15 through the advance planning fund and the planning and
16 design activities funded through the design fund, including
17 needs assessments which may or may not lead to capital
18 investments, and salaries and associated costs of the resi-
19 dent engineers who oversee those capital investments
20 funded through this account, and funds provided for the
21 purchase of land for the National Cemetery Administra-
22 tion through the land acquisition line item, none of the
23 funds made available under this heading shall be used for
24 any project which has not been approved by the Congress
25 in the budgetary process: *Provided further*, That funds

1 made available under this heading for fiscal year 2016,
2 for each approved project shall be obligated: (1) by the
3 awarding of a construction documents contract by Sep-
4 tember 30, 2016; and (2) by the awarding of a construc-
5 tion contract by September 30, 2017: *Provided further,*
6 That the Secretary of Veterans Affairs shall promptly sub-
7 mit to the Committees on Appropriations of both Houses
8 of Congress a written report on any approved major con-
9 struction project for which obligations are not incurred
10 within the time limitations established above: *Provided*
11 *further,* That, of the amount made available under this
12 heading, \$649,000,000 for Veterans Health Administra-
13 tion major construction projects shall not be available
14 until the Department of Veterans Affairs—

15 (1) enters into an agreement with an appro-
16 priate non-Department of Veterans Affairs Federal
17 entity to serve as the design and/or construction
18 agent for any Veterans Health Administration major
19 construction project with a Total Estimated Cost of
20 \$100,000,000 or above by providing full project
21 management services, including management of the
22 project design, acquisition, construction, and con-
23 tract changes, consistent with section 502 of Public
24 Law 114–58; and

1 (2) certifies in writing that such an agreement
2 is executed and intended to minimize or prevent sub-
3 sequent major construction project cost overruns
4 and provides a copy of the agreement entered into
5 and any required supplementary information to the
6 Committees on Appropriations of both Houses of
7 Congress.

8 CONSTRUCTION, MINOR PROJECTS

9 For constructing, altering, extending, and improving
10 any of the facilities, including parking projects, under the
11 jurisdiction or for the use of the Department of Veterans
12 Affairs, including planning and assessments of needs
13 which may lead to capital investments, architectural and
14 engineering services, maintenance or guarantee period
15 services costs associated with equipment guarantees pro-
16 vided under the project, services of claims analysts, offsite
17 utility and storm drainage system construction costs, and
18 site acquisition, or for any of the purposes set forth in
19 sections 316, 2404, 2406 and chapter 81 of title 38,
20 United States Code, not otherwise provided for, where the
21 estimated cost of a project is equal to or less than the
22 amount set forth in section 8104(a)(3)(A) of title 38,
23 United States Code, \$406,200,000, to remain available
24 until September 30, 2020, along with unobligated balances
25 of previous “Construction, Minor Projects” appropriations

1 which are hereby made available for any project where the
2 estimated cost is equal to or less than the amount set forth
3 in such section: *Provided*, That funds made available
4 under this heading shall be for: (1) repairs to any of the
5 nonmedical facilities under the jurisdiction or for the use
6 of the Department which are necessary because of loss or
7 damage caused by any natural disaster or catastrophe;
8 and (2) temporary measures necessary to prevent or to
9 minimize further loss by such causes.

10 GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE
11 FACILITIES

12 For grants to assist States to acquire or construct
13 State nursing home and domiciliary facilities and to re-
14 model, modify, or alter existing hospital, nursing home,
15 and domiciliary facilities in State homes, for furnishing
16 care to veterans as authorized by sections 8131 through
17 8137 of title 38, United States Code, \$120,000,000, to
18 remain available until expended.

19 GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

20 For grants to assist States and tribal organizations
21 in establishing, expanding, or improving veterans ceme-
22 teries as authorized by section 2408 of title 38, United
23 States Code, \$46,000,000, to remain available until ex-
24 pended.

1 ADMINISTRATIVE PROVISIONS

2 (INCLUDING TRANSFER OF FUNDS)

3 SEC. 201. Any appropriation for fiscal year 2016 for
4 “Compensation and Pensions”, “Readjustment Benefits”,
5 and “Veterans Insurance and Indemnities” may be trans-
6 ferred as necessary to any other of the mentioned appro-
7 priations: *Provided*, That, before a transfer may take
8 place, the Secretary of Veterans Affairs shall request from
9 the Committees on Appropriations of both Houses of Con-
10 gress the authority to make the transfer and such Com-
11 mittees issue an approval, or absent a response, a period
12 of 30 days has elapsed.

13 (INCLUDING TRANSFER OF FUNDS)

14 SEC. 202. Amounts made available for the Depart-
15 ment of Veterans Affairs for fiscal year 2016, in this or
16 any other Act, under the “Medical Services”, “Medical
17 Support and Compliance”, and “Medical Facilities” ac-
18 counts may be transferred among the accounts: *Provided*,
19 That any transfers between the “Medical Services” and
20 “Medical Support and Compliance” accounts of 1 percent
21 or less of the total amount appropriated to the account
22 in this or any other Act may take place subject to notifica-
23 tion from the Secretary of Veterans Affairs to the Com-
24 mittees on Appropriations of both Houses of Congress of
25 the amount and purpose of the transfer: *Provided further*,

1 That any transfers between the “Medical Services” and
2 “Medical Support and Compliance” accounts in excess of
3 1 percent, or exceeding the cumulative 1 percent for the
4 fiscal year, may take place only after the Secretary re-
5 quests from the Committees on Appropriations of both
6 Houses of Congress the authority to make the transfer
7 and an approval is issued: *Provided further*, That any
8 transfers to or from the “Medical Facilities” account may
9 take place only after the Secretary requests from the Com-
10 mittees on Appropriations of both Houses of Congress the
11 authority to make the transfer and an approval is issued.

12 SEC. 203. Appropriations available in this title for
13 salaries and expenses shall be available for services au-
14 thorized by section 3109 of title 5, United States Code;
15 hire of passenger motor vehicles; lease of a facility or land
16 or both; and uniforms or allowances therefore, as author-
17 ized by sections 5901 through 5902 of title 5, United
18 States Code.

19 SEC. 204. No appropriations in this title (except the
20 appropriations for “Construction, Major Projects”, and
21 “Construction, Minor Projects”) shall be available for the
22 purchase of any site for or toward the construction of any
23 new hospital or home.

24 SEC. 205. No appropriations in this title shall be
25 available for hospitalization or examination of any persons

1 (except beneficiaries entitled to such hospitalization or ex-
2 amination under the laws providing such benefits to vet-
3 erans, and persons receiving such treatment under sec-
4 tions 7901 through 7904 of title 5, United States Code,
5 or the Robert T. Stafford Disaster Relief and Emergency
6 Assistance Act (42 U.S.C. 5121 et seq.)), unless reim-
7 bursement of the cost of such hospitalization or examina-
8 tion is made to the “Medical Services” account at such
9 rates as may be fixed by the Secretary of Veterans Affairs.

10 SEC. 206. Appropriations available in this title for
11 “Compensation and Pensions”, “Readjustment Benefits”,
12 and “Veterans Insurance and Indemnities” shall be avail-
13 able for payment of prior year accrued obligations re-
14 quired to be recorded by law against the corresponding
15 prior year accounts within the last quarter of fiscal year
16 2015.

17 SEC. 207. Appropriations available in this title shall
18 be available to pay prior year obligations of corresponding
19 prior year appropriations accounts resulting from sections
20 3328(a), 3334, and 3712(a) of title 31, United States
21 Code, except that if such obligations are from trust fund
22 accounts they shall be payable only from “Compensation
23 and Pensions”.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 208. Notwithstanding any other provision of
3 law, during fiscal year 2016, the Secretary of Veterans
4 Affairs shall, from the National Service Life Insurance
5 Fund under section 1920 of title 38, United States Code,
6 the Veterans' Special Life Insurance Fund under section
7 1923 of title 38, United States Code, and the United
8 States Government Life Insurance Fund under section
9 1955 of title 38, United States Code, reimburse the "Gen-
10 eral Operating Expenses, Veterans Benefits Administra-
11 tion" and "Information Technology Systems" accounts for
12 the cost of administration of the insurance programs fi-
13 nanced through those accounts: *Provided*, That reimburse-
14 ment shall be made only from the surplus earnings accu-
15 mulated in such an insurance program during fiscal year
16 2016 that are available for dividends in that program after
17 claims have been paid and actuarially determined reserves
18 have been set aside: *Provided further*, That if the cost of
19 administration of such an insurance program exceeds the
20 amount of surplus earnings accumulated in that program,
21 reimbursement shall be made only to the extent of such
22 surplus earnings: *Provided further*, That the Secretary
23 shall determine the cost of administration for fiscal year
24 2016 which is properly allocable to the provision of each
25 such insurance program and to the provision of any total

1 disability income insurance included in that insurance pro-
2 gram.

3 SEC. 209. Amounts deducted from enhanced-use
4 lease proceeds to reimburse an account for expenses in-
5 curred by that account during a prior fiscal year for pro-
6 viding enhanced-use lease services, may be obligated dur-
7 ing the fiscal year in which the proceeds are received.

8 (INCLUDING TRANSFER OF FUNDS)

9 SEC. 210. Funds available in this title or funds for
10 salaries and other administrative expenses shall also be
11 available to reimburse the Office of Resolution Manage-
12 ment of the Department of Veterans Affairs and the Of-
13 fice of Employment Discrimination Complaint Adjudica-
14 tion under section 319 of title 38, United States Code,
15 for all services provided at rates which will recover actual
16 costs but not to exceed \$43,700,000 for the Office of Reso-
17 lution Management and \$3,400,000 for the Office of Em-
18 ployment Discrimination Complaint Adjudication: *Pro-*
19 *vided*, That payments may be made in advance for services
20 to be furnished based on estimated costs: *Provided further*,
21 That amounts received shall be credited to the “General
22 Administration” and “Information Technology Systems”
23 accounts for use by the office that provided the service.

1 (TRANSFER OF FUNDS)

2 SEC. 211. Of the amounts made available to the De-
3 partment of Veterans Affairs for fiscal year 2016 for the
4 Office of Rural Health under the heading “Medical Serv-
5 ices”, including any advance appropriation for fiscal year
6 2016 provided in prior appropriation Acts, up to
7 \$20,000,000 may be transferred to and merged with funds
8 appropriated under the heading “Grants for Construction
9 of State Extended Care Facilities”.

10 SEC. 212. No funds of the Department of Veterans
11 Affairs shall be available for hospital care, nursing home
12 care, or medical services provided to any person under
13 chapter 17 of title 38, United States Code, for a non-serv-
14 ice-connected disability described in section 1729(a)(2) of
15 such title, unless that person has disclosed to the Sec-
16 retary of Veterans Affairs, in such form as the Secretary
17 may require, current, accurate third-party reimbursement
18 information for purposes of section 1729 of such title: *Pro-*
19 *vided*, That the Secretary may recover, in the same man-
20 ner as any other debt due the United States, the reason-
21 able charges for such care or services from any person who
22 does not make such disclosure as required: *Provided fur-*
23 *ther*, That any amounts so recovered for care or services
24 provided in a prior fiscal year may be obligated by the

1 Secretary during the fiscal year in which amounts are re-
2 ceived.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 213. Notwithstanding any other provision of
5 law, proceeds or revenues derived from enhanced-use leas-
6 ing activities (including disposal) may be deposited into
7 the “Construction, Major Projects” and “Construction,
8 Minor Projects” accounts and be used for construction
9 (including site acquisition and disposition), alterations,
10 and improvements of any medical facility under the juris-
11 diction or for the use of the Department of Veterans Af-
12 fairs. Such sums as realized are in addition to the amount
13 provided for in “Construction, Major Projects” and “Con-
14 struction, Minor Projects”.

15 SEC. 214. Amounts made available under “Medical
16 Services” are available—

17 (1) for furnishing recreational facilities, sup-
18 plies, and equipment; and

19 (2) for funeral expenses, burial expenses, and
20 other expenses incidental to funerals and burials for
21 beneficiaries receiving care in the Department.

22 (INCLUDING TRANSFER OF FUNDS)

23 SEC. 215. Such sums as may be deposited to the
24 Medical Care Collections Fund pursuant to section 1729A
25 of title 38, United States Code, may be transferred to

1 “Medical Services”, to remain available until expended for
2 the purposes of that account.

3 SEC. 216. The Secretary of Veterans Affairs may
4 enter into agreements with Indian tribes and tribal organi-
5 zations which are party to the Alaska Native Health Com-
6 pact with the Indian Health Service, and Indian tribes and
7 tribal organizations serving rural Alaska which have en-
8 tered into contracts with the Indian Health Service under
9 the Indian Self Determination and Educational Assistance
10 Act, to provide healthcare, including behavioral health and
11 dental care. The Secretary shall require participating vet-
12 erans and facilities to comply with all appropriate rules
13 and regulations, as established by the Secretary. The term
14 “rural Alaska” shall mean those lands sited within the ex-
15 ternal boundaries of the Alaska Native regions specified
16 in sections 7(a)(1)–(4) and (7)–(12) of the Alaska Native
17 Claims Settlement Act, as amended (43 U.S.C. 1606), and
18 those lands within the Alaska Native regions specified in
19 sections 7(a)(5) and 7(a)(6) of the Alaska Native Claims
20 Settlement Act, as amended (43 U.S.C. 1606), which are
21 not within the boundaries of the municipality of Anchor-
22 age, the Fairbanks North Star Borough, the Kenai Penin-
23 sula Borough or the Matanuska Susitna Borough.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 217. Such sums as may be deposited to the De-
3 partment of Veterans Affairs Capital Asset Fund pursu-
4 ant to section 8118 of title 38, United States Code, may
5 be transferred to the “Construction, Major Projects” and
6 “Construction, Minor Projects” accounts, to remain avail-
7 able until expended for the purposes of these accounts.

8 SEC. 218. None of the funds made available in this
9 title may be used to implement any policy prohibiting the
10 Directors of the Veterans Integrated Services Networks
11 from conducting outreach or marketing to enroll new vet-
12 erans within their respective Networks.

13 SEC. 219. Not later than 30 days after the end of
14 each fiscal quarter, the Secretary of Veterans Affairs shall
15 submit to the Committees on Appropriations of both
16 Houses of Congress a report on the financial status of the
17 Department of Veterans Affairs for the preceding quarter:
18 *Provided*, That, at a minimum, the report shall include
19 the direction contained in the explanatory statement de-
20 scribed in section 4 (in the matter preceding division A
21 of this consolidated Act) in the paragraph entitled “Quar-
22 terly Report”, under the heading “General Administra-
23 tion”.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 220. Amounts made available under the “Med-
3 ical Services”, “Medical Support and Compliance”, “Med-
4 ical Facilities”, “General Operating Expenses, Veterans
5 Benefits Administration”, “General Administration”, and
6 “National Cemetery Administration” accounts for fiscal
7 year 2016 may be transferred to or from the “Information
8 Technology Systems” account: *Provided*, That such trans-
9 fers may not result in a more than 10 percent aggregate
10 increase in the total amount made available by this Act
11 for the “Information Technology Systems” account: *Pro-*
12 *vided further*, That, before a transfer may take place, the
13 Secretary of Veterans Affairs shall request from the Com-
14 mittees on Appropriations of both Houses of Congress the
15 authority to make the transfer and an approval is issued.

16 SEC. 221. None of the funds appropriated or other-
17 wise made available by this Act or any other Act for the
18 Department of Veterans Affairs may be used in a manner
19 that is inconsistent with: (1) section 842 of the Transpor-
20 tation, Treasury, Housing and Urban Development, the
21 Judiciary, the District of Columbia, and Independent
22 Agencies Appropriations Act, 2006 (Public Law 109–115;
23 119 Stat. 2506); or (2) section 8110(a)(5) of title 38,
24 United States Code.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 222. Of the amounts appropriated to the De-
3 partment of Veterans Affairs for fiscal year 2016 for
4 “Medical Services”, “Medical Support and Compliance”,
5 “Medical Facilities”, “Construction, Minor Projects”, and
6 “Information Technology Systems”, up to \$267,521,000,
7 plus reimbursements, may be transferred to the Joint De-
8 partment of Defense-Department of Veterans Affairs
9 Medical Facility Demonstration Fund, established by sec-
10 tion 1704 of the National Defense Authorization Act for
11 Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571)
12 and may be used for operation of the facilities designated
13 as combined Federal medical facilities as described by sec-
14 tion 706 of the Duncan Hunter National Defense Author-
15 ization Act for Fiscal Year 2009 (Public Law 110–417;
16 122 Stat. 4500): *Provided*, That additional funds may be
17 transferred from accounts designated in this section to the
18 Joint Department of Defense-Department of Veterans Af-
19 fairs Medical Facility Demonstration Fund upon written
20 notification by the Secretary of Veterans Affairs to the
21 Committees on Appropriations of both Houses of Con-
22 gress: *Provided further*, That section 223 of Title II of
23 Division I of Public Law 113–235 is repealed.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 223. Of the amounts appropriated to the De-
3 partment of Veterans Affairs which become available on
4 October 1, 2016, for “Medical Services”, “Medical Sup-
5 port and Compliance”, and “Medical Facilities”, up to
6 \$265,675,000, plus reimbursements, may be transferred
7 to the Joint Department of Defense-Department of Vet-
8 erans Affairs Medical Facility Demonstration Fund, es-
9 tablished by section 1704 of the National Defense Author-
10 ization Act for Fiscal Year 2010 (Public Law 111–84; 123
11 Stat. 3571) and may be used for operation of the facilities
12 designated as combined Federal medical facilities as de-
13 scribed by section 706 of the Duncan Hunter National De-
14 fense Authorization Act for Fiscal Year 2009 (Public Law
15 110–417; 122 Stat. 4500): *Provided*, That additional
16 funds may be transferred from accounts designated in this
17 section to the Joint Department of Defense-Department
18 of Veterans Affairs Medical Facility Demonstration Fund
19 upon written notification by the Secretary of Veterans Af-
20 fairs to the Committees on Appropriations of both Houses
21 of Congress.

22 (INCLUDING TRANSFER OF FUNDS)

23 SEC. 224. Such sums as may be deposited to the
24 Medical Care Collections Fund pursuant to section 1729A
25 of title 38, United States Code, for healthcare provided

1 at facilities designated as combined Federal medical facili-
2 ties as described by section 706 of the Duncan Hunter
3 National Defense Authorization Act for Fiscal Year 2009
4 (Public Law 110–417; 122 Stat. 4500) shall also be avail-
5 able: (1) for transfer to the Joint Department of Defense-
6 Department of Veterans Affairs Medical Facility Dem-
7 onstration Fund, established by section 1704 of the Na-
8 tional Defense Authorization Act for Fiscal Year 2010
9 (Public Law 111–84; 123 Stat. 3571); and (2) for oper-
10 ations of the facilities designated as combined Federal
11 medical facilities as described by section 706 of the Dun-
12 can Hunter National Defense Authorization Act for Fiscal
13 Year 2009 (Public Law 110–417; 122 Stat. 4500).

14 (INCLUDING TRANSFER OF FUNDS)

15 SEC. 225. Of the amounts available in this title for
16 “Medical Services”, “Medical Support and Compliance”,
17 and “Medical Facilities”, a minimum of \$15,000,000 shall
18 be transferred to the DOD–VA Health Care Sharing In-
19 centive Fund, as authorized by section 8111(d) of title 38,
20 United States Code, to remain available until expended,
21 for any purpose authorized by section 8111 of title 38,
22 United States Code.

23 (INCLUDING RESCISSIONS OF FUNDS)

24 SEC. 226. (a) Of the funds appropriated in title II
25 of division I of Public Law 113–235, the following

1 amounts which became available on October 1, 2015, are
2 hereby rescinded from the following accounts in the
3 amounts specified:

4 (1) “Department of Veterans Affairs, Medical
5 Services”, \$1,400,000,000.

6 (2) “Department of Veterans Affairs, Medical
7 Support and Compliance”, \$100,000,000.

8 (3) “Department of Veterans Affairs, Medical
9 Facilities”, \$250,000,000.

10 (b) In addition to amounts provided elsewhere in this
11 Act, an additional amount is appropriated to the following
12 accounts in the amounts specified to remain available until
13 September 30, 2017:

14 (1) “Department of Veterans Affairs, Medical
15 Services”, \$1,400,000,000.

16 (2) “Department of Veterans Affairs, Medical
17 Support and Compliance”, \$100,000,000.

18 (3) “Department of Veterans Affairs, Medical
19 Facilities”, \$250,000,000.

20 SEC. 227. The Secretary of Veterans Affairs shall no-
21 tify the Committees on Appropriations of both Houses of
22 Congress of all bid savings in a major construction project
23 that total at least \$5,000,000, or 5 percent of the pro-
24 grammed amount of the project, whichever is less: *Pro-*
25 *vided*, That such notification shall occur within 14 days

1 of a contract identifying the programmed amount: *Pro-*
2 *vided further*, That the Secretary shall notify the Commit-
3 tees on Appropriations of both Houses of Congress 14
4 days prior to the obligation of such bid savings and shall
5 describe the anticipated use of such savings.

6 SEC. 228. None of the funds made available for
7 “Construction, Major Projects” may be used for a project
8 in excess of the scope specified for that project in the origi-
9 nal justification data provided to the Congress as part of
10 the request for appropriations unless the Secretary of Vet-
11 erans Affairs receives approval from the Committees on
12 Appropriations of both Houses of Congress.

13 SEC. 229. The Secretary of Veterans Affairs shall
14 submit to the Committees on Appropriations of both
15 Houses of Congress a quarterly report that contains the
16 following information from each Veterans Benefits Admin-
17 istration Regional Office: (1) the average time to complete
18 a disability compensation claim; (2) the number of claims
19 pending more than 125 days, disaggregated by initial and
20 supplemental claims; (3) error rates; (4) the number of
21 claims personnel; (5) any corrective action taken within
22 the quarter to address poor performance; (6) training pro-
23 grams undertaken; and (7) the number and results of
24 Quality Review Team audits: *Provided*, That each quar-

1 terly report shall be submitted no later than 30 days after
2 the end of the respective quarter.

3 SEC. 230. Of the funds provided to the Department
4 of Veterans Affairs for fiscal year 2016 for “Medical Serv-
5 ices” and “Medical Support and Compliance”, a maximum
6 of \$5,000,000 may be obligated from the “Medical Serv-
7 ices” account and a maximum of \$154,596,000 may be
8 obligated from the “Medical Support and Compliance” ac-
9 count for the VistA Evolution and electronic health record
10 interoperability projects: *Provided*, That funds in addition
11 to these amounts may be obligated for the VistA Evolution
12 and electronic health record interoperability projects upon
13 written notification by the Secretary of Veterans Affairs
14 to the Committees on Appropriations of both Houses of
15 Congress.

16 SEC. 231. The Secretary of Veterans Affairs shall
17 provide written notification to the Committees on Appro-
18 priations of both Houses of Congress 15 days prior to or-
19 ganizational changes which result in the transfer of 25 or
20 more full-time equivalents from one organizational unit of
21 the Department of Veterans Affairs to another.

22 SEC. 232. The Secretary of Veterans Affairs shall
23 provide on a quarterly basis to the Committees on Appro-
24 priations of both Houses of Congress notification of any

1 single national outreach and awareness marketing cam-
2 paign in which obligations exceed \$2,000,000.

3 SEC. 233. None of the funds available to the Depart-
4 ment of Veterans Affairs, in this or any other Act, may
5 be used to replace the current system by which the Vet-
6 erans Integrated Service Networks select and contract for
7 diabetes monitoring supplies and equipment.

8 (INCLUDING TRANSFER OF FUNDS)

9 SEC. 234. The Secretary of Veterans Affairs, upon
10 determination that such action is necessary to address
11 needs of the Veterans Health Administration, may trans-
12 fer to the “Medical Services” account any discretionary
13 appropriations made available for fiscal year 2016 in this
14 title (except appropriations made to the “General Oper-
15 ating Expenses, Veterans Benefits Administration” ac-
16 count) or any discretionary unobligated balances within
17 the Department of Veterans Affairs, including those ap-
18 propriated for fiscal year 2016, that were provided in ad-
19 vance by appropriations Acts: *Provided*, That transfers
20 shall be made only with the approval of the Office of Man-
21 agement and Budget: *Provided further*, That the transfer
22 authority provided in this section is in addition to any
23 other transfer authority provided by law: *Provided further*,
24 That no amounts may be transferred from amounts that
25 were designated by Congress as an emergency requirement

1 pursuant to a concurrent resolution on the budget or the
2 Balanced Budget and Emergency Deficit Control Act of
3 1985: *Provided further*, That such authority to transfer
4 may not be used unless for higher priority items, based
5 on emergent healthcare requirements, than those for
6 which originally appropriated and in no case where the
7 item for which funds are requested has been denied by
8 Congress: *Provided further*, That, upon determination that
9 all or part of the funds transferred from an appropriation
10 are not necessary, such amounts may be transferred back
11 to that appropriation and shall be available for the same
12 purposes as originally appropriated: *Provided further*,
13 That before a transfer may take place, the Secretary of
14 Veterans Affairs shall request from the Committees on
15 Appropriations of both Houses of Congress the authority
16 to make the transfer and receive approval of that request.

17 (INCLUDING TRANSFER OF FUNDS)

18 SEC. 235. Amounts made available for the Depart-
19 ment of Veterans Affairs for fiscal year 2016, under the
20 “Board of Veterans Appeals” and the “General Operating
21 Expenses, Veterans Benefits Administration” accounts
22 may be transferred between such accounts: *Provided*, That
23 before a transfer may take place, the Secretary of Vet-
24 erans Affairs shall request from the Committees on Appro-
25 priations of both Houses of Congress the authority to

1 make the transfer and receive approval from such Com-
2 mittees for such request.

3 (RESCISSION OF FUNDS)

4 SEC. 236. Of the unobligated balances available with-
5 in the “DOD–VA Health Care Sharing Incentive Fund”,
6 \$30,000,000 are hereby rescinded.

7 SEC. 237. The Secretary of Veterans Affairs may not
8 reprogram funds among major construction projects or
9 programs if such instance of reprogramming will exceed
10 \$5,000,000, unless such reprogramming is approved by
11 the Committees on Appropriations of both Houses of Con-
12 gress.

13 SEC. 238. Section 2302(a)(2)(A)(viii) of title 5,
14 United States Code, is amended by inserting “or under
15 title 38” after “of this title”.

16 SEC. 239. Section 312 of title 38, United States
17 Code, is amended by adding at the end the following new
18 subsection:

19 “(c)(1) Whenever the Inspector General, in carrying
20 out the duties and responsibilities established under the
21 Inspector General Act of 1978 (5 U.S.C. App.), issues a
22 work product that makes a recommendation or otherwise
23 suggests corrective action, the Inspector General shall—

24 “(A) submit the work product to—

25 “(i) the Secretary;

1 “(ii) the Committee on Veterans’ Af-
2 fairs, the Committee on Homeland Secu-
3 rity and Governmental Affairs, and the
4 Committee on Appropriations of the Sen-
5 ate;

6 “(iii) the Committee on Veterans’ Af-
7 fairs, the Committee on Oversight and
8 Government Reform, and the Committee
9 on Appropriations of the House of Rep-
10 resentatives;

11 “(iv) if the work product was initiated
12 upon request by an individual or entity
13 other than the Inspector General, that in-
14 dividual or entity; and

15 “(v) any Member of Congress upon
16 request; and

17 “(B) the Inspector General shall submit all
18 final work products to—

19 “(i) if the work product was initiated
20 upon request by an individual or entity
21 other than the Inspector General, that in-
22 dividual or entity; and

23 “(ii) any Member of Congress upon
24 request; and

1 “(C) not later than 3 days after the work
2 product is submitted in final form to the Sec-
3 retary, post the work product on the Internet
4 website of the Inspector General.

5 “(2) Nothing in this subsection shall be con-
6 strued to authorize the public disclosure of informa-
7 tion that is specifically prohibited from disclosure by
8 any other provision of law.”.

9 SEC. 240. None of the funds provided in this Act may
10 be used to pay the salary of any individual who (a) was
11 the Executive Director of the Office of Acquisition, Logis-
12 tics and Construction, and (b) who retired from Federal
13 service in the midst of an investigation, initiated by the
14 Department of Veterans Affairs, into delays and cost over-
15 runs associated with the design and construction of the
16 new medical center in Aurora, Colorado.

17 SEC. 241. None of the funds appropriated in this or
18 prior appropriations Acts or otherwise made available to
19 the Department of Veterans Affairs may be used to trans-
20 fer any amounts from the Filipino Veterans Equity Com-
21 pensation Fund to any other account within the Depart-
22 ment of Veterans Affairs.

23 SEC. 242. None of the amounts appropriated or oth-
24 erwise made available by title II may be used to carry out
25 the Home Marketing Incentive Program of the Depart-

1 ment of Veterans Affairs or to carry out the Appraisal
2 Value Offer Program of the Department with respect to
3 an employee of the Department in a senior executive posi-
4 tion (as defined in section 713(g) of title 38, United States
5 Code): *Provided*, That the Secretary may waive this prohi-
6 bition with respect to the use of the Home Marketing In-
7 centive Program and Appraisal Value Offer Program to
8 recruit for a position for which recruitment or retention
9 of qualified personnel is likely to be difficult in the absence
10 of the use of these incentives: *Provided further*, That with-
11 in 15 days of a determination by the Secretary to waive
12 this prohibition, the Secretary shall submit written notifi-
13 cation thereof to the Committees on Appropriations of
14 both Houses of Congress containing the reasons and iden-
15 tifying the position title for which the waiver has been
16 issued.

17 (INCLUDING TRANSFER OF FUNDS)

18 SEC. 243. There is hereby established in the Treasury
19 of the United States a fund to be known as the “Recurring
20 Expenses Transformational Fund” (the Fund): *Provided*,
21 That unobligated balances of expired discretionary funds
22 appropriated in this or any succeeding fiscal year from the
23 General Fund of the Treasury to the Department of Vet-
24 erans Affairs by this or any other Act may be transferred
25 (at the end of the fifth fiscal year after the last fiscal year

1 for which such funds are available for the purposes for
2 which appropriated) into the Fund: *Provided further*, That
3 amounts deposited in the Fund shall be available until ex-
4 pended, and in addition to such other funds as may be
5 available for such purposes, for facilities infrastructure
6 improvements, including nonrecurring maintenance, at ex-
7 isting hospitals and clinics of the Veterans Health Admin-
8 istration, and information technology systems improve-
9 ments and sustainment, subject to approval by the Office
10 of Management and Budget: *Provided further*, That prior
11 to obligation of any amounts in the Fund, the Secretary
12 of Veterans Affairs shall request from the Committees on
13 Appropriations of both Houses of Congress the authority
14 to make such obligation and such Committees issue an ap-
15 proval, or absent a response, a period of 30 days has
16 elapsed.

1132

1 TITLE III

2 RELATED AGENCIES

3 AMERICAN BATTLE MONUMENTS COMMISSION

4 SALARIES AND EXPENSES

5 For necessary expenses, not otherwise provided for,
6 of the American Battle Monuments Commission, including
7 the acquisition of land or interest in land in foreign coun-
8 tries; purchases and repair of uniforms for caretakers of
9 national cemeteries and monuments outside of the United
10 States and its territories and possessions; rent of office
11 and garage space in foreign countries; purchase (one-for-
12 one replacement basis only) and hire of passenger motor
13 vehicles; not to exceed \$7,500 for official reception and
14 representation expenses; and insurance of official motor
15 vehicles in foreign countries, when required by law of such
16 countries, \$105,100,000, to remain available until ex-
17 pended.

18 FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

19 For necessary expenses, not otherwise provided for,
20 of the American Battle Monuments Commission, such
21 sums as may be necessary, to remain available until ex-
22 pended, for purposes authorized by section 2109 of title
23 36, United States Code.

1133

1 UNITED STATES COURT OF APPEALS FOR VETERANS

2 CLAIMS

3 SALARIES AND EXPENSES

4 For necessary expenses for the operation of the
5 United States Court of Appeals for Veterans Claims as
6 authorized by sections 7251 through 7298 of title 38,
7 United States Code, \$32,141,000: *Provided*, That
8 \$2,500,000 shall be available for the purpose of providing
9 financial assistance as described, and in accordance with
10 the process and reporting procedures set forth, under this
11 heading in Public Law 102–229.

12 DEPARTMENT OF DEFENSE—CIVIL

13 CEMETERIAL EXPENSES, ARMY

14 SALARIES AND EXPENSES

15 For necessary expenses for maintenance, operation,
16 and improvement of Arlington National Cemetery and Sol-
17 diers' and Airmen's Home National Cemetery, including
18 the purchase or lease of passenger motor vehicles for re-
19 placement on a one-for-one basis only, and not to exceed
20 \$1,000 for official reception and representation expenses,
21 \$79,516,000, of which not to exceed \$15,000,000 shall re-
22 main available until September 30, 2018. In addition,
23 such sums as may be necessary for parking maintenance,
24 repairs and replacement, to be derived from the "Lease

1 of Department of Defense Real Property for Defense
2 Agencies” account.

3 ARMED FORCES RETIREMENT HOME

4 TRUST FUND

5 For expenses necessary for the Armed Forces Retire-
6 ment Home to operate and maintain the Armed Forces
7 Retirement Home—Washington, District of Columbia,
8 and the Armed Forces Retirement Home—Gulfport, Mis-
9 sissippi, to be paid from funds available in the Armed
10 Forces Retirement Home Trust Fund, \$64,300,000, of
11 which \$1,000,000 shall remain available until expended
12 for construction and renovation of the physical plants at
13 the Armed Forces Retirement Home—Washington, Dis-
14 trict of Columbia, and the Armed Forces Retirement
15 Home—Gulfport, Mississippi: *Provided*, That of the
16 amounts made available under this heading from funds
17 available in the Armed Forces Retirement Home Trust
18 Fund, \$20,000,000 shall be paid from the general fund
19 of the Treasury to the Trust Fund.

20 ADMINISTRATIVE PROVISIONS

21 SEC. 301. Funds appropriated in this Act under the
22 heading “Department of Defense—Civil, Cemeterial Ex-
23 penses, Army”, may be provided to Arlington County, Vir-
24 ginia, for the relocation of the federally owned water main

1 at Arlington National Cemetery, making additional land
2 available for ground burials.

3 SEC. 302. Amounts deposited into the special account
4 established under 10 U.S.C. 4727 are appropriated and
5 shall be available until expended to support activities at
6 the Army National Military Cemeteries.

7 TITLE IV

8 GENERAL PROVISIONS

9 SEC. 401. No part of any appropriation contained in
10 this Act shall remain available for obligation beyond the
11 current fiscal year unless expressly so provided herein.

12 SEC. 402. None of the funds made available in this
13 Act may be used for any program, project, or activity,
14 when it is made known to the Federal entity or official
15 to which the funds are made available that the program,
16 project, or activity is not in compliance with any Federal
17 law relating to risk assessment, the protection of private
18 property rights, or unfunded mandates.

19 SEC. 403. All departments and agencies funded under
20 this Act are encouraged, within the limits of the existing
21 statutory authorities and funding, to expand their use of
22 “E-Commerce” technologies and procedures in the con-
23 duct of their business practices and public service activi-
24 ties.

1 SEC. 404. Unless stated otherwise, all reports and no-
2 tifications required by this Act shall be submitted to the
3 Subcommittee on Military Construction and Veterans Af-
4 fairs, and Related Agencies of the Committee on Appro-
5 priations of the House of Representatives and the Sub-
6 committee on Military Construction and Veterans Affairs,
7 and Related Agencies of the Committee on Appropriations
8 of the Senate.

9 SEC. 405. None of the funds made available in this
10 Act may be transferred to any department, agency, or in-
11 strumentality of the United States Government except
12 pursuant to a transfer made by, or transfer authority pro-
13 vided in, this or any other appropriations Act.

14 SEC. 406. None of the funds made available in this
15 Act may be used for a project or program named for an
16 individual serving as a Member, Delegate, or Resident
17 Commissioner of the United States House of Representa-
18 tives.

19 SEC. 407. (a) Any agency receiving funds made avail-
20 able in this Act, shall, subject to subsections (b) and (c),
21 post on the public Web site of that agency any report re-
22 quired to be submitted by the Congress in this or any
23 other Act, upon the determination by the head of the agen-
24 cy that it shall serve the national interest.

25 (b) Subsection (a) shall not apply to a report if—

1 (1) the public posting of the report com-
2 promises national security; or

3 (2) the report contains confidential or propri-
4 etary information.

5 (c) The head of the agency posting such report shall
6 do so only after such report has been made available to
7 the requesting Committee or Committees of Congress for
8 no less than 45 days.

9 SEC. 408. (a) None of the funds made available in
10 this Act may be used to maintain or establish a computer
11 network unless such network blocks the viewing,
12 downloading, and exchanging of pornography.

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

17 SEC. 409. None of the funds made available in this
18 Act may be used by an agency of the executive branch
19 to pay for first-class travel by an employee of the agency
20 in contravention of sections 301–10.122 through 301–
21 10.124 of title 41, Code of Federal Regulations.

22 SEC. 410. None of the funds made available in this
23 Act may be used to execute a contract for goods or serv-
24 ices, including construction services, where the contractor
25 has not complied with Executive Order No. 12989.

1 SEC. 411. None of the funds made available by this
2 Act may be used by the Department of Defense or the
3 Department of Veterans Affairs to lease or purchase new
4 light duty vehicles for any executive fleet, or for an agen-
5 cy's fleet inventory, except in accordance with Presidential
6 Memorandum—Federal Fleet Performance, dated May
7 24, 2011.

8 SEC. 412. (a) IN GENERAL.—None of the funds ap-
9 propriated or otherwise made available to the Department
10 of Defense in this Act may be used to construct, renovate,
11 or expand any facility in the United States, its territories,
12 or possessions to house any individual detained at United
13 States Naval Station, Guantánamo Bay, Cuba, for the
14 purposes of detention or imprisonment in the custody or
15 under the control of the Department of Defense.

16 (b) The prohibition in subsection (a) shall not apply
17 to any modification of facilities at United States Naval
18 Station, Guantánamo Bay, Cuba.

19 (c) An individual described in this subsection is any
20 individual who, as of June 24, 2009, is located at United
21 States Naval Station, Guantánamo Bay, Cuba, and who—

22 (1) is not a citizen of the United States or a
23 member of the Armed Forces of the United States;
24 and

25 (2) is—

1 (A) in the custody or under the effective
2 control of the Department of Defense; or

3 (B) otherwise under detention at United
4 States Naval Station, Guantánamo Bay, Cuba.

5 This division may be cited as the “Military Construc-
6 tion, Veterans Affairs, and Related Agencies Appropria-
7 tions Act, 2016”.

1 **DIVISION K—DEPARTMENT OF STATE,**
2 **FOREIGN OPERATIONS, AND RELATED**
3 **PROGRAMS APPROPRIATIONS ACT,**
4 **2016**

5 TITLE I

6 DEPARTMENT OF STATE AND RELATED

7 AGENCY

8 DEPARTMENT OF STATE

9 ADMINISTRATION OF FOREIGN AFFAIRS

10 DIPLOMATIC AND CONSULAR PROGRAMS

11 For necessary expenses of the Department of State
12 and the Foreign Service not otherwise provided for,
13 \$5,622,170,000, of which up to \$629,055,000 may remain
14 available until September 30, 2017, and of which up to
15 \$1,428,468,000 may remain available until expended for
16 Worldwide Security Protection: *Provided*, That funds
17 made available under this heading shall be allocated in ac-
18 cordance with paragraphs (1) through (4) as follows:

19 (1) HUMAN RESOURCES.—For necessary ex-
20 penses for training, human resources management,
21 and salaries, including employment without regard
22 to civil service and classification laws of persons on
23 a temporary basis (not to exceed \$700,000), as au-
24 thorized by section 801 of the United States Infor-
25 mation and Educational Exchange Act of 1948,

1 \$2,181,622,000, of which up to \$358,833,000 is for
2 Worldwide Security Protection.

3 (2) OVERSEAS PROGRAMS.—For necessary ex-
4 penses for the regional bureaus of the Department
5 of State and overseas activities as authorized by law,
6 \$1,561,840,000.

7 (3) DIPLOMATIC POLICY AND SUPPORT.—For
8 necessary expenses for the functional bureaus of the
9 Department of State, including representation to
10 certain international organizations in which the
11 United States participates pursuant to treaties rati-
12 fied pursuant to the advice and consent of the Sen-
13 ate or specific Acts of Congress, general administra-
14 tion, and arms control, nonproliferation and disar-
15 mament activities as authorized, \$791,121,000.

16 (4) SECURITY PROGRAMS.—For necessary ex-
17 penses for security activities, \$1,087,587,000, of
18 which up to \$1,069,635,000 is for Worldwide Secu-
19 rity Protection.

20 (5) FEES AND PAYMENTS COLLECTED.—In ad-
21 dition to amounts otherwise made available under
22 this heading—

23 (A) not to exceed \$1,840,900 shall be de-
24 rived from fees collected from other executive
25 agencies for lease or use of facilities located at

1 the International Center in accordance with sec-
2 tion 4 of the International Center Act, and, in
3 addition, as authorized by section 5 of such
4 Act, \$743,000, to be derived from the reserve
5 authorized by that section, to be used for the
6 purposes set out in that section;

7 (B) as authorized by section 810 of the
8 United States Information and Educational Ex-
9 change Act, not to exceed \$5,000,000, to re-
10 main available until expended, may be credited
11 to this appropriation from fees or other pay-
12 ments received from English teaching, library,
13 motion pictures, and publication programs and
14 from fees from educational advising and coun-
15 seling and exchange visitor programs; and

16 (C) not to exceed \$15,000, which shall be
17 derived from reimbursements, surcharges, and
18 fees for use of Blair House facilities.

19 (6) TRANSFER, REPROGRAMMING, AND OTHER
20 MATTERS.—

21 (A) Notwithstanding any other provision of
22 this Act, funds may be reprogrammed within
23 and between paragraphs (1) through (4) under
24 this heading subject to section 7015 of this Act.

1 (B) Of the amount made available under
2 this heading, not to exceed \$10,000,000 may be
3 transferred to, and merged with, funds made
4 available by this Act under the heading “Emer-
5 gencies in the Diplomatic and Consular Serv-
6 ice”, to be available only for emergency evacu-
7 ations and rewards, as authorized.

8 (C) Funds appropriated under this heading
9 are available for acquisition by exchange or pur-
10 chase of passenger motor vehicles as authorized
11 by law and, pursuant to section 1108(g) of title
12 31, United States Code, for the field examina-
13 tion of programs and activities in the United
14 States funded from any account contained in
15 this title.

16 (D) Funds appropriated under this head-
17 ing may be made available for Conflict Sta-
18 bilization Operations and for related reconstruc-
19 tion and stabilization assistance to prevent or
20 respond to conflict or civil strife in foreign
21 countries or regions, or to enable transition
22 from such strife.

23 (E) Funds appropriated under this head-
24 ing in this Act that are designated for World-
25 wide Security Protection shall continue to be

1 made available for support of security-related
2 training at sites in existence prior to the enact-
3 ment of this Act: *Provided*, That in addition to
4 such funds, up to \$99,113,000 of the funds
5 made available under this heading in this Act
6 may be obligated for a Foreign Affairs Security
7 Training Center (FASTC) only after the Sec-
8 retary of State—

9 (i) submits to the appropriate con-
10 gressional committees a comprehensive
11 analysis of a minimum of three different
12 locations for FASTC assessing the feasi-
13 bility and comparing the costs and benefits
14 of delivering training at each such location;
15 and

16 (ii) notifies the appropriate congres-
17 sional committees at least 15 days in ad-
18 vance of such obligation: *Provided*, That
19 such notification shall also include a jus-
20 tification for any decision made by the De-
21 partment of State to obligate funds for
22 FASTC.

23 (F) None of the funds appropriated under
24 this heading may be used for the preservation
25 of religious sites unless the Secretary of State

1 determines and reports to the Committees on
2 Appropriations that such sites are historically,
3 artistically, or culturally significant, that the
4 purpose of the project is neither to advance nor
5 to inhibit the free exercise of religion, and that
6 the project is in the national interest of the
7 United States.

8 CAPITAL INVESTMENT FUND

9 For necessary expenses of the Capital Investment
10 Fund, \$66,400,000, to remain available until expended,
11 as authorized.

12 OFFICE OF INSPECTOR GENERAL

13 For necessary expenses of the Office of Inspector
14 General, \$72,700,000, notwithstanding section 209(a)(1)
15 of the Foreign Service Act of 1980 (Public Law 96-465),
16 as it relates to post inspections: *Provided*, That of the
17 funds appropriated under this heading, \$10,905,000 may
18 remain available until September 30, 2017.

19 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

20 For expenses of educational and cultural exchange
21 programs, as authorized, \$590,900,000, to remain avail-
22 able until expended, of which not less than \$236,000,000
23 shall be for the Fulbright Program and not less than
24 \$102,000,000 shall be for Citizen Exchange Program, in-
25 cluding \$4,000,000 for the Congress-Bundestag Youth

1 Exchange: *Provided*, That fees or other payments received
2 from, or in connection with, English teaching, educational
3 advising and counseling programs, and exchange visitor
4 programs as authorized may be credited to this account,
5 to remain available until expended: *Provided further*, That
6 not later than 45 days after enactment of this Act, the
7 Secretary of State shall submit a report to the Committees
8 on Appropriations detailing modifications made to existing
9 educational and cultural exchange programs since cal-
10 endar year 2014, including for special academic and spe-
11 cial professional and cultural exchanges: *Provided further*,
12 That a portion of the Fulbright awards from the Eurasia
13 and Central Asia regions shall be designated as Edmund
14 S. Muskie Fellowships, following consultation with the
15 Committees on Appropriations: *Provided further*, That De-
16 partment of State-designated sponsors may not issue a
17 Form DS-2019 (Certificate of Eligibility for Exchange
18 Visitor (J-1) Status) to place student participants in sea-
19 food product preparation or packaging positions in the
20 Summer Work Travel program in fiscal year 2016 unless
21 prior to issuing such Form the sponsor provides to the
22 Secretary of State a description of such program and
23 verifies in writing to the Secretary that such program fully
24 complies with part 62 of title 22 of the Code of Federal
25 Regulations, notwithstanding subsection 62.32(h)(16) of

1 such part, and with the requirements specified under this
2 heading in the explanatory statement described in section
3 4 (in the matter preceding division A of this Consolidated
4 Act): *Provided further*, That any substantive modifications
5 from the prior fiscal year to programs funded by this Act
6 under this heading shall be subject to prior consultation
7 with, and the regular notification procedures of, the Com-
8 mittees on Appropriations.

9 REPRESENTATION EXPENSES

10 For representation expenses as authorized,
11 \$8,030,000.

12 PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

13 For expenses, not otherwise provided, to enable the
14 Secretary of State to provide for extraordinary protective
15 services, as authorized, \$30,036,000, to remain available
16 until September 30, 2017.

17 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

18 For necessary expenses for carrying out the Foreign
19 Service Buildings Act of 1926 (22 U.S.C. 292 et seq.),
20 preserving, maintaining, repairing, and planning for build-
21 ings that are owned or directly leased by the Department
22 of State, renovating, in addition to funds otherwise avail-
23 able, the Harry S Truman Building, and carrying out the
24 Diplomatic Security Construction Program as authorized,
25 \$785,097,000, to remain available until expended as au-

1 thorized, of which not to exceed \$25,000 may be used for
2 domestic and overseas representation expenses as author-
3 ized: *Provided*, That none of the funds appropriated in this
4 paragraph shall be available for acquisition of furniture,
5 furnishings, or generators for other departments and
6 agencies.

7 In addition, for the costs of worldwide security up-
8 grades, acquisition, and construction as authorized,
9 \$688,799,000, to remain available until expended: *Pro-*
10 *vided*, That not later than 45 days after enactment of this
11 Act, the Secretary of State shall submit to the Committees
12 on Appropriations the proposed allocation of funds made
13 available under this heading and the actual and antici-
14 pated proceeds of sales for all projects in fiscal year 2016.

15 EMERGENCIES IN THE DIPLOMATIC AND CONSULAR

16 SERVICE

17 For necessary expenses to enable the Secretary of
18 State to meet unforeseen emergencies arising in the Diplo-
19 matic and Consular Service, \$7,900,000, to remain avail-
20 able until expended as authorized, of which not to exceed
21 \$1,000,000 may be transferred to, and merged with, funds
22 appropriated by this Act under the heading “Repatriation
23 Loans Program Account”, subject to the same terms and
24 conditions.

1 transmit to the Committees on Appropriations the most
2 recent biennial budget prepared by the United Nations for
3 the operations of the United Nations: *Provided further,*
4 That the Secretary of State shall notify the Committees
5 on Appropriations at least 15 days in advance (or in an
6 emergency, as far in advance as is practicable) of any
7 United Nations action to increase funding for any United
8 Nations program without identifying an offsetting de-
9 crease elsewhere in the United Nations budget: *Provided*
10 *further,* That not later than May 1, 2016, and 30 days
11 after the end of fiscal year 2016, the Secretary of State
12 shall report to the Committees on Appropriations any
13 credits available to the United States, including from the
14 United Nations Tax Equalization Fund, and provide up-
15 dated fiscal year 2016 and fiscal year 2017 assessment
16 costs including offsets from available credits and updated
17 foreign currency exchange rates: *Provided further,* That
18 any such credits shall only be available for United States
19 assessed contributions to the United Nations and the
20 Committees on Appropriations shall be notified when such
21 credits are applied to any assessed contribution, including
22 any payment of arrearages: *Provided further,* That any no-
23 tification regarding funds appropriated or otherwise made
24 available under this heading in this Act or prior Acts mak-
25 ing appropriations for the Department of State, foreign

1 operations, and related programs submitted pursuant to
2 section 7015 of this Act, section 34 of the State Depart-
3 ment Basic Authorities Act of 1956 (22 U.S.C. 2706), or
4 any operating plan submitted pursuant to section 7076
5 of this Act, shall include an estimate of all known credits
6 currently available to the United States and provide up-
7 dated assessment costs including offsets from available
8 credits and updated foreign currency exchange rates: *Pro-*
9 *vided further*, That any payment of arrearages under this
10 heading shall be directed to activities that are mutually
11 agreed upon by the United States and the respective inter-
12 national organization and shall be subject to the regular
13 notification procedures of the Committees on Appropria-
14 tions: *Provided further*, That none of the funds appro-
15 priated under this heading shall be available for a United
16 States contribution to an international organization for
17 the United States share of interest costs made known to
18 the United States Government by such organization for
19 loans incurred on or after October 1, 1984, through exter-
20 nal borrowings: *Provided further*, That the Secretary of
21 State shall review the budgetary and personnel procedures
22 of the United Nations and affiliated agencies funded
23 under this heading and, not later than 180 days after en-
24 actment of this Act, submit a report to the Committees
25 on Appropriations on steps taken at each agency to elimi-

1 nate unnecessary administrative costs and duplicative ac-
2 tivities and ensure that personnel practices are trans-
3 parent and merit-based.

4 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING
5 ACTIVITIES

6 For necessary expenses to pay assessed and other ex-
7 penses of international peacekeeping activities directed to
8 the maintenance or restoration of international peace and
9 security, \$666,574,000, of which 15 percent shall remain
10 available until September 30, 2017: *Provided*, That none
11 of the funds made available by this Act shall be obligated
12 or expended for any new or expanded United Nations
13 peacekeeping mission unless, at least 15 days in advance
14 of voting for such mission in the United Nations Security
15 Council (or in an emergency as far in advance as is prac-
16 ticable), the Committees on Appropriations are notified of:
17 (1) the estimated cost and duration of the mission, the
18 objectives of the mission, the national interest that will
19 be served, and the exit strategy; and (2) the sources of
20 funds, including any reprogrammings and transfers, that
21 will be used to pay the cost of the new or expanded mis-
22 sion, and the estimated cost in future fiscal years: *Pro-*
23 *vided further*, That none of the funds appropriated under
24 this heading may be made available for obligation unless
25 the Secretary of State certifies and reports to the Commit-

1 tees on Appropriations on a peacekeeping mission-by-mis-
2 sion basis that the United Nations is implementing effec-
3 tive policies and procedures to prevent United Nations em-
4 ployees, contractor personnel, and peacekeeping troops
5 serving in such mission from trafficking in persons, ex-
6 ploiting victims of trafficking, or committing acts of illegal
7 sexual exploitation or other violations of human rights,
8 and to bring to justice individuals who engage in such acts
9 while participating in such mission, including prosecution
10 in their home countries and making information about
11 such prosecutions publicly available on the Web site of the
12 United Nations: *Provided further*, That funds shall be
13 available for peacekeeping expenses unless the Secretary
14 of State determines that American manufacturers and
15 suppliers are not being given opportunities to provide
16 equipment, services, and material for United Nations
17 peacekeeping activities equal to those being given to for-
18 eign manufacturers and suppliers: *Provided further*, That
19 the Secretary of State shall work with the United Nations
20 and foreign governments contributing peacekeeping troops
21 to implement effective vetting procedures to ensure that
22 such troops have not violated human rights: *Provided fur-*
23 *ther*, That none of the funds appropriated or otherwise
24 made available under this heading may be used for any
25 United Nations peacekeeping mission that will involve

1 United States Armed Forces under the command or oper-
2 ational control of a foreign national, unless the President's
3 military advisors have submitted to the President a rec-
4 ommendation that such involvement is in the national in-
5 terest of the United States and the President has sub-
6 mitted to Congress such a recommendation: *Provided fur-*
7 *ther*, That not later than May 1, 2016, and 30 days after
8 the end of fiscal year 2016, the Secretary of State shall
9 report to the Committees on Appropriations any credits
10 available to the United States, including those resulting
11 from United Nations peacekeeping missions or the United
12 Nations Tax Equalization Fund, and provide updated fis-
13 cal year 2016 and fiscal year 2017 assessment costs in-
14 cluding offsets from available credits: *Provided further*,
15 That any such credits shall only be available for United
16 States assessed contributions to the United Nations, and
17 the Committees on Appropriations shall be notified when
18 such credits are applied to any assessed contribution, in-
19 cluding any payment of arrearages: *Provided further*, That
20 any notification regarding funds appropriated or otherwise
21 made available under this heading in this Act or prior Acts
22 making appropriations for the Department of State, for-
23 eign operations, and related programs submitted pursuant
24 to section 7015 of this Act, section 34 of the State Depart-
25 ment Basic Authorities Act of 1956 (22 U.S.C. 2706), or

1 any operating plan submitted pursuant to section 7076
2 of this Act, shall include an estimate of all known credits
3 currently available to the United States and provide up-
4 dated assessment costs including offsets from available
5 credits: *Provided further*, That any payment of arrearages
6 with funds appropriated by this Act shall be subject to
7 the regular notification procedures of the Committees on
8 Appropriations: *Provided further*, That the Secretary of
9 State shall work with the United Nations and members
10 of the United Nations Security Council to evaluate and
11 prioritize peacekeeping missions, and to consider a draw
12 down when mission goals have been substantially achieved:
13 *Provided further*, That notwithstanding any other provi-
14 sion of law, funds appropriated or otherwise made avail-
15 able under this heading shall be available for United
16 States assessed contributions up to the amount specified
17 in Annex IV accompanying United Nations General As-
18 sembly Resolution 64/220: *Provided further*, That such
19 funds may be made available above the amount authorized
20 in section 404(b)(2)(B) of the Foreign Relations Author-
21 ization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 287e
22 note) only if the Secretary of State determines and reports
23 to the appropriate congressional committees that it is im-
24 portant to the national interest of the United States.

1156

1 INTERNATIONAL COMMISSIONS

2 For necessary expenses, not otherwise provided for,
3 to meet obligations of the United States arising under
4 treaties, or specific Acts of Congress, as follows:

5 INTERNATIONAL BOUNDARY AND WATER COMMISSION,
6 UNITED STATES AND MEXICO

7 For necessary expenses for the United States Section
8 of the International Boundary and Water Commission,
9 United States and Mexico, and to comply with laws appli-
10 cable to the United States Section, including not to exceed
11 \$6,000 for representation expenses; as follows:

12 SALARIES AND EXPENSES

13 For salaries and expenses, not otherwise provided for,
14 \$45,307,000.

15 CONSTRUCTION

16 For detailed plan preparation and construction of au-
17 thorized projects, \$28,400,000, to remain available until
18 expended, as authorized.

19 AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

20 For necessary expenses, not otherwise provided, for
21 the International Joint Commission and the International
22 Boundary Commission, United States and Canada, as au-
23 thorized by treaties between the United States and Can-
24 ada or Great Britain, and the Border Environment Co-
25 operation Commission as authorized by the North Amer-

1 ican Free Trade Agreement Implementation Act (Public
2 Law 103–182), \$12,330,000: *Provided*, That of the
3 amount provided under this heading for the International
4 Joint Commission, up to \$500,000 may remain available
5 until September 30, 2017, and \$9,000 may be made avail-
6 able for representation expenses.

7 INTERNATIONAL FISHERIES COMMISSIONS

8 For necessary expenses for international fisheries
9 commissions, not otherwise provided for, as authorized by
10 law, \$36,681,000: *Provided*, That the United States share
11 of such expenses may be advanced to the respective com-
12 missions pursuant to section 3324 of title 31, United
13 States Code.

14 RELATED AGENCY

15 BROADCASTING BOARD OF GOVERNORS

16 INTERNATIONAL BROADCASTING OPERATIONS

17 For necessary expenses to enable the Broadcasting
18 Board of Governors (BBG), as authorized, to carry out
19 international communication activities, and to make and
20 supervise grants for radio, Internet, and television broad-
21 casting to the Middle East, \$734,087,000: *Provided*, That
22 in addition to amounts otherwise available for such pur-
23 poses, up to \$31,135,000 of the amount appropriated
24 under this heading may remain available until expended
25 for satellite transmissions and Internet freedom programs,

1 of which not less than \$15,000,000 shall be for Internet
2 freedom programs: *Provided further*, That of the total
3 amount appropriated under this heading, not to exceed
4 \$35,000 may be used for representation expenses, of
5 which \$10,000 may be used for such expenses within the
6 United States as authorized, and not to exceed \$30,000
7 may be used for representation expenses of Radio Free
8 Europe/Radio Liberty: *Provided further*, That the author-
9 ity provided by section 504(c) of the Foreign Relations
10 Authorization Act, Fiscal Year 2003 (Public Law 107-
11 228; 22 U.S.C. 6206 note) shall remain in effect through
12 September 30, 2016: *Provided further*, That the BBG
13 shall notify the Committees on Appropriations within 15
14 days of any determination by the Board that any of its
15 broadcast entities, including its grantee organizations,
16 provides an open platform for international terrorists or
17 those who support international terrorism, or is in viola-
18 tion of the principles and standards set forth in sub-
19 sections (a) and (b) of section 303 of the United States
20 International Broadcasting Act of 1994 (22 U.S.C. 6202)
21 or the entity's journalistic code of ethics: *Provided further*,
22 That significant modifications to BBG broadcast hours
23 previously justified to Congress, including changes to
24 transmission platforms (shortwave, medium wave, sat-
25 ellite, Internet, and television), for all BBG language serv-

1 ices shall be subject to the regular notification procedures
2 of the Committees on Appropriations: *Provided further*,
3 That in addition to funds made available under this head-
4 ing, and notwithstanding any other provision of law, up
5 to \$5,000,000 in receipts from advertising and revenue
6 from business ventures, up to \$500,000 in receipts from
7 cooperating international organizations, and up to
8 \$1,000,000 in receipts from privatization efforts of the
9 Voice of America and the International Broadcasting Bu-
10 reau, shall remain available until expended for carrying
11 out authorized purposes.

12 BROADCASTING CAPITAL IMPROVEMENTS

13 For the purchase, rent, construction, repair, preser-
14 vation, and improvement of facilities for radio, television,
15 and digital transmission and reception; the purchase, rent,
16 and installation of necessary equipment for radio, tele-
17 vision, and digital transmission and reception, including
18 to Cuba, as authorized; and physical security worldwide,
19 in addition to amounts otherwise available for such pur-
20 poses, \$4,800,000, to remain available until expended, as
21 authorized.

1 RELATED PROGRAMS

2 THE ASIA FOUNDATION

3 For a grant to The Asia Foundation, as authorized
4 by The Asia Foundation Act (22 U.S.C. 4402),
5 \$17,000,000, to remain available until expended.

6 UNITED STATES INSTITUTE OF PEACE

7 For necessary expenses of the United States Institute
8 of Peace, as authorized by the United States Institute of
9 Peace Act (22 U.S.C. 4601 et seq.), \$35,300,000, to re-
10 main available until September 30, 2017, which shall not
11 be used for construction activities.

12 CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE

13 TRUST FUND

14 For necessary expenses of the Center for Middle
15 Eastern-Western Dialogue Trust Fund, as authorized by
16 section 633 of the Departments of Commerce, Justice, and
17 State, the Judiciary, and Related Agencies Appropriations
18 Act, 2004 (22 U.S.C. 2078), the total amount of the inter-
19 est and earnings accruing to such Fund on or before Sep-
20 tember 30, 2016, to remain available until expended.

21 EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

22 For necessary expenses of Eisenhower Exchange Fel-
23 lowships, Incorporated, as authorized by sections 4 and
24 5 of the Eisenhower Exchange Fellowship Act of 1990 (20
25 U.S.C. 5204–5205), all interest and earnings accruing to

1 the Eisenhower Exchange Fellowship Program Trust
2 Fund on or before September 30, 2016, to remain avail-
3 able until expended: *Provided*, That none of the funds ap-
4 propriated herein shall be used to pay any salary or other
5 compensation, or to enter into any contract providing for
6 the payment thereof, in excess of the rate authorized by
7 section 5376 of title 5, United States Code; or for pur-
8 poses which are not in accordance with section 200 of title
9 2 of the Code of Federal Regulations, including the re-
10 strictions on compensation for personal services.

11 ISRAELI ARAB SCHOLARSHIP PROGRAM

12 For necessary expenses of the Israeli Arab Scholar-
13 ship Program, as authorized by section 214 of the Foreign
14 Relations Authorization Act, Fiscal Years 1992 and 1993
15 (22 U.S.C. 2452), all interest and earnings accruing to
16 the Israeli Arab Scholarship Fund on or before September
17 30, 2016, to remain available until expended.

18 EAST-WEST CENTER

19 To enable the Secretary of State to provide for car-
20 rying out the provisions of the Center for Cultural and
21 Technical Interchange Between East and West Act of
22 1960, by grant to the Center for Cultural and Technical
23 Interchange Between East and West in the State of Ha-
24 waii, \$16,700,000.

1 NATIONAL ENDOWMENT FOR DEMOCRACY

2 For grants made by the Department of State to the
3 National Endowment for Democracy, as authorized by the
4 National Endowment for Democracy Act (22 U.S.C.
5 4412), \$170,000,000, to remain available until expended,
6 of which \$117,500,000 shall be allocated in the traditional
7 and customary manner, including for the core institutes,
8 and \$52,500,000 shall be for democracy programs.

9 OTHER COMMISSIONS

10 COMMISSION FOR THE PRESERVATION OF AMERICA'S

11 HERITAGE ABROAD

12 SALARIES AND EXPENSES

13 For necessary expenses for the Commission for the
14 Preservation of America's Heritage Abroad, \$676,000, as
15 authorized by chapter 3123 of title 54, United States
16 Code: *Provided*, That the Commission may procure tem-
17 porary, intermittent, and other services notwithstanding
18 paragraph (3) of section 312304(b) of such chapter: *Pro-*
19 *vided further*, That such authority shall terminate on Oc-
20 tober 1, 2016: *Provided further*, That the Commission
21 shall notify the Committees on Appropriations prior to ex-
22 ercising such authority.

1163

1 UNITED STATES COMMISSION ON INTERNATIONAL
2 RELIGIOUS FREEDOM
3 SALARIES AND EXPENSES

4 For necessary expenses for the United States Com-
5 mission on International Religious Freedom, as authorized
6 by title II of the International Religious Freedom Act of
7 1998 (22 U.S.C. 6431 et seq.), \$3,500,000, to remain
8 available until September 30, 2017, including not more
9 than \$4,000 for representation expenses.

10 COMMISSION ON SECURITY AND COOPERATION IN
11 EUROPE
12 SALARIES AND EXPENSES

13 For necessary expenses of the Commission on Secu-
14 rity and Cooperation in Europe, as authorized by Public
15 Law 94–304, \$2,579,000, including not more than \$4,000
16 for representation expenses, to remain available until Sep-
17 tember 30, 2017.

18 CONGRESSIONAL-EXECUTIVE COMMISSION ON THE
19 PEOPLE’S REPUBLIC OF CHINA
20 SALARIES AND EXPENSES

21 For necessary expenses of the Congressional-Execu-
22 tive Commission on the People’s Republic of China, as au-
23 thorized by title III of the U.S.-China Relations Act of
24 2000 (22 U.S.C. 6911 et seq.), \$2,000,000, including not

1 more than \$3,000 for representation expenses, to remain
2 available until September 30, 2017.

3 UNITED STATES-CHINA ECONOMIC AND SECURITY
4 REVIEW COMMISSION
5 SALARIES AND EXPENSES

6 For necessary expenses of the United States-China
7 Economic and Security Review Commission, as authorized
8 by section 1238 of the Floyd D. Spence National Defense
9 Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002),
10 \$3,500,000, including not more than \$4,000 for represen-
11 tation expenses, to remain available until September 30,
12 2017: *Provided*, That the authorities, requirements, limi-
13 tations, and conditions contained in the second through
14 sixth provisos under this heading in the Department of
15 State, Foreign Operations, and Related Programs Appro-
16 priations Act, 2010 (division F of Public Law 111–117)
17 shall continue in effect during fiscal year 2016 and shall
18 apply to funds appropriated under this heading as if in-
19 cluded in this Act.

1165

1 TITLE II
2 UNITED STATES AGENCY FOR INTERNATIONAL
3 DEVELOPMENT
4 FUNDS APPROPRIATED TO THE PRESIDENT
5 OPERATING EXPENSES

6 For necessary expenses to carry out the provisions
7 of section 667 of the Foreign Assistance Act of 1961,
8 \$1,143,614,000, of which up to \$171,542,000 may remain
9 available until September 30, 2017: *Provided*, That none
10 of the funds appropriated under this heading and under
11 the heading “Capital Investment Fund” in this title may
12 be made available to finance the construction (including
13 architect and engineering services), purchase, or long-term
14 lease of offices for use by the United States Agency for
15 International Development (USAID), unless the USAID
16 Administrator has identified such proposed use of funds
17 in a report submitted to the Committees on Appropria-
18 tions at least 15 days prior to the obligation of funds for
19 such purposes: *Provided further*, That contracts or agree-
20 ments entered into with funds appropriated under this
21 heading may entail commitments for the expenditure of
22 such funds through the following fiscal year: *Provided fur-*
23 *ther*, That the authority of sections 610 and 109 of the
24 Foreign Assistance Act of 1961 may be exercised by the
25 Secretary of State to transfer funds appropriated to carry

1 out chapter 1 of part I of such Act to “Operating Ex-
2 penses” in accordance with the provisions of those sec-
3 tions: *Provided further*, That of the funds appropriated or
4 made available under this heading, not to exceed \$250,000
5 may be available for representation and entertainment ex-
6 penses, of which not to exceed \$5,000 may be available
7 for entertainment expenses, and not to exceed \$100,500
8 shall be for official residence expenses, for USAID during
9 the current fiscal year.

10 CAPITAL INVESTMENT FUND

11 For necessary expenses for overseas construction and
12 related costs, and for the procurement and enhancement
13 of information technology and related capital investments,
14 pursuant to section 667 of the Foreign Assistance Act of
15 1961, \$168,300,000, to remain available until expended:
16 *Provided*, That this amount is in addition to funds other-
17 wise available for such purposes: *Provided further*, That
18 funds appropriated under this heading shall be available
19 subject to the regular notification procedures of the Com-
20 mittees on Appropriations.

21 OFFICE OF INSPECTOR GENERAL

22 For necessary expenses to carry out the provisions
23 of section 667 of the Foreign Assistance Act of 1961,
24 \$66,000,000, of which up to \$9,900,000 may remain
25 available until September 30, 2017, for the Office of In-

1 spector General of the United States Agency for Inter-
2 national Development.

1168

1 TITLE III

2 BILATERAL ECONOMIC ASSISTANCE

3 FUNDS APPROPRIATED TO THE PRESIDENT

4 For necessary expenses to enable the President to
5 carry out the provisions of the Foreign Assistance Act of
6 1961, and for other purposes, as follows:

7 GLOBAL HEALTH PROGRAMS

8 For necessary expenses to carry out the provisions
9 of chapters 1 and 10 of part I of the Foreign Assistance
10 Act of 1961, for global health activities, in addition to
11 funds otherwise available for such purposes,
12 \$2,833,450,000, to remain available until September 30,
13 2017, and which shall be apportioned directly to the
14 United States Agency for International Development
15 (USAID): *Provided*, That this amount shall be made avail-
16 able for training, equipment, and technical assistance to
17 build the capacity of public health institutions and organi-
18 zations in developing countries, and for such activities as:
19 (1) child survival and maternal health programs; (2) im-
20 munization and oral rehydration programs; (3) other
21 health, nutrition, water and sanitation programs which di-
22 rectly address the needs of mothers and children, and re-
23 lated education programs; (4) assistance for children dis-
24 placed or orphaned by causes other than AIDS; (5) pro-
25 grams for the prevention, treatment, control of, and re-

1 search on HIV/AIDS, tuberculosis, polio, malaria, and
2 other infectious diseases including neglected tropical dis-
3 eases, and for assistance to communities severely affected
4 by HIV/AIDS, including children infected or affected by
5 AIDS; (6) disaster preparedness training for health crises;
6 and (7) family planning/reproductive health: *Provided fur-*
7 *ther*, That funds appropriated under this paragraph may
8 be made available for a United States contribution to the
9 GAVI Alliance: *Provided further*, That none of the funds
10 made available in this Act nor any unobligated balances
11 from prior appropriations Acts may be made available to
12 any organization or program which, as determined by the
13 President of the United States, supports or participates
14 in the management of a program of coercive abortion or
15 involuntary sterilization: *Provided further*, That any deter-
16 mination made under the previous proviso must be made
17 not later than 6 months after the date of enactment of
18 this Act, and must be accompanied by the evidence and
19 criteria utilized to make the determination: *Provided fur-*
20 *ther*, That none of the funds made available under this
21 Act may be used to pay for the performance of abortion
22 as a method of family planning or to motivate or coerce
23 any person to practice abortions: *Provided further*, That
24 nothing in this paragraph shall be construed to alter any
25 existing statutory prohibitions against abortion under sec-

1 tion 104 of the Foreign Assistance Act of 1961: *Provided*
2 *further*, That none of the funds made available under this
3 Act may be used to lobby for or against abortion: *Provided*
4 *further*, That in order to reduce reliance on abortion in
5 developing nations, funds shall be available only to vol-
6 untary family planning projects which offer, either directly
7 or through referral to, or information about access to, a
8 broad range of family planning methods and services, and
9 that any such voluntary family planning project shall meet
10 the following requirements: (1) service providers or refer-
11 ral agents in the project shall not implement or be subject
12 to quotas, or other numerical targets, of total number of
13 births, number of family planning acceptors, or acceptors
14 of a particular method of family planning (this provision
15 shall not be construed to include the use of quantitative
16 estimates or indicators for budgeting and planning pur-
17 poses); (2) the project shall not include payment of incen-
18 tives, bribes, gratuities, or financial reward to: (A) an indi-
19 vidual in exchange for becoming a family planning accep-
20 tor; or (B) program personnel for achieving a numerical
21 target or quota of total number of births, number of fam-
22 ily planning acceptors, or acceptors of a particular method
23 of family planning; (3) the project shall not deny any right
24 or benefit, including the right of access to participate in
25 any program of general welfare or the right of access to

1 health care, as a consequence of any individual's decision
2 not to accept family planning services; (4) the project shall
3 provide family planning acceptors comprehensible infor-
4 mation on the health benefits and risks of the method cho-
5 sen, including those conditions that might render the use
6 of the method inadvisable and those adverse side effects
7 known to be consequent to the use of the method; and
8 (5) the project shall ensure that experimental contracep-
9 tive drugs and devices and medical procedures are pro-
10 vided only in the context of a scientific study in which
11 participants are advised of potential risks and benefits;
12 and, not less than 60 days after the date on which the
13 USAID Administrator determines that there has been a
14 violation of the requirements contained in paragraph (1),
15 (2), (3), or (5) of this proviso, or a pattern or practice
16 of violations of the requirements contained in paragraph
17 (4) of this proviso, the Administrator shall submit to the
18 Committees on Appropriations a report containing a de-
19 scription of such violation and the corrective action taken
20 by the Agency: *Provided further*, That in awarding grants
21 for natural family planning under section 104 of the For-
22 eign Assistance Act of 1961 no applicant shall be discrimi-
23 nated against because of such applicant's religious or con-
24 scientious commitment to offer only natural family plan-
25 ning; and, additionally, all such applicants shall comply

1 with the requirements of the previous proviso: *Provided*
2 *further*, That for purposes of this or any other Act author-
3 izing or appropriating funds for the Department of State,
4 foreign operations, and related programs, the term “moti-
5 vate”, as it relates to family planning assistance, shall not
6 be construed to prohibit the provision, consistent with
7 local law, of information or counseling about all pregnancy
8 options: *Provided further*, That information provided
9 about the use of condoms as part of projects or activities
10 that are funded from amounts appropriated by this Act
11 shall be medically accurate and shall include the public
12 health benefits and failure rates of such use.

13 In addition, for necessary expenses to carry out the
14 provisions of the Foreign Assistance Act of 1961 for the
15 prevention, treatment, and control of, and research on,
16 HIV/AIDS, \$5,670,000,000, to remain available until
17 September 30, 2020, which shall be apportioned directly
18 to the Department of State: *Provided*, That funds appro-
19 priated under this paragraph may be made available, not-
20 withstanding any other provision of law, except for the
21 United States Leadership Against HIV/AIDS, Tuber-
22 culosis, and Malaria Act of 2003 (Public Law 108–25),
23 as amended, for a United States contribution to the Global
24 Fund to Fight AIDS, Tuberculosis and Malaria (Global
25 Fund), and shall be expended at the minimum rate nec-

1 essary to make timely payment for projects and activities:
2 *Provided further*, That the amount of such contribution
3 should be \$1,350,000,000: *Provided further*, That section
4 202(d)(4)(A)(i) and (vi) of Public Law 108–25, as amend-
5 ed, shall be applied with respect to such funds made avail-
6 able for fiscal years 2015 and 2016 by substituting
7 “2004” for “2009”: *Provided further*, That up to 5 per-
8 cent of the aggregate amount of funds made available to
9 the Global Fund in fiscal year 2016 may be made available
10 to USAID for technical assistance related to the activities
11 of the Global Fund, subject to the regular notification pro-
12 cedures of the Committees on Appropriations: *Provided*
13 *further*, That of the funds appropriated under this para-
14 graph, up to \$17,000,000 may be made available, in addi-
15 tion to amounts otherwise available for such purposes, for
16 administrative expenses of the Office of the United States
17 Global AIDS Coordinator.

18 DEVELOPMENT ASSISTANCE

19 For necessary expenses to carry out the provisions
20 of sections 103, 105, 106, 214, and sections 251 through
21 255, and chapter 10 of part I of the Foreign Assistance
22 Act of 1961, \$2,780,971,000, to remain available until
23 September 30, 2017.

1 INTERNATIONAL DISASTER ASSISTANCE

2 For necessary expenses to carry out the provisions
3 of section 491 of the Foreign Assistance Act of 1961 for
4 international disaster relief, rehabilitation, and recon-
5 struction assistance, \$874,763,000, to remain available
6 until expended.

7 TRANSITION INITIATIVES

8 For necessary expenses for international disaster re-
9 habilitation and reconstruction assistance administered by
10 the Office of Transition Initiatives, United States Agency
11 for International Development (USAID), pursuant to sec-
12 tion 491 of the Foreign Assistance Act of 1961,
13 \$30,000,000, to remain available until expended, to sup-
14 port transition to democracy and long-term development
15 of countries in crisis: *Provided*, That such support may
16 include assistance to develop, strengthen, or preserve
17 democratic institutions and processes, revitalize basic in-
18 frastructure, and foster the peaceful resolution of conflict:
19 *Provided further*, That the USAID Administrator shall
20 submit a report to the Committees on Appropriations at
21 least 5 days prior to beginning a new program of assist-
22 ance: *Provided further*, That if the Secretary of State de-
23 termines that it is important to the national interest of
24 the United States to provide transition assistance in ex-
25 cess of the amount appropriated under this heading, up

1 be used for administrative expenses, in addition to funds
2 otherwise made available for such purposes, except that
3 such expenses may not exceed 5 percent of the funds ap-
4 propriated under this heading: *Provided further*, That
5 funds appropriated under this heading shall be subject to
6 the regular notification procedures of the Committees on
7 Appropriations, except that such notifications shall be
8 transmitted at least 5 days prior to the obligation of
9 funds.

10 DEVELOPMENT CREDIT AUTHORITY

11 For the cost of direct loans and loan guarantees pro-
12 vided by the United States Agency for International De-
13 velopment (USAID), as authorized by sections 256 and
14 635 of the Foreign Assistance Act of 1961, up to
15 \$40,000,000 may be derived by transfer from funds ap-
16 propriated by this Act to carry out part I of such Act and
17 under the heading “Assistance for Europe, Eurasia and
18 Central Asia”: *Provided*, That funds provided under this
19 paragraph and funds provided as a gift that are used for
20 purposes of this paragraph pursuant to section 635(d) of
21 the Foreign Assistance Act of 1961 shall be made avail-
22 able only for micro- and small enterprise programs, urban
23 programs, and other programs which further the purposes
24 of part I of such Act: *Provided further*, That such costs,
25 including the cost of modifying such direct and guaranteed

1 loans, shall be as defined in section 502 of the Congres-
2 sional Budget Act of 1974, as amended: *Provided further*,
3 That funds made available by this paragraph may be used
4 for the cost of modifying any such guaranteed loans under
5 this Act or prior Acts making appropriations for the De-
6 partment of State, foreign operations, and related pro-
7 grams, and funds used for such costs shall be subject to
8 the regular notification procedures of the Committees on
9 Appropriations: *Provided further*, That the provisions of
10 section 107A(d) (relating to general provisions applicable
11 to the Development Credit Authority) of the Foreign As-
12 sistance Act of 1961, as contained in section 306 of H.R.
13 1486 as reported by the House Committee on Inter-
14 national Relations on May 9, 1997, shall be applicable to
15 direct loans and loan guarantees provided under this head-
16 ing, except that the principal amount of loans made or
17 guaranteed under this heading with respect to any single
18 country shall not exceed \$300,000,000: *Provided further*,
19 That these funds are available to subsidize total loan prin-
20 cipal, any portion of which is to be guaranteed, of up to
21 \$1,500,000,000.

22 In addition, for administrative expenses to carry out
23 credit programs administered by USAID, \$8,120,000,
24 which may be transferred to, and merged with, funds
25 made available under the heading “Operating Expenses”

1 in title II of this Act: *Provided*, That funds made available
2 under this heading shall remain available until September
3 30, 2018.

4 ECONOMIC SUPPORT FUND

5 For necessary expenses to carry out the provisions
6 of chapter 4 of part II of the Foreign Assistance Act of
7 1961, \$1,896,315,000, to remain available until Sep-
8 tember 30, 2017.

9 DEMOCRACY FUND

10 For necessary expenses to carry out the provisions
11 of the Foreign Assistance Act of 1961 for the promotion
12 of democracy globally, \$150,500,000, to remain available
13 until September 30, 2017, of which \$88,500,000 shall be
14 made available for the Human Rights and Democracy
15 Fund of the Bureau of Democracy, Human Rights and
16 Labor, Department of State, and \$62,000,000 shall be
17 made available for the Bureau for Democracy, Conflict,
18 and Humanitarian Assistance, United States Agency for
19 International Development.

20 ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA

21 For necessary expenses to carry out the provisions
22 of the Foreign Assistance Act of 1961, the FREEDOM
23 Support Act (Public Law 102–511), and the Support for
24 Eastern European Democracy (SEED) Act of 1989 (Pub-
25 lic Law 101–179), \$491,119,000, to remain available until

1 September 30, 2017, which shall be available, notwith-
2 standing any other provision of law, except section 7070
3 of this Act, for assistance and related programs for coun-
4 tries identified in section 3 of Public Law 102–511 and
5 section 3(c) of Public Law 101–179, in addition to funds
6 otherwise available for such purposes: *Provided*, That
7 funds appropriated by this Act under the headings “Global
8 Health Programs” and “Economic Support Fund” that
9 are made available for assistance for such countries shall
10 be administered in accordance with the responsibilities of
11 the coordinator designated pursuant to section 102 of
12 Public Law 102–511 and section 601 of Public Law 101–
13 179: *Provided further*, That funds appropriated under this
14 heading shall be considered to be economic assistance
15 under the Foreign Assistance Act of 1961 for purposes
16 of making available the administrative authorities con-
17 tained in that Act for the use of economic assistance.

18 DEPARTMENT OF STATE

19 MIGRATION AND REFUGEE ASSISTANCE

20 For necessary expenses not otherwise provided for,
21 to enable the Secretary of State to carry out the provisions
22 of section 2(a) and (b) of the Migration and Refugee As-
23 sistance Act of 1962, and other activities to meet refugee
24 and migration needs; salaries and expenses of personnel
25 and dependents as authorized by the Foreign Service Act

1 of 1980; allowances as authorized by sections 5921
2 through 5925 of title 5, United States Code; purchase and
3 hire of passenger motor vehicles; and services as author-
4 ized by section 3109 of title 5, United States Code,
5 \$931,886,000, to remain available until expended, of
6 which not less than \$35,000,000 shall be made available
7 to respond to small-scale emergency humanitarian require-
8 ments, and \$10,000,000 shall be made available for refu-
9 gees resettling in Israel.

10 UNITED STATES EMERGENCY REFUGEE AND MIGRATION
11 ASSISTANCE FUND

12 For necessary expenses to carry out the provisions
13 of section 2(c) of the Migration and Refugee Assistance
14 Act of 1962, as amended (22 U.S.C. 2601(c)),
15 \$50,000,000, to remain available until expended.

16 INDEPENDENT AGENCIES
17 PEACE CORPS
18 (INCLUDING TRANSFER OF FUNDS)

19 For necessary expenses to carry out the provisions
20 of the Peace Corps Act (22 U.S.C. 2501 et seq.), including
21 the purchase of not to exceed five passenger motor vehicles
22 for administrative purposes for use outside of the United
23 States, \$410,000,000, of which \$5,150,000 is for the Of-
24 fice of Inspector General, to remain available until Sep-
25 tember 30, 2017: *Provided*, That the Director of the Peace

1 Corps may transfer to the Foreign Currency Fluctuations
2 Account, as authorized by section 16 of the Peace Corps
3 Act (22 U.S.C. 2515), an amount not to exceed
4 \$5,000,000: *Provided further*, That funds transferred pur-
5 suant to the previous proviso may not be derived from
6 amounts made available for Peace Corps overseas oper-
7 ations: *Provided further*, That of the funds appropriated
8 under this heading, not to exceed \$104,000 may be avail-
9 able for representation expenses, of which not to exceed
10 \$4,000 may be made available for entertainment expenses:
11 *Provided further*, That any decision to open, close, signifi-
12 cantly reduce, or suspend a domestic or overseas office or
13 country program shall be subject to prior consultation
14 with, and the regular notification procedures of, the Com-
15 mittees on Appropriations, except that prior consultation
16 and regular notification procedures may be waived when
17 there is a substantial security risk to volunteers or other
18 Peace Corps personnel, pursuant to section 7015(e) of this
19 Act: *Provided further*, That none of the funds appropriated
20 under this heading shall be used to pay for abortions: *Pro-*
21 *vided further*, That notwithstanding the previous proviso,
22 section 614 of division E of Public Law 113-76 shall
23 apply to funds appropriated under this heading.

1 MILLENNIUM CHALLENGE CORPORATION

2 For necessary expenses to carry out the provisions
3 of the Millennium Challenge Act of 2003 (22 U.S.C. 7701
4 et seq.) (MCA), \$901,000,000, to remain available until
5 expended: *Provided*, That of the funds appropriated under
6 this heading, up to \$105,000,000 may be available for ad-
7 ministrative expenses of the Millennium Challenge Cor-
8 poration (the Corporation): *Provided further*, That up to
9 5 percent of the funds appropriated under this heading
10 may be made available to carry out the purposes of section
11 616 of the MCA for fiscal year 2016: *Provided further*,
12 That section 605(e) of the MCA shall apply to funds ap-
13 propriated under this heading: *Provided further*, That
14 funds appropriated under this heading may be made avail-
15 able for a Millennium Challenge Compact entered into
16 pursuant to section 609 of the MCA only if such Compact
17 obligates, or contains a commitment to obligate subject to
18 the availability of funds and the mutual agreement of the
19 parties to the Compact to proceed, the entire amount of
20 the United States Government funding anticipated for the
21 duration of the Compact: *Provided further*, That the Chief
22 Executive Officer of the Corporation shall notify the Com-
23 mittees on Appropriations not later than 15 days prior to
24 commencing negotiations for any country compact or
25 threshold country program; signing any such compact or

1 threshold program; or terminating or suspending any such
2 compact or threshold program: *Provided further*, That
3 funds appropriated under this heading by this Act and
4 prior Acts making appropriations for the Department of
5 State, foreign operations, and related programs that are
6 available to implement section 609(g) of the MCA shall
7 be subject to the regular notification procedures of the
8 Committees on Appropriations: *Provided further*, That no
9 country should be eligible for a threshold program after
10 such country has completed a country compact: *Provided*
11 *further*, That any funds that are deobligated from a Mil-
12 lennium Challenge Compact shall be subject to the regular
13 notification procedures of the Committees on Appropria-
14 tions prior to re-obligation: *Provided further*, That not-
15 withstanding section 606(a)(2) of the MCA, a country
16 shall be a candidate country for purposes of eligibility for
17 assistance for the fiscal year if the country has a per cap-
18 ita income equal to or below the World Bank's lower mid-
19 dle income country threshold for the fiscal year and is
20 among the 75 lowest per capita income countries as identi-
21 fied by the World Bank; and the country meets the re-
22 quirements of section 606(a)(1)(B) of the MCA: *Provided*
23 *further*, That notwithstanding section 606(b)(1) of the
24 MCA, in addition to countries described in the preceding
25 proviso, a country shall be a candidate country for pur-

1 poses of eligibility for assistance for the fiscal year if the
2 country has a per capita income equal to or below the
3 World Bank's lower middle income country threshold for
4 the fiscal year and is not among the 75 lowest per capita
5 income countries as identified by the World Bank; and the
6 country meets the requirements of section 606(a)(1)(B)
7 of the MCA: *Provided further*, That any Millennium Chal-
8 lenge Corporation candidate country under section 606 of
9 the MCA with a per capita income that changes in the
10 fiscal year such that the country would be reclassified
11 from a low income country to a lower middle income coun-
12 try or from a lower middle income country to a low income
13 country shall retain its candidacy status in its former in-
14 come classification for the fiscal year and the 2 subsequent
15 fiscal years: *Provided further*, That publication in the Fed-
16 eral Register of a notice of availability of a copy of a Com-
17 pact on the Millennium Challenge Corporation Web site
18 shall be deemed to satisfy the requirements of section
19 610(b)(2) of the MCA for such Compact: *Provided further*,
20 That none of the funds made available by this Act or prior
21 Acts making appropriations for the Department of State,
22 foreign operations, and related programs shall be available
23 for a threshold program in a country that is not currently
24 a candidate country: *Provided further*, That the Comp-
25 troller General of the United States shall provide to the

1 appropriate congressional committees a review of authori-
2 ties that may allow the Millennium Challenge Corporation
3 to obligate funds that are unobligated from prior fiscal
4 years for compacts in countries that are not eligible for
5 a compact in the current fiscal year: *Provided further*,
6 That such review shall include an assessment as set forth
7 in the explanatory statement described in section 4 (in the
8 matter preceding division A of this Consolidated Act): *Pro-*
9 *vided further*, That funds appropriated under this heading
10 shall be used on a reimbursable basis for such review: *Pro-*
11 *vided further*, That of the funds appropriated under this
12 heading, not to exceed \$100,000 may be available for rep-
13 resentation and entertainment expenses, of which not to
14 exceed \$5,000 may be available for entertainment ex-
15 penses.

16 INTER-AMERICAN FOUNDATION

17 For necessary expenses to carry out the functions of
18 the Inter-American Foundation in accordance with the
19 provisions of section 401 of the Foreign Assistance Act
20 of 1969, \$22,500,000, to remain available until September
21 30, 2017: *Provided*, That of the funds appropriated under
22 this heading, not to exceed \$2,000 may be available for
23 representation expenses.

1 UNITED STATES AFRICAN DEVELOPMENT FOUNDATION

2 For necessary expenses to carry out title V of the
3 International Security and Development Cooperation Act
4 of 1980 (Public Law 96–533), \$30,000,000, to remain
5 available until September 30, 2017, of which not to exceed
6 \$2,000 may be available for representation expenses: *Pro-*
7 *vided*, That funds made available to grantees may be in-
8 vested pending expenditure for project purposes when au-
9 thorized by the Board of Directors of the United States
10 African Development Foundation (USADF): *Provided fur-*
11 *ther*, That interest earned shall be used only for the pur-
12 poses for which the grant was made: *Provided further*,
13 That notwithstanding section 505(a)(2) of the African De-
14 velopment Foundation Act, in exceptional circumstances
15 the Board of Directors of the USADF may waive the
16 \$250,000 limitation contained in that section with respect
17 to a project and a project may exceed the limitation by
18 up to 10 percent if the increase is due solely to foreign
19 currency fluctuation: *Provided further*, That the USADF
20 shall submit a report to the Committees on Appropriations
21 after each time such waiver authority is exercised: *Pro-*
22 *vided further*, That the USADF may make rent or lease
23 payments in advance from appropriations available for
24 such purpose for offices, buildings, grounds, and quarters
25 in Africa as may be necessary to carry out its functions:

1 *Provided further*, That the USADF may maintain bank
2 accounts outside the United States Treasury and retain
3 any interest earned on such accounts, in furtherance of
4 the purposes of the African Foundation Development Act:

5 *Provided further*, That the USADF may not withdraw any
6 appropriation from the Treasury prior to the need of
7 spending such funds for program purposes.

8 DEPARTMENT OF THE TREASURY
9 INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

10 For necessary expenses to carry out the provisions
11 of section 129 of the Foreign Assistance Act of 1961,
12 \$23,500,000, to remain available until September 30,
13 2018, which shall be available notwithstanding any other
14 provision of law.

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1 TITLE IV
2 INTERNATIONAL SECURITY ASSISTANCE
3 DEPARTMENT OF STATE
4 INTERNATIONAL NARCOTICS CONTROL AND LAW
5 ENFORCEMENT

6 For necessary expenses to carry out section 481 of
7 the Foreign Assistance Act of 1961, \$894,821,000, to re-
8 main available until September 30, 2017: *Provided*, That
9 the provision of assistance by any other United States
10 Government department or agency which is comparable to
11 assistance that may be made available under this heading,
12 but which is provided under any other provision of law,
13 should be provided only with the concurrence of the Sec-
14 retary of State and in accordance with the provisions of
15 sections 481(b) and 622(c) of the Foreign Assistance Act
16 of 1961: *Provided further*, That the Department of State
17 may use the authority of section 608 of the Foreign As-
18 sistance Act of 1961, without regard to its restrictions,
19 to receive excess property from an agency of the United
20 States Government for the purpose of providing such
21 property to a foreign country or international organization
22 under chapter 8 of part I of that Act, subject to the reg-
23 ular notification procedures of the Committees on Appro-
24 priations: *Provided further*, That section 482(b) of the
25 Foreign Assistance Act of 1961 shall not apply to funds

1 appropriated under this heading, except that any funds
2 made available notwithstanding such section shall be sub-
3 ject to the regular notification procedures of the Commit-
4 tees on Appropriations: *Provided further*, That funds ap-
5 propriated under this heading shall be made available to
6 support training and technical assistance for foreign law
7 enforcement, corrections, and other judicial authorities,
8 utilizing regional partners: *Provided further*, That not less
9 than \$54,975,000 of the funds appropriated under this
10 heading shall be transferred to, and merged with, funds
11 appropriated by this Act under the heading “Assistance
12 for Europe, Eurasia and Central Asia”, which shall be
13 available for the same purposes as funds appropriated
14 under this heading: *Provided further*, That funds made
15 available under this heading that are transferred to an-
16 other department, agency, or instrumentality of the
17 United States Government pursuant to section 632(b) of
18 the Foreign Assistance Act of 1961 valued in excess of
19 \$5,000,000, and any agreement made pursuant to section
20 632(a) of such Act, shall be subject to the regular notifica-
21 tion procedures of the Committees on Appropriations.

22 NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND
23 RELATED PROGRAMS

24 For necessary expenses for nonproliferation, anti-ter-
25 rorism, demining and related programs and activities,

1 \$506,381,000, to remain available until September 30,
2 2017, to carry out the provisions of chapter 8 of part II
3 of the Foreign Assistance Act of 1961 for anti-terrorism
4 assistance, chapter 9 of part II of the Foreign Assistance
5 Act of 1961, section 504 of the FREEDOM Support Act,
6 section 23 of the Arms Export Control Act, or the Foreign
7 Assistance Act of 1961 for demining activities, the clear-
8 ance of unexploded ordnance, the destruction of small
9 arms, and related activities, notwithstanding any other
10 provision of law, including activities implemented through
11 nongovernmental and international organizations, and sec-
12 tion 301 of the Foreign Assistance Act of 1961 for a
13 United States contribution to the Comprehensive Nuclear
14 Test Ban Treaty Preparatory Commission, and for a vol-
15 untary contribution to the International Atomic Energy
16 Agency (IAEA): *Provided*, That the Secretary of State
17 shall inform the appropriate congressional committees of
18 information regarding any separate arrangements relating
19 to the “Road-map for the Clarification of Past and
20 Present Outstanding Issues Regarding Iran’s Nuclear
21 Program” between the IAEA and the Islamic Republic of
22 Iran, in classified form if necessary, if such information
23 becomes known to the Department of State: *Provided fur-*
24 *ther*, That for the clearance of unexploded ordnance, the
25 Secretary of State should prioritize those areas where such

1 ordnance was caused by the United States: *Provided fur-*
2 *ther*, That funds made available under this heading for
3 the Nonproliferation and Disarmament Fund shall be
4 available notwithstanding any other provision of law and
5 subject to prior consultation with, and the regular notifica-
6 tion procedures of, the Committees on Appropriations, to
7 promote bilateral and multilateral activities relating to
8 nonproliferation, disarmament, and weapons destruction,
9 and shall remain available until expended: *Provided fur-*
10 *ther*, That such funds may also be used for such countries
11 other than the Independent States of the former Soviet
12 Union and international organizations when it is in the
13 national security interest of the United States to do so:
14 *Provided further*, That funds appropriated under this
15 heading may be made available for the IAEA unless the
16 Secretary of State determines that Israel is being denied
17 its right to participate in the activities of that Agency:
18 *Provided further*, That funds made available under this
19 heading for the Counterterrorism Partnerships Fund shall
20 be subject to the regular notification procedures of the
21 Committees on Appropriations: *Provided further*, That
22 funds made available for conventional weapons destruction
23 programs, including demining and related activities, in ad-
24 dition to funds otherwise available for such purposes, may
25 be used for administrative expenses related to the oper-

1 ation and management of such programs and activities,
2 subject to the regular notification procedures of the Com-
3 mittees on Appropriations.

4 PEACEKEEPING OPERATIONS

5 For necessary expenses to carry out the provisions
6 of section 551 of the Foreign Assistance Act of 1961,
7 \$131,361,000: *Provided*, That funds appropriated under
8 this heading may be used, notwithstanding section 660 of
9 such Act, to provide assistance to enhance the capacity
10 of foreign civilian security forces, including gendarmes, to
11 participate in peacekeeping operations: *Provided further*,
12 That of the funds appropriated under this heading, not
13 less than \$35,000,000 shall be made available for a United
14 States contribution to the Multinational Force and Ob-
15 servers mission in the Sinai: *Provided further*, That none
16 of the funds appropriated under this heading shall be obli-
17 gated except as provided through the regular notification
18 procedures of the Committees on Appropriations.

19 FUNDS APPROPRIATED TO THE PRESIDENT

20 INTERNATIONAL MILITARY EDUCATION AND TRAINING

21 For necessary expenses to carry out the provisions
22 of section 541 of the Foreign Assistance Act of 1961,
23 \$108,115,000, of which up to \$4,000,000 may remain
24 available until September 30, 2017: *Provided*, That the
25 civilian personnel for whom military education and train-

1 ing may be provided under this heading may include civil-
2 ians who are not members of a government whose partici-
3 pation would contribute to improved civil-military rela-
4 tions, civilian control of the military, or respect for human
5 rights: *Provided further*, That of the funds appropriated
6 under this heading, not to exceed \$55,000 may be avail-
7 able for entertainment expenses.

8 FOREIGN MILITARY FINANCING PROGRAM

9 For necessary expenses for grants to enable the
10 President to carry out the provisions of section 23 of the
11 Arms Export Control Act, \$4,737,522,000: *Provided*,
12 That to expedite the provision of assistance to foreign
13 countries and international organizations, the Secretary of
14 State, following consultation with the Committees on Ap-
15 propriations and subject to the regular notification proce-
16 dures of such Committees, may use the funds appro-
17 priated under this heading to procure defense articles and
18 services to enhance the capacity of foreign security forces:
19 *Provided further*, That of the funds appropriated under
20 this heading, not less than \$3,100,000,000 shall be avail-
21 able for grants only for Israel, and funds are available for
22 assistance for Jordan and Egypt subject to section 7041
23 of this Act: *Provided further*, That the funds appropriated
24 under this heading for assistance for Israel shall be dis-
25 bursed within 30 days of enactment of this Act: *Provided*

1 *further*, That to the extent that the Government of Israel
2 requests that funds be used for such purposes, grants
3 made available for Israel under this heading shall, as
4 agreed by the United States and Israel, be available for
5 advanced weapons systems, of which not less than
6 \$815,300,000 shall be available for the procurement in
7 Israel of defense articles and defense services, including
8 research and development: *Provided further*, That none of
9 the funds made available under this heading shall be made
10 available to support or continue any program initially
11 funded under the authority of section 1206 of the National
12 Defense Authorization Act for Fiscal Year 2006 (Public
13 Law 109–163; 119 Stat. 3456), or section 2282 of title
14 10, United States Code, unless the Secretary of State, in
15 coordination with the Secretary of Defense, has justified
16 such program to the Committees on Appropriations: *Pro-*
17 *vided further*, That funds appropriated or otherwise made
18 available under this heading shall be nonrepayable not-
19 withstanding any requirement in section 23 of the Arms
20 Export Control Act: *Provided further*, That funds made
21 available under this heading shall be obligated upon appor-
22 tionment in accordance with paragraph (5)(C) of section
23 1501(a) of title 31, United States Code.

24 None of the funds made available under this heading
25 shall be available to finance the procurement of defense

1 articles, defense services, or design and construction serv-
2 ices that are not sold by the United States Government
3 under the Arms Export Control Act unless the foreign
4 country proposing to make such procurement has first
5 signed an agreement with the United States Government
6 specifying the conditions under which such procurement
7 may be financed with such funds: *Provided*, That all coun-
8 try and funding level increases in allocations shall be sub-
9 mitted through the regular notification procedures of sec-
10 tion 7015 of this Act: *Provided further*, That funds made
11 available under this heading may be used, notwithstanding
12 any other provision of law, for demining, the clearance of
13 unexploded ordnance, and related activities, and may in-
14 clude activities implemented through nongovernmental
15 and international organizations: *Provided further*, That
16 only those countries for which assistance was justified for
17 the “Foreign Military Sales Financing Program” in the
18 fiscal year 1989 congressional presentation for security as-
19 sistance programs may utilize funds made available under
20 this heading for procurement of defense articles, defense
21 services, or design and construction services that are not
22 sold by the United States Government under the Arms
23 Export Control Act: *Provided further*, That funds appro-
24 priated under this heading shall be expended at the min-
25 imum rate necessary to make timely payment for defense

1 articles and services: *Provided further*, That not more than
2 \$75,000,000 of the funds appropriated under this heading
3 may be obligated for necessary expenses, including the
4 purchase of passenger motor vehicles for replacement only
5 for use outside of the United States, for the general costs
6 of administering military assistance and sales, except that
7 this limitation may be exceeded only through the regular
8 notification procedures of the Committees on Appropria-
9 tions: *Provided further*, That of the funds made available
10 under this heading for general costs of administering mili-
11 tary assistance and sales, not to exceed \$4,000 may be
12 available for entertainment expenses and not to exceed
13 \$130,000 may be available for representation expenses:
14 *Provided further*, That not more than \$904,000,000 of
15 funds realized pursuant to section 21(e)(1)(A) of the Arms
16 Export Control Act may be obligated for expenses incurred
17 by the Department of Defense during fiscal year 2016
18 pursuant to section 43(b) of the Arms Export Control Act,
19 except that this limitation may be exceeded only through
20 the regular notification procedures of the Committees on
21 Appropriations.

1197

1 TITLE V

2 MULTILATERAL ASSISTANCE

3 FUNDS APPROPRIATED TO THE PRESIDENT

4 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

5 For necessary expenses to carry out the provisions
6 of section 301 of the Foreign Assistance Act of 1961, and
7 of section 2 of the United Nations Environment Program
8 Participation Act of 1973, \$339,000,000, of which up to
9 \$10,000,000 may be made available for the Intergovern-
10 mental Panel on Climate Change/United Nations Frame-
11 work Convention on Climate Change: *Provided*, That sec-
12 tion 307(a) of the Foreign Assistance Act of 1961 shall
13 not apply to contributions to the United Nations Democ-
14 racy Fund.

15 INTERNATIONAL FINANCIAL INSTITUTIONS

16 GLOBAL ENVIRONMENT FACILITY

17 For payment to the International Bank for Recon-
18 struction and Development as trustee for the Global Envi-
19 ronment Facility by the Secretary of the Treasury,
20 \$168,263,000, to remain available until expended.

21 CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT

22 ASSOCIATION

23 For payment to the International Development Asso-
24 ciation by the Secretary of the Treasury, \$1,197,128,000,
25 to remain available until expended.

1 CONTRIBUTION TO THE INTERNATIONAL BANK FOR
2 RECONSTRUCTION AND DEVELOPMENT

3 For payment to the International Bank for Recon-
4 struction and Development by the Secretary of the Treas-
5 ury for the United States share of the paid-in portion of
6 the increases in capital stock, \$186,957,000, to remain
7 available until expended.

8 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

9 The United States Governor of the International
10 Bank for Reconstruction and Development may subscribe
11 without fiscal year limitation to the callable capital portion
12 of the United States share of increases in capital stock
13 in an amount not to exceed \$2,928,990,899.

14 CONTRIBUTION TO THE CLEAN TECHNOLOGY FUND

15 For payment to the International Bank for Recon-
16 struction and Development as trustee for the Clean Tech-
17 nology Fund by the Secretary of the Treasury,
18 \$170,680,000, to remain available until expended.

19 CONTRIBUTION TO THE STRATEGIC CLIMATE FUND

20 For payment to the International Bank for Recon-
21 struction and Development as trustee for the Strategic
22 Climate Fund by the Secretary of the Treasury,
23 \$49,900,000, to remain available until expended.

1 CONTRIBUTION TO THE INTER-AMERICAN DEVELOPMENT
2 BANK

3 For payment to the Inter-American Development
4 Bank by the Secretary of the Treasury for the United
5 States share of the paid-in portion of the increase in cap-
6 ital stock, \$102,020,448, to remain available until ex-
7 pended.

8 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

9 The United States Governor of the Inter-American
10 Development Bank may subscribe without fiscal year limi-
11 tation to the callable capital portion of the United States
12 share of such capital stock in an amount not to exceed
13 \$4,098,794,833.

14 CONTRIBUTION TO THE ASIAN DEVELOPMENT BANK

15 For payment to the Asian Development Bank by the
16 Secretary of the Treasury for the United States share of
17 the paid-in portion of increase in capital stock,
18 \$5,608,435, to remain available until expended.

19 CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

20 For payment to the Asian Development Bank's Asian
21 Development Fund by the Secretary of the Treasury,
22 \$104,977,000, to remain available until expended.

23 CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

24 For payment to the African Development Bank by
25 the Secretary of the Treasury for the United States share

1200

1 of the paid-in portion of the increase in capital stock,
2 \$34,118,027, to remain available until expended.

3 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

4 The United States Governor of the African Develop-
5 ment Bank may subscribe without fiscal year limitation
6 to the callable capital portion of the United States share
7 of such capital stock in an amount not to exceed
8 \$507,860,808.

9 CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

10 For payment to the African Development Fund by
11 the Secretary of the Treasury, \$175,668,000, to remain
12 available until expended.

13 CONTRIBUTION TO THE INTERNATIONAL FUND FOR
14 AGRICULTURAL DEVELOPMENT

15 For payment to the International Fund for Agricul-
16 tural Development by the Secretary of the Treasury,
17 \$31,930,000, to remain available until expended.

18 GLOBAL AGRICULTURE AND FOOD SECURITY PROGRAM

19 For payment to the Global Agriculture and Food Se-
20 curity Program by the Secretary of the Treasury,
21 \$43,000,000, to remain available until expended.

22 CONTRIBUTION TO THE NORTH AMERICAN DEVELOPMENT
23 BANK

24 For payment to the North American Development
25 Bank by the Secretary of the Treasury for the United

1 States share of the paid-in portion of the increase in cap-
2 ital stock, \$10,000,000, to remain available until ex-
3 pended.

4 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

5 The Secretary of the Treasury may subscribe without
6 fiscal year limitation to the callable capital portion of the
7 United States share of such capital stock in an amount
8 not to exceed \$255,000,000.

1202

1 TITLE VI
2 EXPORT AND INVESTMENT ASSISTANCE
3 EXPORT-IMPORT BANK OF THE UNITED STATES
4 INSPECTOR GENERAL

5 For necessary expenses of the Office of Inspector
6 General in carrying out the provisions of the Inspector
7 General Act of 1978, as amended, \$6,000,000, to remain
8 available until September 30, 2017.

9 PROGRAM ACCOUNT

10 The Export-Import Bank (the Bank) of the United
11 States is authorized to make such expenditures within the
12 limits of funds and borrowing authority available to such
13 corporation, and in accordance with law, and to make such
14 contracts and commitments without regard to fiscal year
15 limitations, as provided by section 104 of the Government
16 Corporation Control Act, as may be necessary in carrying
17 out the program for the current fiscal year for such cor-
18 poration: *Provided*, That none of the funds available dur-
19 ing the current fiscal year may be used to make expendi-
20 tures, contracts, or commitments for the export of nuclear
21 equipment, fuel, or technology to any country, other than
22 a nuclear-weapon state as defined in Article IX of the
23 Treaty on the Non-Proliferation of Nuclear Weapons eligi-
24 ble to receive economic or military assistance under this

1 Act, that has detonated a nuclear explosive after the date
2 of the enactment of this Act.

3 ADMINISTRATIVE EXPENSES

4 For administrative expenses to carry out the direct
5 and guaranteed loan and insurance programs, including
6 hire of passenger motor vehicles and services as authorized
7 by section 3109 of title 5, United States Code, and not
8 to exceed \$30,000 for official reception and representation
9 expenses for members of the Board of Directors, not to
10 exceed \$106,250,000: *Provided*, That the Export-Import
11 Bank (the Bank) may accept, and use, payment or serv-
12 ices provided by transaction participants for legal, finan-
13 cial, or technical services in connection with any trans-
14 action for which an application for a loan, guarantee or
15 insurance commitment has been made: *Provided further*,
16 That the Bank shall charge fees for necessary expenses
17 (including special services performed on a contract or fee
18 basis, but not including other personal services) in connec-
19 tion with the collection of moneys owed the Bank, repos-
20 session or sale of pledged collateral or other assets ac-
21 quired by the Bank in satisfaction of moneys owed the
22 Bank, or the investigation or appraisal of any property,
23 or the evaluation of the legal, financial, or technical as-
24 pects of any transaction for which an application for a
25 loan, guarantee or insurance commitment has been made,

1 or systems infrastructure directly supporting transactions:
2 *Provided further*, That in addition to other funds appro-
3 priated for administrative expenses, such fees shall be
4 credited to this account for such purposes, to remain avail-
5 able until expended.

6 RECEIPTS COLLECTED

7 Receipts collected pursuant to the Export-Import
8 Bank Act of 1945, as amended, and the Federal Credit
9 Reform Act of 1990, as amended, in an amount not to
10 exceed the amount appropriated herein, shall be credited
11 as offsetting collections to this account: *Provided*, That the
12 sums herein appropriated from the General Fund shall be
13 reduced on a dollar-for-dollar basis by such offsetting col-
14 lections so as to result in a final fiscal year appropriation
15 from the General Fund estimated at \$0: *Provided further*,
16 That amounts collected in fiscal year 2016 in excess of
17 obligations, up to \$10,000,000 shall become available on
18 September 1, 2016, and shall remain available until Sep-
19 tember 30, 2019.

20 OVERSEAS PRIVATE INVESTMENT CORPORATION

21 NONCREDIT ACCOUNT

22 The Overseas Private Investment Corporation is au-
23 thorized to make, without regard to fiscal year limitations,
24 as provided by section 9104 of title 31, United States
25 Code, such expenditures and commitments within the lim-

1 its of funds available to it and in accordance with law as
2 may be necessary: *Provided*, That the amount available for
3 administrative expenses to carry out the credit and insur-
4 ance programs (including an amount for official reception
5 and representation expenses which shall not exceed
6 \$35,000) shall not exceed \$62,787,000: *Provided further*,
7 That project-specific transaction costs, including direct
8 and indirect costs incurred in claims settlements, and
9 other direct costs associated with services provided to spe-
10 cific investors or potential investors pursuant to section
11 234 of the Foreign Assistance Act of 1961, shall not be
12 considered administrative expenses for the purposes of this
13 heading.

14 PROGRAM ACCOUNT

15 For the cost of direct and guaranteed loans,
16 \$20,000,000, as authorized by section 234 of the Foreign
17 Assistance Act of 1961, to be derived by transfer from
18 the Overseas Private Investment Corporation Noncredit
19 Account: *Provided*, That such costs, including the cost of
20 modifying such loans, shall be as defined in section 502
21 of the Congressional Budget Act of 1974: *Provided fur-*
22 *ther*, That such sums shall be available for direct loan obli-
23 gations and loan guaranty commitments incurred or made
24 during fiscal years 2016, 2017, and 2018: *Provided fur-*
25 *ther*, That funds so obligated in fiscal year 2016 remain

1 available for disbursement through 2024; funds obligated
2 in fiscal year 2017 remain available for disbursement
3 through 2025; and funds obligated in fiscal year 2018 re-
4 main available for disbursement through 2026: *Provided*
5 *further*, That notwithstanding any other provision of law,
6 the Overseas Private Investment Corporation is authorized
7 to undertake any program authorized by title IV of chap-
8 ter 2 of part I of the Foreign Assistance Act of 1961 in
9 Iraq: *Provided further*, That funds made available pursu-
10 ant to the authority of the previous proviso shall be subject
11 to the regular notification procedures of the Committees
12 on Appropriations.

13 In addition, such sums as may be necessary for ad-
14 ministrative expenses to carry out the credit program may
15 be derived from amounts available for administrative ex-
16 penses to carry out the credit and insurance programs in
17 the Overseas Private Investment Corporation Noncredit
18 Account and merged with said account.

19 TRADE AND DEVELOPMENT AGENCY

20 For necessary expenses to carry out the provisions
21 of section 661 of the Foreign Assistance Act of 1961,
22 \$60,000,000, to remain available until September 30,
23 2017: *Provided*, That of the amounts made available
24 under this heading, up to \$2,500,000 may be made avail-
25 able to provide comprehensive procurement advice to for-

1 eign governments to support local procurements funded by
2 the United States Agency for International Development,
3 the Millennium Challenge Corporation, and the Depart-
4 ment of State: *Provided further*, That of the funds appro-
5 priated under this heading, not more than \$5,000 may be
6 available for representation and entertainment expenses.

1208

1 TITLE VII

2 GENERAL PROVISIONS

3 ALLOWANCES AND DIFFERENTIALS

4 SEC. 7001. Funds appropriated under title I of this
5 Act shall be available, except as otherwise provided, for
6 allowances and differentials as authorized by subchapter
7 59 of title 5, United States Code; for services as author-
8 ized by section 3109 of such title and for hire of passenger
9 transportation pursuant to section 1343(b) of title 31,
10 United States Code.

11 UNOBLIGATED BALANCES REPORT

12 SEC. 7002. Any department or agency of the United
13 States Government to which funds are appropriated or
14 otherwise made available by this Act shall provide to the
15 Committees on Appropriations a quarterly accounting of
16 cumulative unobligated balances and obligated, but unex-
17 pended, balances by program, project, and activity, and
18 Treasury Account Fund Symbol of all funds received by
19 such department or agency in fiscal year 2016 or any pre-
20 vious fiscal year, disaggregated by fiscal year: *Provided*,
21 That the report required by this section should specify by
22 account the amount of funds obligated pursuant to bilat-
23 eral agreements which have not been further sub-obli-
24 gated.

1 CONSULTING SERVICES

2 SEC. 7003. The expenditure of any appropriation
3 under title I of this Act for any consulting service through
4 procurement contract, pursuant to section 3109 of title
5 5, United States Code, shall be limited to those contracts
6 where such expenditures are a matter of public record and
7 available for public inspection, except where otherwise pro-
8 vided under existing law, or under existing Executive
9 Order issued pursuant to existing law.

10 DIPLOMATIC FACILITIES

11 SEC. 7004. (a) CAPITAL SECURITY COST SHAR-
12 ING.—Of funds provided under title I of this Act, except
13 as provided in subsection (b), a project to construct a dip-
14 lomatic facility of the United States may not include office
15 space or other accommodations for an employee of a Fed-
16 eral agency or department if the Secretary of State deter-
17 mines that such department or agency has not provided
18 to the Department of State the full amount of funding
19 required by subsection (e) of section 604 of the Secure
20 Embassy Construction and Counterterrorism Act of 1999
21 (as enacted into law by section 1000(a)(7) of Public Law
22 106–113 and contained in appendix G of that Act; 113
23 Stat. 1501A–453), as amended by section 629 of the De-
24 partments of Commerce, Justice, and State, the Judiciary,
25 and Related Agencies Appropriations Act, 2005.

1 (b) EXCEPTION.—Notwithstanding the prohibition in
2 subsection (a), a project to construct a diplomatic facility
3 of the United States may include office space or other ac-
4 commodations for members of the United States Marine
5 Corps.

6 (c) NEW DIPLOMATIC FACILITIES.—For the pur-
7 poses of calculating the fiscal year 2016 costs of providing
8 new United States diplomatic facilities in accordance with
9 section 604(e) of the Secure Embassy Construction and
10 Counterterrorism Act of 1999 (22 U.S.C. 4865 note), the
11 Secretary of State, in consultation with the Director of
12 the Office of Management and Budget, shall determine the
13 annual program level and agency shares in a manner that
14 is proportional to the Department of State’s contribution
15 for this purpose.

16 (d) CONSULTATION AND NOTIFICATION REQUIRE-
17 MENTS.—Funds appropriated by this Act and prior Acts
18 making appropriations for the Department of State, for-
19 eign operations, and related programs, which may be made
20 available for the acquisition of property or award of con-
21 struction contracts for overseas diplomatic facilities during
22 fiscal year 2016, shall be subject to prior consultation
23 with, and the regular notification procedures of, the Com-
24 mittees on Appropriations: *Provided*, That notifications
25 pursuant to this subsection shall include the information

1 enumerated under the heading “Embassy Security, Con-
2 struction, and Maintenance” in House Report 114–154:
3 *Provided further*, That any such notification for a new dip-
4 lomatic facility justified to the Committees on Appropria-
5 tions in Appendix 1 of the Congressional Budget Justifica-
6 tion, Department of State, Diplomatic Engagement, Fis-
7 cal Year 2016, or not previously justified to such Commit-
8 tees, shall also include confirmation that the Department
9 of State has completed the requisite value engineering
10 studies required pursuant to OMB Circular A–131, Value
11 Engineering December 31, 2013 and the Bureau of Over-
12 seas Building Operations Policy and Procedure Directive,
13 P&PD, Cost 02: Value Engineering.

14 (e) REPORTS.—

15 (1) None of the funds appropriated under the
16 heading “Embassy Security, Construction, and
17 Maintenance” in this Act and prior Acts making ap-
18 propriations for the Department of State, foreign
19 operations, and related programs, made available
20 through Federal agency Capital Security Cost Shar-
21 ing contributions and reimbursements, or generated
22 from the proceeds of real property sales, other than
23 from real property sales located in London, United
24 Kingdom, may be made available for site acquisition
25 and mitigation, planning, design, or construction of

1 the New London Embassy: *Provided*, That the re-
2 porting requirement contained in section 7004(f)(2)
3 of the Department of State, Foreign Operations, and
4 Related Programs Appropriations Act, 2012 (divi-
5 sion I of Public Law 112–74) shall remain in effect
6 during fiscal year 2016.

7 (2) Within 45 days of enactment of this Act
8 and every 4 months thereafter until September 30,
9 2016, the Secretary of State shall submit to the
10 Committees on Appropriations a report on the new
11 Mexico City Embassy and Beirut Embassy projects:
12 *Provided*, That such report shall include, for each of
13 the projects—

14 (A) cost projections;

15 (B) cost containment efforts;

16 (C) project schedule and actual project sta-
17 tus;

18 (D) the impact of currency exchange rate
19 fluctuations on project costs;

20 (E) revenues derived from, or estimated to
21 be derived from, real property sales in Mexico
22 City, Mexico for the embassy project in Mexico
23 City and in Beirut, Lebanon for the embassy
24 project in Beirut; and

1 (F) options for modifying the scope of the
2 project in the event that costs escalate above
3 amounts justified to the Committees on Appro-
4 priations in Appendix 1 of the Congressional
5 Budget Justification, Department of State Op-
6 erations, Fiscal Year 2015 for the Mexico City
7 Embassy project, and in Appendix 1 of the
8 Congressional Budget Justification, Depart-
9 ment of State, Diplomatic Engagement, Fiscal
10 Year 2016 for the Beirut Embassy project.

11 (f) INTERIM AND TEMPORARY FACILITIES
12 ABROAD.—

13 (1) Funds appropriated by this Act under the
14 heading “Embassy Security, Construction, and
15 Maintenance” may be made available to address se-
16 curity vulnerabilities at interim and temporary facili-
17 ties abroad, including physical security upgrades and
18 local guard staffing, except that the amount of funds
19 made available for such purposes from this Act and
20 prior Acts making appropriations for the Depart-
21 ment of State, foreign operations, and related pro-
22 grams shall be a minimum of \$25,000,000: *Pro-*
23 *vided*, That the uses of such funds should be the re-
24 sponsibility of the Assistant Secretary of State for
25 the Bureau of Diplomatic Security and Foreign Mis-

1 sions, in consultation with the Director of the Bu-
2 reau of Overseas Buildings Operations: *Provided fur-*
3 *ther*, That such funds shall be subject to prior con-
4 sultation with the Committees on Appropriations.

5 (2) Notwithstanding any other provision of law,
6 the opening, closure, or any significant modification
7 to an interim or temporary diplomatic facility shall
8 be subject to prior consultation with the appropriate
9 congressional committees and the regular notifica-
10 tion procedures of the Committees on Appropria-
11 tions, except that such consultation and notification
12 may be waived if there is a security risk to per-
13 sonnel.

14 (3) Not later than 60 days after enactment of
15 this Act, the Department of State shall document
16 standard operating procedures and best practices as-
17 sociated with the delivery, construction, and protec-
18 tion of temporary structures in high threat and con-
19 flict environments: *Provided*, That the Secretary of
20 State shall inform the Committees on Appropria-
21 tions after completing such documentation.

22 (g) TRANSFER AUTHORITY.—Funds appropriated
23 under the heading “Diplomatic and Consular Programs”,
24 including for Worldwide Security Protection, and under
25 the heading “Embassy Security, Construction, and Main-

1 tenance” in titles I and VIII of this Act may be trans-
2 ferred to, and merged with, funds appropriated by such
3 titles under such headings if the Secretary of State deter-
4 mines and reports to the Committees on Appropriations
5 that to do so is necessary to implement the recommenda-
6 tions of the Benghazi Accountability Review Board, or to
7 prevent or respond to security situations and require-
8 ments, following consultation with, and subject to the reg-
9 ular notification procedures of, such Committees: *Pro-*
10 *vided*, That such transfer authority is in addition to any
11 transfer authority otherwise available under any other pro-
12 vision of law.

13 PERSONNEL ACTIONS

14 SEC. 7005. Any costs incurred by a department or
15 agency funded under title I of this Act resulting from per-
16 sonnel actions taken in response to funding reductions in-
17 cluded in this Act shall be absorbed within the total budg-
18 etary resources available under title I to such department
19 or agency: *Provided*, That the authority to transfer funds
20 between appropriations accounts as may be necessary to
21 carry out this section is provided in addition to authorities
22 included elsewhere in this Act: *Provided further*, That use
23 of funds to carry out this section shall be treated as a
24 reprogramming of funds under section 7015 of this Act
25 and shall not be available for obligation or expenditure ex-

1 cept in compliance with the procedures set forth in that
2 section.

3 LOCAL GUARD CONTRACTS

4 SEC. 7006. In evaluating proposals for local guard
5 contracts, the Secretary of State shall award contracts in
6 accordance with section 136 of the Foreign Relations Au-
7 thorization Act, Fiscal Years 1990 and 1991 (22 U.S.C.
8 4864), except that the Secretary may grant authorization
9 to award such contracts on the basis of best value as de-
10 termined by a cost-technical tradeoff analysis (as de-
11 scribed in Federal Acquisition Regulation part 15.101),
12 notwithstanding subsection (c)(3) of such section: *Pro-*
13 *vided*, That the authority in this section shall apply to any
14 options for renewal that may be exercised under such con-
15 tracts that are awarded during the current fiscal year:
16 *Provided further*, That the Secretary shall notify the ap-
17 propriate congressional committees at least 15 days prior
18 to making an award pursuant to this section for a local
19 guard and protective service contract for a United States
20 diplomatic facility not deemed “high-risk, high-threat”.

21 PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN

22 COUNTRIES

23 SEC. 7007. None of the funds appropriated or other-
24 wise made available pursuant to titles III through VI of
25 this Act shall be obligated or expended to finance directly

1 any assistance or reparations for the governments of
2 Cuba, North Korea, Iran, or Syria: *Provided*, That for
3 purposes of this section, the prohibition on obligations or
4 expenditures shall include direct loans, credits, insurance,
5 and guarantees of the Export-Import Bank or its agents.

6 COUPS D'ÉTAT

7 SEC. 7008. None of the funds appropriated or other-
8 wise made available pursuant to titles III through VI of
9 this Act shall be obligated or expended to finance directly
10 any assistance to the government of any country whose
11 duly elected head of government is deposed by military
12 coup d'état or decree or, after the date of enactment of
13 this Act, a coup d'état or decree in which the military
14 plays a decisive role: *Provided*, That assistance may be re-
15 sumed to such government if the Secretary of State cer-
16 tifies and reports to the appropriate congressional commit-
17 tees that subsequent to the termination of assistance a
18 democratically elected government has taken office: *Pro-*
19 *vided further*, That the provisions of this section shall not
20 apply to assistance to promote democratic elections or
21 public participation in democratic processes: *Provided fur-*
22 *ther*, That funds made available pursuant to the previous
23 provisos shall be subject to the regular notification proce-
24 dures of the Committees on Appropriations.

1 TRANSFER AUTHORITY

2 SEC. 7009. (a) DEPARTMENT OF STATE AND BROAD-
3 CASTING BOARD OF GOVERNORS.—

4 (1) Not to exceed 5 percent of any appropria-
5 tion made available for the current fiscal year for
6 the Department of State under title I of this Act
7 may be transferred between, and merged with, such
8 appropriations, but no such appropriation, except as
9 otherwise specifically provided, shall be increased by
10 more than 10 percent by any such transfers, and no
11 such transfer may be made to increase the appro-
12 priation under the heading “Representation Ex-
13 penses”.

14 (2) Not to exceed 5 percent of any appropria-
15 tion made available for the current fiscal year for
16 the Broadcasting Board of Governors under title I
17 of this Act may be transferred between, and merged
18 with, such appropriations, but no such appropria-
19 tion, except as otherwise specifically provided, shall
20 be increased by more than 10 percent by any such
21 transfers.

22 (3) Any transfer pursuant to this subsection
23 shall be treated as a reprogramming of funds under
24 section 7015 of this Act and shall not be available

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

3 (b) TITLE VI TRANSFER AUTHORITIES.—Not to ex-
4 ceed 5 percent of any appropriation other than for admin-
5 istrative expenses made available for fiscal year 2016, for
6 programs under title VI of this Act may be transferred
7 between such appropriations for use for any of the pur-
8 poses, programs, and activities for which the funds in such
9 receiving account may be used, but no such appropriation,
10 except as otherwise specifically provided, shall be increased
11 by more than 25 percent by any such transfer: *Provided*,
12 That the exercise of such authority shall be subject to the
13 regular notification procedures of the Committees on Ap-
14 propriations.

15 (c) LIMITATION ON TRANSFERS BETWEEN AGEN-
16 CIES.—

17 (1) None of the funds made available under ti-
18 tles II through V of this Act may be transferred to
19 any department, agency, or instrumentality of the
20 United States Government, except pursuant to a
21 transfer made by, or transfer authority provided in,
22 this Act or any other appropriations Act.

23 (2) Notwithstanding paragraph (1), in addition
24 to transfers made by, or authorized elsewhere in,
25 this Act, funds appropriated by this Act to carry out

1 the purposes of the Foreign Assistance Act of 1961
2 may be allocated or transferred to agencies of the
3 United States Government pursuant to the provi-
4 sions of sections 109, 610, and 632 of the Foreign
5 Assistance Act of 1961.

6 (3) Any agreement entered into by the United
7 States Agency for International Development
8 (USAID) or the Department of State with any de-
9 partment, agency, or instrumentality of the United
10 States Government pursuant to section 632(b) of the
11 Foreign Assistance Act of 1961 valued in excess of
12 \$1,000,000 and any agreement made pursuant to
13 section 632(a) of such Act, with funds appropriated
14 by this Act and prior Acts making appropriations
15 for the Department of State, foreign operations, and
16 related programs under the headings “Global Health
17 Programs”, “Development Assistance”, “Economic
18 Support Fund”, and “Assistance for Europe, Eur-
19 asia and Central Asia” shall be subject to the reg-
20 ular notification procedures of the Committees on
21 Appropriations: *Provided*, That the requirement in
22 the previous sentence shall not apply to agreements
23 entered into between USAID and the Department of
24 State.

1 (d) TRANSFERS BETWEEN ACCOUNTS.—None of the
2 funds made available under titles II through V of this Act
3 may be obligated under an appropriation account to which
4 such funds were not appropriated, except for transfers
5 specifically provided for in this Act, unless the President,
6 not less than 5 days prior to the exercise of any authority
7 contained in the Foreign Assistance Act of 1961 to trans-
8 fer funds, consults with and provides a written policy jus-
9 tification to the Committees on Appropriations.

10 (e) AUDIT OF INTER-AGENCY TRANSFERS.—Any
11 agreement for the transfer or allocation of funds appro-
12 priated by this Act, or prior Acts, entered into between
13 the Department of State or USAID and another agency
14 of the United States Government under the authority of
15 section 632(a) of the Foreign Assistance Act of 1961 or
16 any comparable provision of law, shall expressly provide
17 that the Inspector General (IG) for the agency receiving
18 the transfer or allocation of such funds, or other entity
19 with audit responsibility if the receiving agency does not
20 have an IG, shall perform periodic program and financial
21 audits of the use of such funds and report to the Depart-
22 ment of State or USAID, as appropriate, upon completion
23 of such audits: *Provided*, That such audits shall be trans-
24 mitted to the Committees on Appropriations by the De-
25 partment of State or USAID, as appropriate: *Provided*

1 *further*, That funds transferred under such authority may
2 be made available for the cost of such audits.

3 (f) REPORT.—Not later than 90 days after enactment
4 of this Act, the Secretary of State and the USAID Admin-
5 istrator shall each submit a report to the Committees on
6 Appropriations detailing all transfers to another agency
7 of the United States Government made pursuant to sec-
8 tions 632(a) and 632(b) of the Foreign Assistance Act of
9 1961 with funds provided in the Department of State,
10 Foreign Operations, and Related Programs Appropria-
11 tions Act, 2015 (division J of Public Law 113–235) as
12 of the date of enactment of this Act: *Provided*, That such
13 reports shall include a list of each transfer made pursuant
14 to such sections with the respective funding level, appro-
15 priation account, and the receiving agency.

16 PROHIBITION ON FIRST-CLASS TRAVEL

17 SEC. 7010. None of the funds made available in this
18 Act may be used for first-class travel by employees of
19 agencies funded by this Act in contravention of sections
20 301–10.122 through 301–10.124 of title 41, Code of Fed-
21 eral Regulations.

22 AVAILABILITY OF FUNDS

23 SEC. 7011. No part of any appropriation contained
24 in this Act shall remain available for obligation after the
25 expiration of the current fiscal year unless expressly so

1 provided in this Act: *Provided*, That funds appropriated
2 for the purposes of chapters 1 and 8 of part I, section
3 661, chapters 4, 5, 6, 8, and 9 of part II of the Foreign
4 Assistance Act of 1961, section 23 of the Arms Export
5 Control Act, and funds provided under the headings “De-
6 velopment Credit Authority” and “Assistance for Europe,
7 Eurasia and Central Asia” shall remain available for an
8 additional 4 years from the date on which the availability
9 of such funds would otherwise have expired, if such funds
10 are initially obligated before the expiration of their respec-
11 tive periods of availability contained in this Act: *Provided*
12 *further*, That notwithstanding any other provision of this
13 Act, any funds made available for the purposes of chapter
14 1 of part I and chapter 4 of part II of the Foreign Assist-
15 ance Act of 1961 which are allocated or obligated for cash
16 disbursements in order to address balance of payments or
17 economic policy reform objectives, shall remain available
18 for an additional 4 years from the date on which the avail-
19 ability of such funds would otherwise have expired, if such
20 funds are initially allocated or obligated before the expira-
21 tion of their respective periods of availability contained in
22 this Act: *Provided further*, That the Secretary of State
23 shall provide a report to the Committees on Appropria-
24 tions not later than October 30, 2016, detailing by ac-

1 count and source year, the use of this authority during
2 the previous fiscal year.

3 LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

4 SEC. 7012. No part of any appropriation provided
5 under titles III through VI in this Act shall be used to
6 furnish assistance to the government of any country which
7 is in default during a period in excess of 1 calendar year
8 in payment to the United States of principal or interest
9 on any loan made to the government of such country by
10 the United States pursuant to a program for which funds
11 are appropriated under this Act unless the President de-
12 termines, following consultations with the Committees on
13 Appropriations, that assistance for such country is in the
14 national interest of the United States.

15 PROHIBITION ON TAXATION OF UNITED STATES

16 ASSISTANCE

17 SEC. 7013. (a) PROHIBITION ON TAXATION.—None
18 of the funds appropriated under titles III through VI of
19 this Act may be made available to provide assistance for
20 a foreign country under a new bilateral agreement gov-
21 erning the terms and conditions under which such assist-
22 ance is to be provided unless such agreement includes a
23 provision stating that assistance provided by the United
24 States shall be exempt from taxation, or reimbursed, by
25 the foreign government, and the Secretary of State shall

1 expeditiously seek to negotiate amendments to existing bi-
2 lateral agreements, as necessary, to conform with this re-
3 quirement.

4 (b) REIMBURSEMENT OF FOREIGN TAXES.—An
5 amount equivalent to 200 percent of the total taxes as-
6 sessed during fiscal year 2016 on funds appropriated by
7 this Act by a foreign government or entity against United
8 States assistance programs for which funds are appro-
9 priated by this Act, either directly or through grantees,
10 contractors, and subcontractors shall be withheld from ob-
11 ligation from funds appropriated for assistance for fiscal
12 year 2017 and allocated for the central government of
13 such country and for the West Bank and Gaza program
14 to the extent that the Secretary of State certifies and re-
15 ports in writing to the Committees on Appropriations, not
16 later than September 30, 2017, that such taxes have not
17 been reimbursed to the Government of the United States.

18 (c) DE MINIMIS EXCEPTION.—Foreign taxes of a de
19 minimis nature shall not be subject to the provisions of
20 subsection (b).

21 (d) REPROGRAMMING OF FUNDS.—Funds withheld
22 from obligation for each country or entity pursuant to sub-
23 section (b) shall be reprogrammed for assistance for coun-
24 tries which do not assess taxes on United States assistance
25 or which have an effective arrangement that is providing

1 substantial reimbursement of such taxes, and that can
2 reasonably accommodate such assistance in a program-
3 matically responsible manner.

4 (e) DETERMINATIONS.—

5 (1) The provisions of this section shall not
6 apply to any country or entity if the Secretary of
7 State reports to the Committees on Appropriations
8 that—

9 (A) such country or entity does not assess
10 taxes on United States assistance or has an ef-
11 fective arrangement that is providing substan-
12 tial reimbursement of such taxes; or

13 (B) the foreign policy interests of the
14 United States outweigh the purpose of this sec-
15 tion to ensure that United States assistance is
16 not subject to taxation.

17 (2) The Secretary of State shall consult with
18 the Committees on Appropriations at least 15 days
19 prior to exercising the authority of this subsection
20 with regard to any country or entity.

21 (f) IMPLEMENTATION.—The Secretary of State shall
22 issue rules, regulations, or policy guidance, as appropriate,
23 to implement the prohibition against the taxation of assist-
24 ance contained in this section.

25 (g) DEFINITIONS.—As used in this section—

1 programs within the same account notwithstanding the
2 designation if compliance with the designation is made im-
3 possible by operation of any provision of this or any other
4 Act: *Provided*, That any such reprogramming shall be sub-
5 ject to the regular notification procedures of the Commit-
6 tees on Appropriations: *Provided further*, That assistance
7 that is reprogrammed pursuant to this subsection shall be
8 made available under the same terms and conditions as
9 originally provided.

10 (b) EXTENSION OF AVAILABILITY.—In addition to
11 the authority contained in subsection (a), the original pe-
12 riod of availability of funds appropriated by this Act and
13 administered by the Department of State or the United
14 States Agency for International Development (USAID)
15 that are specifically designated for particular programs or
16 activities by this or any other Act may be extended for
17 an additional fiscal year if the Secretary of State or the
18 USAID Administrator, as appropriate, determines and re-
19 ports promptly to the Committees on Appropriations that
20 the termination of assistance to a country or a significant
21 change in circumstances makes it unlikely that such des-
22 igned funds can be obligated during the original period
23 of availability: *Provided*, That such designated funds that
24 continue to be available for an additional fiscal year shall
25 be obligated only for the purpose of such designation.

1 (c) OTHER ACTS.—Ceilings and specifically des-
2 ignated funding levels contained in this Act shall not be
3 applicable to funds or authorities appropriated or other-
4 wise made available by any subsequent Act unless such
5 Act specifically so directs: *Provided*, That specifically des-
6 ignated funding levels or minimum funding requirements
7 contained in any other Act shall not be applicable to funds
8 appropriated by this Act.

9 NOTIFICATION REQUIREMENTS

10 SEC. 7015. (a) NOTIFICATION OF CHANGES IN PRO-
11 GRAMS, PROJECTS, AND ACTIVITIES.—None of the funds
12 made available in titles I and II of this Act, or in prior
13 appropriations Acts to the agencies and departments fund-
14 ed by this Act that remain available for obligation in fiscal
15 year 2016, or provided from any accounts in the Treasury
16 of the United States derived by the collection of fees or
17 of currency reflows or other offsetting collections, or made
18 available by transfer, to the agencies and departments
19 funded by this Act, shall be available for obligation to—

20 (1) create new programs;

21 (2) eliminate a program, project, or activity;

22 (3) close, suspend, open, or reopen a mission or
23 post;

24 (4) create, close, reorganize, or rename bureaus,
25 centers, or offices; or

1 (5) contract out or privatize any functions or
2 activities presently performed by Federal employees;
3 unless previously justified to the Committees on Appro-
4 priations or such Committees are notified 15 days in ad-
5 vance of such obligation.

6 (b) NOTIFICATION OF REPROGRAMMING OF
7 FUNDS.—None of the funds provided under titles I and
8 II of this Act, or provided under previous appropriations
9 Acts to the agency or department funded under titles I
10 and II of this Act that remain available for obligation in
11 fiscal year 2016, or provided from any accounts in the
12 Treasury of the United States derived by the collection
13 of fees available to the agency or department funded under
14 title I of this Act, shall be available for obligation or ex-
15 penditure for activities, programs, or projects through a
16 reprogramming of funds in excess of \$1,000,000 or 10
17 percent, whichever is less, that—

18 (1) augments or changes existing programs,
19 projects, or activities;

20 (2) relocates an existing office or employees;

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

24 (4) results from any general savings, including
25 savings from a reduction in personnel, which would

1 result in a change in existing programs, activities, or
2 projects as approved by Congress;
3 unless the Committees on Appropriations are notified 15
4 days in advance of such reprogramming of funds.

5 (c) NOTIFICATION REQUIREMENT.—None of the
6 funds made available by this Act under the headings
7 “Global Health Programs”, “Development Assistance”,
8 “International Organizations and Programs”, “Trade and
9 Development Agency”, “International Narcotics Control
10 and Law Enforcement”, “Economic Support Fund”, “De-
11 mocracy Fund”, “Assistance for Europe, Eurasia and
12 Central Asia”, “Peacekeeping Operations”, “Non-
13 proliferation, Anti-terrorism, Demining and Related Pro-
14 grams”, “Millennium Challenge Corporation”, “Foreign
15 Military Financing Program”, “International Military
16 Education and Training”, and “Peace Corps”, shall be
17 available for obligation for activities, programs, projects,
18 type of materiel assistance, countries, or other operations
19 not justified or in excess of the amount justified to the
20 Committees on Appropriations for obligation under any of
21 these specific headings unless the Committees on Appro-
22 priations are notified 15 days in advance: *Provided*, That
23 the President shall not enter into any commitment of
24 funds appropriated for the purposes of section 23 of the
25 Arms Export Control Act for the provision of major de-

1 fense equipment, other than conventional ammunition, or
2 other major defense items defined to be aircraft, ships,
3 missiles, or combat vehicles, not previously justified to
4 Congress or 20 percent in excess of the quantities justified
5 to Congress unless the Committees on Appropriations are
6 notified 15 days in advance of such commitment: *Provided*
7 *further*, That requirements of this subsection or any simi-
8 lar provision of this or any other Act shall not apply to
9 any reprogramming for an activity, program, or project
10 for which funds are appropriated under titles III through
11 VI of this Act of less than 10 percent of the amount pre-
12 viously justified to Congress for obligation for such activ-
13 ity, program, or project for the current fiscal year: *Pro-*
14 *vided further*, That any notification submitted pursuant to
15 subsection (f) of this section shall include information (if
16 known on the date of transmittal of such notification) on
17 the use of notwithstanding authority: *Provided further*,
18 That if subsequent to the notification of assistance it be-
19 comes necessary to rely on notwithstanding authority, the
20 Committees on Appropriations should be informed at the
21 earliest opportunity and to the extent practicable.

22 (d) NOTIFICATION OF TRANSFER OF FUNDS.—Not-
23 withstanding any other provision of law, with the excep-
24 tion of funds transferred to, and merged with, funds ap-
25 propriated under title I of this Act, funds transferred by

1 the Department of Defense to the Department of State
2 and the United States Agency for International Develop-
3 ment for assistance for foreign countries and international
4 organizations, and funds made available for programs pre-
5 viously authorized under section 1206 of the National De-
6 fense Authorization Act for Fiscal Year 2006 (Public Law
7 109–163) or section 2282 of title 10, United States Code,
8 shall be subject to the regular notification procedures of
9 the Committees on Appropriations.

10 (e) WAIVER.—The requirements of this section or
11 any similar provision of this Act or any other Act, includ-
12 ing any prior Act requiring notification in accordance with
13 the regular notification procedures of the Committees on
14 Appropriations, may be waived if failure to do so would
15 pose a substantial risk to human health or welfare: *Pro-*
16 *vided*, That in case of any such waiver, notification to the
17 Committees on Appropriations shall be provided as early
18 as practicable, but in no event later than 3 days after tak-
19 ing the action to which such notification requirement was
20 applicable, in the context of the circumstances necessi-
21 tating such waiver: *Provided further*, That any notification
22 provided pursuant to such a waiver shall contain an expla-
23 nation of the emergency circumstances.

24 (f) COUNTRY NOTIFICATION REQUIREMENTS.—None
25 of the funds appropriated under titles III through VI of

1 this Act may be obligated or expended for assistance for
2 Afghanistan, Bahrain, Bolivia, Burma, Cambodia, Colom-
3 bia, Cuba, Ecuador, Egypt, El Salvador, Ethiopia, Guate-
4 mala, Haiti, Honduras, Iran, Iraq, Lebanon, Libya, Mex-
5 ico, Pakistan, the Russian Federation, Somalia, South
6 Sudan, Sri Lanka, Sudan, Syria, Uzbekistan, Venezuela,
7 Yemen, and Zimbabwe except as provided through the reg-
8 ular notification procedures of the Committees on Appro-
9 priations.

10 (g) WITHHOLDING OF FUNDS.—Funds appropriated
11 by this Act under titles III and IV that are withheld from
12 obligation or otherwise not programmed as a result of ap-
13 plication of a provision of law in this or any other Act
14 shall, if reprogrammed, be subject to the regular notifica-
15 tion procedures of the Committees on Appropriations.

16 NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

17 SEC. 7016. Prior to providing excess Department of
18 Defense articles in accordance with section 516(a) of the
19 Foreign Assistance Act of 1961, the Department of De-
20 fense shall notify the Committees on Appropriations to the
21 same extent and under the same conditions as other com-
22 mittees pursuant to subsection (f) of that section: *Pro-*
23 *vided*, That before issuing a letter of offer to sell excess
24 defense articles under the Arms Export Control Act, the
25 Department of Defense shall notify the Committees on

1 Appropriations in accordance with the regular notification
2 procedures of such Committees if such defense articles are
3 significant military equipment (as defined in section 47(9)
4 of the Arms Export Control Act) or are valued (in terms
5 of original acquisition cost) at \$7,000,000 or more, or if
6 notification is required elsewhere in this Act for the use
7 of appropriated funds for specific countries that would re-
8 ceive such excess defense articles: *Provided further*, That
9 such Committees shall also be informed of the original ac-
10 quisition cost of such defense articles.

11 LIMITATION ON AVAILABILITY OF FUNDS FOR
12 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

13 SEC. 7017. Subject to the regular notification proce-
14 dures of the Committees on Appropriations, funds appro-
15 priated under titles I and III through V of this Act, which
16 are returned or not made available for organizations and
17 programs because of the implementation of section 307(a)
18 of the Foreign Assistance Act of 1961 or section 7048(a)
19 of this Act, shall remain available for obligation until Sep-
20 tember 30, 2018: *Provided*, That the requirement to with-
21 hold funds for programs in Burma under section 307(a)
22 of the Foreign Assistance Act of 1961 shall not apply to
23 funds appropriated by this Act.

1 PROHIBITION ON FUNDING FOR ABORTIONS AND
2 INVOLUNTARY STERILIZATION

3 SEC. 7018. None of the funds made available to carry
4 out part I of the Foreign Assistance Act of 1961, as
5 amended, may be used to pay for the performance of abor-
6 tions as a method of family planning or to motivate or
7 coerce any person to practice abortions. None of the funds
8 made available to carry out part I of the Foreign Assist-
9 ance Act of 1961, as amended, may be used to pay for
10 the performance of involuntary sterilization as a method
11 of family planning or to coerce or provide any financial
12 incentive to any person to undergo sterilizations. None of
13 the funds made available to carry out part I of the Foreign
14 Assistance Act of 1961, as amended, may be used to pay
15 for any biomedical research which relates in whole or in
16 part, to methods of, or the performance of, abortions or
17 involuntary sterilization as a means of family planning.
18 None of the funds made available to carry out part I of
19 the Foreign Assistance Act of 1961, as amended, may be
20 obligated or expended for any country or organization if
21 the President certifies that the use of these funds by any
22 such country or organization would violate any of the
23 above provisions related to abortions and involuntary steri-
24 lizations.

1 ALLOCATIONS

2 SEC. 7019. (a) ALLOCATION TABLES.—Subject to
3 subsection (b), funds appropriated by this Act under titles
4 III through V shall be made available in the amounts spe-
5 cifically designated in the respective tables included in the
6 explanatory statement described in section 4 (in the mat-
7 ter preceding division A of this Consolidated Act): *Pro-*
8 *vided*, That such designated amounts for foreign countries
9 and international organizations shall serve as the amounts
10 for such countries and international organizations trans-
11 mitted to the Congress in the report required by section
12 653(a) of the Foreign Assistance Act of 1961 (FAA).

13 (b) AUTHORIZED DEVIATIONS.—Unless otherwise
14 provided for by this Act, the Secretary of State and the
15 Administrator of the United States Agency for Inter-
16 national Development, as applicable, may only deviate up
17 to 5 percent from the amounts specifically designated in
18 the respective tables included in the explanatory statement
19 described in section 4 (in the matter preceding division
20 A of this Consolidated Act): *Provided*, That such percent-
21 age may be exceeded only to respond to significant, exi-
22 gent, or unforeseen events, or to address other exceptional
23 circumstances directly related to the national interest:
24 *Provided further*, That deviations pursuant to the previous
25 proviso shall be subject to prior consultation with, and the

1 regular notification procedures of, the Committees on Ap-
2 propriations.

3 (c) LIMITATION.—For specifically designated
4 amounts that are included, pursuant to subsection (a), in
5 the report required by section 653(a) of the FAA, no devi-
6 ations authorized by subsection (b) may take place until
7 submission of such report.

8 REPRESENTATION AND ENTERTAINMENT EXPENSES

9 SEC. 7020. (a) USES OF FUNDS.—Each Federal de-
10 partment, agency, or entity funded in titles I or II of this
11 Act, and the Department of the Treasury and independent
12 agencies funded in titles III or VI of this Act, shall take
13 steps to ensure that domestic and overseas representation
14 and entertainment expenses further official agency busi-
15 ness and United States foreign policy interests—

16 (1) are primarily for fostering relations outside
17 of the Executive Branch;

18 (2) are principally for meals and events of a
19 protocol nature;

20 (3) are not for employee-only events; and

21 (4) do not include activities that are substan-
22 tially of a recreational character.

23 (b) LIMITATIONS.—None of the funds appropriated
24 or otherwise made available by this Act under the head-
25 ings “International Military Education and Training” or

1 “Foreign Military Financing Program” for Informational
2 Program activities or under the headings “Global Health
3 Programs”, “Development Assistance”, “Economic Sup-
4 port Fund”, and “Assistance for Europe, Eurasia and
5 Central Asia” may be obligated or expended to pay for—

6 (1) alcoholic beverages; or

7 (2) entertainment expenses for activities that
8 are substantially of a recreational character, includ-
9 ing but not limited to entrance fees at sporting
10 events, theatrical and musical productions, and
11 amusement parks.

12 PROHIBITION ON ASSISTANCE TO GOVERNMENTS

13 SUPPORTING INTERNATIONAL TERRORISM

14 SEC. 7021. (a) LETHAL MILITARY EQUIPMENT EX-
15 PORTS.—

16 (1) PROHIBITION.—None of the funds appro-
17 priated or otherwise made available by titles III
18 through VI of this Act may be made available to any
19 foreign government which provides lethal military
20 equipment to a country the government of which the
21 Secretary of State has determined supports inter-
22 national terrorism for purposes of section 6(j) of the
23 Export Administration Act of 1979 as continued in
24 effect pursuant to the International Emergency Eco-
25 nomic Powers Act: *Provided*, That the prohibition

1 under this section with respect to a foreign govern-
2 ment shall terminate 12 months after that govern-
3 ment ceases to provide such military equipment:
4 *Provided further*, That this section applies with re-
5 spect to lethal military equipment provided under a
6 contract entered into after October 1, 1997.

7 (2) DETERMINATION.—Assistance restricted by
8 paragraph (1) or any other similar provision of law,
9 may be furnished if the President determines that to
10 do so is important to the national interests of the
11 United States.

12 (3) REPORT.—Whenever the President makes a
13 determination pursuant to paragraph (2), the Presi-
14 dent shall submit to the Committees on Appropria-
15 tions a report with respect to the furnishing of such
16 assistance, including a detailed explanation of the
17 assistance to be provided, the estimated dollar
18 amount of such assistance, and an explanation of
19 how the assistance furthers United States national
20 interests.

21 (b) BILATERAL ASSISTANCE.—

22 (1) LIMITATIONS.—Funds appropriated for bi-
23 lateral assistance in titles III through VI of this Act
24 and funds appropriated under any such title in prior
25 Acts making appropriations for the Department of

1 State, foreign operations, and related programs,
2 shall not be made available to any foreign govern-
3 ment which the President determines—

4 (A) grants sanctuary from prosecution to
5 any individual or group which has committed
6 an act of international terrorism;

7 (B) otherwise supports international ter-
8 rorism; or

9 (C) is controlled by an organization des-
10 ignated as a terrorist organization under sec-
11 tion 219 of the Immigration and Nationality
12 Act.

13 (2) WAIVER.—The President may waive the ap-
14 plication of paragraph (1) to a government if the
15 President determines that national security or hu-
16 manitarian reasons justify such waiver: *Provided*,
17 That the President shall publish each such waiver in
18 the Federal Register and, at least 15 days before the
19 waiver takes effect, shall notify the Committees on
20 Appropriations of the waiver (including the justifica-
21 tion for the waiver) in accordance with the regular
22 notification procedures of the Committees on Appro-
23 priations.

1 AUTHORIZATION REQUIREMENTS

2 SEC. 7022. Funds appropriated by this Act, except
3 funds appropriated under the heading “Trade and Devel-
4 opment Agency”, may be obligated and expended notwith-
5 standing section 10 of Public Law 91–672, section 15 of
6 the State Department Basic Authorities Act of 1956, sec-
7 tion 313 of the Foreign Relations Authorization Act, Fis-
8 cal Years 1994 and 1995 (Public Law 103–236), and sec-
9 tion 504(a)(1) of the National Security Act of 1947 (50
10 U.S.C. 3094(a)(1)).

11 DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

12 SEC. 7023. For the purpose of titles II through VI
13 of this Act “program, project, and activity” shall be de-
14 fined at the appropriations Act account level and shall in-
15 clude all appropriations and authorizations Acts funding
16 directives, ceilings, and limitations with the exception that
17 for the following accounts: “Economic Support Fund” and
18 “Foreign Military Financing Program”, “program,
19 project, and activity” shall also be considered to include
20 country, regional, and central program level funding with-
21 in each such account; and for the development assistance
22 accounts of the United States Agency for International
23 Development, “program, project, and activity” shall also
24 be considered to include central, country, regional, and
25 program level funding, either as—

1 (1) justified to Congress; or

2 (2) allocated by the Executive Branch in ac-
3 cordance with a report, to be provided to the Com-
4 mittees on Appropriations within 30 days of the en-
5 actment of this Act, as required by section 653(a)
6 of the Foreign Assistance Act of 1961.

7 AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN
8 FOUNDATION AND UNITED STATES AFRICAN DEVEL-
9 OPMENT FOUNDATION

10 SEC. 7024. Unless expressly provided to the contrary,
11 provisions of this or any other Act, including provisions
12 contained in prior Acts authorizing or making appropria-
13 tions for the Department of State, foreign operations, and
14 related programs, shall not be construed to prohibit activi-
15 ties authorized by or conducted under the Peace Corps
16 Act, the Inter-American Foundation Act or the African
17 Development Foundation Act: *Provided*, That prior to con-
18 ducting activities in a country for which assistance is pro-
19 hibited, the agency shall consult with the Committees on
20 Appropriations and report to such Committees within 15
21 days of taking such action.

22 COMMERCE, TRADE AND SURPLUS COMMODITIES

23 SEC. 7025. (a) WORLD MARKETS.—None of the
24 funds appropriated or made available pursuant to titles
25 III through VI of this Act for direct assistance and none

1 of the funds otherwise made available to the Export-Im-
2 port Bank and the Overseas Private Investment Corpora-
3 tion shall be obligated or expended to finance any loan,
4 any assistance, or any other financial commitments for es-
5 tablishing or expanding production of any commodity for
6 export by any country other than the United States, if
7 the commodity is likely to be in surplus on world markets
8 at the time the resulting productive capacity is expected
9 to become operative and if the assistance will cause sub-
10 stantial injury to United States producers of the same,
11 similar, or competing commodity: *Provided*, That such
12 prohibition shall not apply to the Export-Import Bank if
13 in the judgment of its Board of Directors the benefits to
14 industry and employment in the United States are likely
15 to outweigh the injury to United States producers of the
16 same, similar, or competing commodity, and the Chairman
17 of the Board so notifies the Committees on Appropria-
18 tions: *Provided further*, That this subsection shall not pro-
19 hibit—

20 (1) activities in a country that is eligible for as-
21 sistance from the International Development Asso-
22 ciation, is not eligible for assistance from the Inter-
23 national Bank for Reconstruction and Development,
24 and does not export on a consistent basis the agri-

1 cultural commodity with respect to which assistance
2 is furnished; or

3 (2) activities in a country the President deter-
4 mines is recovering from widespread conflict, a hu-
5 manitarian crisis, or a complex emergency.

6 (b) EXPORTS.—None of the funds appropriated by
7 this or any other Act to carry out chapter 1 of part I
8 of the Foreign Assistance Act of 1961 shall be available
9 for any testing or breeding feasibility study, variety im-
10 provement or introduction, consultancy, publication, con-
11 ference, or training in connection with the growth or pro-
12 duction in a foreign country of an agricultural commodity
13 for export which would compete with a similar commodity
14 grown or produced in the United States: *Provided*, That
15 this subsection shall not prohibit—

16 (1) activities designed to increase food security
17 in developing countries where such activities will not
18 have a significant impact on the export of agricul-
19 tural commodities of the United States;

20 (2) research activities intended primarily to
21 benefit United States producers;

22 (3) activities in a country that is eligible for as-
23 sistance from the International Development Asso-
24 ciation, is not eligible for assistance from the Inter-
25 national Bank for Reconstruction and Development,

1 and does not export on a consistent basis the agri-
2 cultural commodity with respect to which assistance
3 is furnished; or

4 (4) activities in a country the President deter-
5 mines is recovering from widespread conflict, a hu-
6 manitarian crisis, or a complex emergency.

7 (c) INTERNATIONAL FINANCIAL INSTITUTIONS.—
8 The Secretary of the Treasury shall instruct the United
9 States executive directors of the international financial in-
10 stitutions, as defined in section 7034(r)(3) of this Act, to
11 use the voice and vote of the United States to oppose any
12 assistance by such institutions, using funds appropriated
13 or made available by this Act, for the production or extrac-
14 tion of any commodity or mineral for export, if it is in
15 surplus on world markets and if the assistance will cause
16 substantial injury to United States producers of the same,
17 similar, or competing commodity.

18 SEPARATE ACCOUNTS

19 SEC. 7026. (a) SEPARATE ACCOUNTS FOR LOCAL
20 CURRENCIES.—

21 (1) AGREEMENTS.—If assistance is furnished to
22 the government of a foreign country under chapters
23 1 and 10 of part I or chapter 4 of part II of the
24 Foreign Assistance Act of 1961 under agreements
25 which result in the generation of local currencies of

1 that country, the Administrator of the United States
2 Agency for International Development (USAID)
3 shall—

4 (A) require that local currencies be depos-
5 ited in a separate account established by that
6 government;

7 (B) enter into an agreement with that gov-
8 ernment which sets forth—

9 (i) the amount of the local currencies
10 to be generated; and

11 (ii) the terms and conditions under
12 which the currencies so deposited may be
13 utilized, consistent with this section; and

14 (C) establish by agreement with that gov-
15 ernment the responsibilities of USAID and that
16 government to monitor and account for deposits
17 into and disbursements from the separate ac-
18 count.

19 (2) USES OF LOCAL CURRENCIES.—As may be
20 agreed upon with the foreign government, local cur-
21 rencies deposited in a separate account pursuant to
22 subsection (a), or an equivalent amount of local cur-
23 rencies, shall be used only—

24 (A) to carry out chapter 1 or 10 of part
25 I or chapter 4 of part II of the Foreign Assist-

1 ance Act of 1961 (as the case may be), for such
2 purposes as—

3 (i) project and sector assistance activi-
4 ties; or

5 (ii) debt and deficit financing; or

6 (B) for the administrative requirements of
7 the United States Government.

8 (3) PROGRAMMING ACCOUNTABILITY.—USAID
9 shall take all necessary steps to ensure that the
10 equivalent of the local currencies disbursed pursuant
11 to subsection (a)(2)(A) from the separate account
12 established pursuant to subsection (a)(1) are used
13 for the purposes agreed upon pursuant to subsection
14 (a)(2).

15 (4) TERMINATION OF ASSISTANCE PRO-
16 GRAMS.—Upon termination of assistance to a coun-
17 try under chapter 1 or 10 of part I or chapter 4 of
18 part II of the Foreign Assistance Act of 1961 (as
19 the case may be), any unencumbered balances of
20 funds which remain in a separate account estab-
21 lished pursuant to subsection (a) shall be disposed of
22 for such purposes as may be agreed to by the gov-
23 ernment of that country and the United States Gov-
24 ernment.

1 (5) REPORTING REQUIREMENT.—The USAID
2 Administrator shall report on an annual basis as
3 part of the justification documents submitted to the
4 Committees on Appropriations on the use of local
5 currencies for the administrative requirements of the
6 United States Government as authorized in sub-
7 section (a)(2)(B), and such report shall include the
8 amount of local currency (and United States dollar
9 equivalent) used or to be used for such purpose in
10 each applicable country.

11 (b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

12 (1) IN GENERAL.—If assistance is made avail-
13 able to the government of a foreign country, under
14 chapter 1 or 10 of part I or chapter 4 of part II of
15 the Foreign Assistance Act of 1961, as cash transfer
16 assistance or as nonproject sector assistance, that
17 country shall be required to maintain such funds in
18 a separate account and not commingle with any
19 other funds.

20 (2) APPLICABILITY OF OTHER PROVISIONS OF
21 LAW.—Such funds may be obligated and expended
22 notwithstanding provisions of law which are incon-
23 sistent with the nature of this assistance including
24 provisions which are referenced in the Joint Explan-
25 atory Statement of the Committee of Conference ac-

1 companying House Joint Resolution 648 (House Re-
2 port No. 98–1159).

3 (3) NOTIFICATION.—At least 15 days prior to
4 obligating any such cash transfer or nonproject sec-
5 tor assistance, the President shall submit a notifica-
6 tion through the regular notification procedures of
7 the Committees on Appropriations, which shall in-
8 clude a detailed description of how the funds pro-
9 posed to be made available will be used, with a dis-
10 discussion of the United States interests that will be
11 served by the assistance (including, as appropriate,
12 a description of the economic policy reforms that will
13 be promoted by such assistance).

14 (4) EXEMPTION.—Nonproject sector assistance
15 funds may be exempt from the requirements of para-
16 graph (1) only through the regular notification pro-
17 cedures of the Committees on Appropriations.

18 ELIGIBILITY FOR ASSISTANCE

19 SEC. 7027. (a) ASSISTANCE THROUGH NONGOVERN-
20 MENTAL ORGANIZATIONS.—Restrictions contained in this
21 or any other Act with respect to assistance for a country
22 shall not be construed to restrict assistance in support of
23 programs of nongovernmental organizations from funds
24 appropriated by this Act to carry out the provisions of
25 chapters 1, 10, 11, and 12 of part I and chapter 4 of

1 part II of the Foreign Assistance Act of 1961 and from
2 funds appropriated under the heading “Assistance for Eu-
3 rope, Eurasia and Central Asia”: *Provided*, That before
4 using the authority of this subsection to furnish assistance
5 in support of programs of nongovernmental organizations,
6 the President shall notify the Committees on Appropria-
7 tions pursuant to the regular notification procedures, in-
8 cluding a description of the program to be assisted, the
9 assistance to be provided, and the reasons for furnishing
10 such assistance: *Provided further*, That nothing in this
11 subsection shall be construed to alter any existing statu-
12 tory prohibitions against abortion or involuntary steriliza-
13 tions contained in this or any other Act.

14 (b) PUBLIC LAW 480.—During fiscal year 2016, re-
15 strictions contained in this or any other Act with respect
16 to assistance for a country shall not be construed to re-
17 strict assistance under the Food for Peace Act (Public
18 Law 83–480): *Provided*, That none of the funds appro-
19 priated to carry out title I of such Act and made available
20 pursuant to this subsection may be obligated or expended
21 except as provided through the regular notification proce-
22 dures of the Committees on Appropriations.

23 (c) EXCEPTION.—This section shall not apply—

24 (1) with respect to section 620A of the Foreign
25 Assistance Act of 1961 or any comparable provision

1 of law prohibiting assistance to countries that sup-
2 port international terrorism; or

3 (2) with respect to section 116 of the Foreign
4 Assistance Act of 1961 or any comparable provision
5 of law prohibiting assistance to the government of a
6 country that violates internationally recognized
7 human rights.

8 LOCAL COMPETITION

9 SEC. 7028. (a) REQUIREMENTS FOR EXCEPTIONS TO
10 COMPETITION FOR LOCAL ENTITIES.—Funds appro-
11 priated by this Act that are made available to the United
12 States Agency for International Development (USAID)
13 may only be made available for limited competitions
14 through local entities if—

15 (1) prior to the determination to limit competi-
16 tion to local entities, USAID has—

17 (A) assessed the level of local capacity to
18 effectively implement, manage, and account for
19 programs included in such competition; and

20 (B) documented the written results of the
21 assessment and decisions made; and

22 (2) prior to making an award after limiting
23 competition to local entities—

1 (A) each successful local entity has been
2 determined to be responsible in accordance with
3 USAID guidelines; and

4 (B) effective monitoring and evaluation
5 systems are in place to ensure that award fund-
6 ing is used for its intended purposes; and

7 (3) no level of acceptable fraud is assumed.

8 (b) REPORTING REQUIREMENT.—In addition to the
9 requirements of subsection (a)(1), the USAID Adminis-
10 trator shall report, on an annual basis, to the appropriate
11 congressional committees on all awards subject to limited
12 or no competition for local entities: *Provided*, That such
13 report should be posted on the USAID Web site: *Provided*
14 *further*, That the requirements of this subsection shall only
15 apply to awards in excess of \$3,000,000 and sole source
16 awards to local entities in excess of \$2,000,000.

17 (c) EXTENSION OF PROCUREMENT AUTHORITY.—
18 Section 7077 of the Department of State, Foreign Oper-
19 ations, and Related Programs Appropriations Act, 2012
20 (division I of Public Law 112–74) shall continue in effect
21 during fiscal year 2016, as amended by the Department
22 of State, Foreign Operations, and Related Programs Ap-
23 propriations Act, 2014 (division K of Public Law 113–
24 76).

1 INTERNATIONAL FINANCIAL INSTITUTIONS

2 SEC. 7029. (a) EVALUATIONS AND REPORT.—The
3 Secretary of the Treasury shall instruct the United States
4 executive director of each international financial institu-
5 tion to seek to require that such institution adopts and
6 implements a publicly available policy, including the stra-
7 tegic use of peer reviews and external experts, to conduct
8 independent, in-depth evaluations of the effectiveness of
9 at least 25 percent of all loans, grants, programs, and sig-
10 nificant analytical non-lending activities in advancing the
11 institution’s goals of reducing poverty and promoting equi-
12 table economic growth, consistent with relevant safe-
13 guards, to ensure that decisions to support such loans,
14 grants, programs, and activities are based on accurate
15 data and objective analysis: *Provided*, That not later than
16 180 days after enactment of this Act, the Secretary shall
17 submit a report to the Committees on Appropriations on
18 steps taken by the United States executive directors and
19 the international financial institutions consistent with this
20 subsection.

21 (b) SAFEGUARDS.—The Secretary of the Treasury
22 shall instruct the United States Executive Director of the
23 International Bank for Reconstruction and Development
24 and the International Development Association to vote
25 against any loan, grant, policy, or strategy if such institu-

1 tion has adopted and is implementing any social or envi-
2 ronmental safeguard relevant to such loan, grant, policy,
3 or strategy that provides less protection than World Bank
4 safeguards in effect on September 30, 2015.

5 (c) COMPENSATION.—None of the funds appro-
6 priated under title V of this Act may be made as payment
7 to any international financial institution while the United
8 States executive director to such institution is com-
9 pensated by the institution at a rate which, together with
10 whatever compensation such executive director receives
11 from the United States, is in excess of the rate provided
12 for an individual occupying a position at level IV of the
13 Executive Schedule under section 5315 of title 5, United
14 States Code, or while any alternate United States execu-
15 tive director to such institution is compensated by the in-
16 stitution at a rate in excess of the rate provided for an
17 individual occupying a position at level V of the Executive
18 Schedule under section 5316 of title 5, United States
19 Code.

20 (d) HUMAN RIGHTS.—The Secretary of the Treasury
21 shall instruct the United States executive director of each
22 international financial institution to seek to require that
23 such institution conducts rigorous human rights due dili-
24 gence and risk management, as appropriate, in connection
25 with any loan, grant, policy, or strategy of such institu-

1 tion: *Provided*, That prior to voting on any such loan,
2 grant, policy, or strategy the executive director shall con-
3 sult with the Assistant Secretary for Democracy, Human
4 Rights, and Labor, Department of State, if the executive
5 director has reason to believe that such loan, grant, policy,
6 or strategy could result in forced displacement or other
7 violation of human rights.

8 (e) FRAUD AND CORRUPTION.—The Secretary of the
9 Treasury shall instruct the United States executive direc-
10 tor of each international financial institution to promote
11 in loan, grant, and other financing agreements improve-
12 ments in borrowing countries' financial management and
13 judicial capacity to investigate, prosecute, and punish
14 fraud and corruption.

15 (f) BENEFICIAL OWNERSHIP INFORMATION.—The
16 Secretary of the Treasury shall instruct the United States
17 executive director of each international financial institu-
18 tion to seek to require that such institution collects,
19 verifies, and publishes, to the maximum extent practicable,
20 beneficial ownership information (excluding proprietary
21 information) for any corporation or limited liability com-
22 pany, other than a publicly listed company, that receives
23 funds appropriated by this Act that are provided as pay-
24 ment to such institution: *Provided*, That not later than
25 180 days after enactment of this Act, the Secretary shall

1 submit a report to the Committees on Appropriations on
2 steps taken by the United States executive directors and
3 the international financial institutions consistent with this
4 subsection.

5 (g) WHISTLEBLOWER PROTECTIONS.—The Secretary
6 of the Treasury shall instruct the United States executive
7 director of each international financial institution to seek
8 to require that each such institution is effectively imple-
9 menting and enforcing policies and procedures which re-
10 flect best practices for the protection of whistleblowers
11 from retaliation, including best practices for—

12 (1) protection against retaliation for internal
13 and lawful public disclosure;

14 (2) legal burdens of proof;

15 (3) statutes of limitation for reporting retalia-
16 tion;

17 (4) access to independent adjudicative bodies,
18 including external arbitration; and

19 (5) results that eliminate the effects of proven
20 retaliation.

21 DEBT-FOR-DEVELOPMENT

22 SEC. 7030. In order to enhance the continued partici-
23 pation of nongovernmental organizations in debt-for-devel-
24 opment and debt-for-nature exchanges, a nongovern-
25 mental organization which is a grantee or contractor of

1 the United States Agency for International Development
2 may place in interest bearing accounts local currencies
3 which accrue to that organization as a result of economic
4 assistance provided under title III of this Act and, subject
5 to the regular notification procedures of the Committees
6 on Appropriations, any interest earned on such investment
7 shall be used for the purpose for which the assistance was
8 provided to that organization.

9 FINANCIAL MANAGEMENT AND BUDGET TRANSPARENCY

10 SEC. 7031. (a) LIMITATION ON DIRECT GOVERN-
11 MENT-TO-GOVERNMENT ASSISTANCE.—

12 (1) REQUIREMENTS.—Funds appropriated by
13 this Act may be made available for direct govern-
14 ment-to-government assistance only if—

15 (A)(i) each implementing agency or min-
16 istry to receive assistance has been assessed
17 and is considered to have the systems required
18 to manage such assistance and any identified
19 vulnerabilities or weaknesses of such agency or
20 ministry have been addressed;

21 (ii) the recipient agency or ministry em-
22 ploys and utilizes staff with the necessary tech-
23 nical, financial, and management capabilities;

1 (iii) the recipient agency or ministry has
2 adopted competitive procurement policies and
3 systems;

4 (iv) effective monitoring and evaluation
5 systems are in place to ensure that such assist-
6 ance is used for its intended purposes;

7 (v) no level of acceptable fraud is assumed;
8 and

9 (vi) the government of the recipient coun-
10 try is taking steps to publicly disclose on an an-
11 nual basis its national budget, to include in-
12 come and expenditures;

13 (B) the recipient government is in compli-
14 ance with the principles set forth in section
15 7013 of this Act;

16 (C) the recipient agency or ministry is not
17 headed or controlled by an organization des-
18 igned as a foreign terrorist organization
19 under section 219 of the Immigration and Na-
20 tionality Act;

21 (D) the Government of the United States
22 and the government of the recipient country
23 have agreed, in writing, on clear and achievable
24 objectives for the use of such assistance, which

1 should be made available on a cost-reimbursable
2 basis; and

3 (E) the recipient government is taking
4 steps to protect the rights of civil society, in-
5 cluding freedoms of expression, association, and
6 assembly.

7 (2) CONSULTATION AND NOTIFICATION.—In
8 addition to the requirements in paragraph (1), no
9 funds may be made available for direct government-
10 to-government assistance without prior consultation
11 with, and notification of, the Committees on Appro-
12 priations: *Provided*, That such notification shall con-
13 tain an explanation of how the proposed activity
14 meets the requirements of paragraph (1): *Provided*
15 *further*, That the requirements of this paragraph
16 shall only apply to direct government-to-government
17 assistance in excess of \$10,000,000 and all funds
18 available for cash transfer, budget support, and cash
19 payments to individuals.

20 (3) SUSPENSION OF ASSISTANCE.—The Admin-
21 istrator of the United States Agency for Inter-
22 national Development (USAID) or the Secretary of
23 State, as appropriate, shall suspend any direct gov-
24 ernment-to-government assistance if the Adminis-
25 trator or the Secretary has credible information of

1 material misuse of such assistance, unless the Ad-
2 ministrator or the Secretary reports to the Commit-
3 tees on Appropriations that it is in the national in-
4 terest of the United States to continue such assist-
5 ance, including a justification, or that such misuse
6 has been appropriately addressed.

7 (4) SUBMISSION OF INFORMATION.—The Sec-
8 retary of State shall submit to the Committees on
9 Appropriations, concurrent with the fiscal year 2017
10 congressional budget justification materials, amounts
11 planned for assistance described in paragraph (1) by
12 country, proposed funding amount, source of funds,
13 and type of assistance.

14 (5) REPORT.—Not later than 90 days after the
15 enactment of this Act and 6 months thereafter until
16 September 30, 2016, the USAID Administrator
17 shall submit to the Committees on Appropriations a
18 report that—

19 (A) details all assistance described in para-
20 graph (1) provided during the previous 6-month
21 period by country, funding amount, source of
22 funds, and type of such assistance; and

23 (B) the type of procurement instrument or
24 mechanism utilized and whether the assistance
25 was provided on a reimbursable basis.

1 (6) DEBT SERVICE PAYMENT PROHIBITION.—

2 None of the funds made available by this Act may
3 be used for any foreign country for debt service pay-
4 ments owed by any country to any international fi-
5 nancial institution: *Provided*, That for purposes of
6 this paragraph, the term “international financial in-
7 stitution” has the meaning given the term in section
8 7034(r)(3) of this Act.

9 (b) NATIONAL BUDGET AND CONTRACT TRANS-
10 PARENCY.—

11 (1) MINIMUM REQUIREMENTS OF FISCAL
12 TRANSPARENCY.—The Secretary of State shall con-
13 tinue to update and strengthen the “minimum re-
14 quirements of fiscal transparency” for each govern-
15 ment receiving assistance appropriated by this Act,
16 as identified in the report required by section
17 7031(b) of the Department of State, Foreign Oper-
18 ations, and Related Programs Appropriations Act,
19 2014 (division K of Public Law 113–76).

20 (2) DEFINITION.—For purposes of paragraph
21 (1), “minimum requirements of fiscal transparency”
22 are requirements consistent with those in subsection
23 (a)(1), and the public disclosure of national budget
24 documentation (to include receipts and expenditures
25 by ministry) and government contracts and licenses

1 for natural resource extraction (to include bidding
2 and concession allocation practices).

3 (3) DETERMINATION AND REPORT.—For each
4 government identified pursuant to paragraph (1),
5 the Secretary of State, not later than 180 days after
6 enactment of this Act, shall make or update any de-
7 termination of “significant progress” or “no signifi-
8 cant progress” in meeting the minimum require-
9 ments of fiscal transparency, and make such deter-
10 minations publicly available in an annual “Fiscal
11 Transparency Report” to be posted on the Depart-
12 ment of State Web site: *Provided*, That the Sec-
13 retary shall identify the significant progress made by
14 each such government to publicly disclose national
15 budget documentation, contracts, and licenses which
16 are additional to such information disclosed in pre-
17 vious fiscal years, and include specific recommenda-
18 tions of short- and long-term steps such government
19 should take to improve fiscal transparency: *Provided*
20 *further*, That the annual report shall include a de-
21 tailed description of how funds appropriated by this
22 Act are being used to improve fiscal transparency,
23 and identify benchmarks for measuring progress.

24 (4) ASSISTANCE.—Funds appropriated under
25 title III of this Act shall be made available for pro-

1 grams and activities to assist governments identified
2 pursuant to paragraph (1) to improve budget trans-
3 parency and to support civil society organizations in
4 such countries that promote budget transparency:
5 *Provided*, That such sums shall be in addition to
6 funds otherwise made available for such purposes:
7 *Provided further*, That a description of the uses of
8 such funds shall be included in the annual “Fiscal
9 Transparency Report” required by paragraph (3).

10 (c) ANTI-KLEPTOCRACY AND HUMAN RIGHTS.—

11 (1)(A) INELIGIBILITY.—Officials of foreign gov-
12 ernments and their immediate family members about
13 whom the Secretary of State has credible informa-
14 tion have been involved in significant corruption, in-
15 cluding corruption related to the extraction of nat-
16 ural resources, or a gross violation of human rights
17 shall be ineligible for entry into the United States.

18 (B) The Secretary may also publicly or pri-
19 vately designate or identify officials of foreign gov-
20 ernments and their immediate family members about
21 whom the Secretary has such credible information
22 without regard to whether the individual has applied
23 for a visa.

24 (2) EXCEPTION.—Individuals shall not be ineli-
25 gible if entry into the United States would further

1 important United States law enforcement objectives
2 or is necessary to permit the United States to fulfill
3 its obligations under the United Nations Head-
4 quarters Agreement: *Provided*, That nothing in
5 paragraph (1) shall be construed to derogate from
6 United States Government obligations under applica-
7 ble international agreements.

8 (3) WAIVER.—The Secretary may waive the ap-
9 plication of paragraph (1) if the Secretary deter-
10 mines that the waiver would serve a compelling na-
11 tional interest or that the circumstances which
12 caused the individual to be ineligible have changed
13 sufficiently.

14 (4) REPORT.—Not later than 6 months after
15 enactment of this Act, the Secretary of State shall
16 submit a report, including a classified annex if nec-
17 essary, to the Committees on Appropriations and the
18 Committees on the Judiciary describing the informa-
19 tion related to corruption or violation of human
20 rights concerning each of the individuals found ineli-
21 gible in the previous 12 months pursuant to para-
22 graph (1)(A) as well as the individuals who the Sec-
23 retary designated or identified pursuant to para-
24 graph (1)(B), or who would be ineligible but for the
25 application of paragraph (2), a list of any waivers

1 provided under paragraph (3), and the justification
2 for each waiver.

3 (5) POSTING OF REPORT.—Any unclassified
4 portion of the report required under paragraph (4)
5 shall be posted on the Department of State Web
6 site.

7 (6) CLARIFICATION.—For purposes of para-
8 graphs (1)(B), (4), and (5), the records of the De-
9 partment of State and of diplomatic and consular of-
10 fices of the United States pertaining to the issuance
11 or refusal of visas or permits to enter the United
12 States shall not be considered confidential.

13 (d) EXTRACTION OF NATURAL RESOURCES.—

14 (1) ASSISTANCE.—Funds appropriated by this
15 Act shall be made available to promote and support
16 transparency and accountability of expenditures and
17 revenues related to the extraction of natural re-
18 sources, including by strengthening implementation
19 and monitoring of the Extractive Industries Trans-
20 parency Initiative, implementing and enforcing sec-
21 tion 8204 of the Food, Conservation, and Energy
22 Act of 2008 (Public Law 110–246; 122 Stat. 2052)
23 and to prevent the sale of conflict diamonds, and
24 provide technical assistance to promote independent

1 audit mechanisms and support civil society partici-
2 pation in natural resource management.

3 (2) UNITED STATES POLICY.—

4 (A) The Secretary of the Treasury shall in-
5 form the management of the international fi-
6 nancial institutions, and post on the Depart-
7 ment of the Treasury Web site, that it is the
8 policy of the United States to vote against any
9 assistance by such institutions (including any
10 loan, credit, grant, or guarantee) to any coun-
11 try for the extraction and export of a natural
12 resource if the government of such country has
13 in place laws, regulations, or procedures to pre-
14 vent or limit the public disclosure of company
15 payments as required by United States law, and
16 unless such government has adopted laws, regu-
17 lations, or procedures in the sector in which as-
18 sistance is being considered for—

19 (i) accurately accounting for and pub-
20 lic disclosure of payments to the host gov-
21 ernment by companies involved in the ex-
22 traction and export of natural resources;

23 (ii) the independent auditing of ac-
24 counts receiving such payments and public

1 disclosure of the findings of such audits;
2 and

3 (iii) public disclosure of such docu-
4 ments as Host Government Agreements,
5 Concession Agreements, and bidding docu-
6 ments, allowing in any such dissemination
7 or disclosure for the redaction of, or excep-
8 tions for, information that is commercially
9 proprietary or that would create competi-
10 tive disadvantage.

11 (B) The requirements of subparagraph (A)
12 shall not apply to assistance for the purpose of
13 building the capacity of such government to
14 meet the requirements of this subparagraph.

15 (e) FOREIGN ASSISTANCE WEB SITE.—Funds appro-
16 priated by this Act under titles I and II, and funds made
17 available for any independent agency in title III, as appro-
18 priate, shall be made available to support the provision
19 of additional information on United States Government
20 foreign assistance on the Department of State foreign as-
21 sistance Web site: *Provided*, That all Federal agencies
22 funded under this Act shall provide such information on
23 foreign assistance, upon request, to the Department of
24 State.

1 DEMOCRACY PROGRAMS

2 SEC. 7032. (a) FUNDING.—

3 (1) Of the funds appropriated by this Act, not
4 less than \$2,308,517,000 shall be made available for
5 democracy programs.

6 (2) Of the funds appropriated by this Act under
7 the heading “Economic Support Fund”, not less
8 than \$32,000,000 shall be made available for the
9 Near East Regional Democracy program.

10 (b) AUTHORITY.—Funds made available by this Act
11 for democracy programs may be made available notwith-
12 standing any other provision of law, and with regard to
13 the National Endowment for Democracy (NED), any reg-
14 ulation.

15 (c) DEFINITION OF DEMOCRACY PROGRAMS.—For
16 purposes of funds appropriated by this Act, the term “de-
17 mocracy programs” means programs that support good
18 governance, credible and competitive elections, freedom of
19 expression, association, assembly, and religion, human
20 rights, labor rights, independent media, and the rule of
21 law, and that otherwise strengthen the capacity of demo-
22 cratic political parties, governments, nongovernmental or-
23 ganizations and institutions, and citizens to support the
24 development of democratic states, and institutions that are
25 responsive and accountable to citizens.

1 (d) PROGRAM PRIORITIZATION.—Funds made avail-
2 able pursuant to this section that are made available for
3 programs to strengthen government institutions shall be
4 prioritized for those institutions that demonstrate a com-
5 mitment to democracy and the rule of law, as determined
6 by the Secretary of State or the Administrator of the
7 United States Agency for International Development
8 (USAID), as appropriate.

9 (e) RESTRICTION ON PRIOR APPROVAL.—With re-
10 spect to the provision of assistance for democracy pro-
11 grams in this Act, the organizations implementing such
12 assistance, the specific nature of that assistance, and the
13 participants in such programs shall not be subject to the
14 prior approval by the government of any foreign country:
15 *Provided*, That the Secretary of State, in coordination
16 with the USAID Administrator, shall report to the Com-
17 mittees on Appropriations, not later than 120 days after
18 enactment of this Act, detailing steps taken by the Depart-
19 ment of State and USAID to comply with the require-
20 ments of this subsection.

21 (f) PROGRAM DESIGN AND IMPLEMENTATION.—

22 (1) CLARIFICATION OF USE.—Not later than 90
23 days after enactment of this Act, the Secretary of
24 State and USAID Administrator, following consulta-
25 tion with democracy program implementing part-

1 ners, shall each establish guidelines for clarifying
2 program design and objectives for democracy pro-
3 grams, including the uses of contracts versus grants
4 and cooperative agreements in the conduct of democ-
5 racy programs carried out with funds appropriated
6 by this Act: *Provided*, That such guidelines, which
7 shall be made available to all relevant agency per-
8 sonnel, shall be in accordance with—

9 (A) the Quadrennial Diplomacy and Devel-
10 opment Review, 2015, regarding the objectives
11 of promoting resilient, open, and democratic so-
12 cieties;

13 (B) the ADVANCE Democracy Act of
14 2007 (title XXI of Public Law 110–53; 22
15 U.S.C. 8201 et seq.), including the foreign pol-
16 icy objectives contained therein; and

17 (C) sections 6303 through 6305 of title 31,
18 United States Code, regarding the selection of
19 contracts and assistance instruments.

20 (2) CONTINUATION OF CURRENT PRACTICES.—
21 USAID shall continue to implement civil society and
22 political competition and consensus building pro-
23 grams abroad with funds appropriated by this Act in
24 a manner that recognizes the unique benefits of
25 grants and cooperative agreements in implementing

1 such programs: *Provided*, That nothing in this para-
2 graph shall be construed to affect the ability of any
3 entity, including United States small businesses,
4 from competing for proposals for USAID-funded
5 civil society and political competition and consensus
6 building programs.

7 (3) REPORT.—Not later than September 30,
8 2017, the Secretary of State and USAID Adminis-
9 trator shall each submit to the Committees on Ap-
10 propriations a report detailing the use of contracts,
11 grants, and cooperative agreements in the conduct of
12 democracy programs with funds made available by
13 the Department of State, Foreign Operations, and
14 Related Programs Act, 2015 (division J of Public
15 Law 113–235), which shall include funding level, ac-
16 count, program sector and subsector, and a brief
17 summary of purpose.

18 (g) STRATEGIC REVIEWS AND REPORT.—

19 (1) COUNTRY STRATEGIES.—Prior to the obli-
20 gation of funds made available by this Act for De-
21 partment of State and USAID democracy programs
22 for a nondemocratic or democratic transitioning
23 country for which a country strategy has been con-
24 cluded after the date of enactment of this Act, as re-
25 quired by section 2111(c)(1) of the ADVANCE De-

1 mocracy Act of 2007 (title XXI of Public Law 110–
2 53; 22 U.S.C. 8211) or similar provision of law or
3 regulation, the Under Secretary for Civilian Secu-
4 rity, Democracy and Human Rights, Department of
5 State, in consultation with the Assistant Secretary
6 for Democracy, Human Rights, and Labor, Depart-
7 ment of State, and the Assistant Administrator for
8 Democracy, Conflict, and Humanitarian Assistance,
9 USAID, shall review such strategy to ensure that it
10 includes—

11 (A) specific goals and objectives for such
12 program, including a specific plan and timeline
13 to measure impacts;

14 (B) an assessment of the risks associated
15 with the conduct of such program to intended
16 beneficiaries and implementers, including steps
17 to support and protect such individuals; and

18 (C) the funding requirements to initiate
19 and sustain such program in fiscal year 2016
20 and subsequent fiscal years, as appropriate:

21 *Provided*, That for the purposes of this paragraph,
22 the term “nondemocratic or democratic transitioning
23 country” shall have the same meaning as in section
24 2104(6) of Public Law 110–53.

1 (2) REPORT.—Not later than September 30,
2 2016, the Secretary of State, in consultation with
3 the USAID Administrator, shall submit a report, in-
4 cluding a classified annex if necessary, to the appro-
5 priate congressional committees detailing the meth-
6 odology and guidelines established and implemented
7 by the Department of State and USAID, respec-
8 tively, to carry out the requirements of this sub-
9 section: *Provided*, That such report shall also include
10 an analysis of the political and social conditions in
11 a nondemocratic or democratic transitioning country
12 that are a prerequisite for the conduct of democracy
13 programs.

14 (h) CONSULTATION AND COMMUNICATION REQUIRE-
15 MENTS.—

16 (1) COUNTRY ALLOCATIONS.—The Deputy Sec-
17 retary for Management and Resources, Department
18 of State, shall consult with the Under Secretary for
19 Civilian Security, Democracy and Human Rights,
20 Department of State, and the Assistant Adminis-
21 trator for Democracy, Conflict, and Humanitarian
22 Assistance, USAID, on the proposed funding levels
23 for democracy programs by country in the report
24 submitted to Congress pursuant to section 653(a) of
25 the Foreign Assistance Act of 1961.

1 (2) INFORMING THE NATIONAL ENDOWMENT
2 FOR DEMOCRACY.—The Assistant Secretary for De-
3 mocracy, Human Rights, and Labor, Department of
4 State, and the Assistant Administrator for Democ-
5 racy, Conflict, and Humanitarian Assistance,
6 USAID, shall regularly inform the National Endow-
7 ment for Democracy of democracy programs that
8 are planned and supported by funds made available
9 by this Act and prior Acts making appropriations
10 for the Department of State, foreign operations, and
11 related programs.

12 (3) REPORT ON PROGRAM CHANGES.—The Sec-
13 retary of State or the USAID Administrator, as ap-
14 propriate, shall report to the Committees on Appro-
15 priations within 30 days of a decision to significantly
16 change the objectives or the content of a democracy
17 program or to close such a program due to the in-
18 creasingly repressive nature of the host country gov-
19 ernment: *Provided*, That the report shall also include
20 a strategy for continuing support for democracy pro-
21 motion, if such programming is feasible, and may be
22 submitted in classified form, if necessary.

23 INTERNATIONAL RELIGIOUS FREEDOM
24 SEC. 7033. (a) INTERNATIONAL RELIGIOUS FREE-
25 DOM OFFICE AND SPECIAL ENVOY TO PROMOTE RELI-

1 GIOUS FREEDOM.—Funds appropriated by this Act under
2 the heading “Diplomatic and Consular Programs” shall
3 be made available for the Office of the Ambassador-at-
4 Large for International Religious Freedom and the Spe-
5 cial Envoy to Promote Religious Freedom of Religious Mi-
6 norities in the Near East and South Central Asia, as au-
7 thorized in the Near East and South Central Asia Reli-
8 gious Freedom Act of 2014 (Public Law 113-161), and
9 including for support staff, at not less than the amounts
10 contained for such Office and Envoy in the table under
11 such heading in the explanatory statement described in
12 section 4 (in the matter preceding division A of this Con-
13 solidated Act).

14 (b) ASSISTANCE.—

15 (1) INTERNATIONAL RELIGIOUS FREEDOM PRO-
16 GRAMS.—Of the funds appropriated by this Act
17 under the heading “Democracy Fund” and available
18 for the Human Rights and Democracy Fund
19 (HRDF), not less than \$10,000,000 shall be made
20 available for international religious freedom pro-
21 grams: *Provided*, That the Ambassador-at-Large for
22 International Religious Freedom shall consult with
23 the Committees on Appropriations on the uses of
24 such funds.

1 (2) PROTECTION AND INVESTIGATION PRO-
2 GRAMS.—Funds appropriated by this Act under the
3 heading “Economic Support Fund” shall be made
4 available for programs to protect vulnerable and per-
5 secuted religious minorities: *Provided*, That a por-
6 tion of such funds shall be made available for pro-
7 grams to investigate the persecution of such minori-
8 ties by governments and non-state actors and for the
9 public dissemination of information collected on such
10 persecution, including on the Department of State
11 Web site.

12 (3) HUMANITARIAN PROGRAMS.—Funds appro-
13 priated by this Act under the headings “Inter-
14 national Disaster Assistance” and “Migration and
15 Refugee Assistance” shall be made available for hu-
16 manitarian assistance for vulnerable and persecuted
17 religious minorities.

18 (4) RESPONSIBILITY OF FUNDS.—Funds made
19 available by paragraphs (1) and (2) shall be the re-
20 sponsibility of the Ambassador-at-Large for Inter-
21 national Religious Freedom, in consultation with
22 other relevant United States Government officials.

23 (c) INTERNATIONAL BROADCASTING.—Funds appro-
24 priated by this Act under the heading “Broadcasting
25 Board of Governors, International Broadcasting Oper-

1 ations” shall be made available for programs related to
2 international religious freedom, including reporting on the
3 condition of vulnerable and persecuted religious groups.

4 (d) ATROCITIES PREVENTION.—Not later than 90
5 days after enactment of this Act, the Secretary of State,
6 after consultation with the heads of other United States
7 Government agencies represented on the Atrocities Pre-
8 vention Board (APB) and representatives of human rights
9 organizations, as appropriate, shall submit to the appro-
10 priate congressional committees an evaluation of the per-
11 secution of, including attacks against, Christians and peo-
12 ple of other religions in the Middle East by violent Islamic
13 extremists and the Muslim Rohingya people in Burma by
14 violent Buddhist extremists, including whether either situ-
15 ation constitutes mass atrocities or genocide (as defined
16 in section 1091 of title 18, United States Code), and a
17 detailed description of any proposed atrocities prevention
18 response recommended by the APB: *Provided*, That such
19 evaluation and response may include a classified annex,
20 if necessary.

21 (e) DESIGNATION OF NON-STATE ACTORS.—The
22 President shall, concurrent with the annual foreign coun-
23 try review required by section 402(b)(1) of the Inter-
24 national Religious Freedom Act of 1998 (22 U.S.C.
25 6442(b)(1)), review and identify any non-state actors in

1 such countries that have engaged in particularly severe
2 violations of religious freedom, and designate, in a manner
3 consistent with such Act, each such group as a non-state
4 actor of particular concern for religious freedom operating
5 in such reviewed country or surrounding region: *Provided*,
6 That whenever the President designates such a non-state
7 actor under this subsection, the President shall, as soon
8 as practicable after the designation is made, submit a re-
9 port to the appropriate congressional committees detailing
10 the reasons for such designation.

11 (f) REPORT.—Not later than September 30, 2016,
12 the Secretary of State, in consultation with the Chairman
13 of the Broadcasting Board of Governors and the Adminis-
14 trator of the United States Agency for International De-
15 velopment, shall submit a report, including a classified
16 annex if necessary, to the appropriate congressional com-
17 mittees detailing, by account, agency, and on a country-
18 by-country basis, funds made available by this Act and
19 prior Acts making appropriations for the Department of
20 State, foreign operations, and related programs for the
21 previous 2 fiscal years for international religious freedom
22 programs; protection and investigation programs regard-
23 ing vulnerable and persecuted religious minorities; human-
24 itarian and relief assistance for such minorities; and inter-
25 national broadcasting regarding religious freedom.

1 SPECIAL PROVISIONS

2 SEC. 7034. (a) VICTIMS OF WAR, DISPLACED CHIL-
3 DREN, AND DISPLACED BURMESE.—Funds appropriated
4 in titles III and VI of this Act that are made available
5 for victims of war, displaced children, displaced Burmese,
6 and to combat trafficking in persons and assist victims
7 of such trafficking, may be made available notwith-
8 standing any other provision of law.

9 (b) LAW ENFORCEMENT AND SECURITY.—

10 (1) CHILD SOLDIERS.—Funds appropriated by
11 this Act should not be used to support any military
12 training or operations that include child soldiers.

13 (2) CROWD CONTROL ITEMS.—Funds appro-
14 priated by this Act should not be used for tear gas,
15 small arms, light weapons, ammunition, or other
16 items for crowd control purposes for foreign security
17 forces that use excessive force to repress peaceful ex-
18 pression, association, or assembly in countries un-
19 dergoing democratic transition.

20 (3) DISARMAMENT, DEMOBILIZATION, AND RE-
21 INTEGRATION.—Section 7034(d) of the Department
22 of State, Foreign Operations, and Related Programs
23 Appropriations Act, 2015 (division J of Public Law
24 113–235) shall continue in effect during fiscal year
25 2016 as if part of this Act.

1 (4) FORENSIC ASSISTANCE.—

2 (A) Of the funds appropriated by this Act
3 under the heading “Economic Support Fund”,
4 not less than \$4,000,000 shall be made avail-
5 able for forensic anthropology assistance related
6 to the exhumation of mass graves and the iden-
7 tification of victims of war crimes and crimes
8 against humanity, of which not less than
9 \$3,000,000 should be made available for such
10 assistance in Guatemala, Peru, Colombia, Iraq,
11 and Sri Lanka, which shall be administered by
12 the Assistant Secretary for Democracy, Human
13 Rights, and Labor, Department of State.

14 (B) Of the funds appropriated by this Act
15 under the heading “International Narcotics
16 Control and Law Enforcement”, not less than
17 \$4,000,000 shall be made available for DNA fo-
18 rensic technology programs to combat human
19 trafficking in Central America.

20 (5) INTERNATIONAL PRISON CONDITIONS.—

21 Section 7065 of the Department of State, Foreign
22 Operations, and Related Programs Appropriations
23 Act, 2015 (division J of Public Law 113–235) shall
24 continue in effect during fiscal year 2016 as if part
25 of this Act.

1 (6) RECONSTITUTING CIVILIAN POLICE AU-
2 THORITY.—In providing assistance with funds ap-
3 propriated by this Act under section 660(b)(6) of
4 the Foreign Assistance Act of 1961, support for a
5 nation emerging from instability may be deemed to
6 mean support for regional, district, municipal, or
7 other sub-national entity emerging from instability,
8 as well as a nation emerging from instability.

9 (7) SECURITY ASSISTANCE REPORT.—Not later
10 than 120 days after enactment of this Act, the Sec-
11 retary of State shall submit to the Committees on
12 Appropriations a report on funds obligated and ex-
13 pended during fiscal year 2015, by country and pur-
14 pose of assistance, under the headings “Peace-
15 keeping Operations”, “International Military Edu-
16 cation and Training”, and “Foreign Military Fi-
17 nancing Program”.

18 (8) LEAHY VETTING REPORT.—

19 (A) Not later than 90 days after enact-
20 ment of this Act, the Secretary of State shall
21 submit a report to the appropriate congress-
22 sional committees on foreign assistance cases
23 submitted for vetting for purposes of section
24 620M of the Foreign Assistance Act of 1961
25 during the preceding fiscal year, including:

1 (i) the total number of cases sub-
2 mitted, approved, suspended, or rejected
3 for human rights reasons; and

4 (ii) for cases rejected, a description of
5 the steps taken to assist the foreign gov-
6 ernment in taking effective measures to
7 bring the responsible members of the secu-
8 rity forces to justice, in accordance with
9 section 620M(c) of the Foreign Assistance
10 Act of 1961.

11 (B) The report required by this paragraph
12 shall be submitted in unclassified form, but may
13 be accompanied by a classified annex.

14 (9) ANNUAL FOREIGN MILITARY TRAINING RE-
15 PORT.—For the purposes of implementing section
16 656 of the Foreign Assistance Act of 1961, the term
17 “military training provided to foreign military per-
18 sonnel by the Department of Defense and the De-
19 partment of State” shall be deemed to include all
20 military training provided by foreign governments
21 with funds appropriated to the Department of De-
22 fense or the Department of State, except for train-
23 ing provided by the government of a country des-
24 ignated by section 517(b) of such Act as a major
25 non-NATO ally.

1 (c) WORLD FOOD PROGRAMME.—Funds managed by
2 the Bureau for Democracy, Conflict, and Humanitarian
3 Assistance, United States Agency for International Devel-
4 opment (USAID), from this or any other Act, may be
5 made available as a general contribution to the World
6 Food Programme, notwithstanding any other provision of
7 law.

8 (d) DIRECTIVES AND AUTHORITIES.—

9 (1) RESEARCH AND TRAINING.—Funds appro-
10 priated by this Act under the heading “Assistance
11 for Europe, Eurasia and Central Asia” shall be
12 made available to carry out the Program for Re-
13 search and Training on Eastern Europe and the
14 Independent States of the Former Soviet Union as
15 authorized by the Soviet-Eastern European Research
16 and Training Act of 1983 (22 U.S.C. 4501 et seq.).

17 (2) GENOCIDE VICTIMS MEMORIAL SITES.—
18 Funds appropriated by this Act and prior Acts mak-
19 ing appropriations for the Department of State, for-
20 eign operations, and related programs under the
21 headings “Economic Support Fund” and “Assist-
22 ance for Europe, Eurasia and Central Asia” may be
23 made available as contributions to establish and
24 maintain memorial sites of genocide, subject to the

1 regular notification procedures of the Committees on
2 Appropriations.

3 (3) ADDITIONAL AUTHORITIES.—Of the
4 amounts made available by title I of this Act under
5 the heading “Diplomatic and Consular Programs”,
6 up to \$500,000 may be made available for grants
7 pursuant to section 504 of Public Law 95–426 (22
8 U.S.C. 2656d), including to facilitate collaboration
9 with indigenous communities.

10 (4) EXTENSION OF LEGAL PROTECTION.—No
11 conviction issued by the Cairo Criminal Court on
12 June 4, 2013, in “Public Prosecution Case No. 1110
13 for the Year 2012”, against a citizen or national of
14 the United States or an alien lawfully admitted for
15 permanent residence in the United States, shall be
16 considered a conviction for the purposes of United
17 States law or for any activity undertaken within the
18 jurisdiction of the United States during fiscal year
19 2016 and any fiscal year thereafter.

20 (5) MODIFICATION OF LIFE INSURANCE SUP-
21 PLEMENTAL APPLICABLE TO THOSE KILLED IN TER-
22 RORIST ATTACKS.—

23 (A) Section 415(a)(1) of the Foreign Serv-
24 ice Act of 1980 (22 U.S.C. 3975(a)(1)) is
25 amended by striking “a payment from the

1 United States in an amount that, when added
2 to the amount of the employee's employer-pro-
3 vided group life insurance policy coverage (if
4 any), equals \$400,000" and inserting "a special
5 payment of \$400,000, which shall be in addi-
6 tion to any employer provided life insurance
7 policy coverage".

8 (B) The insurance benefit under section
9 415 of the Foreign Service Act of 1980 (22
10 U.S.C. 3975), as amended by subparagraph
11 (A), shall be applicable to eligible employees
12 who die as a result of injuries sustained while
13 on duty abroad because of an act of terrorism,
14 as defined in section 140(d) of the Foreign Re-
15 lations Authorization Act, Fiscal Years 1998
16 and 1999 (22 U.S.C. 2656f(d)), anytime on or
17 after April 18, 1983.

18 (6) AUTHORITY.—The Administrator of the
19 United States Agency for International Development
20 may use funds appropriated by this Act under title
21 III to make innovation incentive awards: *Provided*,
22 That each individual award may not exceed
23 \$100,000: *Provided further*, That no more than 10
24 such awards may be made during fiscal year 2016:
25 *Provided further*, That for purposes of this para-

1 graph the term “innovation incentive award” means
2 the provision of funding on a competitive basis
3 that—

4 (A) encourages and rewards the develop-
5 ment of solutions for a particular, well-defined
6 problem related to the alleviation of poverty; or

7 (B) helps identify and promote a broad
8 range of ideas and practices facilitating further
9 development of an idea or practice by third par-
10 ties.

11 (e) PARTNER VETTING.—Funds appropriated by this
12 Act or in titles I through IV of prior Acts making appro-
13 priations for the Department of State, foreign operations,
14 and related programs shall be used by the Secretary of
15 State and the USAID Administrator, as appropriate, to
16 support the continued implementation of the Partner Vet-
17 ting System (PVS) pilot program: *Provided*, That the Sec-
18 retary of State and the USAID Administrator shall inform
19 the Committees on Appropriations, at least 30 days prior
20 to completion of the pilot program, on the criteria for eval-
21 uating such program, including for possible expansion:
22 *Provided further*, That not later than 180 days after com-
23 pletion of the pilot program, the Secretary and USAID
24 Administrator shall jointly submit a report to the Commit-
25 tees on Appropriations, in classified form if necessary, de-

1 tailing the findings, conclusions, and any recommenda-
2 tions for expansion of such program: *Provided further*,
3 That not less than 30 days prior to the implementation
4 of any recommendations for expanding the PVS pilot pro-
5 gram the Secretary of State and USAID Administrator
6 shall consult with the Committees on Appropriations and
7 with representatives of agency implementing partners on
8 the findings, conclusions, and recommendations in such
9 report, as appropriate.

10 (f) CONTINGENCIES.—During fiscal year 2016, the
11 President may use up to \$125,000,000 under the author-
12 ity of section 451 of the Foreign Assistance Act of 1961,
13 notwithstanding any other provision of law.

14 (g) INTERNATIONAL CHILD ABDUCTIONS.—The Sec-
15 retary of State should withhold funds appropriated under
16 title III of this Act for assistance for the central govern-
17 ment of any country that is not taking appropriate steps
18 to comply with the Convention on the Civil Aspects of
19 International Child Abductions, done at the Hague on Oc-
20 tober 25, 1980: *Provided*, That the Secretary shall report
21 to the Committees on Appropriations within 15 days of
22 withholding funds under this subsection.

23 (h) REPORT REPEALED.—Section 616(c) of the De-
24 partments of Commerce, Justice, and State, the Judiciary,

1 and Related Agencies Appropriations Act, 1999 (division
2 A of Public Law 105–277) is hereby repealed.

3 (i) TRANSFERS FOR EXTRAORDINARY PROTEC-
4 TION.—The Secretary of State may transfer to, and merge
5 with, funds under the heading “Protection of Foreign Mis-
6 sions and Officials” unobligated balances of expired funds
7 appropriated under the heading “Diplomatic and Consular
8 Programs” for fiscal year 2016, except for funds des-
9 ignated for Overseas Contingency Operations/Global War
10 on Terrorism pursuant to section 251(b)(2)(A)(ii) of the
11 Balanced Budget and Emergency Deficit Control Act of
12 1985, at no later than the end of the fifth fiscal year after
13 the last fiscal year for which such funds are available for
14 the purposes for which appropriated: *Provided*, That not
15 more than \$50,000,000 may be transferred.

16 (j) PROTECTIONS AND REMEDIES FOR EMPLOYEES
17 OF DIPLOMATIC MISSIONS AND INTERNATIONAL ORGANI-
18 ZATIONS.—Section 7034(k) of the Department of State,
19 Foreign Operations, and Related Programs Appropria-
20 tions Act, 2015 (division J of Public Law 113–235) shall
21 continue in effect during fiscal year 2016 as if part of
22 this Act.

23 (k) EXTENSION OF AUTHORITIES.—

24 (1) PASSPORT FEES.—Section 1(b)(2) of the
25 Passport Act of June 4, 1920 (22 U.S.C. 214(b)(2))

1 shall be applied by substituting “September 30,
2 2016” for “September 30, 2010”.

3 (2) ACCOUNTABILITY REVIEW BOARDS.—The
4 authority provided by section 301(a)(3) of the Omni-
5 bus Diplomatic Security and Antiterrorism Act of
6 1986 (22 U.S.C. 4831(a)(3)) shall remain in effect
7 for facilities in Afghanistan through September 30,
8 2016, except that the notification and reporting re-
9 quirements contained in such section shall include
10 the Committees on Appropriations.

11 (3) INCENTIVES FOR CRITICAL POSTS.—The
12 authority contained in section 1115(d) of the Sup-
13 plemental Appropriations Act, 2009 (Public Law
14 111–32) shall remain in effect through September
15 30, 2016.

16 (4) FOREIGN SERVICE OFFICER ANNUITANT
17 WAIVER.—Section 824(g) of the Foreign Service Act
18 of 1980 (22 U.S.C. 4064(g)) shall be applied by
19 substituting “September 30, 2016” for “October 1,
20 2010” in paragraph (2).

21 (5) DEPARTMENT OF STATE CIVIL SERVICE AN-
22 NUITANT WAIVER.—Section 61(a) of the State De-
23 partment Basic Authorities Act of 1956 (22 U.S.C.
24 2733(a)) shall be applied by substituting “Sep-

1 tember 30, 2016” for “October 1, 2010” in para-
2 graph (2).

3 (6) USAID CIVIL SERVICE ANNUITANT WAIV-
4 ER.—Section 625(j)(1) of the Foreign Assistance
5 Act of 1961 (22 U.S.C. 2385(j)(1)) shall be applied
6 by substituting “September 30, 2016” for “October
7 1, 2010” in subparagraph (B).

8 (7) OVERSEAS PAY COMPARABILITY AND LIM-
9 TATION.—

10 (A) Subject to the limitation described in
11 subparagraph (B), the authority provided by
12 section 1113 of the Supplemental Appropria-
13 tions Act, 2009 (Public Law 111–32; 123 Stat.
14 1904) shall remain in effect through September
15 30, 2016.

16 (B) The authority described in subpara-
17 graph (A) may not be used to pay an eligible
18 member of the Foreign Service (as defined in
19 section 1113(b) of the Supplemental Appropria-
20 tions Act, 2009) a locality-based comparability
21 payment (stated as a percentage) that exceeds
22 two-thirds of the amount of the locality-based
23 comparability payment (stated as a percentage)
24 that would be payable to such member under
25 section 5304 of title 5, United States Code, if

1 such member’s official duty station were in the
2 District of Columbia.

3 (8) CATEGORICAL ELIGIBILITY.—The Foreign
4 Operations, Export Financing, and Related Pro-
5 grams Appropriations Act, 1990 (Public Law 101–
6 167) is amended—

7 (A) in section 599D (8 U.S.C. 1157
8 note)—

9 (i) in subsection (b)(3), by striking
10 “and 2015” and inserting “2015, and
11 2016”; and

12 (ii) in subsection (e), by striking
13 “2015” each place it appears and inserting
14 “2016”; and

15 (B) in section 599E (8 U.S.C. 1255 note)
16 in subsection (b)(2), by striking “2015” and in-
17 serting “2016”.

18 (9) INSPECTOR GENERAL ANNUITANT WAIV-
19 ER.—The authorities provided in section 1015(b) of
20 the Supplemental Appropriations Act, 2010 (Public
21 Law 111–212) shall remain in effect through Sep-
22 tember 30, 2016.

23 (10) EXTENSION OF LOAN GUARANTEES TO
24 ISRAEL.—Chapter 5 of title I of the Emergency
25 Wartime Supplemental Appropriations Act, 2003

1 (Public Law 108–11; 117 Stat. 576) is amended
2 under the heading “Loan Guarantees to Israel”—

3 (A) in the matter preceding the first pro-
4 viso, by striking “September 30, 2015” and in-
5 serting “September 30, 2019”; and

6 (B) in the second proviso, by striking
7 “September 30, 2015” and inserting “Sep-
8 tember 30, 2019”.

9 (11) EXTENSION OF WAR RESERVES STOCKPILE
10 AUTHORITY.—

11 (A) Section 12001(d) of the Department of
12 Defense Appropriations Act, 2005 (Public Law
13 108–287; 118 Stat. 1011) is amended by strik-
14 ing “more than 11 years after the date of en-
15 actment of this Act” and inserting “after Sep-
16 tember 30, 2017”.

17 (B) Section 514(b)(2)(A) of the Foreign
18 Assistance Act of 1961 (22 U.S.C.
19 2321h(b)(2)(A)) is amended by striking “and
20 2015” and inserting “2015, 2016, and 2017”.

21 (12) UNITED STATES ADVISORY COMMISSION
22 ON PUBLIC DIPLOMACY.—Section 1334 of the For-
23 eign Affairs Reform and Restructuring Act of 1998
24 (22 U.S.C. 6553) shall be applied by substituting
25 “September 30, 2016” for “October 1, 2015”.

1 (l) DEPARTMENT OF STATE WORKING CAPITAL
2 FUND.—Funds appropriated by this Act or otherwise
3 made available to the Department of State for payments
4 to the Working Capital Fund may only be used for the
5 service centers included in Appendix 1 of the Congres-
6 sional Budget Justification, Department of State, Diplo-
7 matic Engagement, Fiscal Year 2016: *Provided*, That the
8 amounts for such service centers shall be the amounts in-
9 cluded in such budget except as provided in section
10 7015(b) of this Act: *Provided further*, That Federal agency
11 components shall be charged only for their direct usage
12 of each Working Capital Fund service: *Provided further*,
13 That Federal agency components may only pay for Work-
14 ing Capital Fund services that are consistent with the
15 component’s purpose and authorities: *Provided further*,
16 That the Working Capital Fund shall be paid in advance
17 or reimbursed at rates which will return the full cost of
18 each service.

19 (m) HUMANITARIAN ASSISTANCE.—Funds appro-
20 priated by this Act that are available for monitoring and
21 evaluation of assistance under the headings “International
22 Disaster Assistance” and “Migration and Refugee Assist-
23 ance” shall, as appropriate, be made available for the reg-
24 ular collection of feedback obtained directly from bene-
25 ficiaries on the quality and relevance of such assistance:

1 *Provided*, That the Department of State and USAID shall
2 conduct regular oversight to ensure that such feedback is
3 collected and used by implementing partners to maximize
4 the cost-effectiveness and utility of such assistance, and
5 require such partners that receive funds under such head-
6 ings to establish procedures for collecting and responding
7 to such feedback.

8 (n) HIV/AIDS WORKING CAPITAL FUND.—Funds
9 available in the HIV/AIDS Working Capital Fund estab-
10 lished pursuant to section 525(b)(1) of the Foreign Oper-
11 ations, Export Financing, and Related Programs Appro-
12 priations Act, 2005 (Public Law 108–477) may be made
13 available for pharmaceuticals and other products for child
14 survival, malaria, and tuberculosis to the same extent as
15 HIV/AIDS pharmaceuticals and other products, subject to
16 the terms and conditions in such section: *Provided*, That
17 the authority in section 525(b)(5) of the Foreign Oper-
18 ations, Export Financing, and Related Programs Appro-
19 priations Act, 2005 (Public Law 108–477) shall be exer-
20 cised by the Assistant Administrator for Global Health,
21 USAID, with respect to funds deposited for such non-
22 HIV/AIDS pharmaceuticals and other products, and shall
23 be subject to the regular notification procedures of the
24 Committees on Appropriations: *Provided further*, That the
25 Secretary of State shall include in the congressional budg-

1 et justification an accounting of budgetary resources, dis-
2 bursements, balances, and reimbursements related to such
3 fund.

4 (o) LOAN GUARANTEES AND ENTERPRISE FUNDS.—

5 (1) LOAN GUARANTEES.—Funds appropriated
6 under the headings “Economic Support Fund” and
7 “Assistance for Europe, Eurasia and Central Asia”
8 by this Act and prior Acts making appropriations
9 for the Department of State, foreign operations, and
10 related programs may be made available for the
11 costs, as defined in section 502 of the Congressional
12 Budget Act of 1974, of loan guarantees for Jordan,
13 Ukraine, and Tunisia, which are authorized to be
14 provided: *Provided*, That amounts made available
15 under this paragraph for the costs of such guaran-
16 tees shall not be considered assistance for the pur-
17 poses of provisions of law limiting assistance to a
18 country.

19 (2) ENTERPRISE FUNDS.—Funds appropriated
20 under the heading “Economic Support Fund” in
21 this Act may be made available to establish and op-
22 erate one or more enterprise funds for Egypt and
23 Tunisia: *Provided*, That the first, third and fifth
24 provisos under section 7041(b) of the Department of
25 State, Foreign Operations, and Related Programs

1 Appropriations Act, 2012 (division I of Public Law
2 112–74) shall apply to funds appropriated by this
3 Act under the heading “Economic Support Fund”
4 for an enterprise fund or funds to the same extent
5 and in the same manner as such provision of law ap-
6 plied to funds made available under such section (ex-
7 cept that the clause excluding subsection (d)(3) of
8 section 201 of the SEED Act shall not apply): *Pro-*
9 *vided further*, That in addition to the previous pro-
10 viso, the authorities in the matter preceding the first
11 proviso of such section may apply to any such enter-
12 prise fund or funds: *Provided further*, That the au-
13 thority of any such enterprise fund or funds to pro-
14 vide assistance shall cease to be effective on Decem-
15 ber 31, 2026.

16 (3) CONSULTATION AND NOTIFICATION.—
17 Funds made available by this subsection shall be
18 subject to prior consultation with the appropriate
19 congressional committees, and subject to the regular
20 notification procedures of the Committees on Appro-
21 priations.

22 (p) ASSESSMENT OF INDIRECT COSTS.—Not later
23 than 90 days after enactment of this Act and following
24 consultation with the Committees on Appropriations, the
25 Secretary of State and the Administrator of the United

1 States Agency for International Development (USAID)
2 shall submit to such Committees an assessment of the ef-
3 fectiveness of current policies and procedures in ensuring
4 that payments for indirect costs, including for negotiated
5 indirect cost rate agreements (NICRA), are reasonable
6 and comply with the Federal Acquisition Regulations
7 (FAR), as applicable, and title 2, part 200 of the Code
8 of Federal Regulations (CFR); an assessment of potential
9 benefits of setting a cap on such indirect costs to ensure
10 the cost-effective use of appropriated funds; a plan to re-
11 vise such policies and procedures to strengthen compliance
12 with the FAR and CFR and ensure that indirect costs
13 are reasonable; and a timeline for implementing such plan.

14 (q) SMALL GRANTS AND ENTITIES.—

15 (1) Of the funds appropriated by this Act under
16 the headings “Development Assistance” and “Eco-
17 nomic Support Fund”, not less than \$45,000,000
18 shall be made available for the Small Grants Pro-
19 gram pursuant to section 7080 of the Department of
20 State, Foreign Operations, and Related Programs
21 Appropriations Act, 2015 (division J of Public Law
22 113–235), as amended by this Act, which may re-
23 main available until September 30, 2020.

24 (2) Not later than 45 days after enactment of
25 this Act, the Administrator of the United States

1 Agency for International Development (USAID)
2 shall post on the USAID Web site detailed informa-
3 tion describing the process by which small non-
4 governmental organizations, educational institutions,
5 and other small entities seeking funding from
6 USAID for unsolicited proposals through grants, co-
7 operative agreements, and other assistance mecha-
8 nisms and agreements, can apply for such funding:
9 *Provided*, That the USAID Administrator should en-
10 sure that each bureau, office, and overseas mission
11 has authority to approve, and sufficient funds to im-
12 plement, such grants or other agreements that meet
13 appropriate criteria for unsolicited proposals.

14 (3) Section 7080 of Public Law 113–235 is
15 amended as follows:

16 (A) in subsections (b) and (c), strike
17 “Grants”, and insert “Awards”;

18 (B) in subsection (c)(1), delete “or” after
19 “proposals;”;

20 (C) in subsection (c)(2) delete the period
21 after “process”, and insert “; or”;

22 (D) after subsection (c)(2), insert “(3) as
23 otherwise allowable under Federal Acquisition
24 Regulations and USAID procurement policies.”;
25 and

1 (E) in subsection (e)(3), strike “12”, and
2 insert “20”, and strike “administrative and
3 oversight expenses associated with managing”
4 and insert “administrative expenses, and other
5 necessary support associated with managing
6 and strengthening”.

7 (4) For the purposes of section 7080 of Public
8 Law 113–235, “eligible entities” shall be defined as
9 small local, international, and United States-based
10 nongovernmental organizations, educational institu-
11 tions, and other small entities that have received less
12 than a total of \$5,000,000 in USAID funding over
13 the previous five years: *Provided*, That departments
14 or centers of such educational institutions may be
15 considered individually in determining such eligi-
16 bility.

17 (r) DEFINITIONS.—

18 (1) Unless otherwise defined in this Act, for
19 purposes of this Act the term “appropriate congress-
20 sional committees” shall mean the Committees on
21 Appropriations and Foreign Relations of the Senate
22 and the Committees on Appropriations and Foreign
23 Affairs of the House of Representatives.

24 (2) Unless otherwise defined in this Act, for
25 purposes of this Act the term “funds appropriated

1 in this Act and prior Acts making appropriations for
2 the Department of State, foreign operations, and re-
3 lated programs” shall mean funds that remain avail-
4 able for obligation, and have not expired.

5 (3) For the purposes of this Act “international
6 financial institutions” shall mean the International
7 Bank for Reconstruction and Development, the
8 International Development Association, the Inter-
9 national Finance Corporation, the Inter-American
10 Development Bank, the International Monetary
11 Fund, the Asian Development Bank, the Asian De-
12 velopment Fund, the Inter-American Investment
13 Corporation, the North American Development
14 Bank, the European Bank for Reconstruction and
15 Development, the African Development Bank, the
16 African Development Fund, and the Multilateral In-
17 vestment Guarantee Agency.

18 (4) Any reference to Southern Kordofan in this
19 or any other Act making appropriations for the De-
20 partment of State, foreign operations, and related
21 programs shall be deemed to include portions of
22 Western Kordofan that were previously part of
23 Southern Kordofan prior to the 2013 division of
24 Southern Kordofan.

1 ARAB LEAGUE BOYCOTT OF ISRAEL

2 SEC. 7035. It is the sense of the Congress that—

3 (1) the Arab League boycott of Israel, and the
4 secondary boycott of American firms that have com-
5 mercial ties with Israel, is an impediment to peace
6 in the region and to United States investment and
7 trade in the Middle East and North Africa;

8 (2) the Arab League boycott, which was regret-
9 tably reinstated in 1997, should be immediately and
10 publicly terminated, and the Central Office for the
11 Boycott of Israel immediately disbanded;

12 (3) all Arab League states should normalize re-
13 lations with their neighbor Israel;

14 (4) the President and the Secretary of State
15 should continue to vigorously oppose the Arab
16 League boycott of Israel and find concrete steps to
17 demonstrate that opposition by, for example, taking
18 into consideration the participation of any recipient
19 country in the boycott when determining to sell
20 weapons to said country; and

21 (5) the President should report to Congress an-
22 nually on specific steps being taken by the United
23 States to encourage Arab League states to normalize
24 their relations with Israel to bring about the termi-
25 nation of the Arab League boycott of Israel, includ-

1 ing those to encourage allies and trading partners of
2 the United States to enact laws prohibiting busi-
3 nesses from complying with the boycott and penal-
4 izing businesses that do comply.

5 PALESTINIAN STATEHOOD

6 SEC. 7036. (a) LIMITATION ON ASSISTANCE.—None
7 of the funds appropriated under titles III through VI of
8 this Act may be provided to support a Palestinian state
9 unless the Secretary of State determines and certifies to
10 the appropriate congressional committees that—

11 (1) the governing entity of a new Palestinian
12 state—

13 (A) has demonstrated a firm commitment
14 to peaceful co-existence with the State of Israel;
15 and

16 (B) is taking appropriate measures to
17 counter terrorism and terrorist financing in the
18 West Bank and Gaza, including the dismantling
19 of terrorist infrastructures, and is cooperating
20 with appropriate Israeli and other appropriate
21 security organizations; and

22 (2) the Palestinian Authority (or the governing
23 entity of a new Palestinian state) is working with
24 other countries in the region to vigorously pursue ef-
25 forts to establish a just, lasting, and comprehensive

1 peace in the Middle East that will enable Israel and
2 an independent Palestinian state to exist within the
3 context of full and normal relationships, which
4 should include—

5 (A) termination of all claims or states of
6 belligerency;

7 (B) respect for and acknowledgment of the
8 sovereignty, territorial integrity, and political
9 independence of every state in the area through
10 measures including the establishment of demili-
11 tarized zones;

12 (C) their right to live in peace within se-
13 cure and recognized boundaries free from
14 threats or acts of force;

15 (D) freedom of navigation through inter-
16 national waterways in the area; and

17 (E) a framework for achieving a just set-
18 tlement of the refugee problem.

19 (b) SENSE OF CONGRESS.—It is the sense of Con-
20 gress that the governing entity should enact a constitution
21 assuring the rule of law, an independent judiciary, and
22 respect for human rights for its citizens, and should enact
23 other laws and regulations assuring transparent and ac-
24 countable governance.

1 (c) WAIVER.—The President may waive subsection
2 (a) if the President determines that it is important to the
3 national security interest of the United States to do so.

4 (d) EXEMPTION.—The restriction in subsection (a)
5 shall not apply to assistance intended to help reform the
6 Palestinian Authority and affiliated institutions, or the
7 governing entity, in order to help meet the requirements
8 of subsection (a), consistent with the provisions of section
9 7040 of this Act (“Limitation on Assistance for the Pales-
10 tinian Authority”).

11 RESTRICTIONS CONCERNING THE PALESTINIAN
12 AUTHORITY

13 SEC. 7037. None of the funds appropriated under ti-
14 tles II through VI of this Act may be obligated or ex-
15 pended to create in any part of Jerusalem a new office
16 of any department or agency of the United States Govern-
17 ment for the purpose of conducting official United States
18 Government business with the Palestinian Authority over
19 Gaza and Jericho or any successor Palestinian governing
20 entity provided for in the Israel-PLO Declaration of Prin-
21 ciples: *Provided*, That this restriction shall not apply to
22 the acquisition of additional space for the existing Con-
23 sulate General in Jerusalem: *Provided further*, That meet-
24 ings between officers and employees of the United States
25 and officials of the Palestinian Authority, or any successor

1 Palestinian governing entity provided for in the Israel-
2 PLO Declaration of Principles, for the purpose of con-
3 ducting official United States Government business with
4 such authority should continue to take place in locations
5 other than Jerusalem: *Provided further*, That as has been
6 true in the past, officers and employees of the United
7 States Government may continue to meet in Jerusalem on
8 other subjects with Palestinians (including those who now
9 occupy positions in the Palestinian Authority), have social
10 contacts, and have incidental discussions.

11 PROHIBITION ON ASSISTANCE TO THE PALESTINIAN

12 BROADCASTING CORPORATION

13 SEC. 7038. None of the funds appropriated or other-
14 wise made available by this Act may be used to provide
15 equipment, technical support, consulting services, or any
16 other form of assistance to the Palestinian Broadcasting
17 Corporation.

18 ASSISTANCE FOR THE WEST BANK AND GAZA

19 SEC. 7039. (a) OVERSIGHT.—For fiscal year 2016,
20 30 days prior to the initial obligation of funds for the bi-
21 lateral West Bank and Gaza Program, the Secretary of
22 State shall certify to the Committees on Appropriations
23 that procedures have been established to assure the Comp-
24 troller General of the United States will have access to
25 appropriate United States financial information in order

1 to review the uses of United States assistance for the Pro-
2 gram funded under the heading “Economic Support
3 Fund” for the West Bank and Gaza.

4 (b) VETTING.—Prior to the obligation of funds ap-
5 propriated by this Act under the heading “Economic Sup-
6 port Fund” for assistance for the West Bank and Gaza,
7 the Secretary of State shall take all appropriate steps to
8 ensure that such assistance is not provided to or through
9 any individual, private or government entity, or edu-
10 cational institution that the Secretary knows or has reason
11 to believe advocates, plans, sponsors, engages in, or has
12 engaged in, terrorist activity nor, with respect to private
13 entities or educational institutions, those that have as a
14 principal officer of the entity’s governing board or gov-
15 erning board of trustees any individual that has been de-
16 termined to be involved in, or advocating terrorist activity
17 or determined to be a member of a designated foreign ter-
18 rorist organization: *Provided*, That the Secretary of State
19 shall, as appropriate, establish procedures specifying the
20 steps to be taken in carrying out this subsection and shall
21 terminate assistance to any individual, entity, or edu-
22 cational institution which the Secretary has determined to
23 be involved in or advocating terrorist activity.

24 (c) PROHIBITION.—

1 (1) RECOGNITION OF ACTS OF TERRORISM.—

2 None of the funds appropriated under titles III
3 through VI of this Act for assistance under the West
4 Bank and Gaza Program may be made available for
5 the purpose of recognizing or otherwise honoring in-
6 dividuals who commit, or have committed acts of
7 terrorism.

8 (2) SECURITY ASSISTANCE AND REPORTING RE-

9 QUIREMENT.—Notwithstanding any other provision
10 of law, none of the funds made available by this or
11 prior appropriations Acts, including funds made
12 available by transfer, may be made available for obli-
13 gation for security assistance for the West Bank and
14 Gaza until the Secretary of State reports to the
15 Committees on Appropriations on the benchmarks
16 that have been established for security assistance for
17 the West Bank and Gaza and reports on the extent
18 of Palestinian compliance with such benchmarks.

19 (d) AUDITS BY THE UNITED STATES AGENCY FOR
20 INTERNATIONAL DEVELOPMENT.—

21 (1) The Administrator of the United States
22 Agency for International Development shall ensure
23 that Federal or non-Federal audits of all contractors
24 and grantees, and significant subcontractors and
25 sub-grantees, under the West Bank and Gaza Pro-

1 gram, are conducted at least on an annual basis to
2 ensure, among other things, compliance with this
3 section.

4 (2) Of the funds appropriated by this Act up to
5 \$500,000 may be used by the Office of Inspector
6 General of the United States Agency for Inter-
7 national Development for audits, inspections, and
8 other activities in furtherance of the requirements of
9 this subsection: *Provided*, That such funds are in ad-
10 dition to funds otherwise available for such pur-
11 poses.

12 (e) COMPTROLLER GENERAL OF THE UNITED
13 STATES AUDIT.—Subsequent to the certification specified
14 in subsection (a), the Comptroller General of the United
15 States shall conduct an audit and an investigation of the
16 treatment, handling, and uses of all funds for the bilateral
17 West Bank and Gaza Program, including all funds pro-
18 vided as cash transfer assistance, in fiscal year 2016
19 under the heading “Economic Support Fund”, and such
20 audit shall address—

21 (1) the extent to which such Program complies
22 with the requirements of subsections (b) and (c);
23 and

1 Appropriations that waiving such prohibition is important
2 to the national security interest of the United States.

3 (c) PERIOD OF APPLICATION OF WAIVER.—Any
4 waiver pursuant to subsection (b) shall be effective for no
5 more than a period of 6 months at a time and shall not
6 apply beyond 12 months after the enactment of this Act.

7 (d) REPORT.—Whenever the waiver authority pursu-
8 ant to subsection (b) is exercised, the President shall sub-
9 mit a report to the Committees on Appropriations detail-
10 ing the justification for the waiver, the purposes for which
11 the funds will be spent, and the accounting procedures in
12 place to ensure that the funds are properly disbursed: *Pro-*
13 *vided*, That the report shall also detail the steps the Pales-
14 tinian Authority has taken to arrest terrorists, confiscate
15 weapons and dismantle the terrorist infrastructure.

16 (e) CERTIFICATION.—If the President exercises the
17 waiver authority under subsection (b), the Secretary of
18 State must certify and report to the Committees on Ap-
19 propriations prior to the obligation of funds that the Pal-
20 estinian Authority has established a single treasury ac-
21 count for all Palestinian Authority financing and all fi-
22 nancing mechanisms flow through this account, no parallel
23 financing mechanisms exist outside of the Palestinian Au-
24 thority treasury account, and there is a single comprehen-
25 sive civil service roster and payroll, and the Palestinian

1 Authority is acting to counter incitement of violence
2 against Israelis and is supporting activities aimed at pro-
3 moting peace, coexistence, and security cooperation with
4 Israel.

5 (f) PROHIBITION TO HAMAS AND THE PALESTINE
6 LIBERATION ORGANIZATION.—

7 (1) None of the funds appropriated in titles III
8 through VI of this Act may be obligated for salaries
9 of personnel of the Palestinian Authority located in
10 Gaza or may be obligated or expended for assistance
11 to Hamas or any entity effectively controlled by
12 Hamas, any power-sharing government of which
13 Hamas is a member, or that results from an agree-
14 ment with Hamas and over which Hamas exercises
15 undue influence.

16 (2) Notwithstanding the limitation of paragraph
17 (1), assistance may be provided to a power-sharing
18 government only if the President certifies and re-
19 ports to the Committees on Appropriations that such
20 government, including all of its ministers or such
21 equivalent, has publicly accepted and is complying
22 with the principles contained in section 620K(b)(1)
23 (A) and (B) of the Foreign Assistance Act of 1961,
24 as amended.

1 (3) The President may exercise the authority in
2 section 620K(e) of the Foreign Assistance Act of
3 1961, as added by the Palestinian Anti-Terrorism
4 Act of 2006 (Public Law 109–446) with respect to
5 this subsection.

6 (4) Whenever the certification pursuant to
7 paragraph (2) is exercised, the Secretary of State
8 shall submit a report to the Committees on Appro-
9 priations within 120 days of the certification and
10 every quarter thereafter on whether such govern-
11 ment, including all of its ministers or such equiva-
12 lent are continuing to comply with the principles
13 contained in section 620K(b)(1) (A) and (B) of the
14 Foreign Assistance Act of 1961, as amended: *Pro-*
15 *vided*, That the report shall also detail the amount,
16 purposes and delivery mechanisms for any assistance
17 provided pursuant to the abovementioned certifi-
18 cation and a full accounting of any direct support of
19 such government.

20 (5) None of the funds appropriated under titles
21 III through VI of this Act may be obligated for as-
22 sistance for the Palestine Liberation Organization.

23 MIDDLE EAST AND NORTH AFRICA
24 SEC. 7041. (a) EGYPT.—

1 (1) CERTIFICATION AND REPORT.—Funds ap-
2 propriated by this Act that are available for assist-
3 ance for Egypt may be made available notwith-
4 standing any other provision of law restricting as-
5 sistance for Egypt, except for this subsection and
6 section 620M of the Foreign Assistance Act of 1961,
7 and may only be made available for assistance for
8 the Government of Egypt if the Secretary of State
9 certifies and reports to the Committees on Appro-
10 priations that such government is—

11 (A) sustaining the strategic relationship
12 with the United States; and

13 (B) meeting its obligations under the 1979
14 Egypt-Israel Peace Treaty.

15 (2) ECONOMIC SUPPORT FUND.—

16 (A) FUNDING.—Of the funds appropriated
17 by this Act under the heading “Economic Sup-
18 port Fund”, up to \$150,000,000 may be made
19 available for assistance for Egypt, of which not
20 less than \$35,000,000 should be made available
21 for higher education programs including not
22 less than \$10,000,000 for scholarships at not-
23 for-profit institutions for Egyptian students
24 with high financial need: *Provided*, That such
25 funds may be made available for democracy

1 programs and for development programs in the
2 Sinai: *Provided further*, That such funds may
3 not be made available for cash transfer assist-
4 ance or budget support unless the Secretary of
5 State certifies and reports to the appropriate
6 congressional committees that the Government
7 of Egypt is taking consistent and effective steps
8 to stabilize the economy and implement market-
9 based economic reforms.

10 (B) WITHHOLDING.—The Secretary of
11 State shall withhold from obligation funds ap-
12 propriated by this Act under the heading “Eco-
13 nomic Support Fund” for assistance for Egypt,
14 an amount of such funds that the Secretary de-
15 termines to be equivalent to that expended by
16 the United States Government for bail, and by
17 nongovernmental organizations for legal and
18 court fees, associated with democracy-related
19 trials in Egypt until the Secretary certifies and
20 reports to the Committees on Appropriations
21 that the Government of Egypt has dismissed
22 the convictions issued by the Cairo Criminal
23 Court on June 4, 2013, in “Public Prosecution
24 Case No. 1110 for the Year 2012”.

1 (3) FOREIGN MILITARY FINANCING PRO-
2 GRAM.—

3 (A) CERTIFICATION.—Of the funds appro-
4 priated by this Act under the heading “Foreign
5 Military Financing Program”, \$1,300,000,000,
6 to remain available until September 30, 2017,
7 may be made available for assistance for Egypt:
8 *Provided*, That 15 percent of such funds shall
9 be withheld from obligation until the Secretary
10 of State certifies and reports to the Committees
11 on Appropriations that the Government of
12 Egypt is taking effective steps to—

13 (i) advance democracy and human
14 rights in Egypt, including to govern demo-
15 cratically and protect religious minorities
16 and the rights of women, which are in ad-
17 dition to steps taken during the previous
18 calendar year for such purposes;

19 (ii) implement reforms that protect
20 freedoms of expression, association, and
21 peaceful assembly, including the ability of
22 civil society organizations and the media to
23 function without interference;

24 (iii) release political prisoners and
25 provide detainees with due process of law;

1 (iv) hold Egyptian security forces ac-
2 countable, including officers credibly al-
3 leged to have violated human rights; and

4 (v) provide regular access for United
5 States officials to monitor such assistance
6 in areas where the assistance is used:

7 *Provided further*, That such funds may be
8 transferred to an interest bearing account in
9 the Federal Reserve Bank of New York, fol-
10 lowing consultation with the Committees on Ap-
11 propriations: *Provided further*, That the certifi-
12 cation requirement of this paragraph shall not
13 apply to funds appropriated by this Act under
14 such heading for counterterrorism, border secu-
15 rity, and nonproliferation programs for Egypt.

16 (B) WAIVER.—The Secretary of State may
17 waive the certification requirement in subpara-
18 graph (A) if the Secretary determines and re-
19 ports to the Committees on Appropriations that
20 to do so is important to the national security
21 interest of the United States, and submits a re-
22 port to such Committees containing a detailed
23 justification for the use of such waiver and the
24 reasons why any of the requirements of sub-
25 paragraph (A) cannot be met.

1 (4) OVERSIGHT AND CONSULTATION REQUIRE-
2 MENTS.—

3 (A) The Secretary of State shall take all
4 practicable steps to ensure that mechanisms are
5 in place for monitoring, oversight, and control
6 of funds made available by this subsection for
7 assistance for Egypt.

8 (B) Not later than 90 days after enact-
9 ment of this Act, the Secretary shall consult
10 with the Committees on Appropriations on any
11 plan to restructure military assistance for
12 Egypt.

13 (b) IRAN.—

14 (1) FUNDING.—Funds appropriated by this Act
15 under the headings “Diplomatic and Consular Pro-
16 grams”, “Economic Support Fund”, and “Non-
17 proliferation, Anti-terrorism, Demining and Related
18 Programs” shall be used by the Secretary of State—

19 (A) to support the United States policy to
20 prevent Iran from achieving the capability to
21 produce or otherwise obtain a nuclear weapon;

22 (B) to support an expeditious response to
23 any violation of the Joint Comprehensive Plan
24 of Action or United Nations Security Council
25 Resolution 2231;

1 (C) to support the implementation and en-
2 forcement of sanctions against Iran for support
3 of terrorism, human rights abuses, and ballistic
4 missile and weapons proliferation; and

5 (D) for democracy programs for Iran, to
6 be administered by the Assistant Secretary for
7 Near Eastern Affairs, Department of State, in
8 consultation with the Assistant Secretary for
9 Democracy, Human Rights, and Labor, Depart-
10 ment of State.

11 (2) CONTINUATION OF PROHIBITION.—The
12 terms and conditions of paragraph (2) of section
13 7041(e) in division I of Public Law 112–74 shall
14 continue in effect during fiscal year 2016 as if part
15 of this Act.

16 (3) REPORTS.—

17 (A) The Secretary of State shall submit to
18 the Committees on Appropriations the semi-an-
19 nual report required by section 2 of the Iran
20 Nuclear Agreement Review Act of 2015 (42
21 U.S.C. 2160e(d)(4)).

22 (B) Not later than 180 days after the date
23 of enactment of this Act, the Secretary of
24 State, in consultation with the Secretary of the
25 Treasury, shall submit to the appropriate con-

1 gressional committees a report on the status of
2 the implementation and enforcement of bilateral
3 United States and multilateral sanctions
4 against Iran and actions taken by the United
5 States and the international community to en-
6 force such sanctions against Iran: *Provided*,
7 That the report shall also include any entities
8 involved in the testing of a ballistic missile by
9 the Government of Iran after October 1, 2015,
10 and note whether such entities are currently
11 under United States sanctions: *Provided fur-*
12 *ther*, That such report shall be submitted in an
13 unclassified form, but may contain a classified
14 annex if necessary.

15 (c) IRAQ.—

16 (1) PURPOSES.—Funds appropriated by this
17 Act shall be made available for assistance for Iraq
18 to promote governance, security, and internal and
19 regional stability, including in Kurdistan and other
20 areas impacted by the conflict in Syria, and among
21 religious and ethnic minority populations in Iraq.

22 (2) LIMITATION.—None of the funds appro-
23 priated by this Act may be made available for con-
24 struction, rehabilitation, or other improvements to
25 United States diplomatic facilities in Iraq on prop-

1 erty for which no land-use agreement has been en-
2 tered into by the Governments of the United States
3 and Iraq: *Provided*, That the restrictions in this
4 paragraph shall not apply if such funds are nec-
5 essary to protect United States diplomatic facilities
6 or the security, health, and welfare of United States
7 personnel.

8 (3) KURDISTAN REGIONAL GOVERNMENTS SE-
9 CURITY SERVICES.—Funds appropriated by this Act
10 under the headings “International Narcotics Control
11 and Law Enforcement” and “Foreign Military Fi-
12 nancing Program” that are available for assistance
13 for Iraq should be made available to enhance the ca-
14 pacity of Kurdistan Regional Government security
15 services and for security programs in Kurdistan to
16 address requirements arising from the violence in
17 Syria and Iraq: *Provided*, That the Secretary of
18 State shall consult with the Committees on Appro-
19 priations prior to obligating such funds.

20 (4) BASING RIGHTS AGREEMENT.—None of the
21 funds appropriated or otherwise made available by
22 this Act may be used by the Government of the
23 United States to enter into a permanent basing
24 rights agreement between the United States and
25 Iraq.

1 (d) JORDAN.—

2 (1) FUNDING LEVELS.—Of the funds appro-
3 priated by this Act under titles III and IV, not less
4 than \$1,275,000,000 shall be made available for as-
5 sistance for Jordan, of which not less than
6 \$204,000,000 shall be for budget support for the
7 Government of Jordan and \$100,000,000 shall be
8 for water sector support: *Provided*, That such assist-
9 ance for water sector support shall be subject to
10 prior consultation with the Committees on Appro-
11 priations.

12 (2) RESPONSE TO THE SYRIAN CRISIS.—Funds
13 appropriated by this Act shall be made available for
14 programs to implement the Jordan Response Plan
15 2015 for the Syria Crisis, including assistance for
16 host communities in Jordan: *Provided*, That not
17 later than 180 days after enactment of this Act, the
18 Secretary of State shall submit a report to the Com-
19 mittees on Appropriations describing United States
20 and other donor contributions to such Plan.

21 (e) LEBANON.—

22 (1) LIMITATION.—None of the funds appro-
23 priated by this Act may be made available for the
24 Lebanese Internal Security Forces (ISF) or the Leb-
25 anese Armed Forces (LAF) if the ISF or the LAF

1 is controlled by a foreign terrorist organization, as
2 designated pursuant to section 219 of the Immigra-
3 tion and Nationality Act.

4 (2) CONSULTATION REQUIREMENT.—Funds ap-
5 propriated by this Act under the headings “Inter-
6 national Narcotics Control and Law Enforcement”
7 and “Foreign Military Financing Program” that are
8 available for assistance for Lebanon may be made
9 available for programs and equipment for the ISF
10 and the LAF to address security and stability re-
11 quirements in areas affected by the conflict in Syria,
12 following consultation with the appropriate congres-
13 sional committees.

14 (3) ECONOMIC SUPPORT FUND.—Funds appro-
15 priated by this Act under the heading “Economic
16 Support Fund” that are available for assistance for
17 Lebanon may be made available notwithstanding
18 section 1224 of the Foreign Relations Authorization
19 Act, Fiscal Year 2003 (Public Law 107–228; 22
20 U.S.C. 2346 note).

21 (4) FOREIGN MILITARY FINANCING PRO-
22 GRAM.—In addition to the activities described in
23 paragraph (2), funds appropriated by this Act under
24 the heading “Foreign Military Financing Program”
25 for assistance for Lebanon may be made available

1 only to professionalize the LAF and to strengthen
2 border security and combat terrorism, including
3 training and equipping the LAF to secure Lebanon's
4 borders, interdicting arms shipments, preventing the
5 use of Lebanon as a safe haven for terrorist groups,
6 and to implement United Nations Security Council
7 Resolution 1701: *Provided*, That funds may not be
8 obligated for assistance for the LAF until the Sec-
9 retary of State submits to the Committees on Appro-
10 priations a detailed spend plan, including actions to
11 be taken to ensure equipment provided to the LAF
12 is only used for the intended purposes, except such
13 plan may not be considered as meeting the notifica-
14 tion requirements under section 7015 of this Act or
15 under section 634A of the Foreign Assistance Act of
16 1961, and shall be submitted not later than Sep-
17 tember 1, 2016: *Provided further*, That any notifica-
18 tion submitted pursuant to such sections shall in-
19 clude any funds specifically intended for lethal mili-
20 tary equipment.

21 (f) LIBYA.—

22 (1) FUNDING.—Of the funds appropriated by
23 titles III and IV of this Act, not less than
24 \$20,000,000 shall be made available for assistance
25 for Libya for programs to strengthen governing in-

1 stitutions and civil society, improve border security,
2 and promote democracy and stability in Libya, and
3 for activities to address the humanitarian needs of
4 the people of Libya.

5 (2) LIMITATIONS.—

6 (A) COOPERATION ON THE SEPTEMBER
7 2012 ATTACK ON UNITED STATES PERSONNEL
8 AND FACILITIES.—None of the funds appro-
9 priated by this Act may be made available for
10 assistance for the central Government of Libya
11 unless the Secretary of State reports to the
12 Committees on Appropriations that such gov-
13 ernment is cooperating with United States Gov-
14 ernment efforts to investigate and bring to jus-
15 tice those responsible for the attack on United
16 States personnel and facilities in Benghazi,
17 Libya in September 2012: *Provided*, That the
18 limitation in this paragraph shall not apply to
19 funds made available for the purpose of pro-
20 tecting United States Government personnel or
21 facilities.

22 (B) INFRASTRUCTURE PROJECTS.—The
23 limitation on the uses of funds in section
24 7041(f)(2) of the Department of State, Foreign
25 Operations, and Related Programs Appropria-

1 tions Act, 2014 (division K of Public Law 113–
2 76) shall apply to funds appropriated by this
3 Act that are made available for assistance for
4 Libya.

5 (3) CERTIFICATION REQUIREMENT.—Prior to
6 the initial obligation of funds made available by this
7 Act for assistance for Libya, the Secretary of State
8 shall certify and report to the Committees on Appro-
9 priations that all practicable steps have been taken
10 to ensure that mechanisms are in place for moni-
11 toring, oversight, and control of funds made avail-
12 able by this subsection for assistance for Libya, in-
13 cluding a description of the vetting procedures to be
14 used for recipients of assistance made available
15 under title IV of this Act.

16 (g) MOROCCO.—

17 (1) AVAILABILITY AND CONSULTATION RE-
18 QUIREMENT.—Funds appropriated under title III of
19 this Act shall be made available for assistance for
20 the Western Sahara: *Provided*, That not later than
21 90 days after enactment of this Act and prior to the
22 obligation of such funds the Secretary of State, in
23 consultation with the Administrator of the United
24 States Agency for International Development, shall

1 consult with the Committees on Appropriations on
2 the proposed uses of such funds.

3 (2) FOREIGN MILITARY FINANCING PRO-
4 GRAM.—Funds appropriated by this Act under the
5 heading “Foreign Military Financing Program” that
6 are available for assistance for Morocco may only be
7 used for the purposes requested in the Congressional
8 Budget Justification, Foreign Operations, Fiscal
9 Year 2016.

10 (h) SYRIA.—

11 (1) NON-LETHAL ASSISTANCE.—Funds appro-
12 priated by this Act under the headings “Economic
13 Support Fund”, “International Narcotics Control
14 and Law Enforcement”, and “Peacekeeping Oper-
15 ations” shall be made available, notwithstanding any
16 other provision of law except for this subsection, for
17 non-lethal assistance for programs to address the
18 needs of civilians affected by conflict in Syria, and
19 for programs that seek to—

20 (A) establish governance in Syria that is
21 representative, inclusive, and accountable;

22 (B) expand the role of women in negotia-
23 tions to end the violence and in any political
24 transition in Syria;

1 (C) develop and implement political proc-
2 esses that are democratic, transparent, and ad-
3 here to the rule of law;

4 (D) further the legitimacy of the Syrian
5 opposition through cross-border programs;

6 (E) develop civil society and an inde-
7 pendent media in Syria;

8 (F) promote economic development in
9 Syria;

10 (G) document, investigate, and prosecute
11 human rights violations in Syria, including
12 through transitional justice programs and sup-
13 port for nongovernmental organizations;

14 (H) counter extremist ideologies;

15 (I) assist Syrian refugees whose education
16 has been interrupted by the ongoing conflict to
17 complete higher education requirements at re-
18 gional academic institutions; and

19 (J) assist vulnerable populations in Syria
20 and in neighboring countries.

21 (2) SYRIAN ORGANIZATIONS.—Funds appro-
22 priated by this Act that are made available for as-
23 sistance for Syria pursuant to the authority of this
24 subsection shall be made available, on an open and
25 competitive basis, for a program to strengthen the

1 capability of Syrian civil society organizations to ad-
2 dress the immediate and long-term needs of the Syr-
3 ian people inside Syria in a manner that supports
4 the sustainability of such organizations in imple-
5 menting Syrian-led humanitarian and development
6 programs and the comprehensive strategy required
7 in section 7041(i)(3) of the Department of State,
8 Foreign Operations, and Related Programs Appro-
9 priations Act, 2014 (division K of Public Law 113–
10 76).

11 (3) STRATEGY UPDATE.—Funds appropriated
12 by this Act that are made available for assistance for
13 Syria pursuant to the authority of this subsection
14 may only be made available after the Secretary of
15 State, in consultation with the heads of relevant
16 United States Government agencies, submits, in
17 classified form if necessary, an update to the com-
18 prehensive strategy required in section 7041(i)(3) of
19 Public Law 113–76.

20 (4) MONITORING AND OVERSIGHT.—Prior to
21 the obligation of funds appropriated by this Act and
22 made available for assistance for Syria, the Sec-
23 retary of State shall take all practicable steps to en-
24 sure that mechanisms are in place for monitoring,
25 oversight, and control of such assistance inside

1 Syria: *Provided*, That the Secretary shall promptly
2 inform the appropriate congressional committees of
3 each significant instance in which assistance pro-
4 vided pursuant to this subsection has been com-
5 promised, to include the type and amount of assist-
6 ance affected, a description of the incident and par-
7 ties involved, and an explanation of the response of
8 the Department of State.

9 (5) CONSULTATION AND NOTIFICATION.—
10 Funds made available pursuant to this subsection
11 may only be made available following consultation
12 with the appropriate congressional committees, and
13 shall be subject to the regular notification proce-
14 dures of the Committees on Appropriations.

15 (i) TUNISIA.—Of the funds appropriated under titles
16 III and IV of this Act, not less than \$141,900,000 shall
17 be made available for assistance for Tunisia.

18 (j) WEST BANK AND GAZA.—

19 (1) REPORT ON ASSISTANCE.—Prior to the ini-
20 tial obligation of funds made available by this Act
21 under the heading “Economic Support Fund” for
22 assistance for the West Bank and Gaza, the Sec-
23 retary of State shall report to the Committees on
24 Appropriations that the purpose of such assistance
25 is to—

- 1 (A) advance Middle East peace;
- 2 (B) improve security in the region;
- 3 (C) continue support for transparent and
- 4 accountable government institutions;
- 5 (D) promote a private sector economy; or
- 6 (E) address urgent humanitarian needs.

7 (2) LIMITATIONS.—

8 (A)(i) None of the funds appropriated
9 under the heading “Economic Support Fund”
10 in this Act may be made available for assistance
11 for the Palestinian Authority, if after the date
12 of enactment of this Act—

13 (I) the Palestinians obtain the same
14 standing as member states or full member-
15 ship as a state in the United Nations or
16 any specialized agency thereof outside an
17 agreement negotiated between Israel and
18 the Palestinians; or

19 (II) the Palestinians initiate an Inter-
20 national Criminal Court (ICC) judicially
21 authorized investigation, or actively sup-
22 port such an investigation, that subjects
23 Israeli nationals to an investigation for al-
24 leged crimes against Palestinians.

1 (ii) The Secretary of State may waive the
2 restriction in clause (i) of this subparagraph re-
3 sulting from the application of subclause (I) of
4 such clause if the Secretary certifies to the
5 Committees on Appropriations that to do so is
6 in the national security interest of the United
7 States, and submits a report to such Commit-
8 tees detailing how the waiver and the continu-
9 ation of assistance would assist in furthering
10 Middle East peace.

11 (B)(i) The President may waive the provi-
12 sions of section 1003 of the Foreign Relations
13 Authorization Act, Fiscal Years 1988 and 1989
14 (Public Law 100–204) if the President deter-
15 mines and certifies in writing to the Speaker of
16 the House of Representatives, the President pro
17 tempore of the Senate, and the appropriate con-
18 gressional committees that the Palestinians
19 have not, after the date of enactment of this
20 Act—

21 (I) obtained in the United Nations or
22 any specialized agency thereof the same
23 standing as member states or full member-
24 ship as a state outside an agreement nego-

1 tiated between Israel and the Palestinians;
2 and

3 (II) taken any action with respect to
4 the ICC that is intended to influence a de-
5 termination by the ICC to initiate a judi-
6 cially authorized investigation, or to ac-
7 tively support such an investigation, that
8 subjects Israeli nationals to an investiga-
9 tion for alleged crimes against Palestin-
10 ians.

11 (ii) Not less than 90 days after the Presi-
12 dent is unable to make the certification pursu-
13 ant to clause (i) of this subparagraph, the
14 President may waive section 1003 of Public
15 Law 100–204 if the President determines and
16 certifies in writing to the Speaker of the House
17 of Representatives, the President pro tempore
18 of the Senate, and the Committees on Appro-
19 priations that the Palestinians have entered
20 into direct and meaningful negotiations with
21 Israel: *Provided*, That any waiver of the provi-
22 sions of section 1003 of Public Law 100–204
23 under clause (i) of this subparagraph or under
24 previous provisions of law must expire before

1 the waiver under the preceding sentence may be
2 exercised.

3 (iii) Any waiver pursuant to this subpara-
4 graph shall be effective for no more than a pe-
5 riod of 6 months at a time and shall not apply
6 beyond 12 months after the enactment of this
7 Act.

8 (3) REDUCTION.—The Secretary of State shall
9 reduce the amount of assistance made available by
10 this Act under the heading “Economic Support
11 Fund” for the Palestinian Authority by an amount
12 the Secretary determines is equivalent to the amount
13 expended by the Palestinian Authority as payments
14 for acts of terrorism by individuals who are impris-
15 oned after being fairly tried and convicted for acts
16 of terrorism and by individuals who died committing
17 acts of terrorism during the previous calendar year:
18 *Provided*, That the Secretary shall report to the
19 Committees on Appropriations on the amount re-
20 duced for fiscal year 2016 prior to the obligation of
21 funds for the Palestinian Authority.

22 (4) SECURITY REPORT.—The reporting require-
23 ments contained in section 1404 of the Supple-
24 mental Appropriations Act, 2008 (Public Law 110–
25 252) shall apply to funds made available by this Act,

1 including a description of modifications, if any, to
2 the security strategy of the Palestinian Authority.

3 AFRICA

4 SEC. 7042. (a) BOKO HARAM.—Funds appropriated
5 by this Act that are made available for assistance for Cam-
6 eroon, Chad, Niger, and Nigeria—

7 (1) shall be made available for assistance for
8 women and girls who are targeted by the terrorist
9 organization Boko Haram, consistent with the provi-
10 sions of section 7059 of this Act; and

11 (2) may be made available for counterterrorism
12 programs to combat Boko Haram.

13 (b) CENTRAL AFRICAN REPUBLIC.—Funds made
14 available by this Act for assistance for the Central African
15 Republic shall be made available for reconciliation and
16 peacebuilding programs, including activities to promote
17 inter-faith dialogue at the national and local levels, and
18 for programs to prevent crimes against humanity.

19 (c) COUNTERTERRORISM PROGRAMS.—Of the funds
20 appropriated by this Act, not less than \$69,821,000
21 should be made available for the Trans-Sahara Counter-
22 terrorism Partnership program, and not less than
23 \$24,150,000 should be made available for the Partnership
24 for Regional East Africa Counterterrorism program.

25 (d) ETHIOPIA.—

1 (1) FORCED EVICTIONS.—

2 (A) Funds appropriated by this Act for as-
3 sistance for Ethiopia may not be made available
4 for any activity that supports forced evictions.

5 (B) The Secretary of the Treasury shall
6 instruct the United States executive director of
7 each international financial institution to vote
8 against financing for any activity that supports
9 forced evictions in Ethiopia.

10 (2) CONSULTATION REQUIREMENT.—Programs
11 and activities to improve livelihoods shall include
12 prior consultation with, and the participation of, af-
13 fected communities, including in the South Omo and
14 Gambella regions.

15 (3) FOREIGN MILITARY FINANCING PRO-
16 GRAM.—Funds appropriated by this Act under the
17 heading “Foreign Military Financing Program” for
18 assistance for Ethiopia may only be made available
19 for border security and counterterrorism programs,
20 support for international peacekeeping efforts, and
21 assistance for the Ethiopian Defense Command and
22 Staff College.

23 (e) LAKE CHAD BASIN COUNTRIES.—Funds appro-
24 priated by this Act shall be made available for democracy
25 and other development programs in Cameroon, Chad,

1 Niger, and Nigeria, following consultation with the Com-
2 mittees on Appropriations: *Provided*, That such democracy
3 programs should protect freedoms of expression, associa-
4 tion and religion, including for journalists, civil society,
5 and opposition political parties, and should be used to as-
6 sist the governments of such countries to strengthen ac-
7 countability and the rule of law, including within the secu-
8 rity forces.

9 (f) LORD’S RESISTANCE ARMY.—Funds appropriated
10 by this Act shall be made available for programs and ac-
11 tivities in areas affected by the Lord’s Resistance Army
12 (LRA) consistent with the goals of the Lord’s Resistance
13 Army Disarmament and Northern Uganda Recovery Act
14 (Public Law 111–172), including to improve physical ac-
15 cess, telecommunications infrastructure, and early-warn-
16 ing mechanisms and to support the disarmament, demobi-
17 lization, and reintegration of former LRA combatants, es-
18 pecially child soldiers.

19 (g) POWER AFRICA INITIATIVE.—Funds appro-
20 priated by this Act that are made available for the Power
21 Africa initiative shall be subject to the regular notification
22 procedures of the Committees on Appropriations.

23 (h) PROGRAMS IN AFRICA.—

24 (1) Of the funds appropriated by this Act under
25 the headings “Global Health Programs” and “Eco-

1 nomic Support Fund”, not less than \$7,000,000
2 shall be made available for the purposes of section
3 7042(g)(1) of the Department of State, Foreign Op-
4 erations, and Related Programs Appropriations Act,
5 2014 (division K of Public Law 113–76).

6 (2) Of the funds appropriated by this Act under
7 the headings “Economic Support Fund” and “Inter-
8 national Narcotics Control and Law Enforcement”,
9 not less than \$8,000,000 shall be made available for
10 the purposes of section 7042(g)(2) of the Depart-
11 ment of State, Foreign Operations, and Related Pro-
12 grams Appropriations Act, 2014 (division K of Pub-
13 lic Law 113–76).

14 (3) Funds made available under paragraphs (1)
15 and (2) shall be programmed in a manner that
16 leverages a United States Government-wide ap-
17 proach to addressing shared challenges and mutually
18 beneficial opportunities, and shall be the responsi-
19 bility of United States Chiefs of Mission in countries
20 in Africa seeking enhanced partnerships with the
21 United States in areas of trade, investment, develop-
22 ment, health, and security.

23 (i) SOUTH SUDAN.—

1 (1) Funds appropriated by this Act that are
2 made available for assistance for South Sudan
3 should—

4 (A) be prioritized for programs that re-
5 spond to humanitarian needs and the delivery
6 of basic services and to mitigate conflict and
7 promote stability, including to address protec-
8 tion needs and prevent and respond to gender-
9 based violence;

10 (B) support programs that build resilience
11 of communities to address food insecurity,
12 maintain educational opportunities, and en-
13 hance local governance;

14 (C) be used to advance democracy, includ-
15 ing support for civil society, independent media,
16 and other means to strengthen the rule of law;

17 (D) support the transparent and sustain-
18 able management of natural resources by assist-
19 ing the Government of South Sudan in con-
20 ducting regular audits of financial accounts, in-
21 cluding revenues from oil and gas, and the
22 timely public disclosure of such audits; and

23 (E) support the professionalization of secu-
24 rity forces, including human rights and ac-
25 countability to civilian authorities.

1 (2) None of the funds appropriated by this Act
2 that are available for assistance for the central Gov-
3 ernment of South Sudan may be made available
4 until the Secretary of State certifies and reports to
5 the Committees on Appropriations that such govern-
6 ment is taking effective steps to—

7 (A) end hostilities and pursue good faith
8 negotiations for a political settlement of the in-
9 ternal conflict;

10 (B) provide access for humanitarian orga-
11 nizations;

12 (C) end the recruitment and use of child
13 soldiers;

14 (D) protect freedoms of expression, asso-
15 ciation, and assembly;

16 (E) reduce corruption related to the ex-
17 traction and sale of oil and gas; and

18 (F) establish democratic institutions, in-
19 cluding accountable military and police forces
20 under civilian authority.

21 (3) The limitation of paragraph (2) shall not
22 apply to—

23 (A) humanitarian assistance;

1 (B) assistance to support South Sudan
2 peace negotiations or to advance or implement
3 a peace agreement; and

4 (C) assistance to support implementation
5 of outstanding issues of the Comprehensive
6 Peace Agreement (CPA) and mutual arrange-
7 ments related to the CPA.

8 (j) SUDAN.—

9 (1) Notwithstanding any other provision of law,
10 none of the funds appropriated by this Act may be
11 made available for assistance for the Government of
12 Sudan.

13 (2) None of the funds appropriated by this Act
14 may be made available for the cost, as defined in
15 section 502 of the Congressional Budget Act of
16 1974, of modifying loans and loan guarantees held
17 by the Government of Sudan, including the cost of
18 selling, reducing, or canceling amounts owed to the
19 United States, and modifying concessional loans,
20 guarantees, and credit agreements.

21 (3) The limitations of paragraphs (1) and (2)
22 shall not apply to—

23 (A) humanitarian assistance;

24 (B) assistance for democracy programs;

1 (C) assistance for the Darfur region,
2 Southern Kordofan State, Blue Nile State,
3 other marginalized areas and populations in
4 Sudan, and Abyei; and

5 (D) assistance to support implementation
6 of outstanding issues of the Comprehensive
7 Peace Agreement (CPA), mutual arrangements
8 related to post-referendum issues associated
9 with the CPA, or any other internationally rec-
10 ognized viable peace agreement in Sudan.

11 (k) ZIMBABWE.—

12 (1) The Secretary of the Treasury shall instruct
13 the United States executive director of each inter-
14 national financial institution to vote against any ex-
15 tension by the respective institution of any loan or
16 grant to the Government of Zimbabwe, except to
17 meet basic human needs or to promote democracy,
18 unless the Secretary of State certifies and reports to
19 the Committees on Appropriations that the rule of
20 law has been restored, including respect for owner-
21 ship and title to property, and freedoms of expres-
22 sion, association, and assembly.

23 (2) None of the funds appropriated by this Act
24 shall be made available for assistance for the central
25 Government of Zimbabwe, except for health and

1 education, unless the Secretary of State certifies and
2 reports as required in paragraph (1), and funds may
3 be made available for macroeconomic growth assist-
4 ance if the Secretary reports to the Committees on
5 Appropriations that such government is imple-
6 menting transparent fiscal policies, including public
7 disclosure of revenues from the extraction of natural
8 resources.

9 EAST ASIA AND THE PACIFIC

10 SEC. 7043. (a) ASIA REBALANCING INITIATIVE.—
11 Except for paragraphs (1)(C), (4), (5)(B) and (C), and
12 6(B), section 7043(a) of the Department of State, Foreign
13 Operations, and Related Programs Appropriations Act,
14 2015 (division J of Public Law 113–235) shall continue
15 in effect during fiscal year 2016 as if part of this Act:
16 *Provided*, That section 7043(a)(8) of such Act shall be ap-
17 plied to funds appropriated by this Act by adding “East
18 Asia,” before “South East Asia”.

19 (b) BURMA.—

20 (1) BILATERAL ECONOMIC ASSISTANCE.—

21 (A) Funds appropriated by this Act under
22 the heading “Economic Support Fund” for as-
23 sistance for Burma may be made available not-
24 withstanding any other provision of law, except

1 for this subsection, and following consultation
2 with the appropriate congressional committees.

3 (B) Funds appropriated under title III of
4 this Act for assistance for Burma—

5 (i) may not be made available for
6 budget support for the Government of
7 Burma;

8 (ii) shall be made available to
9 strengthen civil society organizations in
10 Burma, including as core support for such
11 organizations;

12 (iii) shall be made available for the
13 implementation of the democracy and
14 human rights strategy required by section
15 7043(b)(3)(A) of the Department of State,
16 Foreign Operations, and Related Programs
17 Appropriations Act, 2014 (division K of
18 Public Law 113–76);

19 (iv) shall be made available for com-
20 munity-based organizations operating in
21 Thailand to provide food, medical, and
22 other humanitarian assistance to internally
23 displaced persons in eastern Burma, in ad-
24 dition to assistance for Burmese refugees
25 from funds appropriated by this Act under

1 the heading “Migration and Refugee As-
2 sistance”;

3 (v) shall be made available for pro-
4 grams to promote ethnic and religious tol-
5 erance, including in Rakhine and Kachin
6 states;

7 (vi) may not be made available to any
8 successor or affiliated organization of the
9 State Peace and Development Council
10 (SPDC) controlled by former SPDC mem-
11 bers that promotes the repressive policies
12 of the SPDC, or to any individual or orga-
13 nization credibly alleged to have committed
14 gross violations of human rights, including
15 against Rohingya and other minority
16 groups;

17 (vii) may be made available for pro-
18 grams administered by the Office of Tran-
19 sition Initiatives, United States Agency for
20 International Development (USAID), for
21 ethnic groups and civil society in Burma to
22 help sustain ceasefire agreements and fur-
23 ther prospects for reconciliation and peace,
24 which may include support to representa-

1 tives of ethnic armed groups for this pur-
2 pose; and

3 (viii) may not be made available to
4 any organization or individual the Sec-
5 retary of State determines and reports to
6 the appropriate congressional committees
7 advocates violence against ethnic or reli-
8 gious groups and individuals in Burma, in-
9 cluding such organizations as Ma Ba Tha.

10 (2) INTERNATIONAL SECURITY ASSISTANCE.—

11 None of the funds appropriated by this Act under
12 the headings “International Military Education and
13 Training” and “Foreign Military Financing Pro-
14 gram” may be made available for assistance for
15 Burma: *Provided*, That the Department of State
16 may continue consultations with the armed forces of
17 Burma only on human rights and disaster response
18 in a manner consistent with the prior fiscal year,
19 and following consultation with the appropriate con-
20 gressional committees.

21 (3) MULTILATERAL ASSISTANCE.—The Sec-
22 retary of the Treasury should instruct the United
23 States executive director of each international finan-
24 cial institution to use the voice and vote of the

1 United States to support projects in Burma only if
2 such projects—

3 (A) promote accountability and trans-
4 parency, including on-site monitoring through-
5 out the life of the project;

6 (B) are developed and carried out in ac-
7 cordance with best practices regarding environ-
8 mental conservation; social and cultural protec-
9 tion and empowerment of local populations,
10 particularly ethnic nationalities; and extraction
11 of resources;

12 (C) do not promote the displacement of
13 local populations without appropriate consulta-
14 tion, harm mitigation and compensation, and do
15 not provide incentives for, or facilitate, the
16 forced migration of indigenous communities;
17 and

18 (D) do not partner with or otherwise in-
19 volve military-owned enterprises or state-owned
20 enterprises associated with the military.

21 (4) ASSESSMENT.—Not later than 180 days
22 after enactment of this Act, the Comptroller General
23 of the United States shall initiate an assessment of
24 democracy programs in Burma conducted by the De-
25 partment of State and USAID, including the strat-

1 egy for such programs, and programmatic imple-
2 mentation and results: *Provided*, That of the funds
3 appropriated by this Act and made available for as-
4 sistance for Burma, up to \$100,000 shall be made
5 available to the Comptroller for such assessment.

6 (5) PROGRAMS, POSITION, AND RESPONSIBIL-
7 ITIES.—

8 (A) Any new program or activity in Burma
9 initiated in fiscal year 2016 shall be subject to
10 prior consultation with the appropriate congress-
11 sional committees.

12 (B) Section 7043(b)(7) of the Department
13 of State, Foreign Operations, and Related Pro-
14 grams Appropriations Act, 2015 (division J of
15 Public Law 113–235) shall continue in effect
16 during fiscal year 2016 as if part of this Act.

17 (C) The United States Chief of Mission in
18 Burma, in consultation with the Assistant Sec-
19 retary for the Bureau of Democracy, Human
20 Rights, and Labor, Department of State, shall
21 be responsible for democracy programs in
22 Burma.

23 (c) CAMBODIA.—

24 (1) KHMER ROUGE TRIBUNAL.—Of the funds
25 appropriated by this Act that are made available for

1 assistance for Cambodia, up to \$2,000,000 may be
2 made available for a contribution to the Extraor-
3 dinary Chambers in the Court of Cambodia (ECCC),
4 in a manner consistent with prior fiscal years, except
5 that such funds may only be made available for a
6 contribution to the appeals process in Case 002/01.

7 (2) RESEARCH AND EDUCATION.—Funds made
8 available by this Act for democracy programs in
9 Cambodia shall be made available for research and
10 education programs associated with the Khmer
11 Rouge genocide in Cambodia.

12 (3) REIMBURSEMENTS.—The Secretary of
13 State shall continue to consult with the Principal
14 Donors Group on reimbursements to the Docu-
15 mentation Center of Cambodia for costs incurred in
16 support of the ECCC.

17 (d) NORTH KOREA.—

18 (1) BROADCASTS.—Funds appropriated by this
19 Act under the heading “International Broadcasting
20 Operations” shall be made available to maintain
21 broadcasts into North Korea at levels consistent
22 with the prior fiscal year.

23 (2) REFUGEES.—Funds appropriated by this
24 Act under the heading “Migration and Refugee As-
25 sistance” shall be made available for assistance for

1 refugees from North Korea, including protection ac-
2 tivities in the People’s Republic of China and other
3 countries in the Asia region.

4 (3) DATABASE AND REPORT.—Funds appro-
5 priated by this Act under title III shall be made
6 available to maintain a database of prisons and
7 gulags in North Korea, in accordance with section
8 7032(i) of the Department of State, Foreign Oper-
9 ations, and Related Programs Appropriations Act,
10 2014 (division K of Public Law 113–76): *Provided*,
11 That not later than 30 days after enactment of this
12 Act, the Secretary of State shall submit a report to
13 the Committees on Appropriations describing the
14 sources of information and format of such database.

15 (4) LIMITATION ON USE OF FUNDS.—None of
16 the funds made available by this Act under the
17 heading “Economic Support Fund” may be made
18 available for assistance for the Government of North
19 Korea.

20 (e) PEOPLE’S REPUBLIC OF CHINA.—

21 (1) LIMITATION ON USE OF FUNDS.—None of
22 the funds appropriated under the heading “Diplo-
23 matic and Consular Programs” in this Act may be
24 obligated or expended for processing licenses for the
25 export of satellites of United States origin (including

1 commercial satellites and satellite components) to
2 the People's Republic of China (PRC) unless, at
3 least 15 days in advance, the Committees on Appro-
4 priations are notified of such proposed action.

5 (2) PEOPLE'S LIBERATION ARMY.—The terms
6 and requirements of section 620(h) of the Foreign
7 Assistance Act of 1961 shall apply to foreign assist-
8 ance projects or activities of the People's Liberation
9 Army (PLA) of the PRC, to include such projects or
10 activities by any entity that is owned or controlled
11 by, or an affiliate of, the PLA: *Provided*, That none
12 of the funds appropriated or otherwise made avail-
13 able pursuant to this Act may be used to finance
14 any grant, contract, or cooperative agreement with
15 the PLA, or any entity that the Secretary of State
16 has reason to believe is owned or controlled by, or
17 an affiliate of, the PLA.

18 (3) COUNTER INFLUENCE PROGRAMS.—Funds
19 appropriated by this Act for public diplomacy under
20 title I and for assistance under titles III and IV
21 shall be made available to counter the influence of
22 the PRC, in accordance with the strategy required
23 by section 7043(e)(3) of the Department of State,
24 Foreign Operations, and Related Programs Appro-
25 priations Act, 2014 (division K of Public Law 113–

1 76), following consultation with the Committees on
2 Appropriations.

3 (4) COST-MATCHING REQUIREMENT.—Section
4 7032(f) of the Department of State, Foreign Oper-
5 ations, and Related Programs Appropriations Act,
6 2015 (division J of Public Law 113–235) shall con-
7 tinue in effect during fiscal year 2016 as if part of
8 this Act.

9 (f) TIBET.—

10 (1) FINANCING OF PROJECTS IN TIBET.—The
11 Secretary of the Treasury should instruct the United
12 States executive director of each international finan-
13 cial institution to use the voice and vote of the
14 United States to support financing of projects in
15 Tibet if such projects do not provide incentives for
16 the migration and settlement of non-Tibetans into
17 Tibet or facilitate the transfer of ownership of Ti-
18 betan land and natural resources to non-Tibetans,
19 are based on a thorough needs-assessment, foster
20 self-sufficiency of the Tibetan people and respect Ti-
21 betan culture and traditions, and are subject to ef-
22 fective monitoring.

23 (2) PROGRAMS FOR TIBETAN COMMUNITIES.—

24 (A) Notwithstanding any other provision of
25 law, funds appropriated by this Act under the

1 heading “Economic Support Fund” shall be
2 made available to nongovernmental organiza-
3 tions to support activities which preserve cul-
4 tural traditions and promote sustainable devel-
5 opment, education, and environmental conserva-
6 tion in Tibetan communities in the Tibetan Au-
7 tonomous Region and in other Tibetan commu-
8 nities in China.

9 (B) Funds appropriated by this Act under
10 the heading “Economic Support Fund” shall be
11 made available for programs to promote and
12 preserve Tibetan culture, development, and the
13 resilience of Tibetan communities in India and
14 Nepal, and to assist in the education and devel-
15 opment of the next generation of Tibetan lead-
16 ers from such communities: *Provided*, That
17 such funds are in addition to amounts made
18 available in subparagraph (A) for programs in-
19 side Tibet.

20 (g) VIETNAM.—

21 (1) DIOXIN REMEDIATION.—Funds appro-
22 priated by this Act under the heading “Economic
23 Support Fund” shall be made available for remedi-
24 ation of dioxin contaminated sites in Vietnam and
25 may be made available for assistance for the Govern-

1 ment of Vietnam, including the military, for such
2 purposes.

3 (2) HEALTH AND DISABILITY PROGRAMS.—
4 Funds appropriated by this Act under the heading
5 “Development Assistance” shall be made available
6 for health and disability programs in areas sprayed
7 with Agent Orange and otherwise contaminated with
8 dioxin, to assist individuals with severe upper or
9 lower body mobility impairment and/or cognitive or
10 developmental disabilities.

11 SOUTH AND CENTRAL ASIA

12 SEC. 7044. (a) AFGHANISTAN.—

13 (1) DIPLOMATIC OPERATIONS.—

14 (A) FACILITIES.—Funds appropriated by
15 this Act under the headings “Diplomatic and
16 Consular Programs”, “Embassy Security, Con-
17 struction, and Maintenance”, and “Operating
18 Expenses” that are available for construction
19 and renovation of United States Government
20 facilities in Afghanistan may not be made avail-
21 able if the purpose is to accommodate Federal
22 employee positions or to expand aviation facili-
23 ties or assets above those notified by the De-
24 partment of State and the United States Agen-
25 cy for International Development (USAID) to

1 the Committees on Appropriations, or contrac-
2 tors in addition to those in place on the date of
3 enactment of this Act: *Provided*, That the limi-
4 tations in this paragraph shall not apply if
5 funds are necessary to implement plans for ac-
6 commodating other United States Government
7 agencies under Chief of Mission authority per
8 section 3927 of title 22, United States Code, or
9 to protect such facilities or the security, health,
10 and welfare of United States Government per-
11 sonnel.

12 (B) PERSONNEL REPORT.—Not later than
13 30 days after enactment of this Act and every
14 120 days thereafter until September 30, 2016,
15 the Secretary of State shall submit a report, in
16 classified form if necessary, to the appropriate
17 congressional committees detailing by agency
18 the number of personnel present in Afghanistan
19 under Chief of Mission authority per section
20 3927 of title 22, United States Code, at the end
21 of the 120 day period preceding the submission
22 of such report: *Provided*, That such report shall
23 also include the number of locally employed
24 staff and contractors supporting United States

1 Embassy operations in Afghanistan during the
2 reporting period.

3 (2) ASSISTANCE AND CONDITIONS.—

4 (A) FUNDING AND LIMITATIONS.—Funds
5 appropriated by this Act under the headings
6 “Economic Support Fund” and “International
7 Narcotics Control and Law Enforcement” may
8 be made available for assistance for Afghani-
9 stan: *Provided*, That such funds may not be ob-
10 ligated for any project or activity that—

11 (i) includes the participation of any
12 Afghan individual or organization that the
13 Secretary of State determines to be in-
14 volved in corrupt practices or a violation of
15 human rights;

16 (ii) cannot be sustained, as appro-
17 priate, by the Government of Afghanistan
18 or another Afghan entity;

19 (iii) is inaccessible for the purposes of
20 conducting regular oversight in accordance
21 with applicable Federal statutes and regu-
22 lations; or

23 (iv) initiates any new, major infra-
24 structure development.

1 (B) CERTIFICATION AND REPORT.—Prior
2 to the initial obligation of funds made available
3 by this Act under the headings “Economic Sup-
4 port Fund” and “International Narcotics Con-
5 trol and Law Enforcement” for assistance for
6 the central Government of Afghanistan, the
7 Secretary of State shall certify and report to
8 the Committees on Appropriations, after con-
9 sultation with the Government of Afghanistan,
10 that—

11 (i) goals and benchmarks for the spe-
12 cific uses of such funds have been estab-
13 lished by the Governments of the United
14 States and Afghanistan;

15 (ii) conditions are in place that in-
16 crease the transparency and accountability
17 of the Government of Afghanistan for
18 funds obligated under the New Develop-
19 ment Partnership;

20 (iii) the Government of Afghanistan is
21 continuing to implement laws and policies
22 to govern democratically and protect the
23 rights of individuals and civil society, in-
24 cluding taking consistent steps to protect

1 and advance the rights of women and girls
2 in Afghanistan;

3 (iv) the Government of Afghanistan is
4 reducing corruption and prosecuting indi-
5 viduals alleged to be involved in illegal ac-
6 tivities in Afghanistan;

7 (v) monitoring and oversight frame-
8 works for programs implemented with such
9 funds are in accordance with all applicable
10 audit policies of the Department of State
11 and USAID;

12 (vi) the necessary policies and proce-
13 dures are in place to ensure Government of
14 Afghanistan compliance with section 7013
15 of this Act; and

16 (vii) the Government of Afghanistan
17 has established processes for the public re-
18 porting of its national budget, including
19 revenues and expenditures.

20 (C) WAIVER.—The Secretary of State,
21 after consultation with the Secretary of De-
22 fense, may waive the certification requirement
23 of subparagraph (B) if the Secretary deter-
24 mines that to do so is important to the national
25 security interest of the United States and the

1 Secretary submits a report to the Committees
2 on Appropriations, in classified form if nec-
3 essary, on the justification for the waiver and
4 the reasons why any part of the certification re-
5 quirement of subparagraph (B) has not been
6 met.

7 (D) PROGRAMS.—Funds appropriated by
8 this Act that are made available for assistance
9 for Afghanistan shall be made available in the
10 following manner—

11 (i) not less than \$50,000,000 shall be
12 made available for rule of law programs,
13 the decisions for which shall be the respon-
14 sibility of the Chief of Mission, in consulta-
15 tion with other appropriate United States
16 Government officials in Afghanistan;

17 (ii) for programs that protect the
18 rights of women and girls and promote the
19 political and economic empowerment of
20 women, including their meaningful inclu-
21 sion in political processes: *Provided*, That
22 such assistance to promote economic em-
23 powerment of women shall be made avail-
24 able as grants to Afghan and international

1 organizations, to the maximum extent
2 practicable;

3 (iii) for programs in South and Cen-
4 tral Asia to expand linkages between Af-
5 ghanistan and countries in the region, sub-
6 ject to the regular notification procedures
7 of the Committees on Appropriations; and
8 (iv) to assist the Government of Af-
9 ghanistan to increase revenue collection
10 and expenditure.

11 (3) GOALS AND BENCHMARKS.—Not later than
12 90 days after enactment of this Act, the Secretary
13 of State shall submit to the appropriate congress-
14 sional committees a report describing the goals and
15 benchmarks required in clause (2)(B)(i): *Provided*,
16 That not later than 6 months after the submission
17 of such report and every 6 months thereafter until
18 September 30, 2017, the Secretary of State shall
19 submit a report to such committees on the status of
20 achieving such goals and benchmarks: *Provided fur-*
21 *ther*, That the Secretary of State should suspend as-
22 sistance for the Government of Afghanistan if any
23 report required by this paragraph indicates that
24 such government is failing to make measurable
25 progress in meeting such goals and benchmarks.

1 (4) AUTHORITIES.—

2 (A) Funds appropriated by this Act under
3 title III through VI that are made available for
4 assistance for Afghanistan may be made avail-
5 able—

6 (i) notwithstanding section 7012 of
7 this Act or any similar provision of law
8 and section 660 of the Foreign Assistance
9 Act of 1961;

10 (ii) for reconciliation programs and
11 disarmament, demobilization, and re-
12 integration activities for former combat-
13 ants who have renounced violence against
14 the Government of Afghanistan, in accord-
15 ance with section 7046(a)(2)(B)(ii) of the
16 Department of State, Foreign Operations,
17 and Related Programs Appropriations Act,
18 2012 (division I of Public Law 112–74);
19 and

20 (iii) for an endowment to empower
21 women and girls.

22 (B) Section 7046(a)(2)(A) of division I of
23 Public Law 112–74 shall apply to funds appro-
24 priated by this Act for assistance for Afghani-
25 stan.

1 (C) Section 1102(c) of the Supplemental
2 Appropriations Act, 2009 (title XI of Public
3 Law 111–32) shall continue in effect during fis-
4 cal year 2016 as if part of this Act.

5 (5) BASING RIGHTS AGREEMENT.—None of the
6 funds made available by this Act may be used by the
7 United States Government to enter into a perma-
8 nent basing rights agreement between the United
9 States and Afghanistan.

10 (b) BANGLADESH.—Funds appropriated by this Act
11 under the heading “Development Assistance” that are
12 made available for assistance for Bangladesh shall be
13 made available for programs to protect due process of law,
14 and to improve labor conditions by strengthening the ca-
15 pacity of independent workers’ organizations in Ban-
16 gladesh’s readymade garment, shrimp, and fish export sec-
17 tors.

18 (c) NEPAL.—

19 (1) BILATERAL ECONOMIC ASSISTANCE.—
20 Funds appropriated by this Act shall be made avail-
21 able for assistance for Nepal for earthquake recovery
22 and reconstruction programs: *Provided*, That such
23 amounts shall be in addition to funds made available
24 by this Act for development and democracy pro-
25 grams in Nepal: *Provided further*, That funds made

1 available for earthquake recovery and reconstruction
2 programs should—

3 (A) target affected communities on an eq-
4 uitable basis; and

5 (B) include sufficient oversight mecha-
6 nisms, to include the participation of civil soci-
7 ety organizations.

8 (2) FOREIGN MILITARY FINANCING PRO-
9 GRAM.—Funds appropriated by this Act under the
10 heading “Foreign Military Financing Program”
11 shall only be made available for humanitarian and
12 disaster relief and reconstruction activities in Nepal,
13 and in support of international peacekeeping oper-
14 ations: *Provided*, That such funds may only be made
15 available for any additional uses if the Secretary of
16 State certifies and reports to the Committees on Ap-
17 propriations that the Government of Nepal is inves-
18 tigating and prosecuting violations of human rights
19 and the law of war, and the Nepal Army is cooper-
20 ating fully with civilian judicial authorities on such
21 efforts.

22 (d) PAKISTAN.—

23 (1) CERTIFICATION REQUIREMENT.—None of
24 the funds appropriated or otherwise made available
25 by this Act under the headings “Economic Support

1 Fund”, “International Narcotics Control and Law
2 Enforcement”, and “Foreign Military Financing
3 Program” for assistance for the Government of
4 Pakistan may be made available unless the Secretary
5 of State certifies and reports to the Committees on
6 Appropriations that the Government of Pakistan
7 is—

8 (A) cooperating with the United States in
9 counterterrorism efforts against the Haqqani
10 Network, the Quetta Shura Taliban, Lashkar e-
11 Tayyiba, Jaish-e-Mohammed, Al-Qaeda, and
12 other domestic and foreign terrorist organiza-
13 tions, including taking effective steps to end
14 support for such groups and prevent them from
15 basing and operating in Pakistan and carrying
16 out cross border attacks into neighboring coun-
17 tries;

18 (B) not supporting terrorist activities
19 against United States or coalition forces in Af-
20 ghanistan, and Pakistan’s military and intel-
21 ligence agencies are not intervening extra-judi-
22 cially into political and judicial processes in
23 Pakistan;

1 (C) dismantling improvised explosive device
2 (IED) networks and interdicting precursor
3 chemicals used in the manufacture of IEDs;

4 (D) preventing the proliferation of nuclear-
5 related material and expertise;

6 (E) issuing visas in a timely manner for
7 United States visitors engaged in counterter-
8 rorism efforts and assistance programs in Paki-
9 stan; and

10 (F) providing humanitarian organizations
11 access to detainees, internally displaced per-
12 sons, and other Pakistani civilians affected by
13 the conflict.

14 (2) WAIVER.—The Secretary of State, after
15 consultation with the Secretary of Defense, may
16 waive the certification requirement of paragraph (1)
17 if the Secretary of State determines that to do so is
18 important to the national security interest of the
19 United States and the Secretary submits a report to
20 the Committees on Appropriations, in classified form
21 if necessary, on the justification for the waiver and
22 the reasons why any part of the certification require-
23 ment of paragraph (1) has not been met.

24 (3) ASSISTANCE.—

1 (A) Funds appropriated by this Act under
2 the heading “Foreign Military Financing Pro-
3 gram” for assistance for Pakistan may be made
4 available only to support counterterrorism and
5 counterinsurgency capabilities in Pakistan.

6 (B) Funds appropriated by this Act under
7 the headings “Economic Support Fund” and
8 “Nonproliferation, Anti-terrorism, Demining
9 and Related Programs” that are available for
10 assistance for Pakistan shall be made available
11 to interdict precursor materials from Pakistan
12 to Afghanistan that are used to manufacture
13 IEDs, including calcium ammonium nitrate; to
14 support programs to train border and customs
15 officials in Pakistan and Afghanistan; and for
16 agricultural extension programs that encourage
17 alternative fertilizer use among Pakistani farm-
18 ers.

19 (C) Funds appropriated by this Act under
20 the heading “Economic Support Fund” that are
21 made available for assistance for infrastructure
22 projects in Pakistan shall be implemented in a
23 manner consistent with section 507(6) of the
24 Trade Act of 1974 (19 U.S.C. 2467(6)).

1 (D) Funds appropriated by this Act under
2 titles III and IV for assistance for Pakistan
3 may be made available notwithstanding any
4 other provision of law, except for this sub-
5 section and section 620M of the Foreign Assist-
6 ance Act of 1961.

7 (E) Of the funds appropriated under title
8 III of this Act that are made available for as-
9 sistance for Pakistan, \$33,000,000 shall be
10 withheld from obligation until the Secretary of
11 State reports to the Committees on Appropria-
12 tions that Dr. Shakil Afridi has been released
13 from prison and cleared of all charges relating
14 to the assistance provided to the United States
15 in locating Osama bin Laden.

16 (4) SCHOLARSHIPS FOR WOMEN.—The author-
17 ity and directives of section 7044(d)(4) of the De-
18 partment of State, Foreign Operations, and Related
19 Programs Appropriations Act, 2015 (division J of
20 Public Law 113–235) shall apply to funds appro-
21 priated by this Act that are made available for as-
22 sistance for Pakistan.

23 (5) REPORTS.—

24 (A)(i) The spend plan required by section
25 7076 of this Act for assistance for Pakistan

1 shall include achievable and sustainable goals,
2 benchmarks for measuring progress, and ex-
3 pected results regarding combating poverty and
4 furthering development in Pakistan, countering
5 terrorism and extremism, and establishing con-
6 ditions conducive to the rule of law and trans-
7 parent and accountable governance: *Provided*,
8 That such benchmarks may incorporate those
9 required in title III of the Enhanced Partner-
10 ship with Pakistan Act of 2009 (22 U.S.C.
11 8441 et seq.), as appropriate: *Provided further*,
12 That not later than 6 months after submission
13 of such spend plan, and each 6 months there-
14 after until September 30, 2017, the Secretary
15 of State shall submit a report to the Commit-
16 tees on Appropriations on the status of achiev-
17 ing the goals and benchmarks in such plan.

18 (ii) The Secretary of State should suspend
19 assistance for the Government of Pakistan if
20 any report required by clause (i) indicates that
21 Pakistan is failing to make measurable progress
22 in meeting such goals or benchmarks.

23 (B) Not later than 90 days after enact-
24 ment of this Act, the Secretary of State shall
25 submit a report to the Committees on Appro-

1 prijations detailing the costs and objectives asso-
2 ciated with significant infrastructure projects
3 supported by the United States in Pakistan,
4 and an assessment of the extent to which such
5 projects achieve such objectives.

6 (6) OVERSIGHT.—The Secretary of State shall
7 take all practicable steps to ensure that mechanisms
8 are in place for monitoring, oversight, and control of
9 funds made available by this subsection for assist-
10 ance for Pakistan.

11 (e) SRI LANKA.—

12 (1) BILATERAL ECONOMIC ASSISTANCE.—
13 Funds appropriated by this Act under the heading
14 “Economic Support Fund” shall be made available
15 for assistance for Sri Lanka for democracy and eco-
16 nomic development programs, particularly in areas
17 recovering from ethnic and religious conflict: *Pro-*
18 *vided*, That such funds shall be made available for
19 programs to assist in the identification and resolu-
20 tion of cases of missing persons.

21 (2) CERTIFICATION.—Funds appropriated by
22 this Act for assistance for the central Government of
23 Sri Lanka may be made available only if the Sec-
24 retary of State certifies and reports to the Commit-

1 tees on Appropriations that the Government of Sri
2 Lanka is continuing to—

3 (A) address the underlying causes of con-
4 flict in Sri Lanka; and

5 (B) increase accountability and trans-
6 parency in governance.

7 (3) INTERNATIONAL SECURITY ASSISTANCE.—
8 Funds appropriated under title IV of this Act that
9 are available for assistance for Sri Lanka shall be
10 subject to the following conditions—

11 (A) funds under the heading “Foreign
12 Military Financing Program” may only be
13 made available for programs to redeploy, re-
14 structure, and reduce the size of the Sri
15 Lankan armed forces and shall not exceed
16 \$400,000;

17 (B) funds under the heading “Inter-
18 national Military Education and Training” may
19 only be made available for training related to
20 international peacekeeping operations and Ex-
21 panded International Military Education and
22 Training; and

23 (C) funds under the heading “Peace-
24 keeping Operations” may only be made avail-

1 tles III and IV of this Act, up to \$750,000,000 may
2 be made available for assistance for countries in
3 Central America to implement the United States
4 Strategy for Engagement in Central America (the
5 Strategy) in support of the Plan of the Alliance for
6 Prosperity in the Northern Triangle of Central
7 America (the Plan): *Provided*, That the Secretary of
8 State and Administrator of the United States Agen-
9 cy for International Development (USAID) shall
10 prioritize such assistance to address the key factors
11 in such countries contributing to the migration of
12 unaccompanied, undocumented minors to the United
13 States: *Provided further*, That such funds shall be
14 made available to the maximum extent practicable
15 on a cost-matching basis.

16 (2) PRE-OBLIGATION REQUIREMENTS.—Prior
17 to the obligation of funds made available pursuant
18 to paragraph (1), the Secretary of State shall submit
19 to the Committees on Appropriations a multi-year
20 spend plan specifying the proposed uses of such
21 funds in each country and the objectives, indicators
22 to measure progress, and a timeline to implement
23 the Strategy, and the amounts made available from
24 prior Acts making appropriations for the Depart-
25 ment of State, foreign operations, and related pro-

1 grams to support such Strategy: *Provided*, That
2 such spend plan shall also include a description of
3 how such assistance will differ from, complement,
4 and leverage funds allocated by each government
5 and other donors, including international financial
6 institutions.

7 (3) ASSISTANCE FOR THE CENTRAL GOVERN-
8 MENTS OF EL SALVADOR, GUATEMALA, AND HON-
9 DURAS.—Of the funds made available pursuant to
10 paragraph (1) that are available for assistance for
11 each of the central governments of El Salvador,
12 Guatemala, and Honduras, the following amounts
13 shall be withheld from obligation and may only be
14 made available as follows:

15 (A) 25 percent may only be obligated after
16 the Secretary of State certifies and reports to
17 the appropriate congressional committees that
18 such government is taking effective steps to—

19 (i) inform its citizens of the dangers
20 of the journey to the southwest border of
21 the United States;

22 (ii) combat human smuggling and
23 trafficking;

24 (iii) improve border security; and

1 (iv) cooperate with United States Gov-
2 ernment agencies and other governments
3 in the region to facilitate the return, repa-
4 triation, and reintegration of illegal mi-
5 grants arriving at the southwest border of
6 the United States who do not qualify as
7 refugees, consistent with international law.

8 (B) An additional 50 percent may only be
9 obligated after the Secretary of State certifies
10 and reports to the appropriate congressional
11 committees that such government is taking ef-
12 fective steps to—

13 (i) establish an autonomous, publicly
14 accountable entity to provide oversight of
15 the Plan;

16 (ii) combat corruption, including in-
17 vestigating and prosecuting government of-
18 ficials credibly alleged to be corrupt;

19 (iii) implement reforms, policies, and
20 programs to improve transparency and
21 strengthen public institutions, including in-
22 creasing the capacity and independence of
23 the judiciary and the Office of the Attor-
24 ney General;

1 (iv) establish and implement a policy
2 that local communities, civil society organi-
3 zations (including indigenous and other
4 marginalized groups), and local govern-
5 ments are consulted in the design, and
6 participate in the implementation and eval-
7 uation of, activities of the Plan that affect
8 such communities, organizations, and gov-
9 ernments;

10 (v) counter the activities of criminal
11 gangs, drug traffickers, and organized
12 crime;

13 (vi) investigate and prosecute in the
14 civilian justice system members of military
15 and police forces who are credibly alleged
16 to have violated human rights, and ensure
17 that the military and police are cooper-
18 ating in such cases;

19 (vii) cooperate with commissions
20 against impunity, as appropriate, and with
21 regional human rights entities;

22 (viii) support programs to reduce pov-
23 erty, create jobs, and promote equitable
24 economic growth in areas contributing to
25 large numbers of migrants;

1 (ix) establish and implement a plan to
2 create a professional, accountable civilian
3 police force and curtail the role of the mili-
4 tary in internal policing;

5 (x) protect the right of political oppo-
6 sition parties, journalists, trade unionists,
7 human rights defenders, and other civil so-
8 ciety activists to operate without inter-
9 ference;

10 (xi) increase government revenues, in-
11 cluding by implementing tax reforms and
12 strengthening customs agencies; and

13 (xii) resolve commercial disputes, in-
14 cluding the confiscation of real property,
15 between United States entities and such
16 government.

17 (4) SUSPENSION OF ASSISTANCE AND PERIODIC
18 REVIEW.—

19 (A) The Secretary of State shall periodi-
20 cally review the progress of each of the central
21 governments of El Salvador, Guatemala, and
22 Honduras in meeting the requirements of para-
23 graphs (3)(A) and (3)(B) and shall, not later
24 than September 30, 2016, submit to the appro-
25 priate congressional committees a report assess-

1 ing such progress: *Provided*, That if the Sec-
2 retary determines that sufficient progress has
3 not been made by a central government, the
4 Secretary shall suspend, in whole or in part, as-
5 sistance for such government for programs sup-
6 porting such requirement, and shall notify such
7 committees in writing of such action: *Provided*
8 *further*, That the Secretary may resume funding
9 for such programs only after the Secretary cer-
10 tifies to such committees that corrective meas-
11 ures have been taken.

12 (B) The Secretary of State shall, following
13 a change of national government in El Sal-
14 vador, Guatemala, or Honduras, determine and
15 report to the appropriate congressional commit-
16 tees that any new government has committed to
17 take the steps to meet the requirements of
18 paragraphs (3)(A) and (3)(B): *Provided*, That
19 if the Secretary is unable to make such a deter-
20 mination in a timely manner, assistance made
21 available under this subsection for such central
22 government shall be suspended, in whole or in
23 part, until such time as such determination and
24 report can be made.

25 (5) PROGRAMS AND TRANSFER OF FUNDS.—

1 (A) Funds appropriated by this Act for the
2 Central America Regional Security Initiative
3 may be made available, after consultation with,
4 and subject to the regular notification proce-
5 dures of, the Committees on Appropriations, to
6 support international commissions against im-
7 punity in Honduras and El Salvador, if such
8 commissions are established.

9 (B) The Department of State and USAID
10 may, following consultation with the Commit-
11 tees on Appropriations, transfer funds made
12 available by this Act under the heading “Devel-
13 opment Assistance” to the Inter-American De-
14 velopment Bank and the Inter-American Foun-
15 dation for technical assistance in support of the
16 Strategy.

17 (b) COLOMBIA.—

18 (1) ASSISTANCE.—Funds appropriated by this
19 Act and made available to the Department of State
20 for assistance for the Government of Colombia may
21 be used to support a unified campaign against nar-
22 cotics trafficking, organizations designated as For-
23 eign Terrorist Organizations, and other criminal or
24 illegal armed groups, and to take actions to protect
25 human health and welfare in emergency cir-

1 cumstances, including undertaking rescue oper-
2 ations: *Provided*, That the first through fifth pro-
3 visos of paragraph (1), and paragraph (3) of section
4 7045(a) of the Department of State, Foreign Oper-
5 ations, and Related Programs Appropriations Act,
6 2012 (division I of Public Law 112–74) shall con-
7 tinue in effect during fiscal year 2016 and shall
8 apply to funds appropriated by this Act and made
9 available for assistance for Colombia as if included
10 in this Act: *Provided further*, That of the funds ap-
11 propriated by this Act under the heading “Economic
12 Support Fund”, not less than \$133,000,000 shall be
13 made available for assistance for Colombia, of which
14 not less than \$126,000,000 shall be apportioned di-
15 rectly to the United States Agency for International
16 Development, and \$7,000,000 shall be transferred
17 to, and merged with, funds appropriated by this Act
18 under the heading “Migration and Refugee Assist-
19 ance” for assistance for Colombian refugees in
20 neighboring countries.

21 (2)(A) Of the funds appropriated by this Act
22 under the heading “Foreign Military Financing Pro-
23 gram” for assistance for Colombia, 19 percent may
24 be obligated only in accordance with the conditions
25 under section 7045 in the explanatory statement de-

1 scribed in section 4 (in the matter preceding division
2 A of this Consolidated Act).

3 (B) The limitations of this paragraph shall not
4 apply to funds made available under such heading
5 for aviation instruction and maintenance, and mari-
6 time security programs.

7 (3) NOTIFICATION.—Funds appropriated by
8 this Act that are made available for assistance for
9 Colombia to support the implementation of a peace
10 agreement shall be subject to prior consultation
11 with, and the regular notification procedures of, the
12 Committees on Appropriations.

13 (c) HAITI.—

14 (1) FUNDING.—Of the funds appropriated by
15 this Act, not more than \$191,413,000 may be made
16 available for assistance for Haiti.

17 (2) GOVERNANCE CERTIFICATION.—Funds
18 made available in paragraph (1) may not be made
19 available for assistance for the central Government
20 of Haiti unless the Secretary of State certifies and
21 reports to the Committees on Appropriations that
22 the Government of Haiti is taking effective steps
23 to—

24 (A) hold free and fair parliamentary elec-
25 tions and seat a new Haitian Parliament;

1 (B) strengthen the rule of law in Haiti, in-
2 cluding by selecting judges in a transparent
3 manner; respect the independence of the judici-
4 ary; and improve governance by implementing
5 reforms to increase transparency and account-
6 ability;

7 (C) combat corruption, including by imple-
8 menting the anti-corruption law enacted in
9 2014 and prosecuting corrupt officials; and

10 (D) increase government revenues, includ-
11 ing by implementing tax reforms, and increase
12 expenditures on public services.

13 (3) HAITIAN COAST GUARD.—The Government
14 of Haiti shall be eligible to purchase defense articles
15 and services under the Arms Export Control Act (22
16 U.S.C. 2751 et seq.) for the Coast Guard.

17 (d) AIRCRAFT OPERATIONS AND MAINTENANCE.—
18 To the maximum extent practicable, the costs of oper-
19 ations and maintenance, including fuel, of aircraft funded
20 by this Act should be borne by the recipient country.

21 PROHIBITION OF PAYMENTS TO UNITED NATIONS

22 MEMBERS

23 SEC. 7046. None of the funds appropriated or made
24 available pursuant to titles III through VI of this Act for
25 carrying out the Foreign Assistance Act of 1961, may be

1 used to pay in whole or in part any assessments, arrear-
2 ages, or dues of any member of the United Nations or,
3 from funds appropriated by this Act to carry out chapter
4 1 of part I of the Foreign Assistance Act of 1961, the
5 costs for participation of another country's delegation at
6 international conferences held under the auspices of multi-
7 lateral or international organizations.

8 WAR CRIMES TRIBUNALS

9 SEC. 7047. If the President determines that doing so
10 will contribute to a just resolution of charges regarding
11 genocide or other violations of international humanitarian
12 law, the President may direct a drawdown pursuant to sec-
13 tion 552(c) of the Foreign Assistance Act of 1961 of up
14 to \$30,000,000 of commodities and services for the United
15 Nations War Crimes Tribunal established with regard to
16 the former Yugoslavia by the United Nations Security
17 Council or such other tribunals or commissions as the
18 Council may establish or authorize to deal with such viola-
19 tions, without regard to the ceiling limitation contained
20 in paragraph (2) thereof: *Provided*, That the determina-
21 tion required under this section shall be in lieu of any de-
22 terminations otherwise required under section 552(c): *Pro-*
23 *vided further*, That funds made available pursuant to this
24 section shall be made available subject to the regular noti-
25 fication procedures of the Committees on Appropriations.

1 UNITED NATIONS

2 SEC. 7048. (a) TRANSPARENCY AND ACCOUNT-
3 ABILITY.—

4 (1) Of the funds appropriated under title I and
5 under the heading “International Organizations and
6 Programs” in title V of this Act that are available
7 for contributions to the United Nations (including
8 the Department of Peacekeeping Operations), any
9 United Nations agency, or the Organization of
10 American States, 15 percent may not be obligated
11 for such organization, department, or agency until
12 the Secretary of State reports to the Committees on
13 Appropriations that the organization, department, or
14 agency is—

15 (A) posting on a publicly available Web
16 site, consistent with privacy regulations and due
17 process, regular financial and programmatic au-
18 dits of such organization, department, or agen-
19 cy, and providing the United States Govern-
20 ment with necessary access to such financial
21 and performance audits; and

22 (B) effectively implementing and enforcing
23 policies and procedures which reflect best prac-
24 tices for the protection of whistleblowers from
25 retaliation, including best practices for—

- 1 (i) protection against retaliation for
2 internal and lawful public disclosures;
3 (ii) legal burdens of proof;
4 (iii) statutes of limitation for report-
5 ing retaliation;
6 (iv) access to independent adjudicative
7 bodies, including external arbitration; and
8 (v) results that eliminate the effects of
9 proven retaliation.

10 (2) The restrictions imposed by or pursuant to
11 paragraph (1) may be waived on a case-by-case basis
12 if the Secretary of State determines and reports to
13 the Committees on Appropriations that such waiver
14 is necessary to avert or respond to a humanitarian
15 crisis.

16 (b) RESTRICTIONS ON UNITED NATIONS DELEGA-
17 TIONS AND ORGANIZATIONS.—

18 (1) None of the funds made available under
19 title I of this Act may be used to pay expenses for
20 any United States delegation to any specialized
21 agency, body, or commission of the United Nations
22 if such agency, body, or commission is chaired or
23 presided over by a country, the government of which
24 the Secretary of State has determined, for purposes
25 of section 6(j)(1) of the Export Administration Act

1 of 1979 as continued in effect pursuant to the Inter-
2 national Emergency Economic Powers Act (50
3 U.S.C. App. 2405(j)(1)), supports international ter-
4 rorism.

5 (2) None of the funds made available under
6 title I of this Act may be used by the Secretary of
7 State as a contribution to any organization, agency,
8 commission, or program within the United Nations
9 system if such organization, agency, commission, or
10 program is chaired or presided over by a country the
11 government of which the Secretary of State has de-
12 termined, for purposes of section 620A of the For-
13 eign Assistance Act of 1961, section 40 of the Arms
14 Export Control Act, section 6(j)(1) of the Export
15 Administration Act of 1979, or any other provision
16 of law, is a government that has repeatedly provided
17 support for acts of international terrorism.

18 (3) The Secretary of State may waive the re-
19 striction in this subsection if the Secretary reports
20 to the Committees on Appropriations that to do so
21 is in the national interest of the United States.

22 (c) UNITED NATIONS HUMAN RIGHTS COUNCIL.—
23 None of the funds appropriated by this Act may be made
24 available in support of the United Nations Human Rights
25 Council unless the Secretary of State determines and re-

1 ports to the Committees on Appropriations that participa-
2 tion in the Council is important to the national interest
3 of the United States and that the Council is taking steps
4 to remove Israel as a permanent agenda item: *Provided*,
5 That such report shall include a description of the national
6 interest served and the steps taken to remove Israel as
7 a permanent agenda item: *Provided further*, That the Sec-
8 retary of State shall report to the Committees on Appro-
9 priations not later than September 30, 2016, on the reso-
10 lutions considered in the United Nations Human Rights
11 Council during the previous 12 months, and on steps
12 taken to remove Israel as a permanent agenda item.

13 (d) UNITED NATIONS RELIEF AND WORKS AGEN-
14 CY.—Not later than 45 days after enactment of this Act,
15 the Secretary of State shall submit a report in writing to
16 the Committees on Appropriations on whether the United
17 Nations Relief and Works Agency (UNRWA) is—

18 (1) utilizing Operations Support Officers in the
19 West Bank, Gaza, and other fields of operation to
20 inspect UNRWA installations and reporting any in-
21 appropriate use;

22 (2) acting promptly to address any staff or ben-
23 eficiary violation of its own policies (including the
24 policies on neutrality and impartiality of employees)

1 and the legal requirements under section 301(c) of
2 the Foreign Assistance Act of 1961;

3 (3) implementing procedures to maintain the
4 neutrality of its facilities, including implementing a
5 no-weapons policy, and conducting regular inspec-
6 tions of its installations, to ensure they are only
7 used for humanitarian or other appropriate pur-
8 poses;

9 (4) taking necessary and appropriate measures
10 to ensure it is operating in compliance with the con-
11 ditions of section 301(c) of the Foreign Assistance
12 Act of 1961 and continuing regular reporting to the
13 Department of State on actions it has taken to en-
14 sure conformance with such conditions;

15 (5) taking steps to ensure the content of all
16 educational materials currently taught in UNRWA-
17 administered schools and summer camps is con-
18 sistent with the values of human rights, dignity, and
19 tolerance and does not induce incitement;

20 (6) not engaging in operations with financial in-
21 stitutions or related entities in violation of relevant
22 United States law, and is taking steps to improve
23 the financial transparency of the organization; and

24 (7) in compliance with the United Nations
25 Board of Auditors' biennial audit requirements and

1 is implementing in a timely fashion the Board's rec-
2 ommendations.

3 (e) UNITED NATIONS CAPITAL MASTER PLAN.—

4 None of the funds made available in this Act may be used
5 for the design, renovation, or construction of the United
6 Nations Headquarters in New York.

7 (f) WITHHOLDING REPORT.—Not later than 45 days
8 after enactment of this Act, the Secretary of State shall
9 submit a report to the Committees on Appropriations de-
10 tailing the amount of funds available for obligation or ex-
11 penditure in fiscal year 2016 for contributions to any or-
12 ganization, department, agency, or program within the
13 United Nations system or any international program that
14 are withheld from obligation or expenditure due to any
15 provision of law: *Provided*, That the Secretary of State
16 shall update such report each time additional funds are
17 withheld by operation of any provision of law: *Provided*
18 *further*, That the reprogramming of any withheld funds
19 identified in such report, including updates thereof, shall
20 be subject to prior consultation with, and the regular noti-
21 fication procedures of, the Committees on Appropriations.

22 COMMUNITY-BASED POLICE ASSISTANCE

23 SEC. 7049. (a) AUTHORITY.—Funds made available
24 by titles III and IV of this Act to carry out the provisions
25 of chapter 1 of part I and chapters 4 and 6 of part II

1 of the Foreign Assistance Act of 1961, may be used, not-
2 withstanding section 660 of that Act, to enhance the effec-
3 tiveness and accountability of civilian police authority
4 through training and technical assistance in human rights,
5 the rule of law, anti-corruption, strategic planning, and
6 through assistance to foster civilian police roles that sup-
7 port democratic governance, including assistance for pro-
8 grams to prevent conflict, respond to disasters, address
9 gender-based violence, and foster improved police relations
10 with the communities they serve.

11 (b) NOTIFICATION.—Assistance provided under sub-
12 section (a) shall be subject to the regular notification pro-
13 cedures of the Committees on Appropriations.

14 PROHIBITION ON PROMOTION OF TOBACCO

15 SEC. 7050. None of the funds provided by this Act
16 shall be available to promote the sale or export of tobacco
17 or tobacco products, or to seek the reduction or removal
18 by any foreign country of restrictions on the marketing
19 of tobacco or tobacco products, except for restrictions
20 which are not applied equally to all tobacco or tobacco
21 products of the same type.

22 INTERNATIONAL CONFERENCES

23 SEC. 7051. None of the funds made available in this
24 Act may be used to send or otherwise pay for the attend-
25 ance of more than 50 employees of agencies or depart-

1 ments of the United States Government who are stationed
2 in the United States, at any single international con-
3 ference occurring outside the United States, unless the
4 Secretary of State reports to the Committees on Appro-
5 priations at least 5 days in advance that such attendance
6 is important to the national interest: *Provided*, That for
7 purposes of this section the term “international con-
8 ference” shall mean a conference attended by representa-
9 tives of the United States Government and of foreign gov-
10 ernments, international organizations, or nongovern-
11 mental organizations.

12 AIRCRAFT TRANSFER AND COORDINATION

13 SEC. 7052. (a) TRANSFER AUTHORITY.—Notwith-
14 standing any other provision of law or regulation, aircraft
15 procured with funds appropriated by this Act and prior
16 Acts making appropriations for the Department of State,
17 foreign operations, and related programs under the head-
18 ings “Diplomatic and Consular Programs”, “International
19 Narcotics Control and Law Enforcement”, “Andean
20 Counterdrug Initiative”, and “Andean Counterdrug Pro-
21 grams” may be used for any other program and in any
22 region, including for the transportation of active and
23 standby Civilian Response Corps personnel and equipment
24 during a deployment: *Provided*, That the responsibility for
25 policy decisions and justification for the use of such trans-

1 fer authority shall be the responsibility of the Secretary
2 of State and the Deputy Secretary of State and this re-
3 sponsibility shall not be delegated.

4 (b) PROPERTY DISPOSAL.—The authority provided
5 in subsection (a) shall apply only after the Secretary of
6 State determines and reports to the Committees on Appro-
7 priations that the equipment is no longer required to meet
8 programmatic purposes in the designated country or re-
9 gion: *Provided*, That any such transfer shall be subject
10 to prior consultation with, and the regular notification
11 procedures of, the Committees on Appropriations.

12 (c) AIRCRAFT COORDINATION.—

13 (1) The uses of aircraft purchased or leased by
14 the Department of State and the United States
15 Agency for International Development (USAID)
16 with funds made available in this Act or prior Acts
17 making appropriations for the Department of State,
18 foreign operations, and related programs shall be co-
19 ordinated under the authority of the appropriate
20 Chief of Mission: *Provided*, That such aircraft may
21 be used to transport, on a reimbursable or non-reim-
22 bursable basis, Federal and non-Federal personnel
23 supporting Department of State and USAID pro-
24 grams and activities: *Provided further*, That official
25 travel for other agencies for other purposes may be

1 supported on a reimbursable basis, or without reim-
2 bursement when traveling on a space available basis:
3 *Provided further*, That funds received by the Depart-
4 ment of State for the use of aircraft owned, leased,
5 or chartered by the Department of State may be
6 credited to the Working Capital Fund of the Depart-
7 ment and shall be available for expenses related to
8 the purchase, lease, maintenance, chartering, or op-
9 eration of such aircraft.

10 (2) The requirement and authorities of this
11 subsection shall only apply to aircraft, the primary
12 purpose of which is the transportation of personnel.

13 PARKING FINES AND REAL PROPERTY TAXES OWED BY
14 FOREIGN GOVERNMENTS

15 SEC. 7053. The terms and conditions of section 7055
16 of the Department of State, Foreign Operations, and Re-
17 lated Programs Appropriations Act, 2011 (division F of
18 Public Law 111–117) shall apply to this Act: *Provided*,
19 That the date “September 30, 2009” in subsection
20 (f)(2)(B) of such section shall be deemed to be “Sep-
21 tember 30, 2015”.

22 LANDMINES AND CLUSTER MUNITIONS

23 SEC. 7054. (a) LANDMINES.—Notwithstanding any
24 other provision of law, demining equipment available to
25 the United States Agency for International Development

1 and the Department of State and used in support of the
2 clearance of landmines and unexploded ordnance for hu-
3 manitarian purposes may be disposed of on a grant basis
4 in foreign countries, subject to such terms and conditions
5 as the Secretary of State may prescribe.

6 (b) CLUSTER MUNITIONS.—No military assistance
7 shall be furnished for cluster munitions, no defense export
8 license for cluster munitions may be issued, and no cluster
9 munitions or cluster munitions technology shall be sold or
10 transferred, unless—

11 (1) the submunitions of the cluster munitions,
12 after arming, do not result in more than 1 percent
13 unexploded ordnance across the range of intended
14 operational environments, and the agreement appli-
15 cable to the assistance, transfer, or sale of such clus-
16 ter munitions or cluster munitions technology speci-
17 fies that the cluster munitions will only be used
18 against clearly defined military targets and will not
19 be used where civilians are known to be present or
20 in areas normally inhabited by civilians; or

21 (2) such assistance, license, sale, or transfer is
22 for the purpose of demilitarizing or permanently dis-
23 posing of such cluster munitions.

1 PROHIBITION ON PUBLICITY OR PROPAGANDA

2 SEC. 7055. No part of any appropriation contained
3 in this Act shall be used for publicity or propaganda pur-
4 poses within the United States not authorized before the
5 date of the enactment of this Act by Congress: *Provided*,
6 That not to exceed \$25,000 may be made available to
7 carry out the provisions of section 316 of the International
8 Security and Development Cooperation Act of 1980 (Pub-
9 lic Law 96-533).

10 CONSULAR IMMUNITY

11 SEC. 7056. The Secretary of State, with the concur-
12 rence of the Attorney General, may, on the basis of reci-
13 procity and under such terms and conditions as the Sec-
14 retary may determine, specify privileges and immunities
15 for a consular post, the members of a consular post and
16 their families which result in more favorable or less favor-
17 able treatment than is provided in the Vienna Convention
18 on Consular Relations, of April 24, 1963 (T.I.A.S. 6820),
19 entered into force for the United States December 24,
20 1969: *Provided*, That prior to exercising the authority of
21 this section, the Secretary shall consult with the appro-
22 priate congressional committees on the circumstances that
23 may warrant the need for privileges and immunities pro-
24 viding more favorable or less favorable treatment specified
25 under such Convention.

1 UNITED STATES AGENCY FOR INTERNATIONAL
2 DEVELOPMENT MANAGEMENT

3 SEC. 7057. (a) AUTHORITY.—Up to \$93,000,000 of
4 the funds made available in title III of this Act pursuant
5 to or to carry out the provisions of part I of the Foreign
6 Assistance Act of 1961, including funds appropriated
7 under the heading “Assistance for Europe, Eurasia and
8 Central Asia”, may be used by the United States Agency
9 for International Development (USAID) to hire and em-
10 ploy individuals in the United States and overseas on a
11 limited appointment basis pursuant to the authority of
12 sections 308 and 309 of the Foreign Service Act of 1980.

13 (b) RESTRICTIONS.—

14 (1) The number of individuals hired in any fis-
15 cal year pursuant to the authority contained in sub-
16 section (a) may not exceed 175.

17 (2) The authority to hire individuals contained
18 in subsection (a) shall expire on September 30,
19 2017.

20 (c) CONDITIONS.—The authority of subsection (a)
21 should only be used to the extent that an equivalent num-
22 ber of positions that are filled by personal services contrac-
23 tors or other non-direct hire employees of USAID, who
24 are compensated with funds appropriated to carry out part
25 I of the Foreign Assistance Act of 1961, including funds

1 appropriated under the heading “Assistance for Europe,
2 Eurasia and Central Asia”, are eliminated.

3 (d) PROGRAM ACCOUNT CHARGED.—The account
4 charged for the cost of an individual hired and employed
5 under the authority of this section shall be the account
6 to which the responsibilities of such individual primarily
7 relate: *Provided*, That funds made available to carry out
8 this section may be transferred to, and merged with, funds
9 appropriated by this Act in title II under the heading “Op-
10 erating Expenses”.

11 (e) FOREIGN SERVICE LIMITED EXTENSIONS.—Indi-
12 viduals hired and employed by USAID, with funds made
13 available in this Act or prior Acts making appropriations
14 for the Department of State, foreign operations, and re-
15 lated programs, pursuant to the authority of section 309
16 of the Foreign Service Act of 1980, may be extended for
17 a period of up to 4 years notwithstanding the limitation
18 set forth in such section.

19 (f) DISASTER SURGE CAPACITY.—Funds appro-
20 priated under title III of this Act to carry out part I of
21 the Foreign Assistance Act of 1961, including funds ap-
22 propriated under the heading “Assistance for Europe,
23 Eurasia and Central Asia”, may be used, in addition to
24 funds otherwise available for such purposes, for the cost
25 (including the support costs) of individuals detailed to or

1 employed by USAID whose primary responsibility is to
2 carry out programs in response to natural disasters, or
3 man-made disasters subject to the regular notification
4 procedures of the Committees on Appropriations.

5 (g) PERSONAL SERVICES CONTRACTORS.—Funds ap-
6 propriated by this Act to carry out chapter 1 of part I,
7 chapter 4 of part II, and section 667 of the Foreign As-
8 sistance Act of 1961, and title II of the Food for Peace
9 Act (Public Law 83–480), may be used by USAID to em-
10 ploy up to 40 personal services contractors in the United
11 States, notwithstanding any other provision of law, for the
12 purpose of providing direct, interim support for new or
13 expanded overseas programs and activities managed by
14 the agency until permanent direct hire personnel are hired
15 and trained: *Provided*, That not more than 15 of such con-
16 tractors shall be assigned to any bureau or office: *Provided*
17 *further*, That such funds appropriated to carry out title
18 II of the Food for Peace Act (Public Law 83–480), may
19 be made available only for personal services contractors
20 assigned to the Office of Food for Peace.

21 (h) SMALL BUSINESS.—In entering into multiple
22 award indefinite-quantity contracts with funds appro-
23 priated by this Act, USAID may provide an exception to
24 the fair opportunity process for placing task orders under

1 such contracts when the order is placed with any category
2 of small or small disadvantaged business.

3 (i) SENIOR FOREIGN SERVICE LIMITED APPOINT-
4 MENTS.—Individuals hired pursuant to the authority pro-
5 vided by section 7059(o) of the Department of State, For-
6 eign Operations, and Related Programs Appropriations
7 Act, 2011 (division F of Public Law 111–117) may be
8 assigned to or support programs in Afghanistan or Paki-
9 stan with funds made available in this Act and prior Acts
10 making appropriations for the Department of State, for-
11 eign operations, and related programs.

12 GLOBAL HEALTH ACTIVITIES

13 SEC. 7058. (a) IN GENERAL.—Funds appropriated
14 by titles III and IV of this Act that are made available
15 for bilateral assistance for child survival activities or dis-
16 ease programs including activities relating to research on,
17 and the prevention, treatment and control of, HIV/AIDS
18 may be made available notwithstanding any other provi-
19 sion of law except for provisions under the heading “Glob-
20 al Health Programs” and the United States Leadership
21 Against HIV/AIDS, Tuberculosis, and Malaria Act of
22 2003 (117 Stat. 711; 22 U.S.C. 7601 et seq.), as amend-
23 ed: *Provided*, That of the funds appropriated under title
24 III of this Act, not less than \$575,000,000 should be made
25 available for family planning/reproductive health, includ-

1 ing in areas where population growth threatens biodiver-
2 sity or endangered species.

3 (b) GLOBAL FUND.—Of the funds appropriated by
4 this Act that are available for a contribution to the Global
5 Fund to Fight AIDS, Tuberculosis and Malaria (Global
6 Fund), 10 percent should be withheld from obligation until
7 the Secretary of State determines and reports to the Com-
8 mittees on Appropriations that the Global Fund is—

9 (1) maintaining and implementing a policy of
10 transparency, including the authority of the Global
11 Fund Office of the Inspector General (OIG) to pub-
12 lish OIG reports on a public Web site;

13 (2) providing sufficient resources to maintain
14 an independent OIG that—

15 (A) reports directly to the Board of the
16 Global Fund;

17 (B) maintains a mandate to conduct thor-
18 ough investigations and programmatic audits,
19 free from undue interference; and

20 (C) compiles regular, publicly published
21 audits and investigations of financial, pro-
22 grammatic, and reporting aspects of the Global
23 Fund, its grantees, recipients, sub-recipients,
24 and Local Fund Agents;

1 (3) effectively implementing and enforcing poli-
2 cies and procedures which reflect best practices for
3 the protection of whistleblowers from retaliation, in-
4 cluding best practices for—

5 (A) protection against retaliation for inter-
6 nal and lawful public disclosures;

7 (B) legal burdens of proof;

8 (C) statutes of limitation for reporting re-
9 taliation;

10 (D) access to independent adjudicative
11 bodies, including external arbitration; and

12 (E) results that eliminate the effects of
13 proven retaliation; and

14 (4) implementing the recommendations con-
15 tained in the Consolidated Transformation Plan ap-
16 proved by the Board of the Global Fund on Novem-
17 ber 21, 2011:

18 *Provided*, That such withholding shall not be in addition
19 to funds that are withheld from the Global Fund in fiscal
20 year 2016 pursuant to the application of any other provi-
21 sion contained in this or any other Act.

22 (c) CONTAGIOUS INFECTIOUS DISEASE OUT-
23 BREAKS.—If the Secretary of State determines and re-
24 ports to the Committees on Appropriations that an inter-
25 national infectious disease outbreak is sustained, severe,

1 and is spreading internationally, or that it is in the na-
2 tional interest to respond to a Public Health Emergency
3 of International Concern, funds made available under title
4 III of this Act may be made available to combat such in-
5 fectious disease or public health emergency: *Provided*,
6 That funds made available pursuant to the authority of
7 this subsection shall be subject to prior consultation with,
8 and the regular notification procedures of, the Committees
9 on Appropriations.

10 GENDER EQUALITY

11 SEC. 7059. (a) GENDER EQUALITY.—Funds appro-
12 priated by this Act shall be made available to promote gen-
13 der equality in United States Government diplomatic and
14 development efforts by raising the status, increasing the
15 participation, and protecting the rights of women and girls
16 worldwide.

17 (b) WOMEN'S LEADERSHIP.—Of the funds appro-
18 priated by title III of this Act, not less than \$50,000,000
19 shall be made available to increase leadership opportuni-
20 ties for women in countries where women and girls suffer
21 discrimination due to law, policy, or practice, by strength-
22 ening protections for women's political status, expanding
23 women's participation in political parties and elections,
24 and increasing women's opportunities for leadership posi-

1 tions in the public and private sectors at the local, provin-
2 cial, and national levels.

3 (c) GENDER-BASED VIOLENCE.—

4 (1)(A) Of the funds appropriated by titles III
5 and IV of this Act, not less than \$150,000,000 shall
6 be made available to implement a multi-year strat-
7 egy to prevent and respond to gender-based violence
8 in countries where it is common in conflict and non-
9 conflict settings.

10 (B) Funds appropriated by titles III and IV of
11 this Act that are available to train foreign police, ju-
12 dicial, and military personnel, including for inter-
13 national peacekeeping operations, shall address,
14 where appropriate, prevention and response to gen-
15 der-based violence and trafficking in persons, and
16 shall promote the integration of women into the po-
17 lice and other security forces.

18 (2) Department of State and United States
19 Agency for International Development gender pro-
20 grams shall incorporate coordinated efforts to com-
21 bat a variety of forms of gender-based violence, in-
22 cluding child marriage, rape, female genital cutting
23 and mutilation, and domestic violence, among other
24 forms of gender-based violence in conflict and non-
25 conflict settings.

1 (d) WOMEN, PEACE, AND SECURITY.—Funds appro-
2 priated by this Act under the headings “Development As-
3 sistance”, “Economic Support Fund”, and “International
4 Narcotics Control and Law Enforcement” should be made
5 available to support a multi-year strategy to expand, and
6 improve coordination of, United States Government ef-
7 forts to empower women as equal partners in conflict pre-
8 vention, peace building, transitional processes, and recon-
9 struction efforts in countries affected by conflict or in po-
10 litical transition, and to ensure the equitable provision of
11 relief and recovery assistance to women and girls.

12 SECTOR ALLOCATIONS

13 SEC. 7060. (a) BASIC EDUCATION AND HIGHER
14 EDUCATION.—

15 (1) BASIC EDUCATION.—

16 (A) Of the funds appropriated under title
17 III of this Act, not less than \$800,000,000
18 should be made available for assistance for
19 basic education, and such funds may be made
20 available notwithstanding any provision of law
21 that restricts assistance to foreign countries, ex-
22 cept for the conditions provided in this sub-
23 section: *Provided*, That such funds should only
24 be used to implement the stated objectives of
25 basic education programs for each Country De-

1 velopment Cooperation Strategy or similar
2 strategy regarding basic education established
3 by the United States Agency for International
4 Development (USAID).

5 (B) Not later than 30 days after enact-
6 ment of this Act, the USAID Administrator
7 shall report to the Committees on Appropria-
8 tions on the status of cumulative unobligated
9 balances and obligated, but unexpended, bal-
10 ances in each country where USAID provides
11 basic education assistance and such report shall
12 also include details on the types of contracts
13 and grants provided and the goals and objec-
14 tives of such assistance: *Provided*, That the
15 USAID Administrator shall update such report
16 on a monthly basis during fiscal year 2016:
17 *Provided further*, That if the USAID Adminis-
18 trator determines that any unobligated balances
19 of funds specifically designated for assistance
20 for basic education in prior Acts making appro-
21 priations for the Department of State, foreign
22 operations, and related programs are in excess
23 of the absorptive capacity of recipient countries,
24 such funds may be made available for other
25 programs authorized under chapter 1 of part I

1 of the Foreign Assistance Act of 1961, notwith-
2 standing such funding designation: *Provided*
3 *further*, That the authority of the previous pro-
4 viso shall be subject to prior consultation with,
5 and the regular notification procedures of, the
6 Committees on Appropriations.

7 (C) Of the funds appropriated under title
8 III of this Act for assistance for basic education
9 programs, not less than \$70,000,000 shall be
10 made available for a contribution to multilateral
11 partnerships that support education.

12 (2) HIGHER EDUCATION.—Of the funds appro-
13 priated by title III of this Act, not less than
14 \$225,000,000 shall be made available for assistance
15 for higher education, including not less than
16 \$35,000,000 for new partnerships between higher
17 education institutions in the United States and de-
18 veloping countries: *Provided*, That such funds may
19 be made available notwithstanding any other provi-
20 sion of law that restricts assistance to foreign coun-
21 tries, and shall be subject to the regular notification
22 procedures of the Committees on Appropriations.

23 (b) DEVELOPMENT PROGRAMS.—Of the funds appro-
24 priated by this Act under the heading “Development As-
25 sistance”, not less than \$26,000,000 shall be made avail-

1 able for the American Schools and Hospitals Abroad pro-
2 gram, and not less than \$11,000,000 shall be made avail-
3 able for cooperative development programs of USAID.

4 (c) ENVIRONMENT PROGRAMS.—

5 (1) AUTHORITY.—Funds appropriated by this
6 Act to carry out the provisions of sections 103
7 through 106, and chapter 4 of part II, of the For-
8 eign Assistance Act of 1961 may be used, notwith-
9 standing any other provision of law except for the
10 provisions of this subsection and only subject to the
11 reporting procedures of the Committees on Appro-
12 priations, to support environment programs.

13 (2) CONSERVATION PROGRAMS AND LIMITA-
14 TIONS.—

15 (A) Of the funds appropriated under title
16 III of this Act, not less than \$265,000,000
17 shall be made available for biodiversity con-
18 servation programs.

19 (B) Not less than \$80,000,000 of the
20 funds appropriated under titles III and IV of
21 this Act shall be made available to combat the
22 transnational threat of wildlife poaching and
23 trafficking.

24 (C) None of the funds appropriated under
25 title IV of this Act may be made available for

1 training or other assistance for any military
2 unit or personnel that the Secretary of State
3 determines has been credibly alleged to have
4 participated in wildlife poaching or trafficking,
5 unless the Secretary reports to the Committees
6 on Appropriations that to do so is in the na-
7 tional security interests of the United States.

8 (D) Funds appropriated by this Act for
9 biodiversity programs shall not be used to sup-
10 port the expansion of industrial scale logging or
11 any other industrial scale extractive activity
12 into areas that were primary/intact tropical for-
13 ests as of December 30, 2013, and the Sec-
14 retary of the Treasury shall instruct the United
15 States executive directors of each international
16 financial institutions (IFI) to vote against any
17 financing of any such activity.

18 (3) LARGE DAMS.—The Secretary of the Treas-
19 ury shall instruct the United States executive direc-
20 tor of each IFI that it is the policy of the United
21 States to vote in relation to any loan, grant, strat-
22 egy, or policy of such institution to support the con-
23 struction of any large dam consistent with the cri-
24 teria set forth in Senate Report 114–79, while also

1 considering whether the project involves important
2 foreign policy objectives.

3 (4) SUSTAINABLE LANDSCAPES.—Of the funds
4 appropriated under title III of this Act, not less than
5 \$123,500,000 shall be made available for sustainable
6 landscape programs.

7 (5) TRANSFER OF FUNDS.—Of the funds ap-
8 propriated by this Act under the heading “Economic
9 Support Fund”, \$9,720,000 shall be transferred to,
10 and merged with, funds appropriated under the
11 heading “Contribution to the Strategic Climate
12 Fund”, and such transfer shall occur not later than
13 120 days after the date of enactment of this Act.

14 (d) FOOD SECURITY AND AGRICULTURAL DEVELOP-
15 MENT.—

16 (1) Of the funds appropriated by title III of
17 this Act, not less than \$1,000,600,000 should be
18 made available for food security and agricultural de-
19 velopment programs, of which not less than
20 \$50,000,000 shall be made available for the Feed
21 the Future Innovation Labs: *Provided*, That such
22 funds may be made available notwithstanding any
23 other provision of law to prevent or address food
24 shortages, and for a United States contribution to
25 the endowment of the Global Crop Diversity Trust.

1 (2) Funds appropriated under title III of this
2 Act may be made available as a contribution to the
3 Global Agriculture and Food Security Program if
4 such contribution will not cause the United States to
5 exceed 33 percent of the total amount of funds con-
6 tributed to such Program.

7 (e) MICROENTERPRISE AND MICROFINANCE.—Of the
8 funds appropriated by this Act, not less than
9 \$265,000,000 should be made available for microenter-
10 prise and microfinance development programs for the
11 poor, especially women.

12 (f) PROGRAMS TO COMBAT TRAFFICKING IN PER-
13 SONS AND MODERN SLAVERY.—

14 (1) TRAFFICKING IN PERSONS.—

15 (A) Of the funds appropriated by this Act
16 under the headings “Development Assistance”,
17 “Economic Support Fund”, “Assistance for Eu-
18 rope, Eurasia and Central Asia”, and “Inter-
19 national Narcotics Control and Law Enforce-
20 ment”, not less than \$60,000,000 shall be made
21 available for activities to combat trafficking in
22 persons internationally.

23 (B) Funds made available in the previous
24 paragraph shall be made available to support a
25 multifaceted approach to combat human traf-

1 ficking in Guatemala: *Provided*, That the Sec-
2 retary of State shall consult with the Commit-
3 tees on Appropriations, not later than 30 days
4 after enactment of this Act, on the use of such
5 funds.

6 (2) MODERN SLAVERY.—Of the funds appro-
7 priated by this Act under the headings “Develop-
8 ment Assistance” and “International Narcotics Con-
9 trol and Law Enforcement”, in addition to funds
10 made available pursuant to paragraph (1),
11 \$25,000,000 shall be made available for a grant or
12 grants, to be awarded on an open and competitive
13 basis, to reduce the prevalence of modern slavery
14 globally: *Provided*, That such funds shall only be
15 made available in fiscal year 2016 to carry out the
16 End Modern Slavery Initiative Act of 2015 (S. 553,
17 114th Congress), as reported to the Senate, if such
18 bill is enacted into law: *Provided further*, That if
19 such bill is not enacted into law in fiscal year 2016,
20 funds made available pursuant to this subsection
21 shall be made available for other programs to com-
22 bat trafficking in persons and modern slavery, fol-
23 lowing consultation with the appropriate congres-
24 sional committees.

1 (g) RECONCILIATION PROGRAMS.—Of the funds ap-
2 propriated by this Act under the headings “Economic
3 Support Fund” and “Development Assistance”, not less
4 than \$26,000,000 shall be made available to support peo-
5 ple-to-people reconciliation programs which bring together
6 individuals of different ethnic, religious, and political
7 backgrounds from areas of civil strife and war: *Provided*,
8 That the USAID Administrator shall consult with the
9 Committees on Appropriations, prior to the initial obliga-
10 tion of funds, on the uses of such funds, and such funds
11 shall be subject to the regular notification procedures of
12 the Committees on Appropriations: *Provided further*, That
13 to the maximum extent practicable, such funds shall be
14 matched by sources other than the United States Govern-
15 ment.

16 (h) WATER AND SANITATION.—Of the funds appro-
17 priated by this Act, not less than \$400,000,000 shall be
18 made available for water supply and sanitation projects
19 pursuant to the Senator Paul Simon Water for the Poor
20 Act of 2005 (Public Law 109–121), of which not less than
21 \$145,000,000 shall be for programs in sub-Saharan Afri-
22 ca, and of which not less than \$14,000,000 shall be made
23 available for programs to design and build safe, public la-
24 trines in Africa and Asia.

1 OVERSEAS PRIVATE INVESTMENT CORPORATION

2 SEC. 7061. (a) TRANSFER.—Whenever the President
3 determines that it is in furtherance of the purposes of the
4 Foreign Assistance Act of 1961, up to a total of
5 \$20,000,000 of the funds appropriated under title III of
6 this Act may be transferred to, and merged with, funds
7 appropriated by this Act for the Overseas Private Invest-
8 ment Corporation Program Account, to be subject to the
9 terms and conditions of that account: *Provided*, That such
10 funds shall not be available for administrative expenses
11 of the Overseas Private Investment Corporation: *Provided*
12 *further*, That designated funding levels in this Act shall
13 not be transferred pursuant to this section: *Provided fur-*
14 *ther*, That the exercise of such authority shall be subject
15 to the regular notification procedures of the Committees
16 on Appropriations.

17 (b) AUTHORITY.—Notwithstanding section 235(a)(2)
18 of the Foreign Assistance Act of 1961, the authority of
19 subsections (a) through (c) of section 234 of such Act
20 shall remain in effect until September 30, 2016.

21 ARMS TRADE TREATY

22 SEC. 7062. None of the funds appropriated by this
23 Act may be obligated or expended to implement the Arms
24 Trade Treaty until the Senate approves a resolution of
25 ratification for the Treaty.

1 COUNTRIES IMPACTED BY SIGNIFICANT REFUGEE
2 POPULATIONS OR INTERNALLY DISPLACED PERSONS

3 SEC. 7063. Funds appropriated by this Act under the
4 headings “Development Assistance” and “Economic Sup-
5 port Fund” shall be made available for programs in coun-
6 tries affected by significant populations of internally dis-
7 placed persons or refugees to—

8 (1) expand and improve host government social
9 services and basic infrastructure to accommodate the
10 needs of such populations and persons;

11 (2) alleviate the social and economic strains
12 placed on host communities;

13 (3) improve coordination of such assistance in
14 a more effective and sustainable manner; and

15 (4) leverage increased assistance from donors
16 other than the United States Government for central
17 governments and local communities in such coun-
18 tries.

19 REPORTING REQUIREMENTS CONCERNING INDIVIDUALS
20 DETAINED AT NAVAL STATION, GUANTÁNAMO BAY, CUBA

21 SEC. 7064. Not later than 5 days after the conclusion
22 of an agreement with a country, including a state with
23 a compact of free association with the United States, to
24 receive by transfer or release individuals detained at
25 United States Naval Station, Guantánamo Bay, Cuba, the

1 Secretary of State shall notify the Committees on Appro-
2 priations in writing of the terms of the agreement, includ-
3 ing whether funds appropriated by this Act or prior Acts
4 making appropriations for the Department of State, for-
5 eign operations, and related programs will be made avail-
6 able for assistance for such country pursuant to such
7 agreement.

8 MULTI-YEAR PLEDGES

9 SEC. 7065. None of the funds appropriated by this
10 Act may be used to make any pledge for future year fund-
11 ing for any multilateral or bilateral program funded in ti-
12 tles III through VI of this Act unless such pledge was—

13 (1) previously justified, including the projected
14 future year costs, in a congressional budget justifica-
15 tion;

16 (2) included in an Act making appropriations
17 for the Department of State, foreign operations, and
18 related programs or previously authorized by an Act
19 of Congress;

20 (3) notified in accordance with the regular noti-
21 fication procedures of the Committees on Appropria-
22 tions, including the projected future year costs; or

23 (4) the subject of prior consultation with the
24 Committees on Appropriations and such consultation

1 was conducted at least 7 days in advance of the
2 pledge.

3 PROHIBITION ON USE OF TORTURE

4 SEC. 7066. (a) LIMITATION.—None of the funds
5 made available in this Act may be used to support or jus-
6 tify the use of torture, cruel, or inhumane treatment by
7 any official or contract employee of the United States Gov-
8 ernment.

9 (b) ASSISTANCE TO ELIMINATE TORTURE.—Funds
10 appropriated under titles III and IV of this Act shall be
11 made available, notwithstanding section 660 of the For-
12 eign Assistance Act of 1961 and following consultation
13 with the Committees on Appropriations, for assistance to
14 eliminate torture by foreign police, military or other secu-
15 rity forces in countries receiving assistance from funds ap-
16 propriated by this Act.

17 EXTRADITION

18 SEC. 7067. (a) LIMITATION.—None of the funds ap-
19 propriated in this Act may be used to provide assistance
20 (other than funds provided under the headings “Inter-
21 national Disaster Assistance”, “Complex Crises Fund”,
22 “International Narcotics Control and Law Enforcement”,
23 “Migration and Refugee Assistance”, “United States
24 Emergency Refugee and Migration Assistance Fund”, and
25 “Nonproliferation, Anti-terrorism, Demining and Related

1 Assistance”) for the central government of a country
2 which has notified the Department of State of its refusal
3 to extradite to the United States any individual indicted
4 for a criminal offense for which the maximum penalty is
5 life imprisonment without the possibility of parole or for
6 killing a law enforcement officer, as specified in a United
7 States extradition request.

8 (b) CLARIFICATION.—Subsection (a) shall only apply
9 to the central government of a country with which the
10 United States maintains diplomatic relations and with
11 which the United States has an extradition treaty and the
12 government of that country is in violation of the terms
13 and conditions of the treaty.

14 (c) WAIVER.—The Secretary of State may waive the
15 restriction in subsection (a) on a case-by-case basis if the
16 Secretary certifies to the Committees on Appropriations
17 that such waiver is important to the national interests of
18 the United States.

19 COMMERCIAL LEASING OF DEFENSE ARTICLES

20 SEC. 7068. Notwithstanding any other provision of
21 law, and subject to the regular notification procedures of
22 the Committees on Appropriations, the authority of sec-
23 tion 23(a) of the Arms Export Control Act may be used
24 to provide financing to Israel, Egypt, and the North Atlan-
25 tic Treaty Organization (NATO), and major non-NATO

1 allies for the procurement by leasing (including leasing
2 with an option to purchase) of defense articles from
3 United States commercial suppliers, not including Major
4 Defense Equipment (other than helicopters and other
5 types of aircraft having possible civilian application), if the
6 President determines that there are compelling foreign
7 policy or national security reasons for those defense arti-
8 cles being provided by commercial lease rather than by
9 government-to-government sale under such Act.

10 INDEPENDENT STATES OF THE FORMER SOVIET UNION

11 SEC. 7069. (a) ASSISTANCE FOR UKRAINE.—Of the
12 funds appropriated by this Act under titles III through
13 VI, not less than \$658,185,000 shall be made available
14 for assistance for Ukraine.

15 (b) LIMITATION.—None of the funds appropriated by
16 this Act may be made available for assistance for a govern-
17 ment of an Independent State of the former Soviet Union
18 if that government directs any action in violation of the
19 territorial integrity or national sovereignty of any other
20 Independent State of the former Soviet Union, such as
21 those violations included in the Helsinki Final Act: *Pro-*
22 *vided*, That except as otherwise provided in section
23 7070(a) of this Act, funds may be made available without
24 regard to the restriction in this subsection if the President
25 determines that to do so is in the national security interest

1 of the United States: *Provided further*, That prior to exe-
2 cuting the authority contained in this subsection the De-
3 partment of State shall consult with the Committees on
4 Appropriations on how such assistance supports the na-
5 tional security interest of the United States.

6 (c) SECTION 907 OF THE FREEDOM SUPPORT
7 ACT.—Section 907 of the FREEDOM Support Act shall
8 not apply to—

9 (1) activities to support democracy or assist-
10 ance under title V of the FREEDOM Support Act
11 and section 1424 of the Defense Against Weapons
12 of Mass Destruction Act of 1996 (50 U.S.C. 2333)
13 or non-proliferation assistance;

14 (2) any assistance provided by the Trade and
15 Development Agency under section 661 of the For-
16 eign Assistance Act of 1961 (22 U.S.C. 2421);

17 (3) any activity carried out by a member of the
18 United States and Foreign Commercial Service while
19 acting within his or her official capacity;

20 (4) any insurance, reinsurance, guarantee, or
21 other assistance provided by the Overseas Private
22 Investment Corporation under title IV of chapter 2
23 of part I of the Foreign Assistance Act of 1961 (22
24 U.S.C. 2191 et seq.);

1 (A) the implementation of any action or
2 policy that recognizes the sovereignty of the
3 Russian Federation over Crimea;

4 (B) the facilitation, financing, or guarantee
5 of United States Government investments in
6 Crimea, if such activity includes the participa-
7 tion of Russian Government officials, or other
8 Russian owned or controlled financial entities;
9 or

10 (C) assistance for Crimea, if such assist-
11 ance includes the participation of Russian Gov-
12 ernment officials, or other Russian owned or
13 controlled financial entities.

14 (3) The Secretary of the Treasury shall instruct
15 the United States executive directors of each inter-
16 national financial institution to vote against any as-
17 sistance by such institution (including but not lim-
18 ited to any loan, credit, or guarantee) for any pro-
19 gram that violates the sovereignty or territorial in-
20 tegrity of Ukraine.

21 (4) The requirements and limitations of this
22 subsection shall cease to be in effect if the Secretary
23 of State certifies and reports to the Committees on
24 Appropriations that the Government of Ukraine has
25 reestablished sovereignty over Crimea.

1 (c) ASSISTANCE TO REDUCE VULNERABILITY AND
2 PRESSURE.—Funds appropriated by this Act for assist-
3 ance for the Eastern Partnership countries shall be made
4 available to advance the implementation of Association
5 Agreements and trade agreements with the European
6 Union, and to reduce their vulnerability to external eco-
7 nomic and political pressure from the Russian Federation.

8 (d) DEMOCRACY PROGRAMS.—Funds appropriated
9 by this Act shall be made available to support the advance-
10 ment of democracy and the rule of law in the Russian Fed-
11 eration, including to promote Internet freedom, and shall
12 also be made available to support the democracy and rule
13 of law strategy required by section 7071(d) of the Depart-
14 ment of State, Foreign Operations, and Related Programs
15 Appropriations Act, 2014 (division K of Public Law 113–
16 76).

17 (e) REPORTS.—Not later than 45 days after enact-
18 ment of this Act, the Secretary of State shall update the
19 reports required by section 7071(b)(2), (c), and (e) of the
20 Department of State, Foreign Operations, and Related
21 Programs Appropriations Act, 2014 (division K of Public
22 Law 113–76).

23 INTERNATIONAL MONETARY FUND

24 SEC. 7071. (a) EXTENSIONS.—The terms and condi-
25 tions of sections 7086(b) (1) and (2) and 7090(a) of the

1 Department of State, Foreign Operations, and Related
2 Programs Appropriations Act, 2010 (division F of Public
3 Law 111–117) shall apply to this Act.

4 (b) REPAYMENT.—The Secretary of the Treasury
5 shall instruct the United States Executive Director of the
6 International Monetary Fund (IMF) to seek to ensure
7 that any loan will be repaid to the IMF before other pri-
8 vate creditors.

9 SPECIAL DEFENSE ACQUISITION FUND

10 SEC. 7072. Not to exceed \$900,000,000 may be obli-
11 gated pursuant to section 51(c)(2) of the Arms Export
12 Control Act for the purposes of the Special Defense Acqui-
13 sition Fund (Fund), to remain available for obligation
14 until September 30, 2018: *Provided*, That the provision
15 of defense articles and defense services to foreign coun-
16 tries or international organizations from the Fund shall
17 be subject to the concurrence of the Secretary of State.

18 COUNTERING FOREIGN FIGHTERS AND VIOLENT

19 EXTREMIST ORGANIZATIONS

20 SEC. 7073. (a) COUNTERING FOREIGN FIGHTERS
21 AND VIOLENT EXTREMIST ORGANIZATIONS.—Funds ap-
22 propriated under titles III and IV of this Act shall be
23 made available for programs to—

24 (1) counter the flow of foreign fighters to coun-
25 tries in which violent extremists or violent extremist

1 organizations operate, including those entities des-
2 ignated as foreign terrorist organizations (FTOs)
3 pursuant to section 219 of the Immigration and Na-
4 tionality Act (Public Law 82–814), including
5 through programs with partner governments and
6 multilateral organizations to—

7 (A) counter recruitment campaigns by
8 such entities;

9 (B) detect and disrupt foreign fighter trav-
10 el, particularly at points of origin;

11 (C) implement antiterrorism programs;

12 (D) secure borders, including points of in-
13 filtration and exfiltration by such entities;

14 (E) implement and establish criminal laws
15 and policies to counter foreign fighters; and

16 (F) arrest, investigate, prosecute, and in-
17 carcerate terrorist suspects, facilitators, and
18 financiers; and

19 (2) reduce public support for violent extremists
20 or violent extremist organizations, including FTOs,
21 by addressing the specific drivers of radicalization,
22 including through such activities as—

23 (A) public messaging campaigns to damage
24 their appeal;

1 (B) programs to engage communities and
2 populations at risk of violent extremist
3 radicalization and recruitment;

4 (C) counter-radicalization and de-
5 radicalization activities for potential and former
6 violent extremists and returning foreign fight-
7 ers, including in prisons;

8 (D) law enforcement training programs;
9 and

10 (E) capacity building for civil society orga-
11 nizations to combat radicalization in local com-
12 munities.

13 (b) STRENGTHENING THE STATE SYSTEM.—

14 (1) Funds appropriated under titles III and IV
15 of this Act shall be made available for programs to
16 strengthen the state system and counter violent ex-
17 tremists and violent extremist organizations, includ-
18 ing FTOs, by supporting security and governance
19 programs in countries whose stability and legitimacy
20 are directly threatened by violence against state in-
21 stitutions by such entities, including at the national
22 and local levels, and in fragile states bordering such
23 countries.

1 (2) Programs funded pursuant to paragraph
2 (1) shall prioritize activities to improve governance,
3 including by—

4 (A) promoting civil society;

5 (B) strengthening the rule of law;

6 (C) professionalizing security services;

7 (D) increasing transparency and account-
8 ability;

9 (E) combating corruption; and

10 (F) protecting human rights.

11 (c) REQUIREMENTS.—

12 (1) The Secretary of State shall ensure that the
13 programs described in subsection (a) are coordinated
14 with and complement the efforts of other United
15 States Government agencies and international part-
16 ners, and that such programs are consistent with all
17 applicable laws, regulations, and policies regarding
18 the use of foreign assistance funds: *Provided*, That
19 the Secretary shall also ensure that information
20 gained through the conduct of programs described in
21 subsection (a)(1) is shared in a timely manner with
22 relevant United States Government agencies and
23 other international partners, as appropriate.

24 (2) Prior to the obligation of funds appro-
25 priated by this Act and made available for the pur-

1 poses of this section, the Secretary of State shall en-
2 sure that mechanisms are in place for appropriate
3 monitoring, oversight, and control of such assist-
4 ance: *Provided*, That the Secretary shall promptly
5 inform the appropriate congressional committees of
6 each significant instance in which assistance pro-
7 vided for such purposes has been compromised, in-
8 cluding the amount and type of assistance affected,
9 a description of the incident and parties involved,
10 and an explanation of the response of the Depart-
11 ment of State.

12 (3) Funds appropriated by this Act that are
13 made available for programs described in subsection
14 (a) shall be subject to the regular notification proce-
15 dures of the Committees on Appropriations, and are
16 subject to the additional requirements contained
17 under section 7073 in the explanatory statement de-
18 scribed in section 4 (in the matter preceding division
19 A of this Consolidated Act): *Provided*, That for the
20 purposes of funds appropriated by this Act that are
21 made available for countering violent extremism, as
22 justified to the Committees on Appropriations in the
23 Congressional Budget Justification, Foreign Oper-
24 ations, Fiscal Year 2016, such funds shall only be

1 within 5 days of such determination, the basis for such
2 determination and any resulting changes to program and
3 policy.

4 BUDGET DOCUMENTS

5 SEC. 7076. (a) OPERATING PLANS.—Not later than
6 45 days after the date of enactment of this Act, each de-
7 partment, agency, or organization funded in titles I, II,
8 and VI of this Act, and the Department of the Treasury
9 and Independent Agencies funded in title III of this Act,
10 including the Inter-American Foundation and the United
11 States African Development Foundation, shall submit to
12 the Committees on Appropriations an operating plan for
13 funds appropriated to such department, agency, or organi-
14 zation in such titles of this Act, or funds otherwise avail-
15 able for obligation in fiscal year 2016, that provides de-
16 tails of the uses of such funds at the program, project,
17 and activity level: *Provided*, That such plans shall include,
18 as applicable, a comparison between the most recent con-
19 gressional directives or approved funding levels and the
20 funding levels proposed by the department or agency; and
21 a clear, concise, and informative description/justification:
22 *Provided further*, That if such department, agency, or or-
23 ganization receives an additional amount under the same
24 heading in title VIII of this Act, operating plans required
25 by this subsection shall include consolidated information

1 on all such funds: *Provided further*, That operating plans
2 that include changes in levels of funding for programs,
3 projects, and activities specified in the congressional budg-
4 et justification, in this Act, or amounts specifically des-
5 igned in the respective tables included in the explanatory
6 statement described in section 4 (in the matter preceding
7 division A of this Consolidated Act), as applicable, shall
8 be subject to the notification and reprogramming require-
9 ments of section 7015 of this Act.

10 (b) SPEND PLANS.—

11 (1) Prior to the initial obligation of funds, the
12 Secretary of State or Administrator of the United
13 States Agency for International Development
14 (USAID), as appropriate, shall submit to the Com-
15 mittees on Appropriations a detailed spend plan for
16 funds made available by this Act, for—

17 (A) assistance for Afghanistan, Lebanon,
18 Pakistan, and the West Bank and Gaza;

19 (B) Power Africa and the regional security
20 initiatives listed under this heading in the ex-
21 planatory statement described in section 4 (in
22 the matter preceding division A of this Consoli-
23 dated Act): *Provided*, That the spend plan for
24 such initiatives shall include the amount of as-

1 sistance planned for each country by account,
2 to the maximum extent practicable; and

3 (C) democracy programs and sectors enu-
4 merated in subsections (a), (c)(2), (d)(1), (e),
5 (f), and (h) of section 7060 of this Act.

6 (2) Not later than 45 days after enactment of
7 this Act, the Secretary of the Treasury shall submit
8 to the Committees on Appropriations a detailed
9 spend plan for funds made available by this Act
10 under the heading “Department of the Treasury,
11 International Affairs Technical Assistance” in title
12 III.

13 (c) SPENDING REPORT.—Not later than 45 days
14 after enactment of this Act, the USAID Administrator
15 shall submit to the Committees on Appropriations a de-
16 tailed report on spending of funds made available during
17 fiscal year 2015 under the heading “Development Credit
18 Authority”.

19 (d) NOTIFICATIONS.—The spend plans referenced in
20 subsection (b) shall not be considered as meeting the noti-
21 fication requirements in this Act or under section 634A
22 of the Foreign Assistance Act of 1961.

23 (e) CONGRESSIONAL BUDGET JUSTIFICATION.—

24 (1) The congressional budget justification for
25 Department of State operations and foreign oper-

1 ations shall be provided to the Committees on Ap-
2 propriations concurrent with the date of submission
3 of the President’s budget for fiscal year 2017: *Pro-*
4 *vided*, That the appendices for such justification
5 shall be provided to the Committees on Appropria-
6 tions not later than 10 calendar days thereafter.

7 (2) The Secretary of State and the USAID Ad-
8 ministrators shall include in the congressional budget
9 justification a detailed justification for multi-year
10 availability for any funds requested under the head-
11 ings “Diplomatic and Consular Programs” and “Op-
12 erating Expenses”.

13 REPORTS AND RECORDS MANAGEMENT

14 SEC. 7077. (a) PUBLIC POSTING OF REPORTS.—

15 (1) REQUIREMENT.—Any agency receiving
16 funds made available by this Act shall, subject to
17 paragraphs (2) and (3), post on the publicly avail-
18 able Web site of such agency any report required by
19 this Act to be submitted to the Committees on Ap-
20 propriations, upon a determination by the head of
21 such agency that to do so is in the national interest.

22 (2) EXCEPTIONS.—Paragraph (1) shall not
23 apply to a report if—

1 (A) the public posting of such report would
2 compromise national security, including the
3 conduct of diplomacy; or

4 (B) the report contains proprietary, privi-
5 leged, or sensitive information.

6 (3) TIMING AND INTENTION.—The head of the
7 agency posting such report shall, unless otherwise
8 provided for in this Act, do so only after such report
9 has been made available to the Committees on Ap-
10 propriations for not less than 45 days: *Provided*,
11 That any report required by this Act to be submitted
12 to the Committees on Appropriations shall include
13 information from the submitting agency on whether
14 such report will be publicly posted.

15 (b) REQUESTS FOR DOCUMENTS.—None of the funds
16 appropriated or made available pursuant to titles III
17 through VI of this Act shall be available to a nongovern-
18 mental organization, including any contractor, which fails
19 to provide upon timely request any document, file, or
20 record necessary to the auditing requirements of the De-
21 partment of State and the United States Agency for Inter-
22 national Development (USAID).

23 (c) RECORDS MANAGEMENT.—

24 (1) LIMITATION AND DIRECTIVES.—

1 (A) None of the funds appropriated by this
2 Act under the headings “Diplomatic and Con-
3 sular Programs” and “Capital Investment
4 Fund” in title I, and “Operating Expenses” in
5 title II that are made available to the Depart-
6 ment of State and USAID may be made avail-
7 able to support the use or establishment of
8 email accounts or email servers created outside
9 the .gov domain or not fitted for automated
10 records management as part of a Federal gov-
11 ernment records management program in con-
12 travention of the Presidential and Federal
13 Records Act Amendments of 2014 (Public Law
14 113–187).

15 (B) The Secretary of State and USAID
16 Administrator shall—

17 (i) update the policies, directives, and
18 oversight necessary to comply with Federal
19 statutes, regulations, and presidential exec-
20 utive orders and memoranda concerning
21 the preservation of all records made or re-
22 ceived in the conduct of official business,
23 including record emails, instant messaging,
24 and other online tools;

1 (ii) use funds appropriated by this Act
2 under the headings “Diplomatic and Con-
3 sular Programs” and “Capital Investment
4 Fund” in title I, and “Operating Ex-
5 penses” in title II, as appropriate, to im-
6 prove Federal records management pursu-
7 ant to the Federal Records Act (44 U.S.C.
8 Chapters 21, 29, 31, and 33) and other
9 applicable Federal records management
10 statutes, regulations, or policies for the
11 Department of State and USAID;

12 (iii) direct departing employees that
13 all Federal records generated by such em-
14 ployees, including senior officials, belong to
15 the Federal Government; and

16 (iv) measurably improve the response
17 time for identifying and retrieving Federal
18 records.

19 (2) REPORT.—Not later than 30 days after en-
20 actment of this Act, the Secretary of State and
21 USAID Administrator shall each submit a report to
22 the Committees on Appropriations and to the Na-
23 tional Archives and Records Administration detail-
24 ing, as appropriate and where applicable—

1 (A) the policy of each agency regarding the
2 use or the establishment of email accounts or
3 email servers created outside the .gov domain or
4 not fitted for automated records management
5 as part of a Federal government records man-
6 agement program;

7 (B) the extent to which each agency is in
8 compliance with applicable Federal records
9 management statutes, regulations, and policies;
10 and

11 (C) the steps required, including steps al-
12 ready taken, and the associated costs, to—

13 (i) comply with paragraph (1)(B) of
14 this subsection;

15 (ii) ensure that all employees at every
16 level have been instructed in procedures
17 and processes to ensure that the docu-
18 mentation of their official duties is cap-
19 tured, preserved, managed, protected, and
20 accessible in official Government systems
21 of the Department of State and USAID;

22 (iii) implement the recommendations
23 of the Office of Inspector General, United
24 States Department of State (OIG), in the
25 March 2015 Review of State Messaging

1 and Archive Retrieval Toolset and Record
2 Email (ISP-1-15-15) and any rec-
3 ommendations from the OIG review of the
4 records management practices of the De-
5 partment of State requested by the Sec-
6 retary on March 25, 2015, if completed;

7 (iv) reduce the backlog of Freedom of
8 Information Act and Congressional over-
9 sight requests, and measurably improve the
10 response time for answering such requests;

11 (v) strengthen cyber security meas-
12 ures to mitigate vulnerabilities, including
13 those resulting from the use of personal
14 email accounts or servers outside the .gov
15 domain; and

16 (vi) codify in the Foreign Affairs
17 Manual and Automated Directives System
18 the updates referenced in paragraph
19 (1)(B) of this subsection, where appro-
20 priate.

21 (3) REPORT ASSESSMENT.—Not later than 180
22 days after the submission of the reports required by
23 paragraph (2), the Comptroller General of the
24 United States, in consultation with National Ar-
25 chives and Records Administration, as appropriate,

1 shall conduct an assessment of such reports, and
2 shall consult with the Committees on Appropriations
3 on the scope and requirements of such assessment.

4 (4) FUNDING.—Of funds appropriated by this
5 Act under the heading “Capital Investment Fund”
6 in title I, \$10,000,000 shall be withheld from obliga-
7 tion until the Secretary submits the report required
8 by paragraph (2).

9 GLOBAL INTERNET FREEDOM

10 SEC. 7078. (a) FUNDING.—Of the funds available for
11 obligation during fiscal year 2016 under the headings
12 “International Broadcasting Operations”, “Economic
13 Support Fund”, “Democracy Fund”, and “Assistance for
14 Europe, Euraisa and Central Asia”, not less than
15 \$50,500,000 shall be made available for programs to pro-
16 mote Internet freedom globally: *Provided*, That such pro-
17 grams shall be prioritized for countries whose governments
18 restrict freedom of expression on the Internet, and that
19 are important to the national interests of the United
20 States: *Provided further*, That funds made available pursu-
21 ant to this section shall be matched, to the maximum ex-
22 tent practicable, by sources other than the United States
23 Government, including from the private sector.

24 (b) REQUIREMENTS.—Funds made available pursu-
25 ant to subsection (a) shall be—

1 (1) coordinated with other democracy, govern-
2 ance, and broadcasting programs funded by this Act
3 under the headings “International Broadcasting Op-
4 erations”, “Economic Support Fund”, “Democracy
5 Fund”, “Complex Crises Fund”, and “Assistance
6 for Europe, Eurasia and Central Asia”, and shall be
7 incorporated into country assistance, democracy pro-
8 motion, and broadcasting strategies, as appropriate;

9 (2) made available to the Bureau of Democracy,
10 Human Rights, and Labor, Department of State for
11 programs to implement the May 2011, International
12 Strategy for Cyberspace and the comprehensive
13 strategy to promote Internet freedom and access to
14 information in Iran, as required by section 414 of
15 the Iran Threat Reduction and Syria Human Rights
16 Act of 2012 (22 U.S.C. 8754);

17 (3) made available to the Broadcasting Board
18 of Governors (BBG) to provide tools and techniques
19 to access the Web sites of BBG broadcasters that
20 are censored, and to work with such broadcasters to
21 promote and distribute such tools and techniques,
22 including digital security techniques;

23 (4) made available for programs that support
24 the efforts of civil society to counter the development
25 of repressive Internet-related laws and regulations,

1 including countering threats to Internet freedom at
2 international organizations; to combat violence
3 against bloggers and other users; and to enhance
4 digital security training and capacity building for de-
5 mocracy activists;

6 (5) made available for research of key threats
7 to Internet freedom; the continued development of
8 technologies that provide or enhance access to the
9 Internet, including circumvention tools that bypass
10 Internet blocking, filtering, and other censorship
11 techniques used by authoritarian governments; and
12 maintenance of the technological advantage of the
13 United States Government over such censorship
14 techniques: *Provided*, That the Secretary of State, in
15 consultation with the BBG Chairman, shall coordi-
16 nate any such research and development programs
17 with other relevant United States Government de-
18 partments and agencies in order to share informa-
19 tion, technologies, and best practices, and to assess
20 the effectiveness of such technologies; and

21 (6) coordinated by the Assistant Secretary of
22 State for Democracy, Human Rights, and Labor,
23 Department of State, except that the uses of such
24 funds made available under the heading “Inter-

1 national Broadcasting Operations” shall be the re-
2 sponsibility of the BBG Chairman.

3 (c) COORDINATION AND SPEND PLANS.—After con-
4 sultation among the relevant agency heads to coordinate
5 and de-conflict planned activities, but not later than 90
6 days after enactment of this Act, the Secretary of State
7 and the BBG Chairman shall submit to the Committees
8 on Appropriations spend plans for funds made available
9 by this Act for programs to promote Internet freedom
10 globally, which shall include a description of safeguards
11 established by relevant agencies to ensure that such pro-
12 grams are not used for illicit purposes: *Provided*, That the
13 Department of State spend plan shall include funding for
14 all such programs for all relevant Department of State
15 and USAID offices and bureaus: *Provided further*, That
16 prior to the obligation of such funds, such offices and bu-
17 reaus shall consult with the Assistant Secretary for De-
18 mocracy, Human Rights, and Labor, Department of
19 State, to ensure that such programs support the Depart-
20 ment of State Internet freedom strategy.

21 DISABILITY PROGRAMS

22 SEC. 7079. (a) ASSISTANCE.—Funds appropriated by
23 this Act under the heading “Economic Support Fund”
24 shall be made available for programs and activities admin-
25 istered by the United States Agency for International De-

1 velopment (USAID) to address the needs and protect and
2 promote the rights of people with disabilities in developing
3 countries, including initiatives that focus on independent
4 living, economic self-sufficiency, advocacy, education, em-
5 ployment, transportation, sports, and integration of indi-
6 viduals with disabilities, including for the cost of trans-
7 lation.

8 (b) MANAGEMENT, OVERSIGHT, AND TECHNICAL
9 SUPPORT.—Of the funds made available pursuant to this
10 section, 5 percent may be used for USAID for manage-
11 ment, oversight, and technical support.

12 IMPACT ON JOBS IN THE UNITED STATES

13 SEC. 7080. None of the funds appropriated or other-
14 wise made available under titles III through VI of this
15 Act may be obligated or expended to provide—

16 (1) any financial incentive to a business enter-
17 prise currently located in the United States for the
18 purpose of inducing such an enterprise to relocate
19 outside the United States if such incentive or in-
20 ducement is likely to reduce the number of employ-
21 ees of such business enterprise in the United States
22 because United States production is being replaced
23 by such enterprise outside the United States;

24 (2) assistance for any program, project, or ac-
25 tivity that contributes to the violation of internation-

1 ally recognized workers' rights, as defined in section
2 507(4) of the Trade Act of 1974, of workers in the
3 recipient country, including any designated zone or
4 area in that country: *Provided*, That the application
5 of section 507(4)(D) and (E) of such Act should be
6 commensurate with the level of development of the
7 recipient country and sector, and shall not preclude
8 assistance for the informal sector in such country,
9 micro and small-scale enterprise, and smallholder
10 agriculture;

11 (3) any assistance to an entity outside the
12 United States if such assistance is for the purpose
13 of directly relocating or transferring jobs from the
14 United States to other countries and adversely im-
15 pacts the labor force in the United States; or

16 (4) for the enforcement of any rule, regulation,
17 policy, or guidelines implemented pursuant to—

18 (A) the third proviso of subsection 7079(b)
19 of the Consolidated Appropriations Act, 2010;

20 (B) the modification proposed by the Over-
21 seas Private Investment Corporation in Novem-
22 ber 2013 to the Corporation's Environmental
23 and Social Policy Statement relating to coal; or

24 (C) the Supplemental Guidelines for High
25 Carbon Intensity Projects approved by the Ex-

1 port-Import Bank of the United States on De-
2 cember 12, 2013,
3 when enforcement of such rule, regulation, policy, or
4 guidelines would prohibit, or have the effect of pro-
5 hibiting, any coal-fired or other power-generation
6 project the purpose of which is to: (i) provide afford-
7 able electricity in International Development Asso-
8 ciation (IDA)-eligible countries and IDA-blend coun-
9 tries; and (ii) increase exports of goods and services
10 from the United States or prevent the loss of jobs
11 from the United States.

12 COUNTRY FOCUS AND SELECTIVITY

13 SEC. 7081. (a) TRANSITION PLAN REQUIREMENT.—
14 Any bilateral country assistance strategy developed after
15 the date of enactment of this Act for the provision of as-
16 sistance for a foreign country shall include a transition
17 plan identifying end goals and options for winding down,
18 within a targeted period of years, such bilateral assistance:
19 *Provided*, That such transition plan shall be developed by
20 the Secretary of State, in consultation with the Adminis-
21 trator of the United States Agency for International De-
22 velopment (USAID), the heads of other relevant Federal
23 agencies, and officials of such foreign government and rep-
24 resentatives of civil society, as appropriate.

1 (b) TARGETED TRANSITIONS.—Not later than 180
2 days after enactment of this Act, the Secretary of State,
3 in consultation with the USAID Administrator, the heads
4 of other relevant Federal agencies, and the Committees
5 on Appropriations, shall select at least one country in
6 which to establish and implement a transition program to
7 seek to reduce dependency on bilateral foreign assistance
8 and create greater self-sufficiency for such country: *Pro-*
9 *vided*, That any such selection shall be of a country receiv-
10 ing assistance with funds appropriated under titles III and
11 IV of this Act and prior Acts making appropriations for
12 the Department of State, foreign operations, and related
13 programs that—

14 (1) is a long-time recipient of such assistance;

15 (2) has demonstrated, or has been assessed to
16 possess, the capacity for self-sufficiency; and

17 (3) is not impacted by conflict or crisis, includ-
18 ing large numbers of internally displaced persons or
19 significant refugee populations resulting from such
20 conflict or crisis:

21 *Provided further*, That the Secretary shall consult with the
22 Committees on Appropriations prior to the selection of any
23 such country, and on the goals and targets for such pro-
24 gram to be established in the selected country: *Provided*
25 *further*, That such transition should exclude funding for

1 democracy and humanitarian assistance programs: *Pro-*
2 *vided further*, That assistance may be resumed or contin-
3 ued for any such selected country if the Secretary deter-
4 mines and reports to the Committees on Appropriations
5 that to do so is important to the national interest of the
6 United States, and such report provides an explanation
7 of such interest being served.

8 UNITED NATIONS POPULATION FUND

9 SEC. 7082. (a) CONTRIBUTION.—Of the funds made
10 available under the heading “International Organizations
11 and Programs” in this Act for fiscal year 2016,
12 \$32,500,000 shall be made available for the United Na-
13 tions Population Fund (UNFPA).

14 (b) AVAILABILITY OF FUNDS.—Funds appropriated
15 by this Act for UNFPA, that are not made available for
16 UNFPA because of the operation of any provision of law,
17 shall be transferred to the “Global Health Programs” ac-
18 count and shall be made available for family planning, ma-
19 ternal, and reproductive health activities, subject to the
20 regular notification procedures of the Committees on Ap-
21 propriations.

22 (c) PROHIBITION ON USE OF FUNDS IN CHINA.—
23 None of the funds made available by this Act may be used
24 by UNFPA for a country program in the People’s Repub-
25 lic of China.

1 (d) CONDITIONS ON AVAILABILITY OF FUNDS.—
2 Funds made available by this Act for UNFPA may not
3 be made available unless—

4 (1) UNFPA maintains funds made available by
5 this Act in an account separate from other accounts
6 of UNFPA and does not commingle such funds with
7 other sums; and

8 (2) UNFPA does not fund abortions.

9 (e) REPORT TO CONGRESS AND DOLLAR-FOR-DOL-
10 LAR WITHHOLDING OF FUNDS.—

11 (1) Not later than 4 months after the date of
12 enactment of this Act, the Secretary of State shall
13 submit a report to the Committees on Appropria-
14 tions indicating the amount of funds that UNFPA
15 is budgeting for the year in which the report is sub-
16 mitted for a country program in the People's Repub-
17 lic of China.

18 (2) If a report under paragraph (1) indicates
19 that UNFPA plans to spend funds for a country
20 program in the People's Republic of China in the
21 year covered by the report, then the amount of such
22 funds UNFPA plans to spend in the People's Re-
23 public of China shall be deducted from the funds
24 made available to UNFPA after March 1 for obliga-

- 1 tion for the remainder of the fiscal year in which the
- 2 report is submitted.

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1 TITLE VIII
2 OVERSEAS CONTINGENCY OPERATIONS/GLOBAL
3 WAR ON TERRORISM
4 DEPARTMENT OF STATE
5 ADMINISTRATION OF FOREIGN AFFAIRS
6 DIPLOMATIC AND CONSULAR PROGRAMS
7 (INCLUDING TRANSFER OF FUNDS)

8 For an additional amount for “Diplomatic and Con-
9 sular Programs”, \$2,561,808,000, to remain available
10 until September 30, 2017, of which \$1,966,632,000 is for
11 Worldwide Security Protection and shall remain available
12 until expended: *Provided*, That the Secretary of State may
13 transfer up to \$10,000,000 of the total funds made avail-
14 able under this heading to any other appropriation of any
15 department or agency of the United States, upon the con-
16 currence of the head of such department or agency, to sup-
17 port operations in and assistance for Afghanistan and to
18 carry out the provisions of the Foreign Assistance Act of
19 1961: *Provided further*, That any such transfer shall be
20 treated as a reprogramming of funds under subsections
21 (a) and (b) of section 7015 of this Act and shall not be
22 available for obligation or expenditure except in compli-
23 ance with the procedures set forth in that section: *Pro-*
24 *vided further*, That up to \$15,000,000 of the funds appro-
25 priated under this heading in this title may be made avail-

1 able for Conflict Stabilization Operations and for related
2 reconstruction and stabilization assistance to prevent or
3 respond to conflict or civil strife in foreign countries or
4 regions, or to enable transition from such strife: *Provided*
5 *further*, That such amount is designated by the Congress
6 for Overseas Contingency Operations/Global War on Ter-
7 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
8 anced Budget and Emergency Deficit Control Act of 1985.

9 OFFICE OF INSPECTOR GENERAL

10 For an additional amount for “Office of Inspector
11 General”, \$66,600,000, to remain available until Sep-
12 tember 30, 2017, of which \$56,900,000 shall be for the
13 Special Inspector General for Afghanistan Reconstruction
14 (SIGAR) for reconstruction oversight: *Provided*, That
15 printing and reproduction costs shall not exceed amounts
16 for such costs during fiscal year 2015: *Provided further*,
17 That notwithstanding any other provision of law, any em-
18 ployee of SIGAR who completes at least 12 months of con-
19 tinuous service after the date of enactment of this Act or
20 who is employed on the date on which SIGAR terminates,
21 whichever occurs first, shall acquire competitive status for
22 appointment to any position in the competitive service for
23 which the employee possesses the required qualifications:
24 *Provided further*, That such amount is designated by the
25 Congress for Overseas Contingency Operations/Global

1 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
2 the Balanced Budget and Emergency Deficit Control Act
3 of 1985.

4 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

5 For an additional amount for “Embassy Security,
6 Construction, and Maintenance”, \$747,851,000, to re-
7 main available until expended, of which \$735,201,000
8 shall be for Worldwide Security Upgrades, acquisition, and
9 construction as authorized: *Provided*, That such amount
10 is designated by the Congress for Overseas Contingency
11 Operations/Global War on Terrorism pursuant to section
12 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
13 Deficit Control Act of 1985.

14 INTERNATIONAL ORGANIZATIONS

15 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

16 For an additional amount for “Contributions to
17 International Organizations”, \$101,728,000: *Provided*,
18 That such amount is designated by the Congress for Over-
19 seas Contingency Operations/Global War on Terrorism
20 pursuant to section 251(b)(2)(A)(ii) of the Balanced
21 Budget and Emergency Deficit Control Act of 1985.

22 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING

23 ACTIVITIES

24 For an additional amount for “Contributions for
25 International Peacekeeping Activities”, \$1,794,088,000,

1 to remain available until September 30, 2017: *Provided*,
2 That such amount is designated by the Congress for Over-
3 seas Contingency Operations/Global War on Terrorism
4 pursuant to section 251(b)(2)(A)(ii) of the Balanced
5 Budget and Emergency Deficit Control Act of 1985.

6 RELATED AGENCY

7 BROADCASTING BOARD OF GOVERNORS

8 INTERNATIONAL BROADCASTING OPERATIONS

9 For an additional amount for “International Broad-
10 casting Operations”, \$10,700,000, to remain available
11 until September 30, 2017: *Provided*, That such amount
12 is designated by the Congress for Overseas Contingency
13 Operations/Global War on Terrorism pursuant to section
14 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
15 Deficit Control Act of 1985.

16 UNITED STATES AGENCY FOR INTERNATIONAL

17 DEVELOPMENT

18 FUNDS APPROPRIATED TO THE PRESIDENT

19 OPERATING EXPENSES

20 For an additional amount for “Operating Expenses”,
21 \$139,262,000, to remain available until September 30,
22 2017: *Provided*, That such amount is designated by the
23 Congress for Overseas Contingency Operations/Global
24 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of

1 the Balanced Budget and Emergency Deficit Control Act
2 of 1985.

3 BILATERAL ECONOMIC ASSISTANCE
4 FUNDS APPROPRIATED TO THE PRESIDENT
5 INTERNATIONAL DISASTER ASSISTANCE

6 For an additional amount for “International Disaster
7 Assistance”, \$1,919,421,000, to remain available until ex-
8 pended: *Provided*, That such amount is designated by the
9 Congress for Overseas Contingency Operations/Global
10 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
11 the Balanced Budget and Emergency Deficit Control Act
12 of 1985.

13 TRANSITION INITIATIVES

14 For an additional amount for “Transition Initia-
15 tives”, \$37,000,000, to remain available until expended:
16 *Provided*, That such amount is designated by the Congress
17 for Overseas Contingency Operations/Global War on Ter-
18 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
19 anced Budget and Emergency Deficit Control Act of 1985.

20 COMPLEX CRISES FUND

21 For an additional amount for “Complex Crises
22 Fund”, \$20,000,000, to remain available until expended:
23 *Provided*, That such amount is designated by the Congress
24 for Overseas Contingency Operations/Global War on Ter-

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1 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
2 anced Budget and Emergency Deficit Control Act of 1985.

3 ECONOMIC SUPPORT FUND

4 For an additional amount for “Economic Support
5 Fund”, \$2,422,673,000, to remain available until Sep-
6 tember 30, 2017: *Provided*, That such amount is des-
7 ignated by the Congress for Overseas Contingency Oper-
8 ations/Global War on Terrorism pursuant to section
9 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985.

11 ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA

12 For an additional amount for “Assistance for Eu-
13 rope, Eurasia and Central Asia”, \$438,569,000, to remain
14 available until September 30, 2017: *Provided*, That such
15 amount is designated by the Congress for Overseas Con-
16 tingency Operations/Global War on Terrorism pursuant to
17 section 251(b)(2)(A)(ii) of the Balanced Budget and
18 Emergency Deficit Control Act of 1985.

19 DEPARTMENT OF STATE

20 MIGRATION AND REFUGEE ASSISTANCE

21 For an additional amount for “Migration and Ref-
22 ugee Assistance” to respond to refugee crises, including
23 in Africa, the Near East, South and Central Asia, and
24 Europe and Eurasia, \$2,127,114,000, to remain available
25 until expended, except that such funds shall not be made

1 available for the resettlement costs of refugees in the
2 United States: *Provided*, That such amount is designated
3 by the Congress for Overseas Contingency Operations/
4 Global War on Terrorism pursuant to section
5 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
6 Deficit Control Act of 1985.

7 INTERNATIONAL SECURITY ASSISTANCE

8 DEPARTMENT OF STATE

9 INTERNATIONAL NARCOTICS CONTROL AND LAW

10 ENFORCEMENT

11 For an additional amount for “International Nar-
12 cotics Control and Law Enforcement”, \$371,650,000, to
13 remain available until September 30, 2017: *Provided*,
14 That such amount is designated by the Congress for Over-
15 seas Contingency Operations/Global War on Terrorism
16 pursuant to section 251(b)(2)(A)(ii) of the Balanced
17 Budget and Emergency Deficit Control Act of 1985.

18 NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND

19 RELATED PROGRAMS

20 For an additional amount for “Nonproliferation,
21 Anti-terrorism, Demining and Related Programs”,
22 \$379,091,000, to remain available until September 30,
23 2017: *Provided*, That such amount is designated by the
24 Congress for Overseas Contingency Operations/Global
25 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of

1 the Balanced Budget and Emergency Deficit Control Act
2 of 1985.

3 PEACEKEEPING OPERATIONS

4 For an additional amount for “Peacekeeping Oper-
5 ations”, \$469,269,000, to remain available until Sep-
6 tember 30, 2017: *Provided*, That such amount is des-
7 ignated by the Congress for Overseas Contingency Oper-
8 ations/Global War on Terrorism pursuant to section
9 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985: *Provided further*, That funds
11 available for obligation under this heading in this Act may
12 be used to pay assessed expenses of international peace-
13 keeping activities in Somalia, subject to the regular notifi-
14 cation procedures of the Committees on Appropriations,
15 except that such expenses shall not exceed the level de-
16 scribed in the final proviso under the heading “Contribu-
17 tions for International Peacekeeping Activities” in title I
18 of this Act.

19 FUNDS APPROPRIATED TO THE PRESIDENT

20 FOREIGN MILITARY FINANCING PROGRAM

21 For an additional amount for “Foreign Military Fi-
22 nancing Program”, \$1,288,176,000, to remain available
23 until September 30, 2017: *Provided*, That such amount
24 is designated by the Congress for Overseas Contingency
25 Operations/Global War on Terrorism pursuant to section

1 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
2 Deficit Control Act of 1985.

3 GENERAL PROVISIONS

4 ADDITIONAL APPROPRIATIONS

5 SEC. 8001. Notwithstanding any other provision of
6 law, funds appropriated in this title are in addition to
7 amounts appropriated or otherwise made available in this
8 Act for fiscal year 2016.

9 EXTENSION OF AUTHORITIES AND CONDITIONS

10 SEC. 8002. Unless otherwise provided for in this Act,
11 the additional amounts appropriated by this title to appro-
12 priations accounts in this Act shall be available under the
13 authorities and conditions applicable to such appropria-
14 tions accounts.

15 TRANSFER AUTHORITY

16 SEC. 8003. (a)(1) Funds appropriated by this title
17 in this Act under the headings “Transition Initiatives”,
18 “Complex Crises Fund”, “Economic Support Fund”, and
19 “Assistance for Europe, Eurasia and Central Asia” may
20 be transferred to, and merged with, funds appropriated
21 by this title under such headings.

22 (2) Funds appropriated by this title in this Act under
23 the headings “International Narcotics Control and Law
24 Enforcement”, “Nonproliferation, Anti-terrorism,
25 Demining and Related Programs”, “Peacekeeping Oper-

1 ations”, and “Foreign Military Financing Program” may
2 be transferred to, and merged with, funds appropriated
3 by this title under such headings.

4 (3) Of the funds appropriated by this title under the
5 heading “International Disaster Assistance”, up to
6 \$600,000,000 may be transferred to, and merged with,
7 funds appropriated by this title under the heading “Migra-
8 tion and Refugee Assistance”.

9 (b) Notwithstanding any other provision of this sec-
10 tion, not to exceed \$15,000,000 from funds appropriated
11 under the heading “Foreign Military Financing Program”
12 by this title in this Act and made available for the Europe
13 and Eurasia Regional program may be transferred to, and
14 merged with, funds previously made available under the
15 heading “Global Security Contingency Fund” which shall
16 be available only for programs in the Europe and Eurasia
17 region.

18 (c) The transfer authority provided in subsection (a)
19 may only be exercised to address contingencies.

20 (d) The transfer authority provided in subsections (a)
21 and (b) shall be subject to prior consultation with, and
22 the regular notification procedures of, the Committees on
23 Appropriations: *Provided*, That such transfer authority is
24 in addition to any transfer authority otherwise available
25 under any other provision of law, including section 610

1 of the Foreign Assistance Act of 1961 which may be exer-
2 cised by the Secretary of State for the purposes of this
3 title.

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1 TITLE IX
2 OTHER MATTERS
3 MULTILATERAL ASSISTANCE
4 INTERNATIONAL MONETARY PROGRAMS
5 UNITED STATES QUOTA, INTERNATIONAL MONETARY
6 FUND
7 DIRECT LOAN PROGRAM ACCOUNT

8 For an increase in the United States quota in the
9 International Monetary Fund, the dollar equivalent of
10 40,871,800,000 Special Drawing Rights, to remain avail-
11 able until expended: *Provided*, That notwithstanding the
12 provisos under the heading “International Assistance Pro-
13 grams—International Monetary Programs—United
14 States Quota, International Monetary Fund” in the Sup-
15 plemental Appropriations Act, 2009 (Public Law 111–32),
16 the costs of the amounts provided under this heading in
17 this Act and in Public Law 111–32 shall be estimated on
18 a present value basis, excluding administrative costs and
19 any incidental effects on governmental receipts or outlays:
20 *Provided further*, That for purposes of the previous pro-
21 viso, the discount rate for purposes of the present value
22 calculation shall be the appropriate interest rate on mar-
23 ketable Treasury securities, adjusted for market risk: *Pro-*
24 *vided further*, That such amount is designated by the Con-
25 gress as an emergency requirement pursuant to section

1 251(b)(2)(A)(i) of the Balanced Budget and Emergency
2 Deficit Control Act of 1985, as amended: *Provided further*,
3 That such amount shall be available only if the President
4 designates such amount, and the related amount to be re-
5 scinded under the heading “Loans to the International
6 Monetary Fund Direct Loan Program Account”, as an
7 emergency requirement pursuant to section
8 251(b)(2)(A)(i) and transmits such designation to the
9 Congress.

10 LOANS TO THE INTERNATIONAL MONETARY FUND

11 DIRECT LOAN PROGRAM ACCOUNT

12 (INCLUDING RESCISSION OF FUNDS)

13 Of the amounts provided under the heading “Inter-
14 national Assistance Programs—International Monetary
15 Programs—Loans to International Monetary Fund” in
16 the Supplemental Appropriations Act, 2009 (Public Law
17 111–32), the dollar equivalent of 40,871,800,000 Special
18 Drawing Rights is hereby permanently rescinded as of the
19 date when the rollback of the United States credit ar-
20 rangement in the New Arrangements to Borrow of the
21 International Monetary Fund is effective, but no earlier
22 than when the increase of the United States quota author-
23 ized in section 72 of the Bretton Woods Agreements Act
24 (22 U.S.C. 286 et seq.) becomes effective: *Provided*, That
25 notwithstanding the second through fourth provisos under

1 the heading “International Assistance Programs—Inter-
2 national Monetary Programs—Loans to International
3 Monetary Fund” in Public Law 111–32, the costs of the
4 amounts under this heading in this Act and in Public Law
5 111–32 shall be estimated on a present value basis, ex-
6 cluding administrative costs and any incidental effects on
7 governmental receipts or outlays: *Provided further*, That
8 for purposes of the previous proviso, the discount rate for
9 purposes of the present value calculation shall be the ap-
10 propriate interest rate on marketable Treasury securities,
11 adjusted for market risk: *Provided further*, That such
12 amount is designated by the Congress as an emergency
13 requirement pursuant to section 251(b)(2)(A)(i) of the
14 Balanced Budget and Emergency Deficit Control Act of
15 1985, as amended: *Provided further*, That such amount
16 shall be rescinded only if the President designates such
17 amount as an emergency requirement pursuant to section
18 251(b)(2)(A)(i) and transmits such designation to the
19 Congress.

20 GENERAL PROVISIONS

21 LIMITATIONS ON AND EXPIRATION OF AUTHORITY WITH
22 RESPECT TO NEW ARRANGEMENTS TO BORROW
23 SEC. 9001. Section 17 of the Bretton Woods Agree-
24 ments Act (22 U.S.C. 286e–2) is amended—

1 (1) in subsection (a) by adding at the end the
2 following:

3 “(5) The authority to make loans under this
4 section shall expire on December 16, 2022.”;

5 (2) in subsection (b), in paragraphs (1) and
6 (2), by inserting before the end period the following:

7 “, only to the extent that amounts available for such
8 loans are not rescinded by an Act of Congress”;

9 (3) by adding the following subsection (e),
10 which shall be effective from the first day of the
11 next period of renewal of the NAB decision after en-
12 actment of this Act:

13 “(e) New Requirement for Activation of the New Ar-
14 rangements to Borrow

15 “(1) The Secretary of the Treasury shall in-
16 clude in the certification and report required by
17 paragraphs (a)(1), (a)(2), (b)(1), and (b)(2) of this
18 section prior to activation an additional certification
19 and report that—

20 “(A) the one-year forward commitment ca-
21 pacity of the IMF (excluding borrowed re-
22 sources) is expected to fall below
23 100,000,000,000 Special Drawing Rights dur-
24 ing the period of the NAB activation; and

1 “(B) activation of the NAB is in the
2 United States strategic economic interest with
3 the reasons and analysis for that determination.

4 “(2) Prior to submitting any certification and
5 report required by paragraphs (a)(1), (a)(2), (b)(1),
6 and (b)(2) of this section, the Secretary of the
7 Treasury shall consult with the appropriate congres-
8 sional committees.”; and

9 (4) by adding at the end the following:

10 “(f) In this section, the term ‘appropriate congres-
11 sional committees’ means the Committees on Appropria-
12 tions and Foreign Relations of the Senate and the Com-
13 mittees on Appropriations and Financial Services of the
14 House of Representatives.”.

15 ACCEPTANCE OF AMENDMENTS TO ARTICLES OF
16 AGREEMENT; QUOTA INCREASE

17 SEC. 9002. The Bretton Woods Agreements Act (22
18 U.S.C. 286 et seq.) is amended by adding at the end the
19 following:

20 **“SEC. 71. ACCEPTANCE OF AMENDMENTS TO THE ARTI-
21 CLES OF AGREEMENT OF THE FUND.**

22 “The United States Governor of the Fund may ac-
23 cept the amendments to the Articles of Agreement of the
24 Fund as proposed in resolution 66–2 of the Board of Gov-
25 ernors of the Fund.

1 **“SEC. 72. QUOTA INCREASE.**

2 “(a) IN GENERAL.—The United States Governor of
3 the Fund may consent to an increase in the quota of the
4 United States in the Fund equivalent to 40,871,800,000
5 Special Drawing Rights.

6 “(b) SUBJECT TO APPROPRIATIONS.—The authority
7 provided by subsection (a) shall be effective only to such
8 extent or in such amounts as are provided in advance in
9 appropriations Acts.”.

10 REPORT ON METHODOLOGY USED FOR CONGRESSIONAL
11 BUDGET OFFICE COST ESTIMATES

12 SEC. 9003. (a) REPORT.—Not later than 180 days
13 after the date of enactment of this Act, the Director of
14 the Congressional Budget Office shall submit a report to
15 the appropriate congressional committees on the method-
16 ology used and rationale for incorporating market risk in
17 cost estimates for the International Monetary Fund: *Pro-*
18 *vided*, That for the purposes of this subsection, the term
19 “appropriate congressional committees” means—

20 (1) the Committees on Appropriations, Budget,
21 Banking, Housing and Urban Affairs, and Foreign
22 Relations of the Senate; and

23 (2) the Committees on Appropriations, Budget,
24 and Financial Services of the House of Representa-
25 tives.

1 (b) REQUIREMENTS.—The report submitted pursu-
2 ant to subsection (a) shall include matters relevant to the
3 evaluation of the budgetary effects of the participation of
4 the United States in the International Monetary Fund, in-
5 cluding the risks associated with—

6 (1) the current participation of the United
7 States in the International Monetary Fund, includ-
8 ing the market risk of the Fund;

9 (2) countries borrowing from the Fund;

10 (3) the various loan instruments and assistance
11 activities of the Fund; and

12 (4) past participation of the United States in
13 the International Monetary Fund, including the his-
14 torical net cost to the government of previous quota
15 increases.

16 (c) REVIEW.—Following the submission of the report
17 required by subsection (a), the Committees on Appropria-
18 tions and Budget of the Senate and the Committees on
19 Appropriations and Budget of the House of Representa-
20 tives shall review the Congressional Budget Office’s mar-
21 ket risk scoring methodology and consider options for
22 modifying the budgetary treatment of new appropriations
23 to the International Monetary Fund: *Provided*, That in
24 conducting such review, such committees should consult
25 with other interested parties, including the Office of Man-

1 agement and Budget and the Congressional Budget Of-
2 fice.

3 REQUIRED CONSULTATIONS WITH CONGRESS IN AD-
4 VANCE OF CONSIDERATION OF EXCEPTIONAL AC-
5 CESS LENDING

6 SEC. 9004. (a) IN GENERAL.—The United States
7 Executive Director of the International Monetary Fund
8 (the Fund) (or any designee of the Executive Director)
9 may not vote for the approval of an exceptional access loan
10 to be provided by the Fund to a country unless, not later
11 than 7 days before voting to approve that loan (subject
12 to subsection (c)), the Secretary of the Treasury submits
13 to the Committees on Appropriations and Foreign Rela-
14 tions of the Senate and the Committees on Appropriations
15 and Financial Services of the House of Representatives—

16 (1) a report on the exceptional access program
17 under which the loan is to be provided, including a
18 description of the size and tenor of the program; and

19 (2) a debt sustainability analysis and related
20 documentation justifying the need for the loan.

21 (b) ELEMENTS.—A debt sustainability analysis under
22 subsection (a)(2) with respect to an exceptional access
23 loan shall include the following:

1 (1) any assumptions for growth of the gross do-
2 mestic product of the country that may receive the
3 loan;

4 (2) an estimate of whether the public debt of
5 that country is sustainable in the medium term, con-
6 sistent with the exceptional access lending rules of
7 the Fund;

8 (3) an estimate of the prospects of that country
9 for regaining access to private capital markets; and

10 (4) an evaluation of the probability of the suc-
11 cess of providing the exceptional access loan.

12 (c) EXTRAORDINARY CIRCUMSTANCES.—The Sec-
13 retary may submit the report and analysis required by
14 subsection (a) to the Committees on Appropriations and
15 Foreign Relations of the Senate and the Committees on
16 Appropriations and Financial Services of the House of
17 Representatives not later than 2 business days after a de-
18 cision by the Executive Board of the Fund to approve an
19 exceptional access loan only if the Secretary—

20 (1) determines and certifies that—

21 (A) an emergency exists in the country
22 that applied for the loan and that country re-
23 quires immediate assistance to avoid disrupting
24 orderly financial markets; or

1 (B) other extraordinary circumstances
2 exist that warrant delaying the submission of
3 the report and analysis; and

4 (2) submits with the report and analysis a de-
5 tailed explanation of the emergency or extraordinary
6 circumstances and the reasons for the delay.

7 (d) FORM OF REPORT AND ANALYSIS.—The report
8 and debt sustainability analysis and related documentation
9 required by subsection (a) may be submitted in classified
10 form.

11 REPEAL OF SYSTEMIC RISK EXEMPTION TO LIMITA-
12 TIONS TO ACCESS POLICY OF THE INTERNATIONAL
13 MONETARY FUND

14 SEC. 9005. (a) POSITION OF THE UNITED STATES.—
15 The Secretary of the Treasury shall direct the United
16 States Executive Director of the International Monetary
17 Fund (the Fund) to use the voice and vote of the United
18 States to urge the Executive Board of the Fund to repeal
19 the systemic risk exemption to the debt sustainability cri-
20 terion of the Fund's exceptional access framework, as set
21 forth in paragraph 3(b) of Decision No. 14064-(08/18) of
22 the Fund (relating to access policy and limits in the credit
23 tranches and under the extended Fund facility and overall
24 access to the Fund's general resources, and exceptional
25 access policy).

1 (b) REPORT REQUIRED.—The quota increase author-
2 ized by the amendments made by section 9002 shall not
3 be disbursed until the Secretary of the Treasury reports
4 to the Committees on Appropriations and Foreign Rela-
5 tions of the Senate and the Committees on Appropriations
6 and Financial Services of the House of Representatives
7 that the United States has taken all necessary steps to
8 secure repeal of the systemic risk exemption to the frame-
9 work described in subsection (a).

10 ANNUAL REPORT ON LENDING, SURVEILLANCE, OR
11 TECHNICAL ASSISTANCE POLICIES OF THE INTER-
12 NATIONAL MONETARY FUND

13 SEC. 9006. Not later than one year after the date
14 of the enactment of this Act, and annually thereafter until
15 2025, the Secretary of the Treasury shall submit to the
16 Committees on Appropriations and Foreign Relations of
17 the Senate and the Committees on Appropriations and Fi-
18 nancial Services of the House of Representatives a written
19 report that includes—

20 (1) a description of any changes in the policies
21 of the International Monetary Fund (the Fund) with
22 respect to lending, surveillance, or technical assist-
23 ance;

1 (2) an analysis of whether those changes, if
2 any, increase or decrease the risk to United States
3 financial commitments to the Fund;

4 (3) an analysis of any new or ongoing excep-
5 tional access loans of the Fund in place during the
6 year preceding the submission of the report; and

7 (4) a description of any changes to the excep-
8 tional access policies of the Fund.

9 REPORT ON IMPROVING UNITED STATES PARTICIPATION
10 IN THE INTERNATIONAL MONETARY FUND

11 SEC. 9007. Not later than 180 days after the date
12 of the enactment of this Act, the Secretary of the Treasury
13 shall submit to the Committees on Appropriations and
14 Foreign Relations of the Senate and the Committees on
15 Appropriations and Financial Services of the House of
16 Representatives a written report on ways to improve the
17 effectiveness, and mitigate the risks, of United States par-
18 ticipation in the International Monetary Fund (the Fund)
19 that includes the following:

20 (1) An analysis of recent changes to the surveil-
21 lance products and policies of the Fund and whether
22 those products and policies effectively address the
23 shortcomings of surveillance by the Fund in the pe-
24 riods preceding the global financial crisis that began

1 in 2008 and the European debt crisis that began in
2 2009.

3 (2) A discussion of ways to better encourage
4 countries to implement policy recommendations of
5 the Fund, including—

6 (A) whether the implementation rate of
7 such policy recommendations would increase if
8 the Fund provided regular status reports on
9 whether countries have implemented its policy
10 recommendations; and

11 (B) whether or not lending by the Fund
12 should be limited to countries that have taken
13 necessary steps to implement such policy rec-
14 ommendations, including an analysis of the po-
15 tential effectiveness of that limitation.

16 (3) An analysis of the transparency policy of
17 the Fund, ways that transparency policy can be im-
18 proved, and whether such improvements would be
19 beneficial.

20 (4) A detailed analysis of the riskiness of excep-
21 tional access loans provided by the Fund, includ-
22 ing—

23 (A) whether the additional interest rate
24 surcharge is working as intended to discourage

1 large and prolonged use of resources of the
2 Fund; and

3 (B) whether it would be beneficial for the
4 Fund to require collateral when making excep-
5 tional access loans, and how requiring collateral
6 would affect the make-up of exceptional access
7 loans and the demand for such loans.

8 (5) A description of how the classification of
9 loans provided by the Fund would change if Fund
10 quotas were increased under the amendments to the
11 Articles of Agreement of the Fund proposed in reso-
12 lution 66–2 of the Board of Governors of the Fund,
13 including an assessment of how the quota increase
14 would affect the classification of exceptional access
15 loans outstanding as of the date of the report and
16 whether the quota increase would lead to revisions of
17 the classification of such loans.

18 (6) A discussion and analysis of lessons learned
19 from the lending arrangements that included the
20 Fund, the European Commission, and the European
21 Central Bank (commonly referred to as the “Troika”)
22 during the European debt crisis.

23 (7) An analysis of the risks or benefits of in-
24 creasing the transparency of the technical assistance
25 projects of the Fund, including a discussion of—

1 (A) the advantages and disadvantages of
2 the current technical assistance disclosure poli-
3 cies of the Fund;

4 (B) how technical assistance from the
5 Fund could be better used to prevent crises
6 from happening in the future; and

7 (C) whether and how the Fund coordinates
8 technical assistance projects with other organi-
9 zations, including the United States Depart-
10 ment of the Treasury, to avoid duplication of
11 efforts.

12 This division may be cited as the “Department of
13 State, Foreign Operations, and Related Programs Appro-
14 priations Act, 2016”.

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1 **DIVISION L—TRANSPORTATION, HOUSING**
2 **AND URBAN DEVELOPMENT, AND RE-**
3 **LATED AGENCIES APPROPRIATIONS**
4 **ACT, 2016**

5 TITLE I

6 DEPARTMENT OF TRANSPORTATION

7 OFFICE OF THE SECRETARY

8 SALARIES AND EXPENSES

9 For necessary expenses of the Office of the Secretary,
10 \$108,750,000, of which not to exceed \$2,734,000 shall be
11 available for the immediate Office of the Secretary; not
12 to exceed \$1,025,000 shall be available for the immediate
13 Office of the Deputy Secretary; not to exceed \$20,609,000
14 shall be available for the Office of the General Counsel;
15 not to exceed \$9,941,000 shall be available for the Office
16 of the Under Secretary of Transportation for Policy; not
17 to exceed \$13,697,000 shall be available for the Office of
18 the Assistant Secretary for Budget and Programs; not to
19 exceed \$2,546,000 shall be available for the Office of the
20 Assistant Secretary for Governmental Affairs; not to ex-
21 ceed \$25,925,000 shall be available for the Office of the
22 Assistant Secretary for Administration; not to exceed
23 \$2,029,000 shall be available for the Office of Public Af-
24 fairs; not to exceed \$1,737,000 shall be available for the
25 Office of the Executive Secretariat; not to exceed

1 \$1,434,000 shall be available for the Office of Small and
2 Disadvantaged Business Utilization; not to exceed
3 \$10,793,000 shall be available for the Office of Intel-
4 ligence, Security, and Emergency Response; and not to ex-
5 ceed \$16,280,000 shall be available for the Office of the
6 Chief Information Officer: *Provided*, That the Secretary
7 of Transportation is authorized to transfer funds appro-
8 priated for any office of the Office of the Secretary to any
9 other office of the Office of the Secretary: *Provided fur-*
10 *ther*, That no appropriation for any office shall be in-
11 creased or decreased by more than 5 percent by all such
12 transfers: *Provided further*, That notice of any change in
13 funding greater than 5 percent shall be submitted for ap-
14 proval to the House and Senate Committees on Appropria-
15 tions: *Provided further*, That not to exceed \$60,000 shall
16 be for allocation within the Department for official recep-
17 tion and representation expenses as the Secretary may de-
18 termine: *Provided further*, That notwithstanding any other
19 provision of law, excluding fees authorized in Public Law
20 107–71, there may be credited to this appropriation up
21 to \$2,500,000 in funds received in user fees: *Provided fur-*
22 *ther*, That none of the funds provided in this Act shall
23 be available for the position of Assistant Secretary for
24 Public Affairs: *Provided further*, That not later than 60
25 days after the date of enactment of this Act, the Secretary

1 of Transportation shall transmit to Congress the final
2 Comprehensive Truck Size and Weight Limits Study, as
3 required by section 32801 of Public Law 112–141.

4 RESEARCH AND TECHNOLOGY

5 For necessary expenses related to the Office of the
6 Assistant Secretary for Research and Technology,
7 \$13,000,000, of which \$8,218,000 shall remain available
8 until September 30, 2018: *Provided*, That there may be
9 credited to this appropriation, to be available until ex-
10 pended, funds received from States, counties, municipali-
11 ties, other public authorities, and private sources for ex-
12 penses incurred for training: *Provided further*, That any
13 reference in law, regulation, judicial proceedings, or else-
14 where to the Research and Innovative Technology Admin-
15 istration shall continue to be deemed to be a reference to
16 the Office of the Assistant Secretary for Research and
17 Technology of the Department of Transportation.

18 NATIONAL INFRASTRUCTURE INVESTMENTS

19 For capital investments in surface transportation in-
20 frastructure, \$500,000,000, to remain available through
21 September 30, 2019: *Provided*, That the Secretary of
22 Transportation shall distribute funds provided under this
23 heading as discretionary grants to be awarded to a State,
24 local government, transit agency, or a collaboration among
25 such entities on a competitive basis for projects that will

1 have a significant impact on the Nation, a metropolitan
2 area, or a region: *Provided further*, That projects eligible
3 for funding provided under this heading shall include, but
4 not be limited to, highway or bridge projects eligible under
5 title 23, United States Code; public transportation
6 projects eligible under chapter 53 of title 49, United
7 States Code; passenger and freight rail transportation
8 projects; and port infrastructure investments (including
9 inland port infrastructure and land ports of entry): *Pro-*
10 *vided further*, That the Secretary may use up to 20 per-
11 cent of the funds made available under this heading for
12 the purpose of paying the subsidy and administrative costs
13 of projects eligible for Federal credit assistance under
14 chapter 6 of title 23, United States Code, if the Secretary
15 finds that such use of the funds would advance the pur-
16 poses of this paragraph: *Provided further*, That in distrib-
17 uting funds provided under this heading, the Secretary
18 shall take such measures so as to ensure an equitable geo-
19 graphic distribution of funds, an appropriate balance in
20 addressing the needs of urban and rural areas, and the
21 investment in a variety of transportation modes: *Provided*
22 *further*, That a grant funded under this heading shall be
23 not less than \$5,000,000 and not greater than
24 \$100,000,000: *Provided further*, That not more than 20
25 percent of the funds made available under this heading

1 may be awarded to projects in a single State: *Provided*
2 *further*, That the Federal share of the costs for which an
3 expenditure is made under this heading shall be, at the
4 option of the recipient, up to 80 percent: *Provided further*,
5 That the Secretary shall give priority to projects that re-
6 quire a contribution of Federal funds in order to complete
7 an overall financing package: *Provided further*, That not
8 less than 20 percent of the funds provided under this
9 heading shall be for projects located in rural areas: *Pro-*
10 *vided further*, That for projects located in rural areas, the
11 minimum grant size shall be \$1,000,000 and the Secretary
12 may increase the Federal share of costs above 80 percent:
13 *Provided further*, That projects conducted using funds pro-
14 vided under this heading must comply with the require-
15 ments of subchapter IV of chapter 31 of title 40, United
16 States Code: *Provided further*, That the Secretary shall
17 conduct a new competition to select the grants and credit
18 assistance awarded under this heading: *Provided further*,
19 That the Secretary may retain up to \$20,000,000 of the
20 funds provided under this heading, and may transfer por-
21 tions of those funds to the Administrators of the Federal
22 Highway Administration, the Federal Transit Administra-
23 tion, the Federal Railroad Administration and the Mari-
24 time Administration, to fund the award and oversight of

1 grants and credit assistance made under the National In-
2 frastructure Investments program.

3 FINANCIAL MANAGEMENT CAPITAL

4 For necessary expenses for upgrading and enhancing
5 the Department of Transportation's financial systems and
6 re-engineering business processes, \$5,000,000, to remain
7 available through September 30, 2017.

8 CYBER SECURITY INITIATIVES

9 For necessary expenses for cyber security initiatives,
10 including necessary upgrades to wide area network and
11 information technology infrastructure, improvement of
12 network perimeter controls and identity management,
13 testing and assessment of information technology against
14 business, security, and other requirements, implementa-
15 tion of Federal cyber security initiatives and information
16 infrastructure enhancements, implementation of enhanced
17 security controls on network devices, and enhancement of
18 cyber security workforce training tools, \$8,000,000, to re-
19 main available through September 30, 2017.

20 OFFICE OF CIVIL RIGHTS

21 For necessary expenses of the Office of Civil Rights,
22 \$9,678,000.

1 cies provide funding to the Department as provided for
2 under the previous proviso.

3 WORKING CAPITAL FUND

4 For necessary expenses for operating costs and cap-
5 ital outlays of the Working Capital Fund, not to exceed
6 \$190,039,000 shall be paid from appropriations made
7 available to the Department of Transportation: *Provided*,
8 That such services shall be provided on a competitive basis
9 to entities within the Department of Transportation: *Pro-*
10 *vided further*, That the above limitation on operating ex-
11 penses shall not apply to non-DOT entities: *Provided fur-*
12 *ther*, That no funds appropriated in this Act to an agency
13 of the Department shall be transferred to the Working
14 Capital Fund without majority approval of the Working
15 Capital Fund Steering Committee and approval of the
16 Secretary: *Provided further*, That no assessments may be
17 levied against any program, budget activity, subactivity or
18 project funded by this Act unless notice of such assess-
19 ments and the basis therefor are presented to the House
20 and Senate Committees on Appropriations and are ap-
21 proved by such Committees.

22 MINORITY BUSINESS RESOURCE CENTER PROGRAM

23 For the cost of guaranteed loans, \$336,000, as au-
24 thorized by 49 U.S.C. 332: *Provided*, That such costs, in-
25 cluding the cost of modifying such loans, shall be as de-

1 fined in section 502 of the Congressional Budget Act of
2 1974: *Provided further*, That these funds are available to
3 subsidize total loan principal, any part of which is to be
4 guaranteed, not to exceed \$18,367,000.

5 In addition, for administrative expenses to carry out
6 the guaranteed loan program, \$597,000.

7 MINORITY BUSINESS OUTREACH

8 For necessary expenses of Minority Business Re-
9 source Center outreach activities, \$3,084,000, to remain
10 available until September 30, 2017: *Provided*, That not-
11 withstanding 49 U.S.C. 332, these funds may be used for
12 business opportunities related to any mode of transpor-
13 tation.

14 PAYMENTS TO AIR CARRIERS

15 (AIRPORT AND AIRWAY TRUST FUND)

16 In addition to funds made available from any other
17 source to carry out the essential air service program under
18 49 U.S.C. 41731 through 41742, \$175,000,000, to be de-
19 rived from the Airport and Airway Trust Fund, to remain
20 available until expended: *Provided*, That in determining
21 between or among carriers competing to provide service
22 to a community, the Secretary may consider the relative
23 subsidy requirements of the carriers: *Provided further*,
24 That basic essential air service minimum requirements
25 shall not include the 15-passenger capacity requirement

1 under subsection 41732(b)(3) of title 49, United States
2 Code: *Provided further*, That none of the funds in this Act
3 or any other Act shall be used to enter into a new contract
4 with a community located less than 40 miles from the
5 nearest small hub airport before the Secretary has nego-
6 tiated with the community over a local cost share: *Pro-*
7 *vided further*, That amounts authorized to be distributed
8 for the essential air service program under subsection
9 41742(b) of title 49, United States Code, shall be made
10 available immediately from amounts otherwise provided to
11 the Administrator of the Federal Aviation Administration:
12 *Provided further*, That the Administrator may reimburse
13 such amounts from fees credited to the account estab-
14 lished under section 45303 of title 49, United States Code.

15 ADMINISTRATIVE PROVISIONS—OFFICE OF THE
16 SECRETARY OF TRANSPORTATION

17 SEC. 101. None of the funds made available in this
18 Act to the Department of Transportation may be obligated
19 for the Office of the Secretary of Transportation to ap-
20 prove assessments or reimbursable agreements pertaining
21 to funds appropriated to the modal administrations in this
22 Act, except for activities underway on the date of enact-
23 ment of this Act, unless such assessments or agreements
24 have completed the normal reprogramming process for
25 Congressional notification.

1 SEC. 102. Notwithstanding section 3324 of title 31,
2 United States Code, in addition to authority provided by
3 section 327 of title 49, United States Code, the Depart-
4 ment's Working Capital Fund is hereby authorized to pro-
5 vide payments in advance to vendors that are necessary
6 to carry out the Federal transit pass transportation fringe
7 benefit program under Executive Order 13150 and section
8 3049 of Public Law 109-59: *Provided*, That the Depart-
9 ment shall include adequate safeguards in the contract
10 with the vendors to ensure timely and high-quality per-
11 formance under the contract.

12 SEC. 103. The Secretary shall post on the Web site
13 of the Department of Transportation a schedule of all
14 meetings of the Credit Council, including the agenda for
15 each meeting, and require the Credit Council to record the
16 decisions and actions of each meeting.

17 SEC. 104. In addition to authority provided by section
18 327 of title 49, United States Code, the Department's
19 Working Capital Fund is hereby authorized to provide
20 partial or full payments in advance and accept subsequent
21 reimbursements from all Federal agencies for transit ben-
22 efit distribution services that are necessary to carry out
23 the Federal transit pass transportation fringe benefit pro-
24 gram under Executive Order No. 13150 and section 3049
25 of Public Law 109-59: *Provided*, That the Department

1 shall maintain a reasonable operating reserve in the Work-
2 ing Capital Fund, to be expended in advance to provide
3 uninterrupted transit benefits to Government employees,
4 provided that such reserve will not exceed one month of
5 benefits payable: *Provided further*, that such reserve may
6 be used only for the purpose of providing for the continu-
7 ation of transit benefits, provided that the Working Cap-
8 ital Fund will be fully reimbursed by each customer agen-
9 cy for the actual cost of the transit benefit.

10 FEDERAL AVIATION ADMINISTRATION

11 OPERATIONS

12 (AIRPORT AND AIRWAY TRUST FUND)

13 For necessary expenses of the Federal Aviation Ad-
14 ministration, not otherwise provided for, including oper-
15 ations and research activities related to commercial space
16 transportation, administrative expenses for research and
17 development, establishment of air navigation facilities, the
18 operation (including leasing) and maintenance of aircraft,
19 subsidizing the cost of aeronautical charts and maps sold
20 to the public, lease or purchase of passenger motor vehi-
21 cles for replacement only, in addition to amounts made
22 available by Public Law 112–95, \$9,909,724,000 of which
23 \$7,922,000,000 shall be derived from the Airport and Air-
24 way Trust Fund, of which not to exceed \$7,505,293,000
25 shall be available for air traffic organization activities; not

1 to exceed \$1,258,411,000 shall be available for aviation
2 safety activities; not to exceed \$17,800,000 shall be avail-
3 able for commercial space transportation activities; not to
4 exceed \$760,500,000 shall be available for finance and
5 management activities; not to exceed \$60,089,000 shall be
6 available for NextGen and operations planning activities;
7 not to exceed \$100,880,000 shall be available for security
8 and hazardous materials safety; and not to exceed
9 \$206,751,000 shall be available for staff offices: *Provided*,
10 That not to exceed 2 percent of any budget activity, except
11 for aviation safety budget activity, may be transferred to
12 any budget activity under this heading: *Provided further*,
13 That no transfer may increase or decrease any appropria-
14 tion by more than 2 percent: *Provided further*, That any
15 transfer in excess of 2 percent shall be treated as a re-
16 programming of funds under section 405 of this Act and
17 shall not be available for obligation or expenditure except
18 in compliance with the procedures set forth in that section:
19 *Provided further*, That not later than March 31 of each
20 fiscal year hereafter, the Administrator of the Federal
21 Aviation Administration shall transmit to Congress an an-
22 nual update to the report submitted to Congress in De-
23 cember 2004 pursuant to section 221 of Public Law 108-
24 176: *Provided further*, That the amount herein appro-
25 priated shall be reduced by \$100,000 for each day after

1 March 31 that such report has not been submitted to the
2 Congress: *Provided further*, That not later than March 31
3 of each fiscal year hereafter, the Administrator shall
4 transmit to Congress a companion report that describes
5 a comprehensive strategy for staffing, hiring, and training
6 flight standards and aircraft certification staff in a format
7 similar to the one utilized for the controller staffing plan,
8 including stated attrition estimates and numerical hiring
9 goals by fiscal year: *Provided further*, That the amount
10 herein appropriated shall be reduced by \$100,000 per day
11 for each day after March 31 that such report has not been
12 submitted to Congress: *Provided further*, That funds may
13 be used to enter into a grant agreement with a nonprofit
14 standard-setting organization to assist in the development
15 of aviation safety standards: *Provided further*, That none
16 of the funds in this Act shall be available for new appli-
17 cants for the second career training program: *Provided*
18 *further*, That none of the funds in this Act shall be avail-
19 able for the Federal Aviation Administration to finalize
20 or implement any regulation that would promulgate new
21 aviation user fees not specifically authorized by law after
22 the date of the enactment of this Act: *Provided further*,
23 That there may be credited to this appropriation, as off-
24 setting collections, funds received from States, counties,
25 municipalities, foreign authorities, other public authori-

1 ties, and private sources for expenses incurred in the pro-
2 vision of agency services, including receipts for the mainte-
3 nance and operation of air navigation facilities, and for
4 issuance, renewal or modification of certificates, including
5 airman, aircraft, and repair station certificates, or for
6 tests related thereto, or for processing major repair or al-
7 teration forms: *Provided further*, That of the funds appro-
8 priated under this heading, not less than \$154,400,000
9 shall be for the contract tower program, including the con-
10 tract tower cost share program: *Provided further*, That
11 none of the funds in this Act for aeronautical charting
12 and cartography are available for activities conducted by,
13 or coordinated through, the Working Capital Fund: *Pro-*
14 *vided further*, That not later than 60 days after enactment
15 of this Act, the Administrator shall review and update the
16 agency's "Community Involvement Manual" related to
17 new air traffic procedures, public outreach and community
18 involvement: *Provided further*, That the Administrator
19 shall complete and implement a plan which enhances com-
20 munity involvement techniques and proactively addresses
21 concerns associated with performance based navigation
22 projects: *Provided further*, That the Administrator shall
23 transmit, in electronic format, the community involvement
24 manual and plan to the House and Senate Committees
25 on Appropriations, the House Committee on Transpor-

1 tation and Infrastructure, and the Senate Committee on
2 Commerce, Science and Transportation not later than 180
3 days after enactment of this Act.

4 FACILITIES AND EQUIPMENT

5 (AIRPORT AND AIRWAY TRUST FUND)

6 For necessary expenses, not otherwise provided for,
7 for acquisition, establishment, technical support services,
8 improvement by contract or purchase, and hire of national
9 airspace systems and experimental facilities and equip-
10 ment, as authorized under part A of subtitle VII of title
11 49, United States Code, including initial acquisition of
12 necessary sites by lease or grant; engineering and service
13 testing, including construction of test facilities and acqui-
14 sition of necessary sites by lease or grant; construction
15 and furnishing of quarters and related accommodations
16 for officers and employees of the Federal Aviation Admin-
17 istration stationed at remote localities where such accom-
18 modations are not available; and the purchase, lease, or
19 transfer of aircraft from funds available under this head-
20 ing, including aircraft for aviation regulation and certifi-
21 cation; to be derived from the Airport and Airway Trust
22 Fund, \$2,855,000,000, of which \$470,049,000 shall re-
23 main available until September 30, 2016, and
24 \$2,384,951,000 shall remain available until September 30,
25 2018: *Provided*, That there may be credited to this appro-

1 priation funds received from States, counties, municipali-
2 ties, other public authorities, and private sources, for ex-
3 penses incurred in the establishment, improvement, and
4 modernization of national airspace systems: *Provided fur-*
5 *ther*, That no later than March 31, the Secretary of Trans-
6 portation shall transmit to the Congress an investment
7 plan for the Federal Aviation Administration which in-
8 cludes funding for each budget line item for fiscal years
9 2017 through 2021, with total funding for each year of
10 the plan constrained to the funding targets for those years
11 as estimated and approved by the Office of Management
12 and Budget: *Provided further*, That the amount herein ap-
13 propriated shall be reduced by \$100,000 per day for each
14 day after March 31 that such report has not been sub-
15 mitted to Congress.

16 RESEARCH, ENGINEERING, AND DEVELOPMENT

17 (AIRPORT AND AIRWAY TRUST FUND)

18 For necessary expenses, not otherwise provided for,
19 for research, engineering, and development, as authorized
20 under part A of subtitle VII of title 49, United States
21 Code, including construction of experimental facilities and
22 acquisition of necessary sites by lease or grant,
23 \$166,000,000, to be derived from the Airport and Airway
24 Trust Fund and to remain available until September 30,
25 2018: *Provided*, That there may be credited to this appro-

1 priation as offsetting collections, funds received from
2 States, counties, municipalities, other public authorities,
3 and private sources, which shall be available for expenses
4 incurred for research, engineering, and development.

5 GRANTS-IN-AID FOR AIRPORTS
6 (LIQUIDATION OF CONTRACT AUTHORIZATION)
7 (LIMITATION ON OBLIGATIONS)
8 (AIRPORT AND AIRWAY TRUST FUND)
9 (INCLUDING TRANSFER OF FUNDS)

10 For liquidation of obligations incurred for grants-in-
11 aid for airport planning and development, and noise com-
12 patibility planning and programs as authorized under sub-
13 chapter I of chapter 471 and subchapter I of chapter 475
14 of title 49, United States Code, and under other law au-
15 thorizing such obligations; for procurement, installation,
16 and commissioning of runway incursion prevention devices
17 and systems at airports of such title; for grants authorized
18 under section 41743 of title 49, United States Code; and
19 for inspection activities and administration of airport safe-
20 ty programs, including those related to airport operating
21 certificates under section 44706 of title 49, United States
22 Code, \$3,600,000,000, to be derived from the Airport and
23 Airway Trust Fund and to remain available until ex-
24 pended: *Provided*, That none of the funds under this head-
25 ing shall be available for the planning or execution of pro-

1 grams the obligations for which are in excess of
2 \$3,350,000,000 in fiscal year 2016, notwithstanding sec-
3 tion 47117(g) of title 49, United States Code: *Provided*
4 *further*, That none of the funds under this heading shall
5 be available for the replacement of baggage conveyor sys-
6 tems, reconfiguration of terminal baggage areas, or other
7 airport improvements that are necessary to install bulk ex-
8 plosive detection systems: *Provided further*, That notwith-
9 standing section 47109(a) of title 49, United States Code,
10 the Government's share of allowable project costs under
11 paragraph (2) for subgrants or paragraph (3) of that sec-
12 tion shall be 95 percent for a project at other than a large
13 or medium hub airport that is a successive phase of a
14 multi-phased construction project for which the project
15 sponsor received a grant in fiscal year 2011 for the con-
16 struction project: *Provided further*, That notwithstanding
17 any other provision of law, of funds limited under this
18 heading, not more than \$107,100,000 shall be obligated
19 for administration, not less than \$15,000,000 shall be
20 available for the Airport Cooperative Research Program,
21 not less than \$31,000,000 shall be available for Airport
22 Technology Research, and \$5,000,000, to remain available
23 until expended, shall be available and transferred to "Of-
24 fice of the Secretary, Salaries and Expenses" to carry out
25 the Small Community Air Service Development Program:

1 *Provided further*, That in addition to airports eligible
2 under section 41743 of title 49, such program may include
3 the participation of an airport that serves a community
4 or consortium that is not larger than a small hub airport,
5 according to FAA hub classifications effective at the time
6 the Office of the Secretary issues a request for proposals.

7 ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION

8 ADMINISTRATION

9 SEC. 110. None of the funds in this Act may be used
10 to compensate in excess of 600 technical staff-years under
11 the federally funded research and development center con-
12 tract between the Federal Aviation Administration and the
13 Center for Advanced Aviation Systems Development dur-
14 ing fiscal year 2016.

15 SEC. 111. None of the funds in this Act shall be used
16 to pursue or adopt guidelines or regulations requiring air-
17 port sponsors to provide to the Federal Aviation Adminis-
18 tration without cost building construction, maintenance,
19 utilities and expenses, or space in airport sponsor-owned
20 buildings for services relating to air traffic control, air
21 navigation, or weather reporting: *Provided*, That the pro-
22 hibition of funds in this section does not apply to negotia-
23 tions between the agency and airport sponsors to achieve
24 agreement on “below-market” rates for these items or to
25 grant assurances that require airport sponsors to provide

1 land without cost to the FAA for air traffic control facili-
2 ties.

3 SEC. 112. The Administrator of the Federal Aviation
4 Administration may reimburse amounts made available to
5 satisfy 49 U.S.C. 41742(a)(1) from fees credited under
6 49 U.S.C. 45303 and any amount remaining in such ac-
7 count at the close of that fiscal year may be made available
8 to satisfy section 41742(a)(1) for the subsequent fiscal
9 year.

10 SEC. 113. Amounts collected under section 40113(e)
11 of title 49, United States Code, shall be credited to the
12 appropriation current at the time of collection, to be
13 merged with and available for the same purposes of such
14 appropriation.

15 SEC. 114. None of the funds in this Act shall be avail-
16 able for paying premium pay under subsection 5546(a) of
17 title 5, United States Code, to any Federal Aviation Ad-
18 ministration employee unless such employee actually per-
19 formed work during the time corresponding to such pre-
20 mium pay.

21 SEC. 115. None of the funds in this Act may be obli-
22 gated or expended for an employee of the Federal Aviation
23 Administration to purchase a store gift card or gift certifi-
24 cate through use of a Government-issued credit card.

1 SEC. 116. The Secretary shall apportion to the spon-
2 sor of an airport that received scheduled or unscheduled
3 air service from a large certified air carrier (as defined
4 in part 241 of title 14 Code of Federal Regulations, or
5 such other regulations as may be issued by the Secretary
6 under the authority of section 41709) an amount equal
7 to the minimum apportionment specified in 49 U.S.C.
8 47114(c), if the Secretary determines that airport had
9 more than 10,000 passenger boardings in the preceding
10 calendar year, based on data submitted to the Secretary
11 under part 241 of title 14, Code of Federal Regulations.

12 SEC. 117. None of the funds in this Act may be obli-
13 gated or expended for retention bonuses for an employee
14 of the Federal Aviation Administration without the prior
15 written approval of the Assistant Secretary for Adminis-
16 tration of the Department of Transportation.

17 SEC. 118. Notwithstanding any other provision of
18 law, none of the funds made available under this Act or
19 any prior Act may be used to implement or to continue
20 to implement any limitation on the ability of any owner
21 or operator of a private aircraft to obtain, upon a request
22 to the Administrator of the Federal Aviation Administra-
23 tion, a blocking of that owner's or operator's aircraft reg-
24 istration number from any display of the Federal Aviation
25 Administration's Aircraft Situational Display to Industry

1 data that is made available to the public, except data made
2 available to a Government agency, for the noncommercial
3 flights of that owner or operator.

4 SEC. 119. None of the funds in this Act shall be avail-
5 able for salaries and expenses of more than nine political
6 and Presidential appointees in the Federal Aviation Ad-
7 ministration.

8 SEC. 119A. None of the funds made available under
9 this Act may be used to increase fees pursuant to section
10 44721 of title 49, United States Code, until the FAA pro-
11 vides to the House and Senate Committees on Appropria-
12 tions a report that justifies all fees related to aeronautical
13 navigation products and explains how such fees are con-
14 sistent with Executive Order 13642.

15 SEC. 119B. None of the funds in this Act may be
16 used to close a regional operations center of the Federal
17 Aviation Administration or reduce its services unless the
18 Administrator notifies the House and Senate Committees
19 on Appropriations not less than 90 full business days in
20 advance.

21 SEC. 119C. None of the funds appropriated or limited
22 by this Act may be used to change weight restrictions or
23 prior permission rules at Teterboro airport in Teterboro,
24 New Jersey.

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1 FEDERAL HIGHWAY ADMINISTRATION
2 LIMITATION ON ADMINISTRATIVE EXPENSES
3 (HIGHWAY TRUST FUND)
4 (INCLUDING TRANSFER OF FUNDS)

5 Not to exceed \$425,752,000, together with advances
6 and reimbursements received by the Federal Highway Ad-
7 ministration, shall be obligated for necessary expenses for
8 administration and operation of the Federal Highway Ad-
9 ministration. In addition, not to exceed \$3,248,000 shall
10 be transferred to the Appalachian Regional Commission
11 in accordance with section 104 of title 23, United States
12 Code.

13 FEDERAL-AID HIGHWAYS
14 (LIMITATION ON OBLIGATIONS)
15 (HIGHWAY TRUST FUND)

16 Funds available for the implementation or execution
17 of Federal-aid highway and highway safety construction
18 programs authorized under titles 23 and 49, United States
19 Code, and the provisions of the Fixing America's Surface
20 Transportation Act shall not exceed total obligations of
21 \$42,361,000,000 for fiscal year 2016: *Provided*, That the
22 Secretary may collect and spend fees, as authorized by
23 title 23, United States Code, to cover the costs of services
24 of expert firms, including counsel, in the field of municipal
25 and project finance to assist in the underwriting and serv-

1 icing of Federal credit instruments and all or a portion
2 of the costs to the Federal Government of servicing such
3 credit instruments: *Provided further*, That such fees are
4 available until expended to pay for such costs: *Provided*
5 *further*, That such amounts are in addition to administra-
6 tive expenses that are also available for such purpose, and
7 are not subject to any obligation limitation or the limita-
8 tion on administrative expenses under section 608 of title
9 23, United States Code.

10 (LIQUIDATION OF CONTRACT AUTHORIZATION)

11 (HIGHWAY TRUST FUND)

12 For the payment of obligations incurred in carrying
13 out Federal-aid highway and highway safety construction
14 programs authorized under title 23, United States Code,
15 \$43,100,000,000 derived from the Highway Trust Fund
16 (other than the Mass Transit Account), to remain avail-
17 able until expended.

18 ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY

19 ADMINISTRATION

20 SEC. 120. (a) For fiscal year 2016, the Secretary of
21 Transportation shall—

22 (1) not distribute from the obligation limitation
23 for Federal-aid highways—

1 (A) amounts authorized for administrative
2 expenses and programs by section 104(a) of
3 title 23, United States Code; and

4 (B) amounts authorized for the Bureau of
5 Transportation Statistics;

6 (2) not distribute an amount from the obliga-
7 tion limitation for Federal-aid highways that is equal
8 to the unobligated balance of amounts—

9 (A) made available from the Highway
10 Trust Fund (other than the Mass Transit Ac-
11 count) for Federal-aid highway and highway
12 safety construction programs for previous fiscal
13 years the funds for which are allocated by the
14 Secretary (or apportioned by the Secretary
15 under sections 202 or 204 of title 23, United
16 States Code); and

17 (B) for which obligation limitation was
18 provided in a previous fiscal year;

19 (3) determine the proportion that—

20 (A) the obligation limitation for Federal-
21 aid highways, less the aggregate of amounts not
22 distributed under paragraphs (1) and (2) of
23 this subsection; bears to

24 (B) the total of the sums authorized to be
25 appropriated for the Federal-aid highway and

1 highway safety construction programs (other
2 than sums authorized to be appropriated for
3 provisions of law described in paragraphs (1)
4 through (11) of subsection (b) and sums au-
5 thorized to be appropriated for section 119 of
6 title 23, United States Code, equal to the
7 amount referred to in subsection (b)(12) for
8 such fiscal year), less the aggregate of the
9 amounts not distributed under paragraphs (1)
10 and (2) of this subsection;

11 (4) distribute the obligation limitation for Fed-
12 eral-aid highways, less the aggregate amounts not
13 distributed under paragraphs (1) and (2), for each
14 of the programs (other than programs to which
15 paragraph (1) applies) that are allocated by the Sec-
16 retary under the Fixing America's Surface Trans-
17 portation Act and title 23, United States Code, or
18 apportioned by the Secretary under sections 202 or
19 204 of that title, by multiplying—

20 (A) the proportion determined under para-
21 graph (3); by

22 (B) the amounts authorized to be appro-
23 priated for each such program for such fiscal
24 year; and

1 (5) distribute the obligation limitation for Fed-
2 eral-aid highways, less the aggregate amounts not
3 distributed under paragraphs (1) and (2) and the
4 amounts distributed under paragraph (4), for Fed-
5 eral-aid highway and highway safety construction
6 programs that are apportioned by the Secretary
7 under title 23, United States Code (other than the
8 amounts apportioned for the National Highway Per-
9 formance Program in section 119 of title 23, United
10 States Code, that are exempt from the limitation
11 under subsection (b)(12) and the amounts appor-
12 tioned under sections 202 and 204 of that title) in
13 the proportion that—

14 (A) amounts authorized to be appropriated
15 for the programs that are apportioned under
16 title 23, United States Code, to each State for
17 such fiscal year; bears to

18 (B) the total of the amounts authorized to
19 be appropriated for the programs that are ap-
20 portioned under title 23, United States Code, to
21 all States for such fiscal year.

22 (b) EXCEPTIONS FROM OBLIGATION LIMITATION.—
23 The obligation limitation for Federal-aid highways shall
24 not apply to obligations under or for—

25 (1) section 125 of title 23, United States Code;

1 (2) section 147 of the Surface Transportation
2 Assistance Act of 1978 (23 U.S.C. 144 note; 92
3 Stat. 2714);

4 (3) section 9 of the Federal-Aid Highway Act
5 of 1981 (95 Stat. 1701);

6 (4) subsections (b) and (j) of section 131 of the
7 Surface Transportation Assistance Act of 1982 (96
8 Stat. 2119);

9 (5) subsections (b) and (c) of section 149 of the
10 Surface Transportation and Uniform Relocation As-
11 sistance Act of 1987 (101 Stat. 198);

12 (6) sections 1103 through 1108 of the Inter-
13 modal Surface Transportation Efficiency Act of
14 1991 (105 Stat. 2027);

15 (7) section 157 of title 23, United States Code
16 (as in effect on June 8, 1998);

17 (8) section 105 of title 23, United States Code
18 (as in effect for fiscal years 1998 through 2004, but
19 only in an amount equal to \$639,000,000 for each
20 of those fiscal years);

21 (9) Federal-aid highway programs for which ob-
22 ligation authority was made available under the
23 Transportation Equity Act for the 21st Century
24 (112 Stat. 107) or subsequent Acts for multiple
25 years or to remain available until expended, but only

1 to the extent that the obligation authority has not
2 lapsed or been used;

3 (10) section 105 of title 23, United States Code
4 (as in effect for fiscal years 2005 through 2012, but
5 only in an amount equal to \$639,000,000 for each
6 of those fiscal years);

7 (11) section 1603 of SAFETEA-LU (23
8 U.S.C. 118 note; 119 Stat. 1248), to the extent that
9 funds obligated in accordance with that section were
10 not subject to a limitation on obligations at the time
11 at which the funds were initially made available for
12 obligation; and

13 (12) section 119 of title 23, United States Code
14 (but, for each of fiscal years 2013 through 2016,
15 only in an amount equal to \$639,000,000).

16 (c) REDISTRIBUTION OF UNUSED OBLIGATION AU-
17 THORITY.—Notwithstanding subsection (a), the Secretary
18 shall, after August 1 of such fiscal year—

19 (1) revise a distribution of the obligation limita-
20 tion made available under subsection (a) if an
21 amount distributed cannot be obligated during that
22 fiscal year; and

23 (2) redistribute sufficient amounts to those
24 States able to obligate amounts in addition to those
25 previously distributed during that fiscal year, giving

1 priority to those States having large unobligated bal-
2 ances of funds apportioned under sections 144 (as in
3 effect on the day before the date of enactment of
4 Public Law 112–141) and 104 of title 23, United
5 States Code.

6 (d) APPLICABILITY OF OBLIGATION LIMITATIONS TO
7 TRANSPORTATION RESEARCH PROGRAMS.—

8 (1) IN GENERAL.—Except as provided in para-
9 graph (2), the obligation limitation for Federal-aid
10 highways shall apply to contract authority for trans-
11 portation research programs carried out under—

12 (A) chapter 5 of title 23, United States
13 Code; and

14 (B) title VI of the Fixing America’s Sur-
15 face Transportation Act.

16 (2) EXCEPTION.—Obligation authority made
17 available under paragraph (1) shall—

18 (A) remain available for a period of 4 fis-
19 cal years; and

20 (B) be in addition to the amount of any
21 limitation imposed on obligations for Federal-
22 aid highway and highway safety construction
23 programs for future fiscal years.

24 (e) REDISTRIBUTION OF CERTAIN AUTHORIZED
25 FUNDS.—

1 (1) IN GENERAL.—Not later than 30 days after
2 the date of distribution of obligation limitation
3 under subsection (a), the Secretary shall distribute
4 to the States any funds (excluding funds authorized
5 for the program under section 202 of title 23,
6 United States Code) that—

7 (A) are authorized to be appropriated for
8 such fiscal year for Federal-aid highway pro-
9 grams; and

10 (B) the Secretary determines will not be
11 allocated to the States (or will not be appor-
12 tioned to the States under section 204 of title
13 23, United States Code), and will not be avail-
14 able for obligation, for such fiscal year because
15 of the imposition of any obligation limitation for
16 such fiscal year.

17 (2) RATIO.—Funds shall be distributed under
18 paragraph (1) in the same proportion as the dis-
19 tribution of obligation authority under subsection
20 (a)(5).

21 (3) AVAILABILITY.—Funds distributed to each
22 State under paragraph (1) shall be available for any
23 purpose described in section 133(b) of title 23,
24 United States Code.

1 SEC. 121. Notwithstanding 31 U.S.C. 3302, funds re-
2 ceived by the Bureau of Transportation Statistics from the
3 sale of data products, for necessary expenses incurred pur-
4 suant to chapter 63 of title 49, United States Code, may
5 be credited to the Federal-aid highways account for the
6 purpose of reimbursing the Bureau for such expenses:
7 *Provided*, That such funds shall be subject to the obliga-
8 tion limitation for Federal-aid highway and highway safety
9 construction programs.

10 SEC. 122. Not less than 15 days prior to waiving,
11 under his or her statutory authority, any Buy America re-
12 quirement for Federal-aid highways projects, the Sec-
13 retary of Transportation shall make an informal public no-
14 tice and comment opportunity on the intent to issue such
15 waiver and the reasons therefor: *Provided*, That the Sec-
16 retary shall provide an annual report to the House and
17 Senate Committees on Appropriations on any waivers
18 granted under the Buy America requirements.

19 SEC. 123. None of the funds in this Act to the De-
20 partment of Transportation may be used to provide credit
21 assistance unless not less than 3 days before any applica-
22 tion approval to provide credit assistance under sections
23 603 and 604 of title 23, United States Code, the Secretary
24 of Transportation provides notification in writing to the
25 following committees: the House and Senate Committees

1 on Appropriations; the Committee on Environment and
2 Public Works and the Committee on Banking, Housing
3 and Urban Affairs of the Senate; and the Committee on
4 Transportation and Infrastructure of the House of Rep-
5 resentatives: *Provided*, That such notification shall in-
6 clude, but not be limited to, the name of the project spon-
7 sor; a description of the project; whether credit assistance
8 will be provided as a direct loan, loan guarantee, or line
9 of credit; and the amount of credit assistance.

10 SEC. 124. Section 127 of title 23, United States
11 Code, is amended—

12 (1) in each of subsections (a)(11)(A) and (B)
13 by striking “through December 31, 2031”, and

14 (2) by inserting at the end the following:

15 “(t) VEHICLES IN IDAHO.—A vehicle limited or pro-
16 hibited under this section from operating on a segment
17 of the Interstate System in the State of Idaho may operate
18 on such a segment if such vehicle—

19 “(1) has a gross vehicle weight of 129,000
20 pounds or less;

21 “(2) other than gross vehicle weight, complies
22 with the single axle, tandem axle, and bridge for-
23 mula limits set forth in subsection (a); and

24 “(3) is authorized to operate on such segment
25 under Idaho State law.”.

1 SEC. 125. (a) A State or territory, as defined in sec-
2 tion 165 of title 23, United States Code, may use for any
3 project eligible under section 133(b) of title 23 or section
4 165 of title 23 and located within the boundary of the
5 State or territory any earmarked amount, and any associ-
6 ated obligation limitation, provided that the Department
7 of Transportation for the State or territory for which the
8 earmarked amount was originally designated or directed
9 notifies the Secretary of Transportation of its intent to
10 use its authority under this section and submits a quar-
11 terly report to the Secretary identifying the projects to
12 which the funding would be applied. Notwithstanding the
13 original period of availability of funds to be obligated
14 under this section, such funds and associated obligation
15 limitation shall remain available for obligation for a period
16 of 3 fiscal years after the fiscal year in which the Sec-
17 retary of Transportation is notified. The Federal share of
18 the cost of a project carried out with funds made available
19 under this section shall be the same as associated with
20 the earmark.

21 (b) In this section, the term “earmarked amount”
22 means—

23 (1) congressionally directed spending, as de-
24 fined in rule XLIV of the Standing Rules of the
25 Senate, identified in a prior law, report, or joint ex-

1 planatory statement, which was authorized to be ap-
2 propriated or appropriated more than 10 fiscal years
3 prior to the fiscal year in which this Act becomes ef-
4 fective, and administered by the Federal Highway
5 Administration; or

6 (2) a congressional earmark, as defined in rule
7 XXI of the Rules of the House of Representatives
8 identified in a prior law, report, or joint explanatory
9 statement, which was authorized to be appropriated
10 or appropriated more than 10 fiscal years prior to
11 the fiscal year in which this Act becomes effective,
12 and administered by the Federal Highway Adminis-
13 tration.

14 (c) The authority under subsection (a) may be exer-
15 cised only for those projects or activities that have obli-
16 gated less than 10 percent of the amount made available
17 for obligation as of the effective date of this Act, and shall
18 be applied to projects within the same general geographic
19 area within 50 miles for which the funding was des-
20 ignated, except that a State or territory may apply such
21 authority to unexpended balances of funds from projects
22 or activities the State or territory certifies have been
23 closed and for which payments have been made under a
24 final voucher.

1 (d) The Secretary shall submit consolidated reports
2 of the information provided by the States and territories
3 each quarter to the House and Senate Committees on Ap-
4 propriations.

5 SEC. 126. Notwithstanding any other provision of
6 law, the amount that the Secretary sets aside for fiscal
7 year 2016 under section 130(e)(1) of title 23, United
8 States Code, for the elimination of hazards and the instal-
9 lation of protective devices at railway-highway crossings
10 shall be \$350,000,000.

11 FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

12 MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

13 (LIQUIDATION OF CONTRACT AUTHORIZATION)

14 (LIMITATION ON OBLIGATIONS)

15 (HIGHWAY TRUST FUND)

16 For payment of obligations incurred in the implemen-
17 tation, execution and administration of motor carrier safe-
18 ty operations and programs pursuant to section 31110(a)-
19 (c) of title 49, United States Code, and section 4134 of
20 Public Law 109-59, as amended by Public Law 112-141,
21 as amended by the Fixing America's Surface Transpor-
22 tation Act, \$267,400,000, to be derived from the Highway
23 Trust Fund (other than the Mass Transit Account), to-
24 gether with advances and reimbursements received by the
25 Federal Motor Carrier Safety Administration, the sum of

1 which shall remain available until expended: *Provided*,
2 That funds available for implementation, execution or ad-
3 ministration of motor carrier safety operations and pro-
4 grams authorized under title 49, United States Code, shall
5 not exceed total obligations of \$267,400,000 for “Motor
6 Carrier Safety Operations and Programs” for fiscal year
7 2016, of which \$9,000,000, to remain available for obliga-
8 tion until September 30, 2018, is for the research and
9 technology program, and of which \$34,545,000, to remain
10 available for obligation until September 30, 2018, is for
11 information management: *Provided further*, That
12 \$1,000,000 shall be made available for commercial motor
13 vehicle operator grants to carry out section 4134 of Public
14 Law 109–59, as amended by Public Law 112–141, as
15 amended by the Fixing America’s Surface Transportation
16 Act.

17 MOTOR CARRIER SAFETY GRANTS

18 (LIQUIDATION OF CONTRACT AUTHORIZATION)

19 (LIMITATION ON OBLIGATIONS)

20 (HIGHWAY TRUST FUND)

21 For payment of obligations incurred in carrying out
22 sections 31102, 31104(a), 31106, 31107, 31109, 31309,
23 31313 of title 49, United States Code, and sections 4126
24 and 4128 of Public Law 109–59, as amended by Public
25 Law 112–141, as amended by the Fixing America’s Sur-

1 face Transportation Act, \$313,000,000, to be derived
2 from the Highway Trust Fund (other than the Mass Tran-
3 sit Account) and to remain available until expended: *Pro-*
4 *vided*, That funds available for the implementation or exe-
5 cution of motor carrier safety programs shall not exceed
6 total obligations of \$313,000,000 in fiscal year 2016 for
7 “Motor Carrier Safety Grants”; of which \$218,000,000
8 shall be available for the motor carrier safety assistance
9 program, \$30,000,000 shall be available for commercial
10 driver’s license program improvement grants, \$32,000,000
11 shall be available for border enforcement grants,
12 \$5,000,000 shall be available for performance and reg-
13 istration information system management grants,
14 \$25,000,000 shall be available for the commercial vehicle
15 information systems and networks deployment program,
16 and \$3,000,000 shall be available for safety data improve-
17 ment grants: *Provided further*, That, of the funds made
18 available herein for the motor carrier safety assistance
19 program, \$32,000,000 shall be available for audits of new
20 entrant motor carriers.

21 ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR

22 CARRIER SAFETY ADMINISTRATION

23 SEC. 130. (a) Funds appropriated or limited in this
24 Act shall be subject to the terms and conditions stipulated

1 in section 350 of Public Law 107–87 and section 6901
2 of Public Law 110–28.

3 (b) Section 350(d) of the Department of Transpor-
4 tation and Related Agencies Appropriation Act, 2002
5 (Public Law 107–87) is hereby repealed.

6 SEC. 131. The Federal Motor Carrier Safety Admin-
7 istration shall send notice of 49 CFR section 385.308 vio-
8 lations by certified mail, registered mail, or another man-
9 ner of delivery, which records the receipt of the notice by
10 the persons responsible for the violations.

11 SEC. 132. None of the funds limited or otherwise
12 made available under this Act, or any other Act, hereafter,
13 shall be used by the Secretary to enforce any regulation
14 prohibiting a State from issuing a commercial learner’s
15 permit to individuals under the age of eighteen if the State
16 had a law authorizing the issuance of commercial learner’s
17 permits to individuals under eighteen years of age as of
18 May 9, 2011.

19 SEC. 133. None of the funds appropriated or other-
20 wise made available by this Act or any other Act may be
21 used to implement, administer, or enforce sections
22 395.3(e) and 395.3(d) of title 49, Code of Federal Regula-
23 tions, and such section shall have no force or effect on
24 submission of the final report issued by the Secretary, as
25 required by section 133 of division K of Public Law 113–

1 235, unless the Secretary and the Inspector General of
2 the Department of Transportation each review and deter-
3 mine that the final report—

4 (1) meets the statutory requirements set forth
5 in such section; and

6 (2) establishes that commercial motor vehicle
7 drivers who operated under the restart provisions in
8 effect between July 1, 2013, and the day before the
9 date of enactment of such Public Law demonstrated
10 statistically significant improvement in all outcomes
11 related to safety, operator fatigue, driver health and
12 longevity, and work schedules, in comparison to
13 commercial motor vehicle drivers who operated
14 under the restart provisions in effect on June 30,
15 2013.

16 SEC. 134. None of the funds limited or otherwise
17 made available under the heading “Motor Carrier Safety
18 Operations and Programs” may be used to deny an appli-
19 cation to renew a Hazardous Materials Safety Program
20 permit for a motor carrier based on that carrier’s Haz-
21 ardous Materials Out-of-Service rate, unless the carrier
22 has the opportunity to submit a written description of cor-
23 rective actions taken, and other documentation the carrier
24 wishes the Secretary to consider, including submitting a
25 corrective action plan, and the Secretary determines the

1 actions or plan is insufficient to address the safety con-
2 cerns that resulted in that Hazardous Materials Out-of-
3 Service rate.

4 SEC. 135. None of the funds made available by this
5 Act or previous appropriations Acts under the heading
6 “Motor Carrier Safety Operations and Programs” shall be
7 used to pay for costs associated with design, development,
8 testing, or implementation of a wireless roadside inspec-
9 tion program until 180 days after the Secretary of Trans-
10 portation certifies to the House and Senate Committees
11 on Appropriations that such program does not conflict
12 with existing non-Federal electronic screening systems,
13 create capabilities already available, or require additional
14 statutory authority to incorporate generated inspection
15 data into safety determinations or databases, and has re-
16 strictions to specifically address privacy concerns of af-
17 fected motor carriers and operators: *Provided*, That noth-
18 ing in this section shall be construed as affecting the De-
19 partment’s ongoing research efforts in this area.

20 SEC. 136. Section 13506(a) of title 49, United States
21 Code, is amended:

- 22 (1) in subsection (14) by striking “or”;
- 23 (2) in subsection (15) by striking “.” and in-
24 serting “; or”; and

1 (3) by inserting at the end, “(16) the transpor-
2 tation of passengers by 9 to 15 passenger motor ve-
3 hicles operated by youth or family camps that pro-
4 vide recreational or educational activities.”.

5 SEC. 137. (a) IN GENERAL.—Section 31112(c)(5) of
6 title 49, United States Code, is amended—

7 (1) by striking “Nebraska may” and inserting
8 “Nebraska and Kansas may”; and

9 (2) by striking “the State of Nebraska” and in-
10 serting “the relevant state”.

11 (b) CONFORMING AND TECHNICAL AMENDMENTS.—
12 Section 31112(c) of such title is amended—

13 (1) by striking the subsection designation and
14 heading and inserting the following:

15 “(c) SPECIAL RULES FOR WYOMING, OHIO, ALASKA,
16 IOWA, NEBRASKA, AND KANSAS.—”;

17 (2) by striking “; and” at the end of paragraph

18 (3) and inserting a semicolon; and

19 (3) by striking the period at the end of para-
20 graph (4) and inserting “; and”.

21 NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

22 OPERATIONS AND RESEARCH

23 For expenses necessary to discharge the functions of
24 the Secretary, with respect to traffic and highway safety
25 authorized under chapter 301 and part C of subtitle VI

1 of title 49, United States Code, \$152,800,000, of which
2 \$20,000,000 shall remain available through September
3 30, 2017.

4 OPERATIONS AND RESEARCH
5 (LIQUIDATION OF CONTRACT AUTHORIZATION)
6 (LIMITATION ON OBLIGATIONS)
7 (HIGHWAY TRUST FUND)

8 For payment of obligations incurred in carrying out
9 the provisions of 23 U.S.C. 403, and chapter 303 of title
10 49, United States Code, \$142,900,000, to be derived from
11 the Highway Trust Fund (other than the Mass Transit
12 Account) and to remain available until expended: *Pro-*
13 *vided*, That none of the funds in this Act shall be available
14 for the planning or execution of programs the total obliga-
15 tions for which, in fiscal year 2016, are in excess of
16 \$142,900,000, of which \$137,800,000 shall be for pro-
17 grams authorized under 23 U.S.C. 403 and \$5,100,000
18 shall be for the National Driver Register authorized under
19 chapter 303 of title 49, United States Code: *Provided fur-*
20 *ther*, That within the \$142,900,000 obligation limitation
21 for operations and research, \$20,000,000 shall remain
22 available until September 30, 2017, and shall be in addi-
23 tion to the amount of any limitation imposed on obliga-
24 tions for future years.

1 HIGHWAY TRAFFIC SAFETY GRANTS
2 (LIQUIDATION OF CONTRACT AUTHORIZATION)
3 (LIMITATION ON OBLIGATIONS)
4 (HIGHWAY TRUST FUND)

5 For payment of obligations incurred in carrying out
6 provisions of 23 U.S.C. 402, 404, and 405, and section
7 4001(a)(6) of the Fixing America’s Surface Transpor-
8 tation Act, to remain available until expended,
9 \$573,332,000, to be derived from the Highway Trust
10 Fund (other than the Mass Transit Account): *Provided*,
11 That none of the funds in this Act shall be available for
12 the planning or execution of programs the total obligations
13 for which, in fiscal year 2016, are in excess of
14 \$573,332,000 for programs authorized under 23 U.S.C.
15 402, 404, and 405, and section 4001(a)(6) of the Fixing
16 America’s Surface Transportation Act, of which
17 \$243,500,000 shall be for “Highway Safety Programs”
18 under 23 U.S.C. 402; \$274,700,000 shall be for “National
19 Priority Safety Programs” under 23 U.S.C. 405;
20 \$29,300,000 shall be for “High Visibility Enforcement
21 Program” under 23 U.S.C. 404; \$25,832,000 shall be for
22 “Administrative Expenses” under section 4001(a)(6) of
23 the Fixing America’s Surface Transportation Act: *Pro-*
24 *vided further*, That none of these funds shall be used for
25 construction, rehabilitation, or remodeling costs, or for of-

1 fice furnishings and fixtures for State, local or private
2 buildings or structures: *Provided further*, That not to ex-
3 ceed \$500,000 of the funds made available for “National
4 Priority Safety Programs” under 23 U.S.C. 405 for “Im-
5 paired Driving Countermeasures” (as described in sub-
6 section (d) of that section) shall be available for technical
7 assistance to the States: *Provided further*, That with re-
8 spect to the “Transfers” provision under 23 U.S.C.
9 405(a)(1)(G), any amounts transferred to increase the
10 amounts made available under section 402 shall include
11 the obligation authority for such amounts: *Provided fur-*
12 *ther*, That the Administrator shall notify the House and
13 Senate Committees on Appropriations of any exercise of
14 the authority granted under the previous proviso or under
15 23 U.S.C. 405(a)(1)(G) within five days.

16 ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY

17 TRAFFIC SAFETY ADMINISTRATION

18 SEC. 140. An additional \$130,000 shall be made
19 available to the National Highway Traffic Safety Adminis-
20 tration, out of the amount limited for section 402 of title
21 23, United States Code, to pay for travel and related ex-
22 penses for State management reviews and to pay for core
23 competency development training and related expenses for
24 highway safety staff.

1 SEC. 141. The limitations on obligations for the pro-
2 grams of the National Highway Traffic Safety Adminis-
3 tration set in this Act shall not apply to obligations for
4 which obligation authority was made available in previous
5 public laws but only to the extent that the obligation au-
6 thority has not lapsed or been used.

7 SEC. 142. None of the funds made available by this
8 Act may be used to obligate or award funds for the Na-
9 tional Highway Traffic Safety Administration's National
10 Roadside Survey.

11 SEC. 143. None of the funds made available by this
12 Act may be used to mandate global positioning system
13 (GPS) tracking in private passenger motor vehicles with-
14 out providing full and appropriate consideration of privacy
15 concerns under 5 U.S.C. chapter 5, subchapter II.

16 FEDERAL RAILROAD ADMINISTRATION
17 SAFETY AND OPERATIONS

18 For necessary expenses of the Federal Railroad Ad-
19 ministration, not otherwise provided for, \$199,000,000, of
20 which \$15,900,000 shall remain available until expended.

21 RAILROAD RESEARCH AND DEVELOPMENT

22 For necessary expenses for railroad research and de-
23 velopment, \$39,100,000, to remain available until ex-
24 pended.

1 RAILROAD REHABILITATION AND IMPROVEMENT
2 FINANCING PROGRAM

3 The Secretary of Transportation is authorized to
4 issue direct loans and loan guarantees pursuant to sec-
5 tions 501 through 504 of the Railroad Revitalization and
6 Regulatory Reform Act of 1976 (Public Law 94–210), as
7 amended, such authority to exist as long as any such di-
8 rect loan or loan guarantee is outstanding. *Provided*, That
9 pursuant to section 502 of such Act, as amended, no new
10 direct loans or loan guarantee commitments shall be made
11 using Federal funds for the credit risk premium during
12 fiscal year 2016.

13 RAILROAD SAFETY GRANTS

14 For necessary expenses related to railroad safety
15 grants, \$50,000,000, to remain available until expended,
16 of which not to exceed \$25,000,000 shall be available to
17 carry out 49 U.S.C. 20167, as in effect the day before
18 the enactment of the Passenger Rail Reform and Invest-
19 ment Act of 2015 (division A, title XI of the Fixing Amer-
20 ica’s Surface Transportation Act); and not to exceed
21 \$25,000,000 shall be made available to carry out 49
22 U.S.C. 20158.

1 OPERATING GRANTS TO THE NATIONAL RAILROAD
2 PASSENGER CORPORATION

3 To enable the Secretary of Transportation to make
4 quarterly grants to the National Railroad Passenger Cor-
5 poration, in amounts based on the Secretary's assessment
6 of the Corporation's seasonal cash flow requirements, for
7 the operation of intercity passenger rail, as authorized by
8 section 101 of the Passenger Rail Investment and Im-
9 provement Act of 2008 (division B of Public Law 110-
10 432), as in effect the day before the enactment of the Pas-
11 senger Rail Reform and Investment Act of 2015 (division
12 A, title XI of the Fixing America's Surface Transportation
13 Act), \$288,500,000, to remain available until expended:
14 *Provided*, That the amounts available under this para-
15 graph shall be available for the Secretary to approve fund-
16 ing to cover operating losses for the Corporation only after
17 receiving and reviewing a grant request for each specific
18 train route: *Provided further*, That each such grant re-
19 quest shall be accompanied by a detailed financial anal-
20 ysis, revenue projection, and capital expenditure projection
21 justifying the Federal support to the Secretary's satisfac-
22 tion: *Provided further*, That not later than 60 days after
23 enactment of this Act, the Corporation shall transmit, in
24 electronic format, to the Secretary and the House and
25 Senate Committees on Appropriations the annual budget,

1 business plan, the 5-Year Financial Plan for fiscal year
2 2016 required under section 204 of the Passenger Rail
3 Investment and Improvement Act of 2008 and the com-
4 prehensive fleet plan for all Amtrak rolling stock: *Provided*
5 *further*, That the budget, business plan and the 5-Year
6 Financial Plan shall include annual information on the
7 maintenance, refurbishment, replacement, and expansion
8 for all Amtrak rolling stock consistent with the com-
9 prehensive fleet plan: *Provided further*, That the Corpora-
10 tion shall provide monthly performance reports in an elec-
11 tronic format which shall describe the work completed to
12 date, any changes to the business plan, and the reasons
13 for such changes as well as progress against the milestones
14 and target dates of the 2012 performance improvement
15 plan: *Provided further*, That the Corporation's budget,
16 business plan, 5-Year Financial Plan, semiannual reports,
17 monthly reports, comprehensive fleet plan and all supple-
18 mental reports or plans comply with requirements in Pub-
19 lic Law 112-55: *Provided further*, That none of the funds
20 provided in this Act may be used to support any route
21 on which Amtrak offers a discounted fare of more than
22 50 percent off the normal peak fare: *Provided further*,
23 That the preceding proviso does not apply to routes where
24 the operating loss as a result of the discount is covered

1 by a State and the State participates in the setting of
2 fares.

3 CAPITAL AND DEBT SERVICE GRANTS TO THE NATIONAL
4 RAILROAD PASSENGER CORPORATION

5 To enable the Secretary of Transportation to make
6 grants to the National Railroad Passenger Corporation for
7 capital investments as authorized by sections 101(c), 102,
8 and 219(b) of the Passenger Rail Investment and Im-
9 provement Act of 2008 (division B of Public Law 110-
10 432), as in effect the day before the enactment of the Pas-
11 senger Rail Reform and Investment Act of 2015 (division
12 A, title XI of the Fixing America's Surface Transportation
13 Act), \$1,101,500,000, to remain available until expended,
14 of which not to exceed \$160,200,000 shall be for debt
15 service obligations as authorized by section 102 of such
16 Act: *Provided*, That of the amounts made available under
17 this heading, not less than \$50,000,000 shall be made
18 available to bring Amtrak-served facilities and stations
19 into compliance with the Americans with Disabilities Act:
20 *Provided further*, That after an initial distribution of up
21 to \$200,000,000, which shall be used by the Corporation
22 as a working capital account, all remaining funds shall be
23 provided to the Corporation only on a reimbursable basis:
24 *Provided further*, That of the amounts made available
25 under this heading, up to \$50,000,000 may be used by

1 the Secretary to subsidize operating losses of the Corpora-
2 tion should the funds provided under the heading “Oper-
3 ating Grants to the National Railroad Passenger Corpora-
4 tion” be insufficient to meet operational costs for fiscal
5 year 2016: *Provided further*, That the Secretary may re-
6 tain up to one-half of 1 percent of the funds provided
7 under this heading to fund the costs of project manage-
8 ment and oversight of activities authorized by subsections
9 101(a) and 101(c) of division B of Public Law 110–432,
10 of which up to \$500,000 may be available for technical
11 assistance for States, the District of Columbia, and other
12 public entities responsible for the implementation of sec-
13 tion 209 of division B of Public Law 110–432: *Provided*
14 *further*, That the Secretary shall approve funding for cap-
15 ital expenditures, including advance purchase orders of
16 materials, for the Corporation only after receiving and re-
17 viewing a grant request for each specific capital project
18 justifying the Federal support to the Secretary’s satisfac-
19 tion: *Provided further*, That except as otherwise provided
20 herein, none of the funds under this heading may be used
21 to subsidize operating losses of the Corporation: *Provided*
22 *further*, That none of the funds under this heading may
23 be used for capital projects not approved by the Secretary
24 of Transportation or on the Corporation’s fiscal year 2016
25 business plan: *Provided further*, That in addition to the

1 project management oversight funds authorized under sec-
2 tion 101(d) of division B of Public Law 110–432, the Sec-
3 retary may retain up to an additional \$3,000,000 of the
4 funds provided under this heading to fund expenses associ-
5 ated with implementing section 212 of division B of Public
6 Law 110–432, including the amendments made by section
7 212 to section 24905 of title 49, United States Code: *Pro-*
8 *vided further*, That Amtrak shall conduct a business case
9 analysis on capital investments that exceed \$10,000,000
10 in life-cycle costs: *Provided further*, That each contract for
11 a capital acquisition that exceeds \$10,000,000 in life-cycle
12 costs shall state that funding is subject to the availability
13 of appropriated funds provided by an appropriations Act.

14 ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD

15 ADMINISTRATION

16 (INCLUDING RESCISSIONS)

17 SEC. 150. The Secretary of Transportation may re-
18 ceive and expend cash, or receive and utilize spare parts
19 and similar items, from non-United States Government
20 sources to repair damages to or replace United States
21 Government owned automated track inspection cars and
22 equipment as a result of third-party liability for such dam-
23 ages, and any amounts collected under this section shall
24 be credited directly to the Safety and Operations account
25 of the Federal Railroad Administration, and shall remain

1 available until expended for the repair, operation and
2 maintenance of automated track inspection cars and
3 equipment in connection with the automated track inspec-
4 tion program.

5 SEC. 151. None of the funds provided to the National
6 Railroad Passenger Corporation may be used to fund any
7 overtime costs in excess of \$35,000 for any individual em-
8 ployee: *Provided*, That the President of Amtrak may waive
9 the cap set in the previous proviso for specific employees
10 when the President of Amtrak determines such a cap
11 poses a risk to the safety and operational efficiency of the
12 system: *Provided further*, That the President of Amtrak
13 shall report to the House and Senate Committees on Ap-
14 propriations each quarter of the calendar year on waivers
15 granted to employees and amounts paid above the cap for
16 each month within such quarter and delineate the reasons
17 each waiver was granted: *Provided further*, That the Presi-
18 dent of Amtrak shall report to the House and Senate
19 Committees on Appropriations by March 1, 2016, a sum-
20 mary of all overtime payments incurred by the Corpora-
21 tion for 2015 and the three prior calendar years: *Provided*
22 *further*, That such summary shall include the total number
23 of employees that received waivers and the total overtime
24 payments the Corporation paid to those employees receiv-

1 ing waivers for each month for 2015 and for the three
2 prior calendar years.

3 SEC. 152. Of the unobligated balances of funds avail-
4 able to the Federal Railroad Administration from the
5 “Railroad Research and Development” account,
6 \$1,960,000 is permanently rescinded: *Provided*, That such
7 amounts are made available to enable the Secretary of
8 Transportation to assist Class II and Class III railroads
9 with eligible projects pursuant to sections 501 through
10 504 of the Railroad Revitalization and Regulatory Reform
11 Act of 1976 (Public Law 94–210), as amended: *Provided*
12 *further*, That such funds shall be available for applicant
13 expenses in preparing to apply and applying for direct
14 loans and loan guarantees: *Provided further*, That these
15 funds shall remain available until expended.

16 SEC. 153. Of the unobligated balances of funds avail-
17 able to the Federal Railroad Administration, the following
18 funds are hereby rescinded: \$5,000,000 of the unobligated
19 balances of funds made available to fund expenses associ-
20 ated with implementing section 212 of division B of Public
21 Law 110–432 in the Capital and Debt Service Grants to
22 the National Railroad Passenger Corporation account of
23 the Consolidated and Further Continuing Appropriations
24 Act, 2015; and \$14,163,385 of the unobligated balances
25 of funds made available from the following accounts in the

1 specified amounts—“Grants to the National Railroad Pas-
2 senger Corporation”, \$267,019; “Next Generation High-
3 Speed Rail”, \$4,944,504; “Rail Line Relocation and Im-
4 provement Program”, \$2,241,385; and “Safety and Oper-
5 ations”, \$6,710,477: *Provided*, That such amounts are
6 made available to enable the Secretary of Transportation
7 to make grants to the National Railroad Passenger Cor-
8 poration as authorized by section 101(c) of the Passenger
9 Rail Investment and Improvement Act of 2008 (division
10 B of Public Law 110–432) for state-of-good-repair back-
11 log and infrastructure improvements on Northeast Cor-
12 ridor shared-use infrastructure identified in the Northeast
13 Corridor Infrastructure and Operations Advisory Commis-
14 sion’s approved 5-year capital plan: *Provided further*, That
15 these funds shall remain available until expended and shall
16 be available for grants in an amount not to exceed 50 per-
17 cent of the total project cost, with the required matching
18 funds to be provided consistent with the Commission’s cost
19 allocation policy.

20 FEDERAL TRANSIT ADMINISTRATION

21 ADMINISTRATIVE EXPENSES

22 For necessary administrative expenses of the Federal
23 Transit Administration’s programs authorized by chapter
24 53 of title 49, United States Code, \$108,000,000, of which
25 not more than \$6,500,000 shall be available to carry out

1 the provisions of 49 U.S.C. 5329 and not less than
2 \$1,000,000 shall be available to carry out the provisions
3 of 49 U.S.C. 5326: *Provided*, That none of the funds pro-
4 vided or limited in this Act may be used to create a perma-
5 nent office of transit security under this heading: *Provided*
6 *further*, That upon submission to the Congress of the fiscal
7 year 2017 President's budget, the Secretary of Transpor-
8 tation shall transmit to Congress the annual report on
9 New Starts, including proposed allocations for fiscal year
10 2017.

11 TRANSIT FORMULA GRANTS
12 (LIQUIDATION OF CONTRACT AUTHORIZATION)
13 (LIMITATION ON OBLIGATIONS)
14 (HIGHWAY TRUST FUND)

15 For payment of obligations incurred in the Federal
16 Public Transportation Assistance Program in this ac-
17 count, and for payment of obligations incurred in carrying
18 out the provisions of 49 U.S.C. 5305, 5307, 5310, 5311,
19 5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339, and
20 5340, as amended by the Fixing America's Surface Trans-
21 portation Act, and section 20005(b) of Public Law 112-
22 141, and section 3006(b) of the Fixing America's Surface
23 Transportation Act, \$10,400,000,000, to be derived from
24 the Mass Transit Account of the Highway Trust Fund
25 and to remain available until expended: *Provided*, That

1 funds available for the implementation or execution of pro-
2 grams authorized under 49 U.S.C. 5305, 5307, 5310,
3 5311, 5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339,
4 and 5340, as amended by the Fixing America's Surface
5 Transportation Act, and section 20005(b) of Public Law
6 112–141, and section 3006(b) of the Fixing America's
7 Surface Transportation Act, shall not exceed total obliga-
8 tions of \$9,347,604,639 in fiscal year 2016.

9 CAPITAL INVESTMENT GRANTS

10 For necessary expenses to carry out 49 U.S.C. 5309,
11 \$2,177,000,000, to remain available until expended.

12 GRANTS TO THE WASHINGTON METROPOLITAN AREA

13 TRANSIT AUTHORITY

14 For grants to the Washington Metropolitan Area
15 Transit Authority as authorized under section 601 of divi-
16 sion B of Public Law 110–432, \$150,000,000, to remain
17 available until expended: *Provided*, That the Secretary of
18 Transportation shall approve grants for capital and pre-
19 ventive maintenance expenditures for the Washington
20 Metropolitan Area Transit Authority only after receiving
21 and reviewing a request for each specific project: *Provided*
22 *further*, That prior to approving such grants, the Secretary
23 shall certify that the Washington Metropolitan Area Tran-
24 sit Authority is making progress to improve its safety
25 management system in response to the Federal Transit

1 Administration’s 2015 safety management inspection:
2 *Provided further*, That prior to approving such grants, the
3 Secretary shall certify that the Washington Metropolitan
4 Area Transit Authority is making progress toward full im-
5 plementation of the corrective actions identified in the
6 2014 Financial Management Oversight Review Report:
7 *Provided further*, That the Secretary shall determine that
8 the Washington Metropolitan Area Transit Authority has
9 placed the highest priority on those investments that will
10 improve the safety of the system before approving such
11 grants: *Provided further*, That the Secretary, in order to
12 ensure safety throughout the rail system, may waive the
13 requirements of section 601(e)(1) of title VI of Public Law
14 110–432 (112 Stat. 4968).

15 ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT

16 ADMINISTRATION

17 (INCLUDING RESCISSION)

18 SEC. 160. The limitations on obligations for the pro-
19 grams of the Federal Transit Administration shall not
20 apply to any authority under 49 U.S.C. 5338, previously
21 made available for obligation, or to any other authority
22 previously made available for obligation.

23 SEC. 161. Notwithstanding any other provision of
24 law, funds appropriated or limited by this Act under the
25 heading “Fixed Guideway Capital Investment” of the Fed-

1 eral Transit Administration for projects specified in this
2 Act or identified in reports accompanying this Act not ob-
3 ligated by September 30, 2020, and other recoveries, shall
4 be directed to projects eligible to use the funds for the
5 purposes for which they were originally provided.

6 SEC. 162. Notwithstanding any other provision of
7 law, any funds appropriated before October 1, 2015, under
8 any section of chapter 53 of title 49, United States Code,
9 that remain available for expenditure, may be transferred
10 to and administered under the most recent appropriation
11 heading for any such section.

12 SEC. 163. Notwithstanding any other provision of
13 law, none of the funds made available in this Act shall
14 be used to enter into a full funding grant agreement for
15 a project with a New Starts share greater than 60 percent.

16 SEC. 164. (a) LOSS OF ELIGIBILITY.—Except as pro-
17 vided in subsection (b), none of the funds in this or any
18 other Act may be available to advance in any way a new
19 light or heavy rail project towards a full funding grant
20 agreement as defined by 49 U.S.C. 5309 for the Metro-
21 politan Transit Authority of Harris County, Texas if the
22 proposed capital project is constructed on or planned to
23 be constructed on Richmond Avenue west of South Shep-
24 herd Drive or on Post Oak Boulevard north of Richmond
25 Avenue in Houston, Texas.

1 (b) EXCEPTION FOR A NEW ELECTION.—The Metro-
2 politan Transit Authority of Harris County, Texas, may
3 attempt to construct or construct a new fixed guideway
4 capital project, including light rail, in the locations re-
5 ferred to in subsection (a) if—

6 (1) voters in the jurisdiction that includes such
7 locations approve a ballot proposition that specifies
8 routes on Richmond Avenue west of South Shepherd
9 Drive or on Post Oak Boulevard north of Richmond
10 Avenue in Houston, Texas; and

11 (2) the proposed construction of such routes is
12 part of a comprehensive, multi-modal, service-area
13 wide transportation plan that includes multiple addi-
14 tional segments of fixed guideway capital projects,
15 including light rail for the jurisdiction set forth in
16 the ballot proposition. The ballot language shall in-
17 clude reasonable cost estimates, sources of revenue
18 to be used and the total amount of bonded indebted-
19 ness to be incurred as well as a description of each
20 route and the beginning and end point of each pro-
21 posed transit project.

22 SEC. 165. Of the unobligated amounts made available
23 for fiscal year 2012 or prior fiscal years to carry out the
24 discretionary bus and bus facilities and new fixed guide-
25 way capital projects programs under 49 U.S.C. 5309 and

1 the discretionary job access and reverse commute program
2 under section 3037 of the Transportation Equity Act for
3 the 21st Century, \$25,397,797 is hereby rescinded.

4 SEC. 166. Until September 15, 2016, the Secretary
5 may not enforce regulations related to charter bus service
6 under part 604 of title 49, Code of Federal Regulations,
7 for any transit agency that, during fiscal year 2008 was
8 both initially granted a 60-day period to come into compli-
9 ance with part 604, and then was subsequently granted
10 an exception from said part: *Provided*, That notwith-
11 standing 49 U.S.C. 5323(t), such transit agency may re-
12 ceive its allocation of urbanized area formula funds appor-
13 tioned in accordance with 49 U.S.C. 5336.

14 SAINT LAWRENCE SEAWAY DEVELOPMENT
15 CORPORATION

16 The Saint Lawrence Seaway Development Corpora-
17 tion is hereby authorized to make such expenditures, with-
18 in the limits of funds and borrowing authority available
19 to the Corporation, and in accord with law, and to make
20 such contracts and commitments without regard to fiscal
21 year limitations as provided by section 104 of the Govern-
22 ment Corporation Control Act, as amended, as may be
23 necessary in carrying out the programs set forth in the
24 Corporation's budget for the current fiscal year.

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1 OPERATIONS AND MAINTENANCE

2 (HARBOR MAINTENANCE TRUST FUND)

3 For necessary expenses to conduct the operations,
4 maintenance, and capital asset renewal activities of those
5 portions of the St. Lawrence Seaway owned, operated, and
6 maintained by the Saint Lawrence Seaway Development
7 Corporation, \$28,400,000, to be derived from the Harbor
8 Maintenance Trust Fund, pursuant to Public Law 99–
9 662.

10 MARITIME ADMINISTRATION

11 MARITIME SECURITY PROGRAM

12 For necessary expenses to maintain and preserve a
13 U.S.-flag merchant fleet to serve the national security
14 needs of the United States, \$210,000,000, to remain avail-
15 able until expended.

16 OPERATIONS AND TRAINING

17 For necessary expenses of operations and training ac-
18 tivities authorized by law, \$171,155,000, of which
19 \$22,000,000 shall remain available until expended for
20 maintenance and repair of training ships at State Mari-
21 time Academies, and of which \$5,000,000 shall remain
22 available until expended for National Security Multi-Mis-
23 sion Vessel design for State Maritime Academies and Na-
24 tional Security, and of which \$2,400,000 shall remain
25 available through September 30, 2017, for the Student In-

1 centive Program at State Maritime Academies, and of
2 which \$1,200,000 shall remain available until expended
3 for training ship fuel assistance payments, and of which
4 \$18,000,000 shall remain available until expended for fa-
5 cilities maintenance and repair, equipment, and capital
6 improvements at the United States Merchant Marine
7 Academy, and of which \$3,000,000 shall remain available
8 through September 30, 2017, for Maritime Environment
9 and Technology Assistance grants, contracts, and coopera-
10 tive agreement, and of which \$5,000,000 shall remain
11 available until expended for the Short Sea Transportation
12 Program (America's Marine Highways) to make grants
13 for the purposes provided in title 46 sections 55601(b)(1)
14 and 55601(b)(3): *Provided*, That amounts apportioned for
15 the United States Merchant Marine Academy shall be
16 available only upon allotments made personally by the Sec-
17 retary of Transportation or the Assistant Secretary for
18 Budget and Programs: *Provided further*, That the Super-
19 intendent, Deputy Superintendent and the Director of the
20 Office of Resource Management of the United States Mer-
21 chant Marine Academy may not be allotment holders for
22 the United States Merchant Marine Academy, and the Ad-
23 ministrator of the Maritime Administration shall hold all
24 allotments made by the Secretary of Transportation or the
25 Assistant Secretary for Budget and Programs under the

1 previous proviso: *Provided further*, That 50 percent of the
2 funding made available for the United States Merchant
3 Marine Academy under this heading shall be available only
4 after the Secretary, in consultation with the Super-
5 intendent and the Maritime Administrator, completes a
6 plan detailing by program or activity how such funding
7 will be expended at the Academy, and this plan is sub-
8 mitted to the House and Senate Committees on Appro-
9 priations: *Provided further*, That not later than January
10 12, 2016, the Administrator of the Maritime Administra-
11 tion shall transmit to the House and Senate Committees
12 on Appropriations the annual report on sexual assault and
13 sexual harassment at the United States Merchant Marine
14 Academy as required pursuant to section 3507 of Public
15 Law 110–417.

16 ASSISTANCE TO SMALL SHIPYARDS

17 To make grants to qualified shipyards as authorized
18 under section 54101 of title 46, United States Code, as
19 amended by Public Law 113–281, \$5,000,000 to remain
20 available until expended: *Provided*, That the Secretary
21 shall issue the Notice of Funding Availability no later than
22 15 days after enactment of this Act: *Provided further*,
23 That from applications submitted under the previous pro-
24 viso, the Secretary of Transportation shall make grants
25 no later than 120 days after enactment of this Act in such

1 amounts as the Secretary determines: *Provided further*,
2 That not to exceed 2 percent of the funds appropriated
3 under this heading shall be available for necessary costs
4 of grant administration.

5 SHIP DISPOSAL

6 For necessary expenses related to the disposal of ob-
7 solete vessels in the National Defense Reserve Fleet of the
8 Maritime Administration, \$5,000,000, to remain available
9 until expended.

10 MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM

11 ACCOUNT

12 (INCLUDING TRANSFER OF FUNDS)

13 For the cost of guaranteed loans, as authorized,
14 \$8,135,000, of which \$5,000,000 shall remain available
15 until expended: *Provided*, That such costs, including the
16 cost of modifying such loans, shall be as defined in section
17 502 of the Congressional Budget Act of 1974, as amend-
18 ed: *Provided further*, That not to exceed \$3,135,000 shall
19 be available for administrative expenses to carry out the
20 guaranteed loan program, which shall be transferred to
21 and merged with the appropriations for “Operations and
22 Training”, Maritime Administration.

1 ADMINISTRATIVE PROVISIONS—MARITIME

2 ADMINISTRATION

3 SEC. 170. Notwithstanding any other provision of
4 this Act, in addition to any existing authority, the Mari-
5 time Administration is authorized to furnish utilities and
6 services and make necessary repairs in connection with
7 any lease, contract, or occupancy involving Government
8 property under control of the Maritime Administration:
9 *Provided*, That payments received therefor shall be cred-
10 ited to the appropriation charged with the cost thereof and
11 shall remain available until expended: *Provided further*,
12 That rental payments under any such lease, contract, or
13 occupancy for items other than such utilities, services, or
14 repairs shall be covered into the Treasury as miscellaneous
15 receipts.

16 SEC. 171. None of the funds available or appro-
17 priated in this Act shall be used by the United States De-
18 partment of Transportation or the United States Maritime
19 Administration to negotiate or otherwise execute, enter
20 into, facilitate or perform fee-for-service contracts for ves-
21 sel disposal, scrapping or recycling, unless there is no
22 qualified domestic ship recycler that will pay any sum of
23 money to purchase and scrap or recycle a vessel owned,
24 operated or managed by the Maritime Administration or
25 that is part of the National Defense Reserve Fleet: *Pro-*

1 *vided*, That such sales offers must be consistent with the
2 solicitation and provide that the work will be performed
3 in a timely manner at a facility qualified within the mean-
4 ing of section 3502 of Public Law 106–398: *Provided fur-*
5 *ther*, That nothing contained herein shall affect the Mari-
6 time Administration’s authority to award contracts at
7 least cost to the Federal Government and consistent with
8 the requirements of 54 U.S.C. 308704, section 3502, or
9 otherwise authorized under the Federal Acquisition Regu-
10 lation.

11 PIPELINE AND HAZARDOUS MATERIALS SAFETY

12 ADMINISTRATION

13 OPERATIONAL EXPENSES

14 For necessary operational expenses of the Pipeline
15 and Hazardous Materials Safety Administration,
16 \$21,000,000: *Provided*, That no later than 90 days after
17 the date of enactment of this Act, the Secretary of Trans-
18 portation shall initiate a rulemaking to expand the appli-
19 cability of comprehensive oil spill response plans, and shall
20 issue a final rule no later than one year after the date
21 of enactment of this Act.

22 HAZARDOUS MATERIALS SAFETY

23 For expenses necessary to discharge the hazardous
24 materials safety functions of the Pipeline and Hazardous
25 Materials Safety Administration, \$55,619,000, of which

1 \$7,570,000 shall remain available until September 30,
2 2018: *Provided*, That up to \$800,000 in fees collected
3 under 49 U.S.C. 5108(g) shall be deposited in the general
4 fund of the Treasury as offsetting receipts: *Provided fur-*
5 *ther*, That there may be credited to this appropriation, to
6 be available until expended, funds received from States,
7 counties, municipalities, other public authorities, and pri-
8 vate sources for expenses incurred for training, for reports
9 publication and dissemination, and for travel expenses in-
10 curred in performance of hazardous materials exemptions
11 and approvals functions.

12 PIPELINE SAFETY

13 (PIPELINE SAFETY FUND)

14 (OIL SPILL LIABILITY TRUST FUND)

15 For expenses necessary to conduct the functions of
16 the pipeline safety program, for grants-in-aid to carry out
17 a pipeline safety program, as authorized by 49 U.S.C.
18 60107, and to discharge the pipeline program responsibil-
19 ities of the Oil Pollution Act of 1990, \$146,623,000, of
20 which \$22,123,000 shall be derived from the Oil Spill Li-
21 ability Trust Fund and shall remain available until Sep-
22 tember 30, 2018; and of which \$124,500,000 shall be de-
23 rived from the Pipeline Safety Fund, of which
24 \$59,835,000 shall remain available until September 30,
25 2018: *Provided*, That not less than \$1,058,000 of the

1 funds provided under this heading shall be for the One-
2 Call state grant program: *Provided further*, That not less
3 than \$1,000,000 of the funds provided under this heading
4 shall be for the finalization and implementation of rules
5 required under section 60102(n) of title 49, United States
6 Code, and section 8(b)(3) of the Pipeline Safety, Regu-
7 latory Certainty, and Job Creation Act of 2011 (49 U.S.C.
8 60108 note; 125 Stat. 1911).

9 EMERGENCY PREPAREDNESS GRANTS
10 (EMERGENCY PREPAREDNESS FUND)

11 For necessary expenses to carryout 49 U.S.C.
12 5128(b), \$188,000, to be derived from the Emergency
13 Preparedness Fund, to remain available until September
14 30, 2017: *Provided*, That notwithstanding the fiscal year
15 limitation specified in 49 U.S.C. 5116, not more than
16 \$28,318,000 shall be made available for obligation in fis-
17 cal year 2016 from amounts made available by 49 U.S.C.
18 5116(h), and 5128(b) and (c): *Provided further*, That not-
19 withstanding 49 U.S.C. 5116(h)(4), not more than 4 per-
20 cent of the amounts made available from this account shall
21 be available to pay administrative costs: *Provided further*,
22 That none of the funds made available by 49 U.S.C.
23 5116(h), 5128(b), or 5128(c) shall be made available for
24 obligation by individuals other than the Secretary of
25 Transportation, or his or her designee: *Provided further*,

1 That notwithstanding 49 U.S.C. 5128(b) and (c) and the
2 current year obligation limitation, prior year recoveries
3 recognized in the current year shall be available to develop
4 a hazardous materials response training curriculum for
5 emergency responders, including response activities for the
6 transportation of crude oil, ethanol and other flammable
7 liquids by rail, consistent with National Fire Protection
8 Association standards, and to make such training avail-
9 able through an electronic format: *Provided further*, That
10 the prior year recoveries made available under this head-
11 ing shall also be available to carry out 49 U.S.C.
12 5116(a)(1)(C) and 5116(i).

13 OFFICE OF INSPECTOR GENERAL

14 SALARIES AND EXPENSES

15 For necessary expenses of the Office of the Inspector
16 General to carry out the provisions of the Inspector Gen-
17 eral Act of 1978, as amended, \$87,472,000: *Provided*,
18 That the Inspector General shall have all necessary au-
19 thority, in carrying out the duties specified in the Inspec-
20 tor General Act, as amended (5 U.S.C. App. 3), to inves-
21 tigate allegations of fraud, including false statements to
22 the government (18 U.S.C. 1001), by any person or entity
23 that is subject to regulation by the Department of Trans-
24 portation: *Provided further*, That the funds made available
25 under this heading may be used to investigate, pursuant

1 to section 41712 of title 49, United States Code: (1) un-
2 fair or deceptive practices and unfair methods of competi-
3 tion by domestic and foreign air carriers and ticket agents;
4 and (2) the compliance of domestic and foreign air carriers
5 with respect to item (1) of this proviso.

6 SURFACE TRANSPORTATION BOARD

7 SALARIES AND EXPENSES

8 For necessary expenses of the Surface Transpor-
9 tation Board, including services authorized by 5 U.S.C.
10 3109, \$32,375,000: *Provided*, That notwithstanding any
11 other provision of law, not to exceed \$1,250,000 from fees
12 established by the Chairman of the Surface Transpor-
13 tation Board shall be credited to this appropriation as off-
14 setting collections and used for necessary and authorized
15 expenses under this heading: *Provided further*, That the
16 sum herein appropriated from the general fund shall be
17 reduced on a dollar-for-dollar basis as such offsetting col-
18 lections are received during fiscal year 2016, to result in
19 a final appropriation from the general fund estimated at
20 no more than \$31,125,000.

21 GENERAL PROVISIONS—DEPARTMENT OF

22 TRANSPORTATION

23 SEC. 180. During the current fiscal year, applicable
24 appropriations to the Department of Transportation shall
25 be available for maintenance and operation of aircraft;

1 hire of passenger motor vehicles and aircraft; purchase of
2 liability insurance for motor vehicles operating in foreign
3 countries on official department business; and uniforms or
4 allowances therefor, as authorized by law (5 U.S.C. 5901–
5 5902).

6 SEC. 181. Appropriations contained in this Act for
7 the Department of Transportation shall be available for
8 services as authorized by 5 U.S.C. 3109, but at rates for
9 individuals not to exceed the per diem rate equivalent to
10 the rate for an Executive Level IV.

11 SEC. 182. None of the funds in this Act shall be avail-
12 able for salaries and expenses of more than 110 political
13 and Presidential appointees in the Department of Trans-
14 portation: *Provided*, That none of the personnel covered
15 by this provision may be assigned on temporary detail out-
16 side the Department of Transportation.

17 SEC. 183. (a) No recipient of funds made available
18 in this Act shall disseminate personal information (as de-
19 fined in 18 U.S.C. 2725(3)) obtained by a State depart-
20 ment of motor vehicles in connection with a motor vehicle
21 record as defined in 18 U.S.C. 2725(1), except as provided
22 in 18 U.S.C. 2721 for a use permitted under 18 U.S.C.
23 2721.

1 (b) Notwithstanding subsection (a), the Secretary
2 shall not withhold funds provided in this Act for any
3 grantee if a State is in noncompliance with this provision.

4 SEC. 184. Funds received by the Federal Highway
5 Administration and Federal Railroad Administration from
6 States, counties, municipalities, other public authorities,
7 and private sources for expenses incurred for training may
8 be credited respectively to the Federal Highway Adminis-
9 tration's "Federal-Aid Highways" account and to the Fed-
10 eral Railroad Administration's "Safety and Operations"
11 account, except for State rail safety inspectors partici-
12 pating in training pursuant to 49 U.S.C. 20105.

13 SEC. 185. None of the funds in this Act to the De-
14 partment of Transportation may be used to make a loan,
15 loan guarantee, line of credit, or grant unless the Sec-
16 retary of Transportation notifies the House and Senate
17 Committees on Appropriations not less than 3 full busi-
18 ness days before any project competitively selected to re-
19 ceive a discretionary grant award, any discretionary grant
20 award, letter of intent, loan commitment, loan guarantee
21 commitment, line of credit commitment, or full funding
22 grant agreement totaling \$750,000 or more is announced
23 by the department or its modal administrations from—

1 (1) any discretionary grant or federal credit
2 program of the Federal Highway Administration in-
3 cluding the emergency relief program;

4 (2) the airport improvement program of the
5 Federal Aviation Administration;

6 (3) any program of the Federal Railroad Ad-
7 ministration;

8 (4) any program of the Federal Transit Admin-
9 istration other than the formula grants and fixed
10 guideway modernization programs;

11 (5) any program of the Maritime Administra-
12 tion; or

13 (6) any funding provided under the headings
14 “National Infrastructure Investments” in this Act:

15 *Provided*, That the Secretary gives concurrent notification
16 to the House and Senate Committees on Appropriations
17 for any “quick release” of funds from the emergency relief
18 program: *Provided further*, That no notification shall in-
19 volve funds that are not available for obligation.

20 SEC. 186. Rebates, refunds, incentive payments,
21 minor fees and other funds received by the Department
22 of Transportation from travel management centers,
23 charge card programs, the subleasing of building space,
24 and miscellaneous sources are to be credited to appropria-
25 tions of the Department of Transportation and allocated

1 to elements of the Department of Transportation using
2 fair and equitable criteria and such funds shall be avail-
3 able until expended.

4 SEC. 187. Amounts made available in this or any
5 other Act that the Secretary determines represent im-
6 proper payments by the Department of Transportation to
7 a third-party contractor under a financial assistance
8 award, which are recovered pursuant to law, shall be avail-
9 able—

10 (1) to reimburse the actual expenses incurred
11 by the Department of Transportation in recovering
12 improper payments; and

13 (2) to pay contractors for services provided in
14 recovering improper payments or contractor support
15 in the implementation of the Improper Payments In-
16 formation Act of 2002: *Provided*, That amounts in
17 excess of that required for paragraphs (1) and (2)—

18 (A) shall be credited to and merged with
19 the appropriation from which the improper pay-
20 ments were made, and shall be available for the
21 purposes and period for which such appropria-
22 tions are available: *Provided further*, That
23 where specific project or accounting information
24 associated with the improper payment or pay-
25 ments is not readily available, the Secretary

1 may credit an appropriate account, which shall
2 be available for the purposes and period associ-
3 ated with the account so credited; or

4 (B) if no such appropriation remains avail-
5 able, shall be deposited in the Treasury as mis-
6 cellaneous receipts: *Provided further*, That prior
7 to the transfer of any such recovery to an ap-
8 propriations account, the Secretary shall notify
9 the House and Senate Committees on Appro-
10 priations of the amount and reasons for such
11 transfer: *Provided further*, That for purposes of
12 this section, the term “improper payments” has
13 the same meaning as that provided in section
14 2(d)(2) of Public Law 107–300.

15 SEC. 188. Notwithstanding any other provision of
16 law, if any funds provided in or limited by this Act are
17 subject to a reprogramming action that requires notice to
18 be provided to the House and Senate Committees on Ap-
19 propriations, transmission of said reprogramming notice
20 shall be provided solely to the House and Senate Commit-
21 tees on Appropriations, and said reprogramming action
22 shall be approved or denied solely by the House and Sen-
23 ate Committees on Appropriations: *Provided*, That the
24 Secretary of Transportation may provide notice to other
25 congressional committees of the action of the House and

1 Senate Committees on Appropriations on such reprogram-
2 ming but not sooner than 30 days following the date on
3 which the reprogramming action has been approved or de-
4 nied by the House and Senate Committees on Appropria-
5 tions.

6 SEC. 189. None of the funds appropriated or other-
7 wise made available under this Act may be used by the
8 Surface Transportation Board of the Department of
9 Transportation to charge or collect any filing fee for rate
10 or practice complaints filed with the Board in an amount
11 in excess of the amount authorized for district court civil
12 suit filing fees under section 1914 of title 28, United
13 States Code.

14 SEC. 190. Funds appropriated in this Act to the
15 modal administrations may be obligated for the Office of
16 the Secretary for the costs related to assessments or reim-
17 bursable agreements only when such amounts are for the
18 costs of goods and services that are purchased to provide
19 a direct benefit to the applicable modal administration or
20 administrations.

21 SEC. 191. The Secretary of Transportation is author-
22 ized to carry out a program that establishes uniform
23 standards for developing and supporting agency transit
24 pass and transit benefits authorized under section 7905

1 of title 5, United States Code, including distribution of
2 transit benefits by various paper and electronic media.

3 SEC. 192. The Department of Transportation may
4 use funds provided by this Act, or any other Act, to assist
5 a contract under title 49 U.S.C. or title 23 U.S.C. utilizing
6 geographic, economic, or any other hiring preference not
7 otherwise authorized by law, except for such preferences
8 authorized in this Act, or to amend a rule, regulation, pol-
9 icy or other measure that forbids a recipient of a Federal
10 Highway Administration or Federal Transit Administra-
11 tion grant from imposing such hiring preference on a con-
12 tract or construction project with which the Department
13 of Transportation is assisting, only if the grant recipient
14 certifies the following:

15 (1) that except with respect to apprentices or
16 trainees, a pool of readily available but unemployed
17 individuals possessing the knowledge, skill, and abil-
18 ity to perform the work that the contract requires
19 resides in the jurisdiction;

20 (2) that the grant recipient will include appro-
21 priate provisions in its bid document ensuring that
22 the contractor does not displace any of its existing
23 employees in order to satisfy such hiring preference;
24 and

1 (3) that any increase in the cost of labor, train-
2 ing, or delays resulting from the use of such hiring
3 preference does not delay or displace any transpor-
4 tation project in the applicable Statewide Transpor-
5 tation Improvement Program or Transportation Im-
6 provement Program.

7 This title may be cited as the “Department of Trans-
8 portation Appropriations Act, 2016”.

1554

1 TITLE II
2 DEPARTMENT OF HOUSING AND URBAN
3 DEVELOPMENT
4 MANAGEMENT AND ADMINISTRATION
5 EXECUTIVE OFFICES

6 For necessary salaries and expenses for Executive Of-
7 fices, which shall be comprised of the offices of the Sec-
8 retary, Deputy Secretary, Adjudicatory Services, Congres-
9 sional and Intergovernmental Relations, Public Affairs,
10 Small and Disadvantaged Business Utilization, and the
11 Center for Faith-Based and Neighborhood Partnerships,
12 \$13,800,000: *Provided*, That not to exceed \$25,000 of the
13 amount made available under this heading shall be avail-
14 able to the Secretary for official reception and representa-
15 tion expenses as the Secretary may determine.

16 ADMINISTRATIVE SUPPORT OFFICES

17 For necessary salaries and expenses for Administra-
18 tive Support Offices, \$559,100,000, of which \$79,000,000
19 shall be available for the Office of the Chief Financial Offi-
20 cer; \$94,500,000 shall be available for the Office of the
21 General Counsel; \$207,600,000 shall be available for the
22 Office of Administration; \$56,300,000 shall be available
23 for the Office of the Chief Human Capital Officer;
24 \$51,500,000 shall be available for the Office of Field Pol-
25 icy and Management; \$17,200,000 shall be available for

1 the Office of the Chief Procurement Officer; \$3,300,000
2 shall be available for the Office of Departmental Equal
3 Employment Opportunity; \$4,500,000 shall be available
4 for the Office of Strategic Planning and Management; and
5 \$45,200,000 shall be available for the Office of the Chief
6 Information Officer: *Provided*, That funds provided under
7 this heading may be used for necessary administrative and
8 non-administrative expenses of the Department of Hous-
9 ing and Urban Development, not otherwise provided for,
10 including purchase of uniforms, or allowances therefor, as
11 authorized by 5 U.S.C. 5901–5902; hire of passenger
12 motor vehicles; and services as authorized by 5 U.S.C.
13 3109: *Provided further*, That notwithstanding any other
14 provision of law, funds appropriated under this heading
15 may be used for advertising and promotional activities
16 that directly support program activities funded in this
17 title: *Provided further*, That the Secretary shall provide the
18 House and Senate Committees on Appropriations quar-
19 terly written notification regarding the status of pending
20 congressional reports: *Provided further*, That the Sec-
21 retary shall provide in electronic form all signed reports
22 required by Congress.

1556

1 PROGRAM OFFICE SALARIES AND EXPENSES

2 PUBLIC AND INDIAN HOUSING

3 For necessary salaries and expenses of the Office of
4 Public and Indian Housing, \$205,500,000.

5 COMMUNITY PLANNING AND DEVELOPMENT

6 For necessary salaries and expenses of the Office of
7 Community Planning and Development, \$104,800,000.

8 HOUSING

9 For necessary salaries and expenses of the Office of
10 Housing, \$375,000,000.

11 POLICY DEVELOPMENT AND RESEARCH

12 For necessary salaries and expenses of the Office of
13 Policy Development and Research, \$23,100,000.

14 FAIR HOUSING AND EQUAL OPPORTUNITY

15 For necessary salaries and expenses of the Office of
16 Fair Housing and Equal Opportunity, \$72,000,000.

17 OFFICE OF LEAD HAZARD CONTROL AND HEALTHY

18 HOMES

19 For necessary salaries and expenses of the Office of
20 Lead Hazard Control and Healthy Homes, \$7,000,000.

21 WORKING CAPITAL FUND

22 (INCLUDING TRANSFER OF FUNDS)

23 There is hereby established in the United States
24 Treasury, pursuant to section 7(f) of the Department of
25 Housing and Urban Development Act (42 U.S.C.

1 3535(f)), a working capital fund for the Department of
2 Housing and Urban Development (referred to in this para-
3 graph as the “Fund”): *Provided*, That amounts trans-
4 ferred to the Fund under this heading shall be available
5 for Federal shared services used by offices and agencies
6 of the Department, and for such portion of any office or
7 agency’s printing, records management, space renovation,
8 furniture, or supply services as the Secretary determines
9 shall be derived from centralized sources made available
10 by the Department to all offices and agencies and funded
11 through the Fund: *Provided further*, That of the amounts
12 made available in this title for salaries and expenses under
13 the headings “Executive Offices”, “Administrative Sup-
14 port Offices”, “Program Office Salaries and Expenses”,
15 and “Government National Mortgage Association”, the
16 Secretary shall transfer to the Fund such amounts, to re-
17 main available until expended, as are necessary to fund
18 services, specified in the first proviso, for which the appro-
19 priation would otherwise have been available, and may
20 transfer not to exceed an additional \$10,000,000, in ag-
21 gregate, from all such appropriations, to be merged with
22 the Fund and to remain available until expended for use
23 for any office or agency: *Provided further*, That amounts
24 in the Fund shall be the only amounts available to each
25 office or agency of the Department for the services, or por-

1 tion of services, specified in the first proviso: *Provided fur-*
2 *ther*, That with respect to the Fund, the authorities and
3 conditions under this heading shall supplant the authori-
4 ties and conditions provided under section 7(f) of the De-
5 partment of Housing and Urban Development Act.

6 PUBLIC AND INDIAN HOUSING

7 TENANT-BASED RENTAL ASSISTANCE

8 For activities and assistance for the provision of ten-
9 ant-based rental assistance authorized under the United
10 States Housing Act of 1937, as amended (42 U.S.C. 1437
11 et seq.) (“the Act” herein), not otherwise provided for,
12 \$15,628,525,000, to remain available until expended, shall
13 be available on October 1, 2015 (in addition to the
14 \$4,000,000,000 previously appropriated under this head-
15 ing that shall be available on October 1, 2015), and
16 \$4,000,000,000, to remain available until expended, shall
17 be available on October 1, 2016: *Provided*, That the
18 amounts made available under this heading are provided
19 as follows:

20 (1) \$17,681,451,000 shall be available for re-
21 newals of expiring section 8 tenant-based annual
22 contributions contracts (including renewals of en-
23 hanced vouchers under any provision of law author-
24 izing such assistance under section 8(t) of the Act)
25 and including renewal of other special purpose incre-

1 mental vouchers: *Provided*, That notwithstanding
2 any other provision of law, from amounts provided
3 under this paragraph and any carryover, the Sec-
4 retary for the calendar year 2016 funding cycle shall
5 provide renewal funding for each public housing
6 agency based on validated voucher management sys-
7 tem (VMS) leasing and cost data for the prior cal-
8 endar year and by applying an inflation factor as es-
9 tablished by the Secretary, by notice published in
10 the Federal Register, and by making any necessary
11 adjustments for the costs associated with the first-
12 time renewal of vouchers under this paragraph in-
13 cluding tenant protection, HOPE VI, and Choice
14 Neighborhoods vouchers: *Provided further*, That in
15 determining calendar year 2016 funding allocations
16 under this heading for public housing agencies, in-
17 cluding agencies participating in the Moving To
18 Work (MTW) demonstration, the Secretary may
19 take into account the anticipated impact of changes
20 in targeting and utility allowances, on public housing
21 agencies' contract renewal needs: *Provided further*,
22 That none of the funds provided under this para-
23 graph may be used to fund a total number of unit
24 months under lease which exceeds a public housing
25 agency's authorized level of units under contract, ex-

1 cept for public housing agencies participating in the
2 MTW demonstration, which are instead governed by
3 the terms and conditions of their MTW agreements:
4 *Provided further*, That the Secretary shall, to the ex-
5 tent necessary to stay within the amount specified
6 under this paragraph (except as otherwise modified
7 under this paragraph), prorate each public housing
8 agency's allocation otherwise established pursuant to
9 this paragraph: *Provided further*, That except as
10 provided in the following provisos, the entire amount
11 specified under this paragraph (except as otherwise
12 modified under this paragraph) shall be obligated to
13 the public housing agencies based on the allocation
14 and pro rata method described above, and the Sec-
15 retary shall notify public housing agencies of their
16 annual budget by the latter of 60 days after enact-
17 ment of this Act or March 1, 2016: *Provided further*,
18 That the Secretary may extend the notification pe-
19 riod with the prior written approval of the House
20 and Senate Committees on Appropriations: *Provided*
21 *further*, That public housing agencies participating
22 in the MTW demonstration shall be funded pursuant
23 to their MTW agreements and shall be subject to
24 the same pro rata adjustments under the previous
25 provisos: *Provided further*, That the Secretary may

1 offset public housing agencies' calendar year 2016
2 allocations based on the excess amounts of public
3 housing agencies' net restricted assets accounts, in-
4 cluding HUD held programmatic reserves (in ac-
5 cordance with VMS data in calendar year 2015 that
6 is verifiable and complete), as determined by the
7 Secretary: *Provided further*, That public housing
8 agencies participating in the MTW demonstration
9 shall also be subject to the offset, as determined by
10 the Secretary, excluding amounts subject to the sin-
11 gle fund budget authority provisions of their MTW
12 agreements, from the agencies' calendar year 2016
13 MTW funding allocation: *Provided further*, That the
14 Secretary shall use any offset referred to in the pre-
15 vious two provisos throughout the calendar year to
16 prevent the termination of rental assistance for fam-
17 ilies as the result of insufficient funding, as deter-
18 mined by the Secretary, and to avoid or reduce the
19 proration of renewal funding allocations: *Provided*
20 *further*, That up to \$75,000,000 shall be available
21 only: (1) for adjustments in the allocations for public
22 housing agencies, after application for an adjust-
23 ment by a public housing agency that experienced a
24 significant increase, as determined by the Secretary,
25 in renewal costs of vouchers resulting from unfore-

1 seen circumstances or from portability under section
2 8(r) of the Act; (2) for vouchers that were not in use
3 during the previous 12-month period in order to be
4 available to meet a commitment pursuant to section
5 8(o)(13) of the Act; (3) for adjustments for costs as-
6 sociated with HUD-Veterans Affairs Supportive
7 Housing (HUD-VASH) vouchers; and (4) for public
8 housing agencies that despite taking reasonable cost
9 savings measures, as determined by the Secretary,
10 would otherwise be required to terminate rental as-
11 sistance for families as a result of insufficient fund-
12 ing: *Provided further*, That the Secretary shall allo-
13 cate amounts under the previous proviso based on
14 need, as determined by the Secretary;

15 (2) \$130,000,000 shall be for section 8 rental
16 assistance for relocation and replacement of housing
17 units that are demolished or disposed of pursuant to
18 section 18 of the Act, conversion of section 23
19 projects to assistance under section 8, the family
20 unification program under section 8(x) of the Act,
21 relocation of witnesses in connection with efforts to
22 combat crime in public and assisted housing pursu-
23 ant to a request from a law enforcement or prosecu-
24 tion agency, enhanced vouchers under any provision
25 of law authorizing such assistance under section 8(t)

1 of the Act, HOPE VI and Choice Neighborhood
2 vouchers, mandatory and voluntary conversions, and
3 tenant protection assistance including replacement
4 and relocation assistance or for project-based assist-
5 ance to prevent the displacement of unassisted elder-
6 ly tenants currently residing in section 202 prop-
7 erties financed between 1959 and 1974 that are refi-
8 nanced pursuant to Public Law 106–569, as amend-
9 ed, or under the authority as provided under this
10 Act: *Provided*, That when a public housing develop-
11 ment is submitted for demolition or disposition
12 under section 18 of the Act, the Secretary may pro-
13 vide section 8 rental assistance when the units pose
14 an imminent health and safety risk to residents:
15 *Provided further*, That the Secretary may only pro-
16 vide replacement vouchers for units that were occu-
17 pied within the previous 24 months that cease to be
18 available as assisted housing, subject only to the
19 availability of funds: *Provided further*, That of the
20 amounts made available under this paragraph,
21 \$5,000,000 may be available to provide tenant pro-
22 tection assistance, not otherwise provided under this
23 paragraph, to residents residing in low vacancy
24 areas and who may have to pay rents greater than
25 30 percent of household income, as the result of: (A)

1 the maturity of a HUD-insured, HUD-held or sec-
2 tion 202 loan that requires the permission of the
3 Secretary prior to loan prepayment; (B) the expira-
4 tion of a rental assistance contract for which the
5 tenants are not eligible for enhanced voucher or ten-
6 ant protection assistance under existing law; or (C)
7 the expiration of affordability restrictions accom-
8 panying a mortgage or preservation program admin-
9 istered by the Secretary: *Provided further*, That such
10 tenant protection assistance made available under
11 the previous proviso may be provided under the au-
12 thority of section 8(t) or section 8(o)(13) of the
13 United States Housing Act of 1937 (42 U.S.C.
14 1437f(t)): *Provided further*, That any tenant protec-
15 tion voucher made available from amounts under
16 this paragraph shall not be reissued by any public
17 housing agency, except the replacement vouchers as
18 defined by the Secretary by notice, when the initial
19 family that received any such voucher no longer re-
20 ceives such voucher, and the authority for any public
21 housing agency to issue any such voucher shall cease
22 to exist: *Provided further*, That the Secretary, for
23 the purpose under this paragraph, may use unobli-
24 gated balances, including recaptures and carryovers,
25 remaining from amounts appropriated in prior fiscal

1 years under this heading for voucher assistance for
2 nonelderly disabled families and for disaster assist-
3 ance made available under Public Law 110–329;

4 (3) \$1,650,000,000 shall be for administrative
5 and other expenses of public housing agencies in ad-
6 ministering the section 8 tenant-based rental assist-
7 ance program, of which up to \$10,000,000 shall be
8 available to the Secretary to allocate to public hous-
9 ing agencies that need additional funds to admin-
10 ister their section 8 programs, including fees associ-
11 ated with section 8 tenant protection rental assist-
12 ance, the administration of disaster related vouchers,
13 Veterans Affairs Supportive Housing vouchers, and
14 other special purpose incremental vouchers: *Pro-*
15 *vided*, That no less than \$1,640,000,000 of the
16 amount provided in this paragraph shall be allocated
17 to public housing agencies for the calendar year
18 2016 funding cycle based on section 8(q) of the Act
19 (and related Appropriation Act provisions) as in ef-
20 fect immediately before the enactment of the Quality
21 Housing and Work Responsibility Act of 1998 (Pub-
22 lic Law 105–276): *Provided further*, That if the
23 amounts made available under this paragraph are
24 insufficient to pay the amounts determined under
25 the previous proviso, the Secretary may decrease the

1 amounts allocated to agencies by a uniform percent-
2 age applicable to all agencies receiving funding
3 under this paragraph or may, to the extent nec-
4 essary to provide full payment of amounts deter-
5 mined under the previous proviso, utilize unobligated
6 balances, including recaptures and carryovers, re-
7 maining from funds appropriated to the Department
8 of Housing and Urban Development under this
9 heading from prior fiscal years, excluding special
10 purpose vouchers, notwithstanding the purposes for
11 which such amounts were appropriated: *Provided*
12 *further*, That all public housing agencies partici-
13 pating in the MTW demonstration shall be funded
14 pursuant to their MTW agreements, and shall be
15 subject to the same uniform percentage decrease as
16 under the previous proviso: *Provided further*, That
17 amounts provided under this paragraph shall be only
18 for activities related to the provision of tenant-based
19 rental assistance authorized under section 8, includ-
20 ing related development activities;

21 (4) \$107,074,000 for the renewal of tenant-
22 based assistance contracts under section 811 of the
23 Cranston-Gonzalez National Affordable Housing Act
24 (42 U.S.C. 8013), including necessary administra-
25 tive expenses: *Provided*, That administrative and

1 other expenses of public housing agencies in admin-
2 istering the special purpose vouchers in this para-
3 graph shall be funded under the same terms and be
4 subject to the same pro rata reduction as the per-
5 cent decrease for administrative and other expenses
6 to public housing agencies under paragraph (3) of
7 this heading;

8 (5) \$60,000,000 for incremental rental voucher
9 assistance for use through a supported housing pro-
10 gram administered in conjunction with the Depart-
11 ment of Veterans Affairs as authorized under section
12 8(o)(19) of the United States Housing Act of 1937:
13 *Provided*, That the Secretary of Housing and Urban
14 Development shall make such funding available, not-
15 withstanding section 204 (competition provision) of
16 this title, to public housing agencies that partner
17 with eligible VA Medical Centers or other entities as
18 designated by the Secretary of the Department of
19 Veterans Affairs, based on geographical need for
20 such assistance as identified by the Secretary of the
21 Department of Veterans Affairs, public housing
22 agency administrative performance, and other fac-
23 tors as specified by the Secretary of Housing and
24 Urban Development in consultation with the Sec-
25 retary of the Department of Veterans Affairs: *Pro-*

1 ance”, for fiscal year 2016 and prior years may be used
2 for renewal of or amendments to section 8 project-based
3 contracts and for performance-based contract administra-
4 tors, notwithstanding the purposes for which such funds
5 were appropriated: *Provided*, That any obligated balances
6 of contract authority from fiscal year 1974 and prior that
7 have been terminated shall be rescinded: *Provided further*,
8 That amounts heretofore recaptured, or recaptured during
9 the current fiscal year, from section 8 project-based con-
10 tracts from source years fiscal year 1975 through fiscal
11 year 1987 are hereby rescinded, and an amount of addi-
12 tional new budget authority, equivalent to the amount re-
13 scinded is hereby appropriated, to remain available until
14 expended, for the purposes set forth under this heading,
15 in addition to amounts otherwise available.

16 PUBLIC HOUSING CAPITAL FUND

17 For the Public Housing Capital Fund Program to
18 carry out capital and management activities for public
19 housing agencies, as authorized under section 9 of the
20 United States Housing Act of 1937 (42 U.S.C. 1437g)
21 (the “Act”) \$1,900,000,000, to remain available until
22 September 30, 2019: *Provided*, That notwithstanding any
23 other provision of law or regulation, during fiscal year
24 2016, the Secretary of Housing and Urban Development
25 may not delegate to any Department official other than

1 the Deputy Secretary and the Assistant Secretary for
2 Public and Indian Housing any authority under paragraph
3 (2) of section 9(j) regarding the extension of the time peri-
4 ods under such section: *Provided further*, That for pur-
5 poses of such section 9(j), the term “obligate” means, with
6 respect to amounts, that the amounts are subject to a
7 binding agreement that will result in outlays, immediately
8 or in the future: *Provided further*, That up to \$3,000,000
9 shall be to support ongoing Public Housing Financial and
10 Physical Assessment activities: *Provided further*, That up
11 to \$1,000,000 shall be to support the costs of administra-
12 tive and judicial receiverships: *Provided further*, That of
13 the total amount provided under this heading, not to ex-
14 ceed \$21,500,000 shall be available for the Secretary to
15 make grants, notwithstanding section 204 of this Act, to
16 public housing agencies for emergency capital needs in-
17 cluding safety and security measures necessary to address
18 crime and drug-related activity as well as needs resulting
19 from unforeseen or unpreventable emergencies and nat-
20 ural disasters excluding Presidentially declared emer-
21 gencies and natural disasters under the Robert T. Stafford
22 Disaster Relief and Emergency Act (42 U.S.C. 5121 et
23 seq.) occurring in fiscal year 2016: *Provided further*, That
24 of the amount made available under the previous proviso,
25 not less than \$5,000,000 shall be for safety and security

1 measures: *Provided further*, That of the total amount pro-
2 vided under this heading \$35,000,000 shall be for sup-
3 portive services, service coordinator and congregate serv-
4 ices as authorized by section 34 of the Act (42 U.S.C.
5 1437z-6) and the Native American Housing Assistance
6 and Self-Determination Act of 1996 (25 U.S.C. 4101 et
7 seq.): *Provided further*, That of the total amount made
8 available under this heading, \$15,000,000 shall be for a
9 Jobs-Plus initiative modeled after the Jobs-Plus dem-
10 onstration: *Provided further*, That the funding provided
11 under the previous proviso shall provide competitive grants
12 to partnerships between public housing authorities, local
13 workforce investment boards established under section
14 117 of the Workforce Investment Act of 1998, and other
15 agencies and organizations that provide support to help
16 public housing residents obtain employment and increase
17 earnings: *Provided further*, That applicants must dem-
18 onstrate the ability to provide services to residents, part-
19 ner with workforce investment boards, and leverage service
20 dollars: *Provided further*, That the Secretary may allow
21 public housing agencies to request exemptions from rent
22 and income limitation requirements under sections 3 and
23 6 of the United States Housing Act of 1937 as necessary
24 to implement the Jobs-Plus program, on such terms and
25 conditions as the Secretary may approve upon a finding

1 by the Secretary that any such waivers or alternative re-
2 quirements are necessary for the effective implementation
3 of the Jobs-Plus initiative as a voluntary program for resi-
4 dents: *Provided further*, That the Secretary shall publish
5 by notice in the Federal Register any waivers or alter-
6 native requirements pursuant to the preceding proviso no
7 later than 10 days before the effective date of such notice:
8 *Provided further*, That for funds provided under this head-
9 ing, the limitation in section 9(g)(1) of the Act shall be
10 25 percent: *Provided further*, That the Secretary may
11 waive the limitation in the previous proviso to allow public
12 housing agencies to fund activities authorized under sec-
13 tion 9(e)(1)(C) of the Act: *Provided further*, That the Sec-
14 retary shall notify public housing agencies requesting
15 waivers under the previous proviso if the request is ap-
16 proved or denied within 14 days of submitting the request:
17 *Provided further*, That from the funds made available
18 under this heading, the Secretary shall provide bonus
19 awards in fiscal year 2016 to public housing agencies that
20 are designated high performers: *Provided further*, That the
21 Department shall notify public housing agencies of their
22 formula allocation within 60 days of enactment of this Act.

23 PUBLIC HOUSING OPERATING FUND

24 For 2016 payments to public housing agencies for the
25 operation and management of public housing, as author-

1 ized by section 9(e) of the United States Housing Act of
2 1937 (42 U.S.C. 1437g(e)), \$4,500,000,000, to remain
3 available until September 30, 2017.

4 CHOICE NEIGHBORHOODS INITIATIVE

5 For competitive grants under the Choice Neighbor-
6 hoods Initiative (subject to section 24 of the United States
7 Housing Act of 1937 (42 U.S.C. 1437v), unless otherwise
8 specified under this heading), for transformation, rehabili-
9 tation, and replacement housing needs of both public and
10 HUD-assisted housing and to transform neighborhoods of
11 poverty into functioning, sustainable mixed income neigh-
12 borhoods with appropriate services, schools, public assets,
13 transportation and access to jobs, \$125,000,000, to re-
14 main available until September 30, 2018: *Provided*, That
15 grant funds may be used for resident and community serv-
16 ices, community development, and affordable housing
17 needs in the community, and for conversion of vacant or
18 foreclosed properties to affordable housing: *Provided fur-*
19 *ther*, That the use of funds made available under this
20 heading shall not be deemed to be public housing notwith-
21 standing section 3(b)(1) of such Act: *Provided further*,
22 That grantees shall commit to an additional period of af-
23 fordability determined by the Secretary of not fewer than
24 20 years: *Provided further*, That grantees shall undertake
25 comprehensive local planning with input from residents

1 and the community, and that grantees shall provide a
2 match in State, local, other Federal or private funds: *Pro-*
3 *vided further*, That grantees may include local govern-
4 ments, tribal entities, public housing authorities, and non-
5 profits: *Provided further*, That for-profit developers may
6 apply jointly with a public entity: *Provided further*, That
7 for purposes of environmental review, a grantee shall be
8 treated as a public housing agency under section 26 of
9 the United States Housing Act of 1937 (42 U.S.C.
10 1437x), and grants under this heading shall be subject
11 to the regulations issued by the Secretary to implement
12 such section: *Provided further*, That of the amount pro-
13 vided, not less than \$75,000,000 shall be awarded to pub-
14 lic housing agencies: *Provided further*, That such grantees
15 shall create partnerships with other local organizations in-
16 cluding assisted housing owners, service agencies, and
17 resident organizations: *Provided further*, That the Sec-
18 retary shall consult with the Secretaries of Education,
19 Labor, Transportation, Health and Human Services, Agri-
20 culture, and Commerce, the Attorney General, and the Ad-
21 ministrator of the Environmental Protection Agency to co-
22 ordinate and leverage other appropriate Federal resources:
23 *Provided further*, That no more than \$5,000,000 of funds
24 made available under this heading may be provided to as-
25 sist communities in developing comprehensive strategies

1 for implementing this program or implementing other revi-
2 talization efforts in conjunction with community notice
3 and input: *Provided further*, That the Secretary shall de-
4 velop and publish guidelines for the use of such competi-
5 tive funds, including but not limited to eligible activities,
6 program requirements, and performance metrics: *Provided*
7 *further*, That unobligated balances, including recaptures,
8 remaining from funds appropriated under the heading
9 “Revitalization of Severely Distressed Public Housing
10 (HOPE VI)” in fiscal year 2011 and prior fiscal years
11 may be used for purposes under this heading, notwith-
12 standing the purposes for which such amounts were appro-
13 priated.

14 FAMILY SELF-SUFFICIENCY

15 For the Family Self-Sufficiency program to support
16 family self-sufficiency coordinators under section 23 of the
17 United States Housing Act of 1937, to promote the devel-
18 opment of local strategies to coordinate the use of assist-
19 ance under sections 8(o) and 9 of such Act with public
20 and private resources, and enable eligible families to
21 achieve economic independence and self-sufficiency,
22 \$75,000,000, to remain available until September 30,
23 2017: *Provided*, That the Secretary may, by Federal Reg-
24 ister notice, waive or specify alternative requirements
25 under sections b(3), b(4), b(5), or c(1) of section 23 of

1 such Act in order to facilitate the operation of a unified
2 self-sufficiency program for individuals receiving assist-
3 ance under different provisions of the Act, as determined
4 by the Secretary: *Provided further*, That owners of a pri-
5 vately owned multifamily property with a section 8 con-
6 tract may voluntarily make a Family Self-Sufficiency pro-
7 gram available to the assisted tenants of such property
8 in accordance with procedures established by the Sec-
9 retary: *Provided further*, That such procedures established
10 pursuant to the previous proviso shall permit participating
11 tenants to accrue escrow funds in accordance with section
12 23(d)(2) and shall allow owners to use funding from resid-
13 ual receipt accounts to hire coordinators for their own
14 Family Self-Sufficiency program.

15 NATIVE AMERICAN HOUSING BLOCK GRANTS

16 For the Native American Housing Block Grants pro-
17 gram, as authorized under title I of the Native American
18 Housing Assistance and Self-Determination Act of 1996
19 (NAHASDA) (25 U.S.C. 4111 et seq.), \$650,000,000, to
20 remain available until September 30, 2020: *Provided*,
21 That, notwithstanding the Native American Housing As-
22 sistance and Self-Determination Act of 1996, to determine
23 the amount of the allocation under title I of such Act for
24 each Indian tribe, the Secretary shall apply the formula
25 under section 302 of such Act with the need component

1 based on single-race census data and with the need compo-
2 nent based on multi-race census data, and the amount of
3 the allocation for each Indian tribe shall be the greater
4 of the two resulting allocation amounts: *Provided further,*
5 That of the amounts made available under this heading,
6 \$3,500,000 shall be contracted for assistance for national
7 or regional organizations representing Native American
8 housing interests for providing training and technical as-
9 sistance to Indian housing authorities and tribally des-
10 igned housing entities as authorized under NAHASDA:
11 *Provided further,* That of the funds made available under
12 the previous proviso, not less than \$2,000,000 shall be
13 made available for a national organization as authorized
14 under section 703 of NAHASDA (25 U.S.C. 4212): *Pro-*
15 *vided further,* That of the amounts made available under
16 this heading, \$2,000,000 shall be to support the inspection
17 of Indian housing units, contract expertise, training, and
18 technical assistance in the training, oversight, and man-
19 agement of such Indian housing and tenant-based assist-
20 ance: *Provided further,* That of the amount provided under
21 this heading, \$2,000,000 shall be made available for the
22 cost of guaranteed notes and other obligations, as author-
23 ized by title VI of NAHASDA: *Provided further,* That such
24 costs, including the costs of modifying such notes and
25 other obligations, shall be as defined in section 502 of the

1 Congressional Budget Act of 1974, as amended: *Provided*
2 *further*, That these funds are available to subsidize the
3 total principal amount of any notes and other obligations,
4 any part of which is to be guaranteed, not to exceed
5 \$17,452,007: *Provided further*, That the Department will
6 notify grantees of their formula allocation within 60 days
7 of the date of enactment of this Act: *Provided further*, not-
8 withstanding section 302(d) of NAHASDA, if on January
9 1, 2016, a recipient's total amount of undisbursed block
10 grants in the Department's line of credit control system
11 is greater than three times the formula allocation it would
12 otherwise receive under this heading, the Secretary shall
13 adjust that recipient's formula allocation down by the dif-
14 ference between its total amount of undisbursed block
15 grants in the Department's line of credit control system
16 on January 1, 2016, and three times the formula alloca-
17 tion it would otherwise receive: *Provided further*, That
18 grant amounts not allocated to a recipient pursuant to the
19 previous proviso shall be allocated under the need compo-
20 nent of the formula proportionately among all other In-
21 dian tribes not subject to an adjustment: *Provided further*,
22 That the two previous provisos shall not apply to any In-
23 dian tribe that would otherwise receive a formula alloca-
24 tion of less than \$8,000,000: *Provided further*, That to
25 take effect, the three previous provisos do not require

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1 issuance or amendment of any regulation, and shall not
2 be construed to confer hearing rights under any section
3 of NAHASDA or its implementing regulations.

4 INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM
5 ACCOUNT

6 For the cost of guaranteed loans, as authorized by
7 section 184 of the Housing and Community Development
8 Act of 1992 (12 U.S.C. 1715z-13a), \$7,500,000, to re-
9 main available until expended: *Provided*, That such costs,
10 including the costs of modifying such loans, shall be as
11 defined in section 502 of the Congressional Budget Act
12 of 1974: *Provided further*, That these funds are available
13 to subsidize total loan principal, any part of which is to
14 be guaranteed, up to \$1,190,476,190, to remain available
15 until expended: *Provided further*, That up to \$750,000 of
16 this amount may be for administrative contract expenses
17 including management processes and systems to carry out
18 the loan guarantee program.

19 COMMUNITY PLANNING AND DEVELOPMENT

20 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

21 For carrying out the Housing Opportunities for Per-
22 sons with AIDS program, as authorized by the AIDS
23 Housing Opportunity Act (42 U.S.C. 12901 et seq.),
24 \$335,000,000, to remain available until September 30,
25 2017, except that amounts allocated pursuant to section

1 854(c)(3) of such Act shall remain available until Sep-
2 tember 30, 2018: *Provided*, That the Secretary shall renew
3 all expiring contracts for permanent supportive housing
4 that initially were funded under section 854(c)(3) of such
5 Act from funds made available under this heading in fiscal
6 year 2010 and prior fiscal years that meet all program
7 requirements before awarding funds for new contracts
8 under such section: *Provided further*, That the Depart-
9 ment shall notify grantees of their formula allocation with-
10 in 60 days of enactment of this Act.

11 COMMUNITY DEVELOPMENT FUND

12 For assistance to units of State and local govern-
13 ment, and to other entities, for economic and community
14 development activities, and for other purposes,
15 \$3,060,000,000, to remain available until September 30,
16 2018, unless otherwise specified: *Provided*, That of the
17 total amount provided, \$3,000,000,000 is for carrying out
18 the community development block grant program under
19 title I of the Housing and Community Development Act
20 of 1974, as amended (“the Act” herein) (42 U.S.C. 5301
21 et seq.): *Provided further*, That unless explicitly provided
22 for under this heading, not to exceed 20 percent of any
23 grant made with funds appropriated under this heading
24 shall be expended for planning and management develop-
25 ment and administration: *Provided further*, That a metro-

1 politan city, urban county, unit of general local govern-
2 ment, or Indian tribe, or insular area that directly or indi-
3 rectly receives funds under this heading may not sell,
4 trade, or otherwise transfer all or any portion of such
5 funds to another such entity in exchange for any other
6 funds, credits or non-Federal considerations, but must use
7 such funds for activities eligible under title I of the Act:
8 *Provided further*, That notwithstanding section 105(e)(1)
9 of the Act, no funds provided under this heading may be
10 provided to a for-profit entity for an economic develop-
11 ment project under section 105(a)(17) unless such project
12 has been evaluated and selected in accordance with guide-
13 lines required under subparagraph (e)(2): *Provided fur-*
14 *ther*, That none of the funds made available under this
15 heading may be used for grants for the Economic Develop-
16 ment Initiative (“EDI”) or Neighborhood Initiatives ac-
17 tivities, Rural Innovation Fund, or for grants pursuant to
18 section 107 of the Housing and Community Development
19 Act of 1974 (42 U.S.C. 5307): *Provided further*, That the
20 Department shall notify grantees of their formula alloca-
21 tion within 60 days of enactment of this Act: *Provided*
22 *further*, That of the total amount provided under this
23 heading \$60,000,000 shall be for grants to Indian tribes
24 notwithstanding section 106(a)(1) of such Act, of which,
25 notwithstanding any other provision of law (including sec-

1 tion 204 of this Act), up to \$4,000,000 may be used for
2 emergencies that constitute imminent threats to health
3 and safety.

4 COMMUNITY DEVELOPMENT LOAN GUARANTEES
5 PROGRAM ACCOUNT
6 (INCLUDING RESCISSION)

7 Subject to section 502 of the Congressional Budget
8 Act of 1974, during fiscal year 2016, commitments to
9 guarantee loans under section 108 of the Housing and
10 Community Development Act of 1974 (42 U.S.C. 5308),
11 any part of which is guaranteed, shall not exceed a total
12 principal amount of \$300,000,000, notwithstanding any
13 aggregate limitation on outstanding obligations guaran-
14 teed in subsection (k) of such section 108: *Provided*, That
15 the Secretary shall collect fees from borrowers, notwith-
16 standing subsection (m) of such section 108, to result in
17 a credit subsidy cost of zero for guaranteeing such loans,
18 and any such fees shall be collected in accordance with
19 section 502(7) of the Congressional Budget Act of 1974:
20 *Provided further*, That all unobligated balances, including
21 recaptures and carryover, remaining from funds appro-
22 priated to the Department of Housing and Urban Devel-
23 opment under this heading are hereby permanently re-
24 scinded.

1 HOME INVESTMENT PARTNERSHIPS PROGRAM

2 For the HOME Investment Partnerships program, as
3 authorized under title II of the Cranston-Gonzalez Na-
4 tional Affordable Housing Act, as amended,
5 \$950,000,000, to remain available until September 30,
6 2019: *Provided*, That notwithstanding the amount made
7 available under this heading, the threshold reduction re-
8 quirements in sections 216(10) and 217(b)(4) of such Act
9 shall not apply to allocations of such amount: *Provided*
10 *further*, That the requirements under provisos 2 through
11 6 under this heading for fiscal year 2012 and such re-
12 quirements applicable pursuant to the “Full-Year Con-
13 tinuing Appropriations Act, 2013”, shall not apply to any
14 project to which funds were committed on or after August
15 23, 2013, but such projects shall instead be governed by
16 the Final Rule titled “Home Investment Partnerships
17 Program; Improving Performance and Accountability; Up-
18 dating Property Standards” which became effective on
19 such date: *Provided further*, That with respect to funds
20 made available under this heading pursuant to such Act
21 and funds provided in prior and subsequent appropriations
22 acts that were or are used by community land trusts for
23 the development of affordable homeownership housing
24 pursuant to section 215(b) of such Act, such community
25 land trusts, notwithstanding section 215(b)(3)(A) of such

1 Act, may hold and exercise purchase options, rights of
2 first refusal or other preemptive rights to purchase the
3 housing to preserve affordability, including but not limited
4 to the right to purchase the housing in lieu of foreclosure:
5 *Provided further*, That the Department shall notify grant-
6 ees of their formula allocation within 60 days of enactment
7 of this Act.

8 SELF-HELP AND ASSISTED HOMEOWNERSHIP
9 OPPORTUNITY PROGRAM

10 For the Self-Help and Assisted Homeownership Op-
11 portunity Program, as authorized under section 11 of the
12 Housing Opportunity Program Extension Act of 1996, as
13 amended, \$50,000,000, to remain available until Sep-
14 tember 30, 2018: *Provided*, That of the total amount pro-
15 vided under this heading, \$10,000,000 shall be made
16 available to the Self-Help and Assisted Homeownership
17 Opportunity Program as authorized under section 11 of
18 the Housing Opportunity Program Extension Act of 1996,
19 as amended: *Provided further*, That of the total amount
20 provided under this heading, \$35,000,000 shall be made
21 available for the second, third, and fourth capacity build-
22 ing activities authorized under section 4(a) of the HUD
23 Demonstration Act of 1993 (42 U.S.C. 9816 note), of
24 which not less than \$5,000,000 shall be made available
25 for rural capacity building activities: *Provided further*,

1 That of the total amount provided under this heading,
2 \$5,000,000 shall be made available for capacity building
3 by national rural housing organizations with experience
4 assessing national rural conditions and providing financ-
5 ing, training, technical assistance, information, and re-
6 search to local nonprofits, local governments and Indian
7 Tribes serving high need rural communities: *Provided fur-*
8 *ther*, That an additional \$5,700,000, to remain available
9 until expended, shall be for a program to rehabilitate and
10 modify homes of disabled or low-income veterans as au-
11 thorized under section 1079 of Public Law 113–291.

12 HOMELESS ASSISTANCE GRANTS

13 For the Emergency Solutions Grants program as au-
14 thorized under subtitle B of title IV of the McKinney-
15 Vento Homeless Assistance Act, as amended; the Con-
16 tinuum of Care program as authorized under subtitle C
17 of title IV of such Act; and the Rural Housing Stability
18 Assistance program as authorized under subtitle D of title
19 IV of such Act, \$2,250,000,000, to remain available until
20 September 30, 2018: *Provided*, That any rental assistance
21 amounts that are recaptured under such Continuum of
22 Care program shall remain available until expended: *Pro-*
23 *vided further*, That not less than \$250,000,000 of the
24 funds appropriated under this heading shall be available
25 for such Emergency Solutions Grants program: *Provided*

1 *further*, That not less than \$1,918,000,000 of the funds
2 appropriated under this heading shall be available for such
3 Continuum of Care and Rural Housing Stability Assist-
4 ance programs: *Provided further*, That up to \$7,000,000
5 of the funds appropriated under this heading shall be
6 available for the national homeless data analysis project:
7 *Provided further*, That all funds awarded for supportive
8 services under the Continuum of Care program and the
9 Rural Housing Stability Assistance program shall be
10 matched by not less than 25 percent in cash or in kind
11 by each grantee: *Provided further*, That for all match re-
12 quirements applicable to funds made available under this
13 heading for this fiscal year and prior years, a grantee may
14 use (or could have used) as a source of match funds other
15 funds administered by the Secretary and other Federal
16 agencies unless there is (or was) a specific statutory prohi-
17 bition on any such use of any such funds: *Provided further*,
18 That the Secretary shall establish system performance
19 measures for which each continuum of care shall report
20 baseline outcomes, and that relative to fiscal year 2015,
21 under the Continuum of Care competition with respect to
22 funds made available under this heading, the Secretary
23 shall base an increasing share of the score on performance
24 criteria: *Provided further*, That none of the funds provided
25 under this heading shall be available to provide funding

1 for new projects, except for projects created through re-
2 allocation, unless the Secretary determines that the con-
3 tinuum of care has demonstrated that projects are evalu-
4 ated and ranked based on the degree to which they im-
5 prove the continuum of care's system performance: *Pro-*
6 *vided further*, That the Secretary shall prioritize funding
7 under the Continuum of Care program to continuums of
8 care that have demonstrated a capacity to reallocate fund-
9 ing from lower performing projects to higher performing
10 projects: *Provided further*, That all awards of assistance
11 under this heading shall be required to coordinate and in-
12 tegrate homeless programs with other mainstream health,
13 social services, and employment programs for which home-
14 less populations may be eligible: *Provided further*, That
15 with respect to funds provided under this heading for the
16 Continuum of Care program for fiscal years 2013, 2014,
17 2015, and 2016 provision of permanent housing rental as-
18 sistance may be administered by private nonprofit organi-
19 zations: *Provided further*, That any unobligated amounts
20 remaining from funds appropriated under this heading in
21 fiscal year 2012 and prior years for project-based rental
22 assistance for rehabilitation projects with 10-year grant
23 terms may be used for purposes under this heading, not-
24 withstanding the purposes for which such funds were ap-
25 propriated: *Provided further*, That all balances for Shelter

1 Plus Care renewals previously funded from the Shelter
2 Plus Care Renewal account and transferred to this ac-
3 count shall be available, if recaptured, for Continuum of
4 Care renewals in fiscal year 2016: *Provided further*, That
5 the Department shall notify grantees of their formula allo-
6 cation from amounts allocated (which may represent ini-
7 tial or final amounts allocated) for the Emergency Solu-
8 tions Grant program within 60 days of enactment of this
9 Act: *Provided further*, That up to \$33,000,000 of the
10 funds appropriated under this heading shall be to imple-
11 ment projects to demonstrate how a comprehensive ap-
12 proach to serving homeless youth, age 24 and under, in
13 up to 10 communities, including at least four rural com-
14 munities, can dramatically reduce youth homelessness:
15 *Provided further*, That such projects shall be eligible for
16 renewal under the Continuum of Care program subject to
17 the same terms and conditions as other renewal appli-
18 cants: *Provided further*, That up to \$5,000,000 of the
19 funds appropriated under this heading shall be available
20 to provide technical assistance on youth homelessness, and
21 collection, analysis, and reporting of data and performance
22 measures under the comprehensive approaches to serve
23 homeless youth, in addition to and in coordination with
24 other technical assistance funds provided under this title:
25 *Provided further*, That youth aged 24 and under seeking

1 assistance under this heading shall not be required to pro-
2 vide third party documentation to establish their eligibility
3 under 42 U.S.C. 11302(a) or (b) to receive services: *Pro-*
4 *vided further*, That unaccompanied youth aged 24 and
5 under or families headed by youth aged 24 and under who
6 are living in unsafe situations may be served by youth-
7 serving providers funded under this heading: *Provided fur-*
8 *ther*, That the Secretary may use amounts made available
9 under this heading for the Continuum of Care program
10 to renew a grant originally awarded pursuant to the mat-
11 ter under the heading “Department of Housing and
12 Urban Development—Permanent Supportive Housing” in
13 chapter 6 of title III of the Supplemental Appropriations
14 Act, 2008 (Public Law 110–252; 122 Stat. 2351) for as-
15 sistance under subtitle F of title IV of the McKinney-
16 Vento Homeless Assistance Act (42 U.S.C. 11403 et seq.):
17 *Provided further*, That such renewal grant shall be award-
18 ed to the same grantee and be subject to the provisions
19 of such Continuum of Care program except that the funds
20 may be used outside the geographic area of the continuum
21 of care.

22 HOUSING PROGRAMS

23 PROJECT-BASED RENTAL ASSISTANCE

24 For activities and assistance for the provision of
25 project-based subsidy contracts under the United States

1 Housing Act of 1937 (42 U.S.C. 1437 et seq.) (“the
2 Act”), not otherwise provided for, \$10,220,000,000, to re-
3 main available until expended, shall be available on Octo-
4 ber 1, 2015 (in addition to the \$400,000,000 previously
5 appropriated under this heading that became available Oc-
6 tober 1, 2015), and \$400,000,000, to remain available
7 until expended, shall be available on October 1, 2016: *Pro-*
8 *vided*, That the amounts made available under this head-
9 ing shall be available for expiring or terminating section
10 8 project-based subsidy contracts (including section 8
11 moderate rehabilitation contracts), for amendments to sec-
12 tion 8 project-based subsidy contracts (including section
13 8 moderate rehabilitation contracts), for contracts entered
14 into pursuant to section 441 of the McKinney-Vento
15 Homeless Assistance Act (42 U.S.C. 11401), for renewal
16 of section 8 contracts for units in projects that are subject
17 to approved plans of action under the Emergency Low In-
18 come Housing Preservation Act of 1987 or the Low-In-
19 come Housing Preservation and Resident Homeownership
20 Act of 1990, and for administrative and other expenses
21 associated with project-based activities and assistance
22 funded under this paragraph: *Provided further*, That of
23 the total amounts provided under this heading, not to ex-
24 ceed \$215,000,000 shall be available for performance-
25 based contract administrators for section 8 project-based

1 assistance, for carrying out 42 U.S.C. 1437(f): *Provided*
2 *further*, That the Secretary of Housing and Urban Devel-
3 opment may also use such amounts in the previous proviso
4 for performance-based contract administrators for the ad-
5 ministration of: interest reduction payments pursuant to
6 section 236(a) of the National Housing Act (12 U.S.C.
7 1715z-1(a)); rent supplement payments pursuant to sec-
8 tion 101 of the Housing and Urban Development Act of
9 1965 (12 U.S.C. 1701s); section 236(f)(2) rental assist-
10 ance payments (12 U.S.C. 1715z-1(f)(2)); project rental
11 assistance contracts for the elderly under section
12 202(e)(2) of the Housing Act of 1959 (12 U.S.C. 1701q);
13 project rental assistance contracts for supportive housing
14 for persons with disabilities under section 811(d)(2) of the
15 Cranston-Gonzalez National Affordable Housing Act (42
16 U.S.C. 8013(d)(2)); project assistance contracts pursuant
17 to section 202(h) of the Housing Act of 1959 (Public Law
18 86-372; 73 Stat. 667); and loans under section 202 of
19 the Housing Act of 1959 (Public Law 86-372; 73 Stat.
20 667): *Provided further*, That amounts recaptured under
21 this heading, the heading “Annual Contributions for As-
22 sisted Housing”, or the heading “Housing Certificate
23 Fund”, may be used for renewals of or amendments to
24 section 8 project-based contracts or for performance-based
25 contract administrators, notwithstanding the purposes for

1 which such amounts were appropriated: *Provided further,*
2 That, notwithstanding any other provision of law, upon
3 the request of the Secretary of Housing and Urban Devel-
4 opment, project funds that are held in residual receipts
5 accounts for any project subject to a section 8 project-
6 based Housing Assistance Payments contract that author-
7 izes HUD or a Housing Finance Agency to require that
8 surplus project funds be deposited in an interest-bearing
9 residual receipts account and that are in excess of an
10 amount to be determined by the Secretary, shall be remit-
11 ted to the Department and deposited in this account, to
12 be available until expended: *Provided further,* That
13 amounts deposited pursuant to the previous proviso shall
14 be available in addition to the amount otherwise provided
15 by this heading for uses authorized under this heading.

16 HOUSING FOR THE ELDERLY

17 For amendments to capital advance contracts for
18 housing for the elderly, as authorized by section 202 of
19 the Housing Act of 1959, as amended, and for project
20 rental assistance for the elderly under section 202(e)(2)
21 of such Act, including amendments to contracts for such
22 assistance and renewal of expiring contracts for such as-
23 sistance for up to a 1-year term, and for senior preserva-
24 tion rental assistance contracts, including renewals, as au-
25 thorized by section 811(e) of the American Housing and

1 Economic Opportunity Act of 2000, as amended, and for
2 supportive services associated with the housing,
3 \$432,700,000 to remain available until September 30,
4 2019: *Provided*, That of the amount provided under this
5 heading, up to \$77,000,000 shall be for service coordina-
6 tors and the continuation of existing congregate service
7 grants for residents of assisted housing projects: *Provided*
8 *further*, That amounts under this heading shall be avail-
9 able for Real Estate Assessment Center inspections and
10 inspection-related activities associated with section 202
11 projects: *Provided further*, That the Secretary may waive
12 the provisions of section 202 governing the terms and con-
13 ditions of project rental assistance, except that the initial
14 contract term for such assistance shall not exceed 5 years
15 in duration: *Provided further*, That upon request of the
16 Secretary of Housing and Urban Development, project
17 funds that are held in residual receipts accounts for any
18 project subject to a section 202 project rental assistance
19 contract, and that upon termination of such contract are
20 in excess of an amount to be determined by the Secretary,
21 shall be remitted to the Department and deposited in this
22 account, to be available until September 30, 2019: *Pro-*
23 *vided further*, That amounts deposited in this account pur-
24 suant to the previous proviso shall be available, in addition
25 to the amounts otherwise provided by this heading, for

1 amendments and renewals: *Provided further*, That unobli-
2 gated balances, including recaptures and carryover, re-
3 maining from funds transferred to or appropriated under
4 this heading shall be available for amendments and renew-
5 als notwithstanding the purposes for which such funds
6 originally were appropriated.

7 HOUSING FOR PERSONS WITH DISABILITIES

8 For amendments to capital advance contracts for
9 supportive housing for persons with disabilities, as author-
10 ized by section 811 of the Cranston-Gonzalez National Af-
11 fordable Housing Act (42 U.S.C. 8013), for project rental
12 assistance for supportive housing for persons with disabil-
13 ities under section 811(d)(2) of such Act and for project
14 assistance contracts pursuant to section 202(h) of the
15 Housing Act of 1959 (Public Law 86–372; 73 Stat. 667),
16 including amendments to contracts for such assistance
17 and renewal of expiring contracts for such assistance for
18 up to a 1-year term, for project rental assistance to State
19 housing finance agencies and other appropriate entities as
20 authorized under section 811(b)(3) of the Cranston-Gon-
21 zalez National Housing Act, and for supportive services
22 associated with the housing for persons with disabilities
23 as authorized by section 811(b)(1) of such Act,
24 \$150,600,000, to remain available until September 30,
25 2019: *Provided*, That amounts made available under this

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1 heading shall be available for Real Estate Assessment
2 Center inspections and inspection-related activities associ-
3 ated with section 811 projects: *Provided further*, That, in
4 this fiscal year, upon the request of the Secretary of Hous-
5 ing and Urban Development, project funds that are held
6 in residual receipts accounts for any project subject to a
7 section 811 project rental assistance contract and that
8 upon termination of such contract are in excess of an
9 amount to be determined by the Secretary shall be remit-
10 ted to the Department and deposited in this account, to
11 be available until September 30, 2019: *Provided further*,
12 That amounts deposited in this account pursuant to the
13 previous proviso shall be available in addition to the
14 amounts otherwise provided by this heading for amend-
15 ments and renewals: *Provided further*, That unobligated
16 balances, including recaptures and carryover, remaining
17 from funds transferred to or appropriated under this
18 heading shall be used for amendments and renewals not-
19 withstanding the purposes for which such funds originally
20 were appropriated.

21 HOUSING COUNSELING ASSISTANCE

22 For contracts, grants, and other assistance excluding
23 loans, as authorized under section 106 of the Housing and
24 Urban Development Act of 1968, as amended,
25 \$47,000,000, to remain available until September 30,

1 2017, including up to \$4,500,000 for administrative con-
2 tract services: *Provided*, That grants made available from
3 amounts provided under this heading shall be awarded
4 within 180 days of enactment of this Act: *Provided further*,
5 That funds shall be used for providing counseling and ad-
6 vice to tenants and homeowners, both current and pro-
7 spective, with respect to property maintenance, financial
8 management/literacy, and such other matters as may be
9 appropriate to assist them in improving their housing con-
10 ditions, meeting their financial needs, and fulfilling the re-
11 sponsibilities of tenancy or homeownership; for program
12 administration; and for housing counselor training: *Pro-*
13 *vided further*, That for purposes of providing such grants
14 from amounts provided under this heading, the Secretary
15 may enter into multiyear agreements as appropriate, sub-
16 ject to the availability of annual appropriations.

17 RENTAL HOUSING ASSISTANCE

18 For amendments to contracts under section 101 of
19 the Housing and Urban Development Act of 1965 (12
20 U.S.C. 1701s) and section 236(f)(2) of the National
21 Housing Act (12 U.S.C. 1715z-1) in State-aided, non-
22 insured rental housing projects, \$30,000,000, to remain
23 available until expended: *Provided*, That such amount, to-
24 gether with unobligated balances from recaptured
25 amounts appropriated prior to fiscal year 2006 from ter-

1 minated contracts under such sections of law, and any un-
2 obligated balances, including recaptures and carryover, re-
3 maining from funds appropriated under this heading after
4 fiscal year 2005, shall also be available for extensions of
5 up to one year for expiring contracts under such sections
6 of law.

7 PAYMENT TO MANUFACTURED HOUSING FEES TRUST

8 FUND

9 For necessary expenses as authorized by the National
10 Manufactured Housing Construction and Safety Stand-
11 ards Act of 1974 (42 U.S.C. 5401 et seq.), up to
12 \$10,500,000, to remain available until expended, of which
13 \$10,500,000 is to be derived from the Manufactured
14 Housing Fees Trust Fund: *Provided*, That not to exceed
15 the total amount appropriated under this heading shall be
16 available from the general fund of the Treasury to the ex-
17 tent necessary to incur obligations and make expenditures
18 pending the receipt of collections to the Fund pursuant
19 to section 620 of such Act: *Provided further*, That the
20 amount made available under this heading from the gen-
21 eral fund shall be reduced as such collections are received
22 during fiscal year 2016 so as to result in a final fiscal
23 year 2016 appropriation from the general fund estimated
24 at zero, and fees pursuant to such section 620 shall be
25 modified as necessary to ensure such a final fiscal year

1 2016 appropriation: *Provided further*, That for the dispute
2 resolution and installation programs, the Secretary of
3 Housing and Urban Development may assess and collect
4 fees from any program participant: *Provided further*, That
5 such collections shall be deposited into the Fund, and the
6 Secretary, as provided herein, may use such collections,
7 as well as fees collected under section 620, for necessary
8 expenses of such Act: *Provided further*, That, notwith-
9 standing the requirements of section 620 of such Act, the
10 Secretary may carry out responsibilities of the Secretary
11 under such Act through the use of approved service pro-
12 viders that are paid directly by the recipients of their serv-
13 ices.

14 FEDERAL HOUSING ADMINISTRATION

15 MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

16 New commitments to guarantee single family loans
17 insured under the Mutual Mortgage Insurance Fund shall
18 not exceed \$400,000,000,000, to remain available until
19 September 30, 2017: *Provided*, That during fiscal year
20 2016, obligations to make direct loans to carry out the
21 purposes of section 204(g) of the National Housing Act,
22 as amended, shall not exceed \$5,000,000: *Provided fur-*
23 *ther*, That the foregoing amount in the previous proviso
24 shall be for loans to nonprofit and governmental entities
25 in connection with sales of single family real properties

1 owned by the Secretary and formerly insured under the
2 Mutual Mortgage Insurance Fund: *Provided further*, That
3 for administrative contract expenses of the Federal Hous-
4 ing Administration, \$130,000,000, to remain available
5 until September 30, 2017: *Provided further*, That to the
6 extent guaranteed loan commitments exceed
7 \$200,000,000,000 on or before April 1, 2016, an addi-
8 tional \$1,400 for administrative contract expenses shall be
9 available for each \$1,000,000 in additional guaranteed
10 loan commitments (including a pro rata amount for any
11 amount below \$1,000,000), but in no case shall funds
12 made available by this proviso exceed \$30,000,000.

13 GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

14 New commitments to guarantee loans insured under
15 the General and Special Risk Insurance Funds, as author-
16 ized by sections 238 and 519 of the National Housing Act
17 (12 U.S.C. 1715z-3 and 1735c), shall not exceed
18 \$30,000,000,000 in total loan principal, any part of which
19 is to be guaranteed, to remain available until September
20 30, 2017: *Provided*, That during fiscal year 2016, gross
21 obligations for the principal amount of direct loans, as au-
22 thorized by sections 204(g), 207(l), 238, and 519(a) of
23 the National Housing Act, shall not exceed \$5,000,000,
24 which shall be for loans to nonprofit and governmental en-
25 tities in connection with the sale of single family real prop-

1 erties owned by the Secretary and formerly insured under
2 such Act.

3 GOVERNMENT NATIONAL MORTGAGE ASSOCIATION
4 GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN
5 GUARANTEE PROGRAM ACCOUNT

6 New commitments to issue guarantees to carry out
7 the purposes of section 306 of the National Housing Act,
8 as amended (12 U.S.C. 1721(g)), shall not exceed
9 \$500,000,000,000, to remain available until September
10 30, 2017: *Provided*, That \$23,000,000 shall be available
11 for necessary salaries and expenses of the Office of Gov-
12 ernment National Mortgage Association: *Provided further*,
13 That to the extent that guaranteed loan commitments ex-
14 ceed \$155,000,000,000 on or before April 1, 2016, an ad-
15 ditional \$100 for necessary salaries and expenses shall be
16 available until expended for each \$1,000,000 in additional
17 guaranteed loan commitments (including a pro rata
18 amount for any amount below \$1,000,000), but in no case
19 shall funds made available by this proviso exceed
20 \$3,000,000: *Provided further*, That receipts from Commit-
21 ment and Multiclass fees collected pursuant to title III of
22 the National Housing Act, as amended, shall be credited
23 as offsetting collections to this account.

1 POLICY DEVELOPMENT AND RESEARCH

2 RESEARCH AND TECHNOLOGY

3 For contracts, grants, and necessary expenses of pro-
4 grams of research and studies relating to housing and
5 urban problems, not otherwise provided for, as authorized
6 by title V of the Housing and Urban Development Act
7 of 1970 (12 U.S.C. 1701z-1 et seq.), including carrying
8 out the functions of the Secretary of Housing and Urban
9 Development under section 1(a)(1)(i) of Reorganization
10 Plan No. 2 of 1968, and for technical assistance,
11 \$85,000,000, to remain available until September 30,
12 2017: *Provided*, That with respect to amounts made avail-
13 able under this heading, notwithstanding section 204 of
14 this title, the Secretary may enter into cooperative agree-
15 ments funded with philanthropic entities, other Federal
16 agencies, or State or local governments and their agencies
17 for research projects: *Provided further*, That with respect
18 to the previous proviso, such partners to the cooperative
19 agreements must contribute at least a 50 percent match
20 toward the cost of the project: *Provided further*, That for
21 non-competitive agreements entered into in accordance
22 with the previous two provisos, the Secretary of Housing
23 and Urban Development shall comply with section 2(b) of
24 the Federal Funding Accountability and Transparency
25 Act of 2006 (Public Law 109-282, 31 U.S.C. note) in lieu

1 of compliance with section 102(a)(4)(C) with respect to
2 documentation of award decisions: *Provided further*, That
3 prior to obligation of technical assistance funding, the Sec-
4 retary shall submit a plan, for approval, to the House and
5 Senate Committees on Appropriations on how it will allo-
6 cate funding for this activity.

7 FAIR HOUSING AND EQUAL OPPORTUNITY

8 FAIR HOUSING ACTIVITIES

9 For contracts, grants, and other assistance, not oth-
10 erwise provided for, as authorized by title VIII of the Civil
11 Rights Act of 1968, as amended by the Fair Housing
12 Amendments Act of 1988, and section 561 of the Housing
13 and Community Development Act of 1987, as amended,
14 \$65,300,000, to remain available until September 30,
15 2017: *Provided*, That notwithstanding 31 U.S.C. 3302,
16 the Secretary may assess and collect fees to cover the costs
17 of the Fair Housing Training Academy, and may use such
18 funds to provide such training: *Provided further*, That no
19 funds made available under this heading shall be used to
20 lobby the executive or legislative branches of the Federal
21 Government in connection with a specific contract, grant,
22 or loan: *Provided further*, That of the funds made available
23 under this heading, \$300,000 shall be available to the Sec-
24 retary of Housing and Urban Development for the cre-
25 ation and promotion of translated materials and other pro-

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1 grams that support the assistance of persons with limited
2 English proficiency in utilizing the services provided by
3 the Department of Housing and Urban Development.

4 OFFICE OF LEAD HAZARD CONTROL AND HEALTHY
5 HOMES
6 LEAD HAZARD REDUCTION

7 For the Lead Hazard Reduction Program, as author-
8 ized by section 1011 of the Residential Lead-Based Paint
9 Hazard Reduction Act of 1992, \$110,000,000, to remain
10 available until September 30, 2017, of which \$20,000,000
11 shall be for the Healthy Homes Initiative, pursuant to sec-
12 tions 501 and 502 of the Housing and Urban Develop-
13 ment Act of 1970 that shall include research, studies, test-
14 ing, and demonstration efforts, including education and
15 outreach concerning lead-based paint poisoning and other
16 housing-related diseases and hazards: *Provided*, That for
17 purposes of environmental review, pursuant to the Na-
18 tional Environmental Policy Act of 1969 (42 U.S.C. 4321
19 et seq.) and other provisions of the law that further the
20 purposes of such Act, a grant under the Healthy Homes
21 Initiative, or the Lead Technical Studies program under
22 this heading or under prior appropriations Acts for such
23 purposes under this heading, shall be considered to be
24 funds for a special project for purposes of section 305(c)
25 of the Multifamily Housing Property Disposition Reform

1 Act of 1994: *Provided further*, That of the total amount
2 made available under this heading, \$45,000,000 shall be
3 made available on a competitive basis for areas with the
4 highest lead paint abatement needs: *Provided further*,
5 That each recipient of funds provided under the previous
6 proviso shall contribute an amount not less than 25 per-
7 cent of the total: *Provided further*, That each applicant
8 shall certify adequate capacity that is acceptable to the
9 Secretary to carry out the proposed use of funds pursuant
10 to a notice of funding availability: *Provided further*, That
11 amounts made available under this heading in this or prior
12 appropriations Acts, and that still remain available, may
13 be used for any purpose under this heading notwith-
14 standing the purpose for which such amounts were appro-
15 priated if a program competition is undersubscribed and
16 there are other program competitions under this heading
17 that are oversubscribed.

18 INFORMATION TECHNOLOGY FUND

19 For the development of, modifications to, and infra-
20 structure for Department-wide and program-specific infor-
21 mation technology systems, for the continuing operation
22 and maintenance of both Department-wide and program-
23 specific information systems, and for program-related
24 maintenance activities, \$250,000,000, shall remain avail-
25 able until September 30, 2017: *Provided*, That any

1 amounts transferred to this Fund under this Act shall re-
2 main available until expended: *Provided further*, That any
3 amounts transferred to this Fund from amounts appro-
4 priated by previously enacted appropriations Acts may be
5 used for the purposes specified under this Fund, in addi-
6 tion to any other information technology purposes for
7 which such amounts were appropriated.

8 OFFICE OF INSPECTOR GENERAL

9 For necessary salaries and expenses of the Office of
10 Inspector General in carrying out the Inspector General
11 Act of 1978, as amended, \$126,000,000: *Provided*, That
12 the Inspector General shall have independent authority
13 over all personnel issues within this office.

14 GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND
15 URBAN DEVELOPMENT

16 (INCLUDING TRANSFER OF FUNDS)

17 (INCLUDING RESCISSIONS)

18 SEC. 201. Fifty percent of the amounts of budget au-
19 thority, or in lieu thereof 50 percent of the cash amounts
20 associated with such budget authority, that are recaptured
21 from projects described in section 1012(a) of the Stewart
22 B. McKinney Homeless Assistance Amendments Act of
23 1988 (42 U.S.C. 1437 note) shall be rescinded or in the
24 case of cash, shall be remitted to the Treasury, and such
25 amounts of budget authority or cash recaptured and not

1 rescinded or remitted to the Treasury shall be used by
2 State housing finance agencies or local governments or
3 local housing agencies with projects approved by the Sec-
4 retary of Housing and Urban Development for which set-
5 tlement occurred after January 1, 1992, in accordance
6 with such section. Notwithstanding the previous sentence,
7 the Secretary may award up to 15 percent of the budget
8 authority or cash recaptured and not rescinded or remitted
9 to the Treasury to provide project owners with incentives
10 to refinance their project at a lower interest rate.

11 SEC. 202. None of the amounts made available under
12 this Act may be used during fiscal year 2016 to investigate
13 or prosecute under the Fair Housing Act any otherwise
14 lawful activity engaged in by one or more persons, includ-
15 ing the filing or maintaining of a nonfrivolous legal action,
16 that is engaged in solely for the purpose of achieving or
17 preventing action by a Government official or entity, or
18 a court of competent jurisdiction.

19 SEC. 203. Sections 203 and 209 of division C of Pub-
20 lic Law 112–55 (125 Stat. 693–694) shall apply during
21 fiscal year 2016 as if such sections were included in this
22 title, except that during such fiscal year such sections shall
23 be applied by substituting “fiscal year 2016” for “fiscal
24 year 2011” and for “fiscal year 2012” each place such
25 terms appear, and shall be amended to reflect revised de-

1 lineations of statistical areas established by the Office of
2 Management and Budget pursuant to 44 U.S.C.
3 3504(e)(3), 31 U.S.C. 1104(d), and Executive Order No.
4 10253.

5 SEC. 204. Except as explicitly provided in law, any
6 grant, cooperative agreement or other assistance made
7 pursuant to title II of this Act shall be made on a competi-
8 tive basis and in accordance with section 102 of the De-
9 partment of Housing and Urban Development Reform Act
10 of 1989 (42 U.S.C. 3545).

11 SEC. 205. Funds of the Department of Housing and
12 Urban Development subject to the Government Corpora-
13 tion Control Act or section 402 of the Housing Act of
14 1950 shall be available, without regard to the limitations
15 on administrative expenses, for legal services on a contract
16 or fee basis, and for utilizing and making payment for
17 services and facilities of the Federal National Mortgage
18 Association, Government National Mortgage Association,
19 Federal Home Loan Mortgage Corporation, Federal Fi-
20 nancing Bank, Federal Reserve banks or any member
21 thereof, Federal Home Loan banks, and any insured bank
22 within the meaning of the Federal Deposit Insurance Cor-
23 poration Act, as amended (12 U.S.C. 1811–1).

24 SEC. 206. Unless otherwise provided for in this Act
25 or through a reprogramming of funds, no part of any ap-

1 appropriation for the Department of Housing and Urban
2 Development shall be available for any program, project
3 or activity in excess of amounts set forth in the budget
4 estimates submitted to Congress.

5 SEC. 207. Corporations and agencies of the Depart-
6 ment of Housing and Urban Development which are sub-
7 ject to the Government Corporation Control Act are here-
8 by authorized to make such expenditures, within the limits
9 of funds and borrowing authority available to each such
10 corporation or agency and in accordance with law, and to
11 make such contracts and commitments without regard to
12 fiscal year limitations as provided by section 104 of such
13 Act as may be necessary in carrying out the programs set
14 forth in the budget for 2016 for such corporation or agen-
15 cy except as hereinafter provided: *Provided*, That collec-
16 tions of these corporations and agencies may be used for
17 new loan or mortgage purchase commitments only to the
18 extent expressly provided for in this Act (unless such loans
19 are in support of other forms of assistance provided for
20 in this or prior appropriations Acts), except that this pro-
21 viso shall not apply to the mortgage insurance or guaranty
22 operations of these corporations, or where loans or mort-
23 gage purchases are necessary to protect the financial in-
24 terest of the United States Government.

1 SEC. 208. The Secretary of Housing and Urban De-
2 velopment shall provide quarterly reports to the House
3 and Senate Committees on Appropriations regarding all
4 uncommitted, unobligated, recaptured and excess funds in
5 each program and activity within the jurisdiction of the
6 Department and shall submit additional, updated budget
7 information to these Committees upon request.

8 SEC. 209. The President's formal budget request for
9 fiscal year 2017, as well as the Department of Housing
10 and Urban Development's congressional budget justifica-
11 tions to be submitted to the Committees on Appropriations
12 of the House of Representatives and the Senate, shall use
13 the identical account and sub-account structure provided
14 under this Act.

15 SEC. 210. A public housing agency or such other enti-
16 ty that administers Federal housing assistance for the
17 Housing Authority of the county of Los Angeles, Cali-
18 fornia, and the States of Alaska, Iowa, and Mississippi
19 shall not be required to include a resident of public hous-
20 ing or a recipient of assistance provided under section 8
21 of the United States Housing Act of 1937 on the board
22 of directors or a similar governing board of such agency
23 or entity as required under section (2)(b) of such Act.
24 Each public housing agency or other entity that admin-
25 isters Federal housing assistance under section 8 for the

1 Housing Authority of the county of Los Angeles, Cali-
2 fornia and the States of Alaska, Iowa and Mississippi that
3 chooses not to include a resident of public housing or a
4 recipient of section 8 assistance on the board of directors
5 or a similar governing board shall establish an advisory
6 board of not less than six residents of public housing or
7 recipients of section 8 assistance to provide advice and
8 comment to the public housing agency or other admin-
9 istering entity on issues related to public housing and sec-
10 tion 8. Such advisory board shall meet not less than quar-
11 terly.

12 SEC. 211. No funds provided under this title may be
13 used for an audit of the Government National Mortgage
14 Association that makes applicable requirements under the
15 Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

16 SEC. 212. (a) Notwithstanding any other provision
17 of law, subject to the conditions listed under this section,
18 for fiscal years 2016 and 2017, the Secretary of Housing
19 and Urban Development may authorize the transfer of
20 some or all project-based assistance, debt held or insured
21 by the Secretary and statutorily required low-income and
22 very low-income use restrictions if any, associated with one
23 or more multifamily housing project or projects to another
24 multifamily housing project or projects.

1 (b) PHASED TRANSFERS.—Transfers of project-
2 based assistance under this section may be done in phases
3 to accommodate the financing and other requirements re-
4 lated to rehabilitating or constructing the project or
5 projects to which the assistance is transferred, to ensure
6 that such project or projects meet the standards under
7 subsection (c).

8 (c) The transfer authorized in subsection (a) is sub-
9 ject to the following conditions:

10 (1) NUMBER AND BEDROOM SIZE OF UNITS.—

11 (A) For occupied units in the transferring
12 project: The number of low-income and very
13 low-income units and the configuration (i.e.,
14 bedroom size) provided by the transferring
15 project shall be no less than when transferred
16 to the receiving project or projects and the net
17 dollar amount of Federal assistance provided to
18 the transferring project shall remain the same
19 in the receiving project or projects.

20 (B) For unoccupied units in the transfer-
21 ring project: The Secretary may authorize a re-
22 duction in the number of dwelling units in the
23 receiving project or projects to allow for a re-
24 configuration of bedroom sizes to meet current
25 market demands, as determined by the Sec-

1 retary and provided there is no increase in the
2 project-based assistance budget authority.

3 (2) The transferring project shall, as deter-
4 mined by the Secretary, be either physically obsolete
5 or economically nonviable.

6 (3) The receiving project or projects shall meet
7 or exceed applicable physical standards established
8 by the Secretary.

9 (4) The owner or mortgagor of the transferring
10 project shall notify and consult with the tenants re-
11 siding in the transferring project and provide a cer-
12 tification of approval by all appropriate local govern-
13 mental officials.

14 (5) The tenants of the transferring project who
15 remain eligible for assistance to be provided by the
16 receiving project or projects shall not be required to
17 vacate their units in the transferring project or
18 projects until new units in the receiving project are
19 available for occupancy.

20 (6) The Secretary determines that this transfer
21 is in the best interest of the tenants.

22 (7) If either the transferring project or the re-
23 ceiving project or projects meets the condition speci-
24 fied in subsection (d)(2)(A), any lien on the receiv-
25 ing project resulting from additional financing ob-

1 tained by the owner shall be subordinate to any
2 FHA-insured mortgage lien transferred to, or placed
3 on, such project by the Secretary, except that the
4 Secretary may waive this requirement upon deter-
5 mination that such a waiver is necessary to facilitate
6 the financing of acquisition, construction, and/or re-
7 habilitation of the receiving project or projects.

8 (8) If the transferring project meets the re-
9 quirements of subsection (d)(2), the owner or mort-
10 gagor of the receiving project or projects shall exe-
11 cute and record either a continuation of the existing
12 use agreement or a new use agreement for the
13 project where, in either case, any use restrictions in
14 such agreement are of no lesser duration than the
15 existing use restrictions.

16 (9) The transfer does not increase the cost (as
17 defined in section 502 of the Congressional Budget
18 Act of 1974, as amended) of any FHA-insured
19 mortgage, except to the extent that appropriations
20 are provided in advance for the amount of any such
21 increased cost.

22 (d) For purposes of this section—

23 (1) the terms “low-income” and “very low-in-
24 come” shall have the meanings provided by the stat-

1 ute and/or regulations governing the program under
2 which the project is insured or assisted;

3 (2) the term “multifamily housing project”
4 means housing that meets one of the following con-
5 ditions—

6 (A) housing that is subject to a mortgage
7 insured under the National Housing Act;

8 (B) housing that has project-based assist-
9 ance attached to the structure including
10 projects undergoing mark to market debt re-
11 structuring under the Multifamily Assisted
12 Housing Reform and Affordability Housing Act;

13 (C) housing that is assisted under section
14 202 of the Housing Act of 1959, as amended
15 by section 801 of the Cranston-Gonzales Na-
16 tional Affordable Housing Act;

17 (D) housing that is assisted under section
18 202 of the Housing Act of 1959, as such sec-
19 tion existed before the enactment of the Cran-
20 ston-Gonzales National Affordable Housing Act;

21 (E) housing that is assisted under section
22 811 of the Cranston-Gonzales National Afford-
23 able Housing Act; or

24 (F) housing or vacant land that is subject
25 to a use agreement;

1 (3) the term “project-based assistance”
2 means—

3 (A) assistance provided under section 8(b)
4 of the United States Housing Act of 1937;

5 (B) assistance for housing constructed or
6 substantially rehabilitated pursuant to assist-
7 ance provided under section 8(b)(2) of such Act
8 (as such section existed immediately before Oc-
9 tober 1, 1983);

10 (C) rent supplement payments under sec-
11 tion 101 of the Housing and Urban Develop-
12 ment Act of 1965;

13 (D) interest reduction payments under sec-
14 tion 236 and/or additional assistance payments
15 under section 236(f)(2) of the National Hous-
16 ing Act;

17 (E) assistance payments made under sec-
18 tion 202(c)(2) of the Housing Act of 1959; and

19 (F) assistance payments made under sec-
20 tion 811(d)(2) of the Cranston-Gonzalez Na-
21 tional Affordable Housing Act;

22 (4) the term “receiving project or projects”
23 means the multifamily housing project or projects to
24 which some or all of the project-based assistance,

1 debt, and statutorily required low-income and very
2 low-income use restrictions are to be transferred;

3 (5) the term “transferring project” means the
4 multifamily housing project which is transferring
5 some or all of the project-based assistance, debt, and
6 the statutorily required low-income and very low-in-
7 come use restrictions to the receiving project or
8 projects; and

9 (6) the term “Secretary” means the Secretary
10 of Housing and Urban Development.

11 (e) PUBLIC NOTICE AND RESEARCH REPORT.—

12 (1) The Secretary shall publish by notice in the
13 Federal Register the terms and conditions, including
14 criteria for HUD approval, of transfers pursuant to
15 this section no later than 30 days before the effec-
16 tive date of such notice.

17 (2) The Secretary shall conduct an evaluation
18 of the transfer authority under this section, includ-
19 ing the effect of such transfers on the operational ef-
20 ficiency, contract rents, physical and financial condi-
21 tions, and long-term preservation of the affected
22 properties.

23 SEC. 213. (a) No assistance shall be provided under
24 section 8 of the United States Housing Act of 1937 (42
25 U.S.C. 1437f) to any individual who—

1 (1) is enrolled as a student at an institution of
2 higher education (as defined under section 102 of
3 the Higher Education Act of 1965 (20 U.S.C.
4 1002));

5 (2) is under 24 years of age;

6 (3) is not a veteran;

7 (4) is unmarried;

8 (5) does not have a dependent child;

9 (6) is not a person with disabilities, as such
10 term is defined in section 3(b)(3)(E) of the United
11 States Housing Act of 1937 (42 U.S.C.
12 1437a(b)(3)(E)) and was not receiving assistance
13 under such section 8 as of November 30, 2005; and

14 (7) is not otherwise individually eligible, or has
15 parents who, individually or jointly, are not eligible,
16 to receive assistance under section 8 of the United
17 States Housing Act of 1937 (42 U.S.C. 1437f).

18 (b) For purposes of determining the eligibility of a
19 person to receive assistance under section 8 of the United
20 States Housing Act of 1937 (42 U.S.C. 1437f), any finan-
21 cial assistance (in excess of amounts received for tuition
22 and any other required fees and charges) that an indi-
23 vidual receives under the Higher Education Act of 1965
24 (20 U.S.C. 1001 et seq.), from private sources, or an insti-
25 tution of higher education (as defined under the Higher

1 Education Act of 1965 (20 U.S.C. 1002)), shall be consid-
2 ered income to that individual, except for a person over
3 the age of 23 with dependent children.

4 SEC. 214. The funds made available for Native Alas-
5 kans under the heading “Native American Housing Block
6 Grants” in title II of this Act shall be allocated to the
7 same Native Alaskan housing block grant recipients that
8 received funds in fiscal year 2005.

9 SEC. 215. Notwithstanding the limitation in the first
10 sentence of section 255(g) of the National Housing Act
11 (12 U.S.C. 1715z–20(g)), the Secretary of Housing and
12 Urban Development may, until September 30, 2016, in-
13 sure and enter into commitments to insure mortgages
14 under such section 255.

15 SEC. 216. Notwithstanding any other provision of
16 law, in fiscal year 2016, in managing and disposing of any
17 multifamily property that is owned or has a mortgage held
18 by the Secretary of Housing and Urban Development, and
19 during the process of foreclosure on any property with a
20 contract for rental assistance payments under section 8
21 of the United States Housing Act of 1937 or other Fed-
22 eral programs, the Secretary shall maintain any rental as-
23 sistance payments under section 8 of the United States
24 Housing Act of 1937 and other programs that are at-
25 tached to any dwelling units in the property. To the extent

1 the Secretary determines, in consultation with the tenants
2 and the local government, that such a multifamily prop-
3 erty owned or held by the Secretary is not feasible for con-
4 tinued rental assistance payments under such section 8
5 or other programs, based on consideration of (1) the costs
6 of rehabilitating and operating the property and all avail-
7 able Federal, State, and local resources, including rent ad-
8 justments under section 524 of the Multifamily Assisted
9 Housing Reform and Affordability Act of 1997
10 (“MAHRAA”) and (2) environmental conditions that can-
11 not be remedied in a cost-effective fashion, the Secretary
12 may, in consultation with the tenants of that property,
13 contract for project-based rental assistance payments with
14 an owner or owners of other existing housing properties,
15 or provide other rental assistance. The Secretary shall also
16 take appropriate steps to ensure that project-based con-
17 tracts remain in effect prior to foreclosure, subject to the
18 exercise of contractual abatement remedies to assist relo-
19 cation of tenants for imminent major threats to health and
20 safety after written notice to and informed consent of the
21 affected tenants and use of other available remedies, such
22 as partial abatements or receivership. After disposition of
23 any multifamily property described under this section, the
24 contract and allowable rent levels on such properties shall

1 be subject to the requirements under section 524 of
2 MAHRAA.

3 SEC. 217. The commitment authority funded by fees
4 as provided under the heading “Community Development
5 Loan Guarantees Program Account” may be used to guar-
6 antee, or make commitments to guarantee, notes, or other
7 obligations issued by any State on behalf of non-entitle-
8 ment communities in the State in accordance with the re-
9 quirements of section 108 of the Housing and Community
10 Development Act of 1974: *Provided*, That any State re-
11 ceiving such a guarantee or commitment shall distribute
12 all funds subject to such guarantee to the units of general
13 local government in non-entitlement areas that received
14 the commitment.

15 SEC. 218. Public housing agencies that own and oper-
16 ate 400 or fewer public housing units may elect to be ex-
17 empt from any asset management requirement imposed by
18 the Secretary of Housing and Urban Development in con-
19 nection with the operating fund rule: *Provided*, That an
20 agency seeking a discontinuance of a reduction of subsidy
21 under the operating fund formula shall not be exempt
22 from asset management requirements.

23 SEC. 219. With respect to the use of amounts pro-
24 vided in this Act and in future Acts for the operation, cap-
25 ital improvement and management of public housing as

1 authorized by sections 9(d) and 9(e) of the United States
2 Housing Act of 1937 (42 U.S.C. 1437g(d) and (e)), the
3 Secretary shall not impose any requirement or guideline
4 relating to asset management that restricts or limits in
5 any way the use of capital funds for central office costs
6 pursuant to section 9(g)(1) or 9(g)(2) of the United States
7 Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)): *Pro-*
8 *vided*, That a public housing agency may not use capital
9 funds authorized under section 9(d) for activities that are
10 eligible under section 9(e) for assistance with amounts
11 from the operating fund in excess of the amounts per-
12 mitted under section 9(g)(1) or 9(g)(2).

13 SEC. 220. No official or employee of the Department
14 of Housing and Urban Development shall be designated
15 as an allotment holder unless the Office of the Chief Fi-
16 nancial Officer has determined that such allotment holder
17 has implemented an adequate system of funds control and
18 has received training in funds control procedures and di-
19 rectives. The Chief Financial Officer shall ensure that
20 there is a trained allotment holder for each HUD sub-
21 office under the accounts “Executive Offices” and “Ad-
22 ministrative Support Offices,” as well as each account re-
23 ceiving appropriations for “Program Office Salaries and
24 Expenses”, “Government National Mortgage Associa-
25 tion—Guarantees of Mortgage-Backed Securities Loan

1 Guarantee Program Account”, and “Office of Inspector
2 General” within the Department of Housing and Urban
3 Development.

4 SEC. 221. The Secretary of the Department of Hous-
5 ing and Urban Development shall, for fiscal year 2016,
6 notify the public through the Federal Register and other
7 means, as determined appropriate, of the issuance of a no-
8 tice of the availability of assistance or notice of funding
9 availability (NOFA) for any program or discretionary
10 fund administered by the Secretary that is to be competi-
11 tively awarded. Notwithstanding any other provision of
12 law, for fiscal year 2016, the Secretary may make the
13 NOFA available only on the Internet at the appropriate
14 Government web site or through other electronic media,
15 as determined by the Secretary.

16 SEC. 222. Payment of attorney fees in program-re-
17 lated litigation shall be paid from the individual program
18 office and Office of General Counsel salaries and expenses
19 appropriations. The annual budget submission for the pro-
20 gram offices and the Office of General Counsel shall in-
21 clude any such projected litigation costs for attorney fees
22 as a separate line item request. No funds provided in this
23 title may be used to pay any such litigation costs for attor-
24 ney fees until the Department submits for review a spend-

1 ing plan for such costs to the House and Senate Commit-
2 tees on Appropriations.

3 SEC. 223. The Secretary is authorized to transfer up
4 to 10 percent or \$4,000,000, whichever is less, of funds
5 appropriated for any office under the heading “Adminis-
6 trative Support Offices” or for any account under the gen-
7 eral heading “Program Office Salaries and Expenses” to
8 any other such office or account: *Provided*, That no appro-
9 priation for any such office or account shall be increased
10 or decreased by more than 10 percent or \$4,000,000,
11 whichever is less, without prior written approval of the
12 House and Senate Committees on Appropriations: *Pro-*
13 *vided further*, That the Secretary shall provide notification
14 to such Committees three business days in advance of any
15 such transfers under this section up to 10 percent or
16 \$4,000,000, whichever is less.

17 SEC. 224. The Disaster Housing Assistance Pro-
18 grams, administered by the Department of Housing and
19 Urban Development, shall be considered a “program of
20 the Department of Housing and Urban Development”
21 under section 904 of the McKinney Act for the purpose
22 of income verifications and matching.

23 SEC. 225. (a) The Secretary of Housing and Urban
24 Development shall take the required actions under sub-
25 section (b) when a multifamily housing project with a sec-

1 tion 8 contract or contract for similar project-based assist-
2 ance:

3 (1) receives a Real Estate Assessment Center
4 (REAC) score of 30 or less; or

5 (2) receives a REAC score between 31 and 59
6 and:

7 (A) fails to certify in writing to HUD with-
8 in 60 days that all deficiencies have been cor-
9 rected; or

10 (B) receives consecutive scores of less than
11 60 on REAC inspections.

12 Such requirements shall apply to insured and noninsured
13 projects with assistance attached to the units under sec-
14 tion 8 of the United States Housing Act of 1937 (42
15 U.S.C. 1437f), but do not apply to such units assisted
16 under section 8(o)(13) (42 U.S.C. 1437f(o)(13)) or to
17 public housing units assisted with capital or operating
18 funds under section 9 of the United States Housing Act
19 of 1937 (42 U.S.C. 1437g).

20 (b) The Secretary shall take the following required
21 actions as authorized under subsection (a):

22 (1) The Secretary shall notify the owner and
23 provide an opportunity for response within 30 days.

24 If the violations remain, the Secretary shall develop
25 a Compliance, Disposition and Enforcement Plan

1 within 60 days, with a specified timetable for cor-
2 recting all deficiencies. The Secretary shall provide
3 notice of the Plan to the owner, tenants, the local
4 government, any mortgagees, and any contract ad-
5 ministrator.

6 (2) At the end of the term of the Compliance,
7 Disposition and Enforcement Plan, if the owner fails
8 to fully comply with such plan, the Secretary may
9 require immediate replacement of project manage-
10 ment with a management agent approved by the
11 Secretary, and shall take one or more of the fol-
12 lowing actions, and provide additional notice of those
13 actions to the owner and the parties specified above:

14 (A) impose civil money penalties;

15 (B) abate the section 8 contract, including
16 partial abatement, as determined by the Sec-
17 retary, until all deficiencies have been corrected;

18 (C) pursue transfer of the project to an
19 owner, approved by the Secretary under estab-
20 lished procedures, which will be obligated to
21 promptly make all required repairs and to ac-
22 cept renewal of the assistance contract as long
23 as such renewal is offered; or

24 (D) seek judicial appointment of a receiver
25 to manage the property and cure all project de-

1 iciencies or seek a judicial order of specific per-
2 formance requiring the owner to cure all project
3 deficiencies.

4 (c) The Secretary shall also take appropriate steps
5 to ensure that project-based contracts remain in effect,
6 subject to the exercise of contractual abatement remedies
7 to assist relocation of tenants for imminent major threats
8 to health and safety after written notice to and informed
9 consent of the affected tenants and use of other remedies
10 set forth above. To the extent the Secretary determines,
11 in consultation with the tenants and the local government,
12 that the property is not feasible for continued rental as-
13 sistance payments under such section 8 or other programs,
14 based on consideration of (1) the costs of rehabilitating
15 and operating the property and all available Federal,
16 State, and local resources, including rent adjustments
17 under section 524 of the Multifamily Assisted Housing
18 Reform and Affordability Act of 1997 (“MAHRAA”) and
19 (2) environmental conditions that cannot be remedied in
20 a cost-effective fashion, the Secretary may, in consultation
21 with the tenants of that property, contract for project-
22 based rental assistance payments with an owner or owners
23 of other existing housing properties, or provide other rent-
24 al assistance. The Secretary shall report semi-annually on
25 all properties covered by this section that are assessed

1 through the Real Estate Assessment Center and have
2 physical inspection scores of less than 30 or have consecu-
3 tive physical inspection scores of less than 60. The report
4 shall include:

5 (1) The enforcement actions being taken to ad-
6 dress such conditions, including imposition of civil
7 money penalties and termination of subsidies, and
8 identify properties that have such conditions mul-
9 tiple times; and

10 (2) Actions that the Department of Housing
11 and Urban Development is taking to protect tenants
12 of such identified properties.

13 SEC. 226. None of the funds made available by this
14 Act, or any other Act, for purposes authorized under sec-
15 tion 8 (only with respect to the tenant-based rental assist-
16 ance program) and section 9 of the United States Housing
17 Act of 1937 (42 U.S.C. 1437 et seq.), may be used by
18 any public housing agency for any amount of salary, in-
19 cluding bonuses, for the chief executive officer of which,
20 or any other official or employee of which, that exceeds
21 the annual rate of basic pay payable for a position at level
22 IV of the Executive Schedule at any time during any pub-
23 lic housing agency fiscal year 2016.

1 SEC. 227. None of the funds in this Act may be avail-
2 able for the doctoral dissertation research grant program
3 at the Department of Housing and Urban Development.

4 SEC. 228. Section 24 of the United States Housing
5 Act of 1937 (42 U.S.C. 1437v) is amended—

6 (1) in subsection (m)(1), by striking “fiscal
7 year” and all that follows through the period at the
8 end and inserting “fiscal year 2016.”; and

9 (2) in subsection (o), by striking “September”
10 and all that follows through the period at the end
11 and inserting “September 30, 2016.”.

12 SEC. 229. None of the funds in this Act provided to
13 the Department of Housing and Urban Development may
14 be used to make a grant award unless the Secretary noti-
15 fies the House and Senate Committees on Appropriations
16 not less than 3 full business days before any project,
17 State, locality, housing authority, tribe, nonprofit organi-
18 zation, or other entity selected to receive a grant award
19 is announced by the Department or its offices.

20 SEC. 230. None of the funds made available by this
21 Act may be used to require or enforce the Physical Needs
22 Assessment (PNA).

23 SEC. 231. None of the funds made available by this
24 Act nor any receipts or amounts collected under any Fed-
25 eral Housing Administration program may be used to im-

1 plement the Homeowners Armed with Knowledge
2 (HAWK) program.

3 SEC. 232. None of the funds made available in this
4 Act shall be used by the Federal Housing Administration,
5 the Government National Mortgage Administration, or the
6 Department of Housing and Urban Development to in-
7 sure, securitize, or establish a Federal guarantee of any
8 mortgage or mortgage backed security that refinances or
9 otherwise replaces a mortgage that has been subject to
10 eminent domain condemnation or seizure, by a State, mu-
11 nicipality, or any other political subdivision of a State.

12 SEC. 233. None of the funds made available by this
13 Act may be used to terminate the status of a unit of gen-
14 eral local government as a metropolitan city (as defined
15 in section 102 of the Housing and Community Develop-
16 ment Act of 1974 (42 U.S.C. 5302)) with respect to
17 grants under section 106 of such Act (42 U.S.C. 5306).

18 SEC. 234. Amounts made available under this Act
19 which are either appropriated, allocated, advanced on a
20 reimbursable basis, or transferred to the Office of Policy
21 Development and Research in the Department of Housing
22 and Urban Development and functions thereof, for re-
23 search, evaluation, or statistical purposes, and which are
24 unexpended at the time of completion of a contract, grant,
25 or cooperative agreement, may be deobligated and shall

1 immediately become available and may be reobligated in
2 that fiscal year or the subsequent fiscal year for the re-
3 search, evaluation, or statistical purposes for which the
4 amounts are made available to that Office subject to re-
5 programming requirements in section 405 of this Act.

6 SEC. 235. Subsection (b) of section 225 of the Cran-
7 ston-Gonzalez National Affordable Housing Act (42
8 U.S.C. 12755) is amended by adding at the end the fol-
9 lowing new sentence: “Such 30-day waiting period is not
10 required if the grounds for the termination or refusal to
11 renew involve a direct threat to the safety of the tenants
12 or employees of the housing, or an imminent and serious
13 threat to the property (and the termination or refusal to
14 renew is in accordance with the requirements of State or
15 local law).”.

16 SEC. 236. None of the funds under this title may be
17 used for awards, including performance, special act, or
18 spot, for any employee of the Department of Housing and
19 Urban Development who is subject to administrative dis-
20 cipline in fiscal year 2016, including suspension from
21 work.

22 SEC. 237. The language under the heading “Rental
23 Assistance Demonstration” in the Department of Housing
24 and Urban Development Appropriations Act, 2012 (Public
25 Law 112–55) is amended:

1 (1) In proviso eighteen, by inserting “for fiscal
2 year 2012 and hereafter,” after “*Provided further,*
3 That”; and

4 (2) In proviso nineteen, by striking “, which
5 may extend beyond fiscal year 2016 as necessary to
6 allow processing of all timely applications,”.

7 SEC. 238. Section 526 (12 U.S.C. 1735f–4) of the
8 National Housing Act is amended by inserting at the end
9 of subsection (b):

10 “(c) The Secretary may establish an exception to any
11 minimum property standard established under this section
12 in order to address alternative water systems, including
13 cisterns, which meet requirements of State and local build-
14 ing codes that ensure health and safety standards.”.

15 SEC. 239. The Secretary of Housing and Urban De-
16 velopment shall increase, pursuant to this section, the
17 number of Moving to Work agencies authorized under sec-
18 tion 204, title II, of the Departments of Veterans Affairs
19 and Housing and Urban Development and Independent
20 Agencies Appropriations Act, 1996 (Public Law 104–134;
21 110 Stat. 1321) by adding to the program 100 public
22 housing agencies that are designated as high performing
23 agencies under the Public Housing Assessment System
24 (PHAS) or the Section Eight Management Assessment
25 Program (SEMAP). No public housing agency shall be

1 granted this designation through this section that admin-
2 isters in excess of 27,000 aggregate housing vouchers and
3 public housing units. Of the agencies selected under this
4 section, no less than 50 shall administer 1,000 or fewer
5 aggregate housing voucher and public housing units, no
6 less than 47 shall administer 1,001-6,000 aggregate hous-
7 ing voucher and public housing units, and no more than
8 3 shall administer 6,001-27,000 aggregate housing vouch-
9 er and public housing units. Of the 100 agencies selected
10 under this section, five shall be agencies with portfolio
11 awards under the Rental Assistance Demonstration that
12 meet the other requirements of this section, including cur-
13 rent designations as high performing agencies or such des-
14 ignations held immediately prior to such portfolio awards.
15 Selection of agencies under this section shall be based on
16 ensuring the geographic diversity of Moving to Work agen-
17 cies. In addition to the preceding selection criteria, agen-
18 cies shall be designated by the Secretary over a 7-year pe-
19 riod. The Secretary shall establish a research advisory
20 committee which shall advise the Secretary with respect
21 to specific policy proposals and methods of research and
22 evaluation for the demonstration. The advisory committee
23 shall include program and research experts from the De-
24 partment, a fair representation of agencies with a Moving
25 to Work designation, and independent subject matter ex-

1 perts in housing policy research. For each cohort of agen-
2 cies receiving a designation under this heading, the Sec-
3 retary shall direct one specific policy change to be imple-
4 mented by the agencies, and with the approval of the Sec-
5 retary, such agencies may implement additional policy
6 changes. All agencies designated under this section shall
7 be evaluated through rigorous research as determined by
8 the Secretary, and shall provide information requested by
9 the Secretary to support such oversight and evaluation,
10 including the targeted policy changes. Research and eval-
11 uation shall be coordinated under the direction of the Sec-
12 retary, and in consultation with the advisory committee,
13 and findings shall be shared broadly. The Secretary shall
14 consult the advisory committee with respect to policy
15 changes that have proven successful and can be applied
16 more broadly to all public housing agencies, and propose
17 any necessary statutory changes. The Secretary may, at
18 the request of a Moving to Work agency and one or more
19 adjacent public housing agencies in the same area, des-
20 ignate that Moving to Work agency as a regional agency.
21 A regional Moving to Work agency may administer the
22 assistance under sections 8 and 9 of the United States
23 Housing Act of 1937 (42 U.S.C. 1437f and g) for the
24 participating agencies within its region pursuant to the
25 terms of its Moving to Work agreement with the Sec-

1 retary. The Secretary may agree to extend the term of
2 the agreement and to make any necessary changes to ac-
3 commodate regionalization. A Moving to Work agency may
4 be selected as a regional agency if the Secretary deter-
5 mines that unified administration of assistance under sec-
6 tions 8 and 9 by that agency across multiple jurisdictions
7 will lead to efficiencies and to greater housing choice for
8 low-income persons in the region. For purposes of this ex-
9 pansion, in addition to the provisions of the Act retained
10 in section 204, section 8(r)(1) of the Act shall continue
11 to apply unless the Secretary determines that waiver of
12 this section is necessary to implement comprehensive rent
13 reform and occupancy policies subject to evaluation by the
14 Secretary, and the waiver contains, at a minimum, excep-
15 tions for requests to port due to employment, education,
16 health and safety. No public housing agency granted this
17 designation through this section shall receive more fund-
18 ing under sections 8 or 9 of the United States Housing
19 Act of 1937 than it otherwise would have received absent
20 this designation. The Secretary shall extend the current
21 Moving to Work agreements of previously designated par-
22 ticipating agencies until the end of each such agency's fis-
23 cal year 2028 under the same terms and conditions of
24 such current agreements, except for any changes to such
25 terms or conditions otherwise mutually agreed upon by the

1 Secretary and any such agency and such extension agree-
2 ments shall prohibit any statutory offset of any reserve
3 balances equal to 4 months of operating expenses. Any
4 such reserve balances that exceed such amount shall re-
5 main available to any such agency for all permissible pur-
6 poses under such agreement unless subject to a statutory
7 offset. In addition to other reporting requirements, all
8 Moving to Work agencies shall report financial data to the
9 Department of Housing and Urban Development as speci-
10 fied by the Secretary, so that the effect of Moving to Work
11 policy changes can be measured.

12 SEC. 240. (a) AUTHORITY.—Subject to the conditions
13 in subsection (d), the Secretary of Housing and Urban De-
14 velopment may authorize, in response to requests received
15 in fiscal years 2016 through 2020, the transfer of some
16 or all project-based assistance, tenant-based assistance,
17 capital advances, debt, and statutorily required use re-
18 strictions from housing assisted under section 811 of the
19 Cranston-Gonzalez National Affordable Housing Act (42
20 U.S.C. 8013) to other new or existing housing, which may
21 include projects, units, and other types of housing, as per-
22 mitted by the Secretary.

23 (b) CAPITAL ADVANCES.—Interest shall not be due
24 and repayment of a capital advance shall not be triggered
25 by a transfer pursuant to this section.

1 (c) PHASED AND PROPORTIONAL TRANSFERS.—

2 (1) Transfers under this section may be done in
3 phases to accommodate the financing and other re-
4 quirements related to rehabilitating or constructing
5 the housing to which the assistance is transferred, to
6 ensure that such housing meets the conditions under
7 subsection (d).

8 (2) The capital advance repayment require-
9 ments, use restrictions, rental assistance, and debt
10 shall transfer proportionally from the transferring
11 housing to the receiving housing.

12 (d) CONDITIONS.—The transfers authorized by this
13 section shall be subject to the following conditions:

14 (1) the owner of the transferring housing shall
15 demonstrate that the transfer is in compliance with
16 applicable Federal, State, and local requirements re-
17 garding Housing for Persons with Disabilities and
18 shall provide the Secretary with evidence of obtain-
19 ing any approvals related to housing disabled per-
20 sons that are necessary under Federal, State, and
21 local government requirements;

22 (2) the owner of the transferring housing shall
23 demonstrate to the Secretary that any transfer is in
24 the best interest of the disabled residents by offering

1 opportunities for increased integration or less con-
2 centration of individuals with disabilities;

3 (3) the owner of the transferring housing shall
4 continue to provide the same number of units as ap-
5 proved for rental assistance by the Secretary in the
6 receiving housing;

7 (4) the owner of the transferring housing shall
8 consult with the disabled residents in the transfer-
9 ring housing about any proposed transfer under this
10 section and shall notify the residents of the transfer-
11 ring housing who are eligible for assistance to be
12 provided in the receiving housing that they shall not
13 be required to vacate the transferring housing until
14 the receiving housing is available for occupancy;

15 (5) the receiving housing shall meet or exceed
16 applicable physical standards established or adopted
17 by the Secretary; and

18 (6) if the receiving housing has a mortgage in-
19 sured under title II of the National Housing Act,
20 any lien on the receiving housing resulting from ad-
21 ditional financing shall be subordinate to any feder-
22 ally insured mortgage lien transferred to, or placed
23 on, such housing, except that the Secretary may
24 waive this requirement upon determination that such
25 a waiver is necessary to facilitate the financing of

1 acquisition, construction, or rehabilitation of the re-
2 ceiving housing.

3 (e) PUBLIC NOTICE.—The Secretary shall publish a
4 notice in the Federal Register of the terms and conditions,
5 including criteria for the Department’s approval of trans-
6 fers pursuant to this section no later than 30 days before
7 the effective date of such notice.

8 SEC. 241. (a) Of the unobligated balances, including
9 recaptures and carryover, remaining from funds appro-
10 priated to the Department of Housing and Urban Devel-
11 opment under the heading “General and Special Risk Pro-
12 gram Account”, and for the cost of guaranteed notes and
13 other obligations under the heading “Native American
14 Housing Block Grants”, \$12,000,000 is hereby perma-
15 nently rescinded.

16 (b) All unobligated balances, including recaptures
17 and carryover, remaining from funds appropriated to the
18 Department of Housing and Urban Development under
19 the headings “Rural Housing and Economic Develop-
20 ment”, and “Homeownership and Opportunity for People
21 Everywhere Grants” are hereby permanently rescinded.

22 SEC. 242. Funds made available in this title under
23 the heading “Homeless Assistance Grants” may be used
24 by the Secretary to participate in Performance Partner-
25 ship Pilots authorized in an appropriations Act for fiscal

1 year 2016 as initially authorized under section 526 of divi-
2 sion H of Public Law 113–76 and extended under section
3 524 of division G of Public Law 113–235: *Provided*, That
4 such participation shall be limited to no more than 10 con-
5 tinuums of care and housing activities to improve out-
6 comes for disconnected youth.

7 SEC. 243. With respect to grant amounts awarded
8 under the heading “Homeless Assistance Grants” for fis-
9 cal years 2015 and 2016 for the Continuum of Care (CoC)
10 program as authorized under subtitle C of title IV of the
11 McKinney-Vento Homeless Assistance Act, costs paid by
12 program income of grant recipients may count toward
13 meeting the recipient’s matching requirements, provided
14 the costs are eligible CoC costs that supplement the recipi-
15 ents CoC program.

16 SEC. 244. With respect to funds appropriated under
17 the “Community Development Fund” heading for formula
18 allocation to states pursuant to 42 U.S.C. 5306(d), the
19 Secretary shall permit a jurisdiction to demonstrate com-
20 pliance with 42 U.S.C. 5305(c)(2)(A) if it had been des-
21 ignated as majority low- and moderate-income pursuant
22 to data from the 2000 decennial Census and it continues
23 to have economic distress as evidenced by inclusion in a
24 designated Rural Promise Zone or Distressed County as
25 defined by the Appalachian Regional Commission. This

1 section shall apply to any such state funds appropriated
2 under such heading under this Act, in each fiscal year
3 from 2017 through 2020, and under prior appropriation
4 Acts (with respect to any such allocated but uncommitted
5 funds available to any such state).

6 This title may be cited as the “Department of Hous-
7 ing and Urban Development Appropriations Act, 2016”.

1641

1 TITLE III
2 RELATED AGENCIES
3 ACCESS BOARD
4 SALARIES AND EXPENSES

5 For expenses necessary for the Access Board, as au-
6 thorized by section 502 of the Rehabilitation Act of 1973,
7 as amended, \$8,023,000: *Provided*, That, notwithstanding
8 any other provision of law, there may be credited to this
9 appropriation funds received for publications and training
10 expenses.

11 FEDERAL MARITIME COMMISSION
12 SALARIES AND EXPENSES

13 For necessary expenses of the Federal Maritime
14 Commission as authorized by section 201(d) of the Mer-
15 chant Marine Act, 1936, as amended (46 U.S.C. 307), in-
16 cluding services as authorized by 5 U.S.C. 3109; hire of
17 passenger motor vehicles as authorized by 31 U.S.C.
18 1343(b); and uniforms or allowances therefor, as author-
19 ized by 5 U.S.C. 5901–5902, \$25,660,000: *Provided*, That
20 not to exceed \$2,000 shall be available for official recep-
21 tion and representation expenses.

1642

1 NATIONAL RAILROAD PASSENGER CORPORATION
2 OFFICE OF INSPECTOR GENERAL
3 SALARIES AND EXPENSES

4 For necessary expenses of the Office of Inspector
5 General for the National Railroad Passenger Corporation
6 to carry out the provisions of the Inspector General Act
7 of 1978, as amended, \$24,499,000: *Provided*, That the In-
8 spector General shall have all necessary authority, in car-
9 rying out the duties specified in the Inspector General Act,
10 as amended (5 U.S.C. App. 3), to investigate allegations
11 of fraud, including false statements to the government (18
12 U.S.C. 1001), by any person or entity that is subject to
13 regulation by the National Railroad Passenger Corpora-
14 tion: *Provided further*, That the Inspector General may
15 enter into contracts and other arrangements for audits,
16 studies, analyses, and other services with public agencies
17 and with private persons, subject to the applicable laws
18 and regulations that govern the obtaining of such services
19 within the National Railroad Passenger Corporation: *Pro-*
20 *vided further*, That the Inspector General may select, ap-
21 point, and employ such officers and employees as may be
22 necessary for carrying out the functions, powers, and du-
23 ties of the Office of Inspector General, subject to the appli-
24 cable laws and regulations that govern such selections, ap-
25 pointments, and employment within the Corporation: *Pro-*

1 *vided further*, That concurrent with the President's budget
2 request for fiscal year 2017, the Inspector General shall
3 submit to the House and Senate Committees on Appro-
4 priations a budget request for fiscal year 2017 in similar
5 format and substance to those submitted by executive
6 agencies of the Federal Government.

7 NATIONAL TRANSPORTATION SAFETY BOARD

8 SALARIES AND EXPENSES

9 For necessary expenses of the National Transpor-
10 tation Safety Board, including hire of passenger motor ve-
11 hicles and aircraft; services as authorized by 5 U.S.C.
12 3109, but at rates for individuals not to exceed the per
13 diem rate equivalent to the rate for a GS-15; uniforms,
14 or allowances therefor, as authorized by law (5 U.S.C.
15 5901-5902), \$105,170,000, of which not to exceed \$2,000
16 may be used for official reception and representation ex-
17 penses. The amounts made available to the National
18 Transportation Safety Board in this Act include amounts
19 necessary to make lease payments on an obligation in-
20 curred in fiscal year 2001 for a capital lease.

21 NEIGHBORHOOD REINVESTMENT CORPORATION

22 PAYMENT TO THE NEIGHBORHOOD REINVESTMENT

23 CORPORATION

24 For payment to the Neighborhood Reinvestment Cor-
25 poration for use in neighborhood reinvestment activities,

1 as authorized by the Neighborhood Reinvestment Corpora-
2 tion Act (42 U.S.C. 8101–8107), \$135,000,000, of which
3 \$5,000,000 shall be for a multi-family rental housing pro-
4 gram: *Provided*, That in addition, \$40,000,000 shall be
5 made available until expended to the Neighborhood Rein-
6 vestment Corporation for mortgage foreclosure mitigation
7 activities, under the following terms and conditions:

8 (1) The Neighborhood Reinvestment Corpora-
9 tion (NRC) shall make grants to counseling inter-
10 mediaries approved by the Department of Housing
11 and Urban Development (HUD) (with match to be
12 determined by NRC based on affordability and the
13 economic conditions of an area; a match also may be
14 waived by NRC based on the aforementioned condi-
15 tions) to provide mortgage foreclosure mitigation as-
16 sistance primarily to States and areas with high
17 rates of defaults and foreclosures to help eliminate
18 the default and foreclosure of mortgages of owner-
19 occupied single-family homes that are at risk of such
20 foreclosure. Other than areas with high rates of de-
21 faults and foreclosures, grants may also be provided
22 to approved counseling intermediaries based on a ge-
23 ographic analysis of the Nation by NRC which de-
24 termines where there is a prevalence of mortgages
25 that are risky and likely to fail, including any trends

1 for mortgages that are likely to default and face
2 foreclosure. A State Housing Finance Agency may
3 also be eligible where the State Housing Finance
4 Agency meets all the requirements under this para-
5 graph. A HUD-approved counseling intermediary
6 shall meet certain mortgage foreclosure mitigation
7 assistance counseling requirements, as determined
8 by NRC, and shall be approved by HUD or NRC as
9 meeting these requirements.

10 (2) Mortgage foreclosure mitigation assistance
11 shall only be made available to homeowners of
12 owner-occupied homes with mortgages in default or
13 in danger of default. These mortgages shall likely be
14 subject to a foreclosure action and homeowners will
15 be provided such assistance that shall consist of ac-
16 tivities that are likely to prevent foreclosures and re-
17 sult in the long-term affordability of the mortgage
18 retained pursuant to such activity or another posi-
19 tive outcome for the homeowner. No funds made
20 available under this paragraph may be provided di-
21 rectly to lenders or homeowners to discharge out-
22 standing mortgage balances or for any other direct
23 debt reduction payments.

24 (3) The use of mortgage foreclosure mitigation
25 assistance by approved counseling intermediaries

1 and State Housing Finance Agencies shall involve a
2 reasonable analysis of the borrower's financial situa-
3 tion, an evaluation of the current value of the prop-
4 erty that is subject to the mortgage, counseling re-
5 garding the assumption of the mortgage by another
6 non-Federal party, counseling regarding the possible
7 purchase of the mortgage by a non-Federal third
8 party, counseling and advice of all likely restruc-
9 turing and refinancing strategies or the approval of
10 a work-out strategy by all interested parties.

11 (4) NRC may provide up to 15 percent of the
12 total funds under this paragraph to its own charter
13 members with expertise in foreclosure prevention
14 counseling, subject to a certification by NRC that
15 the procedures for selection do not consist of any
16 procedures or activities that could be construed as a
17 conflict of interest or have the appearance of impro-
18 priety.

19 (5) HUD-approved counseling entities and
20 State Housing Finance Agencies receiving funds
21 under this paragraph shall have demonstrated expe-
22 rience in successfully working with financial institu-
23 tions as well as borrowers facing default, delin-
24 quency and foreclosure as well as documented coun-
25 seling capacity, outreach capacity, past successful

1 performance and positive outcomes with documented
2 counseling plans (including post mortgage fore-
3 closure mitigation counseling), loan workout agree-
4 ments and loan modification agreements. NRC may
5 use other criteria to demonstrate capacity in under-
6 served areas.

7 (6) Of the total amount made available under
8 this paragraph, up to \$2,000,000 may be made
9 available to build the mortgage foreclosure and de-
10 fault mitigation counseling capacity of counseling
11 intermediaries through NRC training courses with
12 HUD-approved counseling intermediaries and their
13 partners, except that private financial institutions
14 that participate in NRC training shall pay market
15 rates for such training.

16 (7) Of the total amount made available under
17 this paragraph, up to 5 percent may be used for as-
18 sociated administrative expenses for NRC to carry
19 out activities provided under this section.

20 (8) Mortgage foreclosure mitigation assistance
21 grants may include a budget for outreach and adver-
22 tising, and training, as determined by NRC.

23 (9) NRC shall continue to report bi-annually to
24 the House and Senate Committees on Appropria-
25 tions as well as the Senate Banking Committee and

1 House Financial Services Committee on its efforts to
2 mitigate mortgage default.

3 UNITED STATES INTERAGENCY COUNCIL ON
4 HOMELESSNESS
5 OPERATING EXPENSES

6 For necessary expenses (including payment of sala-
7 ries, authorized travel, hire of passenger motor vehicles,
8 the rental of conference rooms, and the employment of ex-
9 perts and consultants under section 3109 of title 5, United
10 States Code) of the United States Interagency Council on
11 Homelessness in carrying out the functions pursuant to
12 title II of the McKinney-Vento Homeless Assistance Act,
13 as amended, \$3,530,000.

1 TITLE IV

2 GENERAL PROVISIONS—THIS ACT

3 SEC. 401. None of the funds in this Act shall be used
4 for the planning or execution of any program to pay the
5 expenses of, or otherwise compensate, non-Federal parties
6 intervening in regulatory or adjudicatory proceedings
7 funded in this Act.

8 SEC. 402. None of the funds appropriated in this Act
9 shall remain available for obligation beyond the current
10 fiscal year, nor may any be transferred to other appropria-
11 tions, unless expressly so provided herein.

12 SEC. 403. The expenditure of any appropriation
13 under this Act for any consulting service through a pro-
14 curement contract pursuant to section 3109 of title 5,
15 United States Code, shall be limited to those contracts
16 where such expenditures are a matter of public record and
17 available for public inspection, except where otherwise pro-
18 vided under existing law, or under existing Executive order
19 issued pursuant to existing law.

20 SEC. 404. (a) None of the funds made available in
21 this Act may be obligated or expended for any employee
22 training that—

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

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

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

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

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

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

18 SEC. 405. Except as otherwise provided in this Act,
19 none of the funds provided in this Act, provided by pre-
20 vious appropriations Acts to the agencies or entities fund-
21 ed in this Act that remain available for obligation or ex-
22 penditure in fiscal year 2016, or provided from any ac-
23 counts in the Treasury derived by the collection of fees
24 and available to the agencies funded by this Act, shall be

1 available for obligation or expenditure through a re-
2 programming of funds that—

3 (1) creates a new program;

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

5 (3) increases funds or personnel for any pro-
6 gram, project, or activity for which funds have been
7 denied or restricted by the Congress;

8 (4) proposes to use funds directed for a specific
9 activity by either the House or Senate Committees
10 on Appropriations for a different purpose;

11 (5) augments existing programs, projects, or ac-
12 tivities in excess of \$5,000,000 or 10 percent, which-
13 ever is less;

14 (6) reduces existing programs, projects, or ac-
15 tivities by \$5,000,000 or 10 percent, whichever is
16 less; or

17 (7) creates, reorganizes, or restructures a
18 branch, division, office, bureau, board, commission,
19 agency, administration, or department different from
20 the budget justifications submitted to the Commit-
21 tees on Appropriations or the table accompanying
22 the explanatory statement accompanying this Act,
23 whichever is more detailed, unless prior approval is
24 received from the House and Senate Committees on
25 Appropriations: *Provided*, That not later than 60

1 days after the date of enactment of this Act, each
2 agency funded by this Act shall submit a report to
3 the Committees on Appropriations of the Senate and
4 of the House of Representatives to establish the
5 baseline for application of reprogramming and trans-
6 fer authorities for the current fiscal year: *Provided*
7 *further*, That the report shall include—

8 (A) a table for each appropriation with a
9 separate column to display the prior year en-
10 acted level, the President's budget request, ad-
11 justments made by Congress, adjustments due
12 to enacted rescissions, if appropriate, and the
13 fiscal year enacted level;

14 (B) a delineation in the table for each ap-
15 propriation and its respective prior year enacted
16 level by object class and program, project, and
17 activity as detailed in the budget appendix for
18 the respective appropriation; and

19 (C) an identification of items of special
20 congressional interest.

21 SEC. 406. Except as otherwise specifically provided
22 by law, not to exceed 50 percent of unobligated balances
23 remaining available at the end of fiscal year 2016 from
24 appropriations made available for salaries and expenses
25 for fiscal year 2016 in this Act, shall remain available

1 through September 30, 2017, for each such account for
2 the purposes authorized: *Provided*, That a request shall
3 be submitted to the House and Senate Committees on Ap-
4 propriations for approval prior to the expenditure of such
5 funds: *Provided further*, That these requests shall be made
6 in compliance with reprogramming guidelines under sec-
7 tion 405 of this Act.

8 SEC. 407. No funds in this Act may be used to sup-
9 port any Federal, State, or local projects that seek to use
10 the power of eminent domain, unless eminent domain is
11 employed only for a public use: *Provided*, That for pur-
12 poses of this section, public use shall not be construed to
13 include economic development that primarily benefits pri-
14 vate entities: *Provided further*, That any use of funds for
15 mass transit, railroad, airport, seaport or highway
16 projects, as well as utility projects which benefit or serve
17 the general public (including energy-related, communica-
18 tion-related, water-related and wastewater-related infra-
19 structure), other structures designated for use by the gen-
20 eral public or which have other common-carrier or public-
21 utility functions that serve the general public and are sub-
22 ject to regulation and oversight by the government, and
23 projects for the removal of an immediate threat to public
24 health and safety or brownfields as defined in the Small
25 Business Liability Relief and Brownfields Revitalization

1 Act (Public Law 107–118) shall be considered a public
2 use for purposes of eminent domain.

3 SEC. 408. None of the funds made available in this
4 Act may be transferred to any department, agency, or in-
5 strumentality of the United States Government, except
6 pursuant to a transfer made by, or transfer authority pro-
7 vided in, this Act or any other appropriations Act.

8 SEC. 409. No part of any appropriation contained in
9 this Act shall be available to pay the salary for any person
10 filling a position, other than a temporary position, for-
11 merly held by an employee who has left to enter the Armed
12 Forces of the United States and has satisfactorily com-
13 pleted his or her period of active military or naval service,
14 and has within 90 days after his or her release from such
15 service or from hospitalization continuing after discharge
16 for a period of not more than 1 year, made application
17 for restoration to his or her former position and has been
18 certified by the Office of Personnel Management as still
19 qualified to perform the duties of his or her former posi-
20 tion and has not been restored thereto.

21 SEC. 410. No funds appropriated pursuant to this
22 Act may be expended by an entity unless the entity agrees
23 that in expending the assistance the entity will comply
24 with sections 2 through 4 of the Act of March 3, 1933

1 (41 U.S.C. 10a–10c, popularly known as the “Buy Amer-
2 ican Act”).

3 SEC. 411. No funds appropriated or otherwise made
4 available under this Act shall be made available to any
5 person or entity that has been convicted of violating the
6 Buy American Act (41 U.S.C. 10a–10c).

7 SEC. 412. None of the funds made available in this
8 Act may be used for first-class airline accommodations in
9 contravention of sections 301–10.122 and 301–10.123 of
10 title 41, Code of Federal Regulations.

11 SEC. 413. (a) None of the funds made available by
12 this Act may be used to approve a new foreign air carrier
13 permit under sections 41301 through 41305 of title 49,
14 United States Code, or exemption application under sec-
15 tion 40109 of that title of an air carrier already holding
16 an air operators certificate issued by a country that is
17 party to the U.S.-E.U.-Iceland-Norway Air Transport
18 Agreement where such approval would contravene United
19 States law or Article 17 bis of the U.S.-E.U.-Iceland-Nor-
20 way Air Transport Agreement.

21 (b) Nothing in this section shall prohibit, restrict or
22 otherwise preclude the Secretary of Transportation from
23 granting a foreign air carrier permit or an exemption to
24 such an air carrier where such authorization is consistent

1 with the U.S.-E.U.-Iceland-Norway Air Transport Agree-
2 ment and United States law.

3 SEC. 414. None of the funds made available in this
4 Act may be used to send or otherwise pay for the attend-
5 ance of more than 50 employees of a single agency or de-
6 partment of the United States Government, who are sta-
7 tioned in the United States, at any single international
8 conference unless the relevant Secretary reports to the
9 House and Senate Committees on Appropriations at least
10 5 days in advance that such attendance is important to
11 the national interest: *Provided*, That for purposes of this
12 section the term “international conference” shall mean a
13 conference occurring outside of the United States attended
14 by representatives of the United States Government and
15 of foreign governments, international organizations, or
16 nongovernmental organizations.

17 SEC. 415. None of the funds made available by this
18 Act may be used by the Federal Transit Administration
19 to implement, administer, or enforce section 18.36(e)(2)
20 of title 49, Code of Federal Regulations, for construction
21 hiring purposes.

22 SEC. 416. None of the funds made available by this
23 Act may be used in contravention of the 5th or 14th
24 Amendment to the Constitution or title VI of the Civil
25 Rights Act of 1964.

1 SEC. 417. None of the funds made available by this
2 Act may be used by the Department of Transportation,
3 the Department of Housing and Urban Development, or
4 any other Federal agency to lease or purchase new light
5 duty vehicles for any executive fleet, or for an agency's
6 fleet inventory, except in accordance with Presidential
7 Memorandum—Federal Fleet Performance, dated May
8 24, 2011.

9 SEC. 418. None of the funds made available by this
10 Act may be used in contravention of subpart E of part
11 5 of the regulations of the Secretary of Housing and
12 Urban Development (24 CFR part 5, subpart E, relating
13 to restrictions on assistance to noncitizens).

14 SEC. 419. None of the funds made available by this
15 Act may be used to provide financial assistance in con-
16 travention of section 214(d) of the Housing and Commu-
17 nity Development Act of 1980 (42 U.S.C. 1436a(d)).

18 SEC. 420. For an additional amount for “Community
19 Planning and Development, Community Development
20 Fund”, \$300,000,000, to remain available until expended,
21 for necessary expenses for activities authorized under title
22 I of the Housing and Community Development Act of
23 1974 (42 U.S.C. 5301 et seq.) related to disaster relief,
24 long-term recovery, restoration of infrastructure and hous-
25 ing, and economic revitalization in the most impacted and

1 distressed areas resulting from a major disaster declared
2 in 2015 pursuant to the Robert T. Stafford Disaster Re-
3 lief and Emergency Assistance Act (42 U.S.C. 5121 et
4 seq.) related to the consequences of Hurricane Joaquin
5 and adjacent storm systems, Hurricane Patricia, and
6 other flood events: *Provided*, That funds shall be awarded
7 directly to the State or unit of general local government
8 at the discretion of the Secretary: *Provided further*, That
9 prior to the obligation of funds a grantee shall submit a
10 plan to the Secretary for approval detailing the proposed
11 use of all funds, including criteria for eligibility and how
12 the use of these funds will address long-term recovery and
13 restoration of infrastructure and housing and economic re-
14 vitalization in the most impacted and distressed areas:
15 *Provided further*, That such funds may not be used for
16 activities reimbursable by, or for which funds are made
17 available by, the Federal Emergency Management Agency
18 or the Army Corps of Engineers: *Provided further*, That
19 funds allocated under this heading shall not be considered
20 relevant to the non-disaster formula allocations made pur-
21 suant to section 106 of the Housing and Community De-
22 velopment Act of 1974 (42 U.S.C. 5306): *Provided fur-*
23 *ther*, That a State or subdivision thereof may use up to
24 five percent of its allocation for administrative costs: *Pro-*
25 *vided further*, That in administering the funds under this

1 heading, the Secretary of Housing and Urban Develop-
2 ment may waive, or specify alternative requirements for,
3 any provision of any statute or regulation that the Sec-
4 retary administers in connection with the obligation by the
5 Secretary or the use by the recipient of these funds (except
6 for requirements related to fair housing, nondiscrimina-
7 tion, labor standards, and the environment), if the Sec-
8 retary finds that good cause exists for the waiver or alter-
9 native requirement and such waiver or alternative require-
10 ment would not be inconsistent with the overall purpose
11 of title I of the Housing and Community Development Act
12 of 1974: *Provided further*, That, notwithstanding the pre-
13 ceding proviso, recipients of funds provided under this
14 heading that use such funds to supplement Federal assist-
15 ance provided under section 402, 403, 404, 406, 407, or
16 502 of the Robert T. Stafford Disaster Relief and Emer-
17 gency Assistance Act (42 U.S.C. 5121 et seq.) may adopt,
18 without review or public comment, any environmental re-
19 view, approval, or permit performed by a Federal agency,
20 and such adoption shall satisfy the responsibilities of the
21 recipient with respect to such environmental review, ap-
22 proval or permit: *Provided further*, That, notwithstanding
23 section 104(g)(2) of the Housing and Community Devel-
24 opment Act of 1974 (42 U.S.C. 5304(g)(2)), the Secretary
25 may, upon receipt of a request for release of funds and

1 certification, immediately approve the release of funds for
2 an activity or project assisted under this heading if the
3 recipient has adopted an environmental review, approval
4 or permit under the preceding proviso or the activity or
5 project is categorically excluded from review under the Na-
6 tional Environmental Policy Act of 1969 (42 U.S.C. 4321
7 et seq.): *Provided further*, That the Secretary shall publish
8 via notice in the Federal Register any waiver, or alter-
9 native requirement, to any statute or regulation that the
10 Secretary administers pursuant to title I of the Housing
11 and Community Development Act of 1974 no later than
12 five days before the effective date of such waiver or alter-
13 native requirement: *Provided further*, That of the amounts
14 made available under this section, up to \$1,000,000 may
15 be transferred to “Program Office Salaries and Expenses,
16 Community Planning and Development” for necessary
17 costs, including information technology costs, of admin-
18 istering and overseeing funds made available under this
19 heading: *Provided further*, That amounts provided under
20 this section shall be designated by Congress as being for
21 disaster relief pursuant to section 251(b)(2)(D) of the
22 Balanced Budget and Emergency Deficit Control Act of
23 1985.

24 SEC. 421. Effective as of December 4, 2015, and as
25 if included therein as enacted, section 1408 of the Fixing

1 America’s Surface Transportation Act (Public Law 114–
2 94) is amended by adding at the end the following:

3 “(c) APPLICABILITY.—The amendment made by sub-
4 section (b) shall apply to projects to repair or reconstruct
5 facilities damaged as a result of a natural disaster or cata-
6 strophic failure described in section 125(a) of title 23,
7 United States Code, occurring on or after October 1,
8 2015.”.

9 This division may be cited as the “Transportation,
10 Housing and Urban Development, and Related Agencies
11 Appropriations Act, 2016”.

1 **DIVISION M—INTELLIGENCE AU-**
2 **THORIZATION ACT FOR FIS-**
3 **CAL YEAR 2016**

4 **SEC. 1. SHORT TITLE; TABLE OF CONTENTS.**

5 (a) SHORT TITLE.—This division may be cited as the
6 “Intelligence Authorization Act for Fiscal Year 2016”.

7 (b) TABLE OF CONTENTS.—The table of contents for
8 this division is as follows:

DIVISION M—INTELLIGENCE AUTHORIZATION ACT FOR FISCAL
YEAR 2016

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.
- Sec. 3. Explanatory statement.

TITLE I—INTELLIGENCE ACTIVITIES

- Sec. 101. Authorization of appropriations.
- Sec. 102. Classified schedule of authorizations.
- Sec. 103. Personnel ceiling adjustments.
- Sec. 104. Intelligence Community Management Account.
- Sec. 105. Clarification regarding authority for flexible personnel management among elements of intelligence community.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND
DISABILITY SYSTEM

- Sec. 201. Authorization of appropriations.

TITLE III—GENERAL PROVISIONS

- Sec. 301. Increase in employee compensation and benefits authorized by law.
- Sec. 302. Restriction on conduct of intelligence activities.
- Sec. 303. Provision of information and assistance to Inspector General of the Intelligence Community.
- Sec. 304. Inclusion of Inspector General of Intelligence Community in Council of Inspectors General on Integrity and Efficiency.
- Sec. 305. Clarification of authority of Privacy and Civil Liberties Oversight Board.
- Sec. 306. Enhancing government personnel security programs.
- Sec. 307. Notification of changes to retention of call detail record policies.
- Sec. 308. Personnel information notification policy by the Director of National Intelligence.
- Sec. 309. Designation of lead intelligence officer for tunnels.
- Sec. 310. Reporting process required for tracking certain requests for country clearance.
- Sec. 311. Study on reduction of analytic duplication.

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- Sec. 312. Strategy for comprehensive interagency review of the United States national security overhead satellite architecture.
- Sec. 313. Cyber attack standards of measurement study.

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

Subtitle A—Office of the Director of National Intelligence

- Sec. 401. Appointment and confirmation of the National Counterintelligence Executive.
- Sec. 402. Technical amendments relating to pay under title 5, United States Code.
- Sec. 403. Analytic objectivity review.

Subtitle B—Central Intelligence Agency and Other Elements

- Sec. 411. Authorities of the Inspector General for the Central Intelligence Agency.
- Sec. 412. Prior congressional notification of transfers of funds for certain intelligence activities.

TITLE V—MATTERS RELATING TO FOREIGN COUNTRIES

Subtitle A—Matters Relating to Russia

- Sec. 501. Notice of deployment or transfer of Club-K container missile system by the Russian Federation.
- Sec. 502. Assessment on funding of political parties and nongovernmental organizations by the Russian Federation.
- Sec. 503. Assessment on the use of political assassinations as a form of statecraft by the Russian Federation.

Subtitle B—Matters Relating to Other Countries

- Sec. 511. Report on resources and collection posture with regard to the South China Sea and East China Sea.
- Sec. 512. Use of locally employed staff serving at a United States diplomatic facility in Cuba.
- Sec. 513. Inclusion of sensitive compartmented information facilities in United States diplomatic facilities in Cuba.
- Sec. 514. Report on use by Iran of funds made available through sanctions relief.

TITLE VI—MATTERS RELATING TO UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA

- Sec. 601. Prohibition on use of funds for transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, to the United States.
- Sec. 602. Prohibition on use of funds to construct or modify facilities in the United States to house detainees transferred from United States Naval Station, Guantanamo Bay, Cuba.
- Sec. 603. Prohibition on use of funds for transfer or release to certain countries of individuals detained at United States Naval Station, Guantanamo Bay, Cuba.

TITLE VII—REPORTS AND OTHER MATTERS

Subtitle A—Reports

- Sec. 701. Repeal of certain reporting requirements.
- Sec. 702. Reports on foreign fighters.
- Sec. 703. Report on strategy, efforts, and resources to detect, deter, and de-grade Islamic State revenue mechanisms.
- Sec. 704. Report on United States counterterrorism strategy to disrupt, dis-mantle, and defeat the Islamic State, al-Qa’ida, and their affili-ated groups, associated groups, and adherents.
- Sec. 705. Report on effects of data breach of Office of Personnel Management.
- Sec. 706. Report on hiring of graduates of Cyber Corps Scholarship Program by intelligence community.
- Sec. 707. Report on use of certain business concerns.

Subtitle B—Other Matters

- Sec. 711. Use of homeland security grant funds in conjunction with Depart-ment of Energy national laboratories.
- Sec. 712. Inclusion of certain minority-serving institutions in grant program to enhance recruiting of intelligence community workforce.

1 **SEC. 2. DEFINITIONS.**

2 In this division:

3 (1) CONGRESSIONAL INTELLIGENCE COMMIT-
4 TEES.—The term “congressional intelligence com-
5 mittees” means—

6 (A) the Select Committee on Intelligence of
7 the Senate; and

8 (B) the Permanent Select Committee on
9 Intelligence of the House of Representatives.

10 (2) INTELLIGENCE COMMUNITY.—The term
11 “intelligence community” has the meaning given
12 that term in section 3(4) of the National Security
13 Act of 1947 (50 U.S.C. 3003(4)).

14 **SEC. 3. EXPLANATORY STATEMENT.**

15 The explanatory statement regarding this division,
16 printed in the House section of the Congressional Record

1 on or about December 15, 2015, by the Chairman of the
2 Permanent Select Committee on Intelligence of the House
3 of Representatives, shall have the same effect with respect
4 to the implementation of this division as if it were a joint
5 explanatory statement of a committee of conference.

6 **TITLE I—INTELLIGENCE**
7 **ACTIVITIES**

8 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

9 Funds are hereby authorized to be appropriated for
10 fiscal year 2016 for the conduct of the intelligence and
11 intelligence-related activities of the following elements of
12 the United States Government:

13 (1) The Office of the Director of National Intel-
14 ligence.

15 (2) The Central Intelligence Agency.

16 (3) The Department of Defense.

17 (4) The Defense Intelligence Agency.

18 (5) The National Security Agency.

19 (6) The Department of the Army, the Depart-
20 ment of the Navy, and the Department of the Air
21 Force.

22 (7) The Coast Guard.

23 (8) The Department of State.

24 (9) The Department of the Treasury.

25 (10) The Department of Energy.

1 (11) The Department of Justice.

2 (12) The Federal Bureau of Investigation.

3 (13) The Drug Enforcement Administration.

4 (14) The National Reconnaissance Office.

5 (15) The National Geospatial-Intelligence Agen-
6 cy.

7 (16) The Department of Homeland Security.

8 **SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.**

9 (a) SPECIFICATIONS OF AMOUNTS AND PERSONNEL
10 LEVELS.—The amounts authorized to be appropriated
11 under section 101 and, subject to section 103, the author-
12 ized personnel ceilings as of September 30, 2016, for the
13 conduct of the intelligence activities of the elements listed
14 in paragraphs (1) through (16) of section 101, are those
15 specified in the classified Schedule of Authorizations pre-
16 pared to accompany this division of this Act.

17 (b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AU-
18 THORIZATIONS.—

19 (1) AVAILABILITY.—The classified Schedule of
20 Authorizations referred to in subsection (a) shall be
21 made available to the Committee on Appropriations
22 of the Senate, the Committee on Appropriations of
23 the House of Representatives, and to the President.

24 (2) DISTRIBUTION BY THE PRESIDENT.—Sub-
25 ject to paragraph (3), the President shall provide for

1 suitable distribution of the classified Schedule of Au-
2 thorizations, or of appropriate portions of the Sched-
3 ule, within the executive branch.

4 (3) LIMITS ON DISCLOSURE.—The President
5 shall not publicly disclose the classified Schedule of
6 Authorizations or any portion of such Schedule ex-
7 cept—

8 (A) as provided in section 601(a) of the
9 Implementing Recommendations of the 9/11
10 Commission Act of 2007 (50 U.S.C. 3306(a));

11 (B) to the extent necessary to implement
12 the budget; or

13 (C) as otherwise required by law.

14 **SEC. 103. PERSONNEL CEILING ADJUSTMENTS.**

15 (a) AUTHORITY FOR INCREASES.—The Director of
16 National Intelligence may authorize employment of civil-
17 ian personnel in excess of the number authorized for fiscal
18 year 2016 by the classified Schedule of Authorizations re-
19 ferred to in section 102(a) if the Director of National In-
20 telligence determines that such action is necessary to the
21 performance of important intelligence functions, except
22 that the number of personnel employed in excess of the
23 number authorized under such section may not, for any
24 element of the intelligence community, exceed 3 percent

1 of the number of civilian personnel authorized under such
2 schedule for such element.

3 (b) TREATMENT OF CERTAIN PERSONNEL.—The Di-
4 rector of National Intelligence shall establish guidelines
5 that govern, for each element of the intelligence commu-
6 nity, the treatment under the personnel levels authorized
7 under section 102(a), including any exemption from such
8 personnel levels, of employment or assignment in—

9 (1) a student program, trainee program, or
10 similar program;

11 (2) a reserve corps or as a reemployed annu-
12 itant; or

13 (3) details, joint duty, or long-term, full-time
14 training.

15 (c) NOTICE TO CONGRESSIONAL INTELLIGENCE
16 COMMITTEES.—The Director of National Intelligence
17 shall notify the congressional intelligence committees in
18 writing at least 15 days prior to each exercise of an au-
19 thority described in subsection (a).

20 **SEC. 104. INTELLIGENCE COMMUNITY MANAGEMENT AC-**
21 **COUNT.**

22 (a) AUTHORIZATION OF APPROPRIATIONS.—There is
23 authorized to be appropriated for the Intelligence Commu-
24 nity Management Account of the Director of National In-
25 telligence for fiscal year 2016 the sum of \$516,306,000.

1 Within such amount, funds identified in the classified
2 Schedule of Authorizations referred to in section 102(a)
3 for advanced research and development shall remain avail-
4 able until September 30, 2017.

5 (b) AUTHORIZED PERSONNEL LEVELS.—The ele-
6 ments within the Intelligence Community Management
7 Account of the Director of National Intelligence are au-
8 thorized 785 positions as of September 30, 2016. Per-
9 sonnel serving in such elements may be permanent em-
10 ployees of the Office of the Director of National Intel-
11 ligence or personnel detailed from other elements of the
12 United States Government.

13 (c) CLASSIFIED AUTHORIZATIONS.—

14 (1) AUTHORIZATION OF APPROPRIATIONS.—In
15 addition to amounts authorized to be appropriated
16 for the Intelligence Community Management Ac-
17 count by subsection (a), there are authorized to be
18 appropriated for the Community Management Ac-
19 count for fiscal year 2016 such additional amounts
20 as are specified in the classified Schedule of Author-
21 izations referred to in section 102(a). Such addi-
22 tional amounts for advanced research and develop-
23 ment shall remain available until September 30,
24 2017.

1 (2) AUTHORIZATION OF PERSONNEL.—In addi-
2 tion to the personnel authorized by subsection (b)
3 for elements of the Intelligence Community Manage-
4 ment Account as of September 30, 2016, there are
5 authorized such additional personnel for the Com-
6 munity Management Account as of that date as are
7 specified in the classified Schedule of Authorizations
8 referred to in section 102(a).

9 **SEC. 105. CLARIFICATION REGARDING AUTHORITY FOR**
10 **FLEXIBLE PERSONNEL MANAGEMENT**
11 **AMONG ELEMENTS OF INTELLIGENCE COM-**
12 **MUNITY.**

13 (a) CLARIFICATION.—Section 102A(v) of the Na-
14 tional Security Act of 1947 (50 U.S.C. 3024(v)) is amend-
15 ed—

16 (1) by redesignating paragraph (3) as para-
17 graph (4); and

18 (2) by inserting after paragraph (2) the fol-
19 lowing new paragraph (3):

20 “(3) A covered department may appoint an in-
21 dividual to a position converted or established pursu-
22 ant to this subsection without regard to the civil-
23 service laws, including parts II and III of title 5,
24 United States Code.”.

1 (b) EFFECTIVE DATE.—The amendments made by
2 subsection (a) shall apply with respect to an appointment
3 under section 102A(v) of the National Security Act of
4 1947 (50 U.S.C. 3024(v)) made on or after the date of
5 the enactment of the Intelligence Authorization Act for
6 Fiscal Year 2012 (Public Law 112–87) and to any pro-
7 ceeding pending on or filed after the date of the enactment
8 of this section that relates to such an appointment.

9 **TITLE II—CENTRAL INTEL-**
10 **LIGENCE AGENCY RETIRE-**
11 **MENT AND DISABILITY SYS-**
12 **TEM**

13 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

14 There is authorized to be appropriated for the Cen-
15 tral Intelligence Agency Retirement and Disability Fund
16 for fiscal year 2016 the sum of \$514,000,000.

17 **TITLE III—GENERAL**
18 **PROVISIONS**

19 **SEC. 301. INCREASE IN EMPLOYEE COMPENSATION AND**
20 **BENEFITS AUTHORIZED BY LAW.**

21 Appropriations authorized by this division for salary,
22 pay, retirement, and other benefits for Federal employees
23 may be increased by such additional or supplemental
24 amounts as may be necessary for increases in such com-
25 pensation or benefits authorized by law.

1 **SEC. 302. RESTRICTION ON CONDUCT OF INTELLIGENCE**
2 **ACTIVITIES.**

3 The authorization of appropriations by this division
4 shall not be deemed to constitute authority for the conduct
5 of any intelligence activity which is not otherwise author-
6 ized by the Constitution or the laws of the United States.

7 **SEC. 303. PROVISION OF INFORMATION AND ASSISTANCE**
8 **TO INSPECTOR GENERAL OF THE INTEL-**
9 **LIGENCE COMMUNITY.**

10 Section 103H(j)(4) of the National Security Act of
11 1947 (50 U.S.C. 3033(j)(4)) is amended—

12 (1) in subparagraph (A), by striking “any de-
13 partment, agency, or other element of the United
14 States Government” and inserting “any Federal,
15 State (as defined in section 804), or local govern-
16 mental agency or unit thereof”; and

17 (2) in subparagraph (B), by inserting “from a
18 department, agency, or element of the Federal Gov-
19 ernment” before “under subparagraph (A)”.

20 **SEC. 304. INCLUSION OF INSPECTOR GENERAL OF INTEL-**
21 **LIGENCE COMMUNITY IN COUNCIL OF IN-**
22 **SPECTORS GENERAL ON INTEGRITY AND EF-**
23 **FICIENCY.**

24 Section 11(b)(1)(B) of the Inspector General Act of
25 1978 (Public Law 95–452; 5 U.S.C. App.) is amended by

1 striking “the Office of the Director of National Intel-
2 ligence” and inserting “the Intelligence Community”.

3 **SEC. 305. CLARIFICATION OF AUTHORITY OF PRIVACY AND**
4 **CIVIL LIBERTIES OVERSIGHT BOARD.**

5 Section 1061(g) of the Intelligence Reform and Ter-
6 rorism Prevention Act of 2004 (42 U.S.C. 2000ee(g)) is
7 amended by adding at the end the following new para-
8 graph:

9 “(5) ACCESS.—Nothing in this section shall be
10 construed to authorize the Board, or any agent
11 thereof, to gain access to information regarding an
12 activity covered by section 503(a) of the National
13 Security Act of 1947 (50 U.S.C. 3093(a)).”.

14 **SEC. 306. ENHANCING GOVERNMENT PERSONNEL SECUR-**
15 **RITY PROGRAMS.**

16 (a) ENHANCED SECURITY CLEARANCE PROGRAMS.—

17 (1) IN GENERAL.—Part III of title 5, United
18 States Code, is amended by adding at the end the
19 following:

20 **“Subpart J—Enhanced Personnel Security Programs**

21 **“CHAPTER 110—ENHANCED PERSONNEL**

22 **SECURITY PROGRAMS**

“Sec.

“11001. Enhanced personnel security programs.

1 **“SEC. 11001. ENHANCED PERSONNEL SECURITY PRO-**
2 **GRAMS.**

3 “(a) ENHANCED PERSONNEL SECURITY PRO-
4 GRAM.—The Director of National Intelligence shall direct
5 each agency to implement a program to provide enhanced
6 security review of covered individuals—

7 “(1) in accordance with this section; and

8 “(2) not later than the earlier of—

9 “(A) the date that is 5 years after the date
10 of the enactment of the Intelligence Authoriza-
11 tion Act for Fiscal Year 2016; or

12 “(B) the date on which the backlog of
13 overdue periodic reinvestigations of covered in-
14 dividuals is eliminated, as determined by the
15 Director of National Intelligence.

16 “(b) COMPREHENSIVENESS.—

17 “(1) SOURCES OF INFORMATION.—The en-
18 hanced personnel security program of an agency
19 shall integrate relevant and appropriate information
20 from various sources, including government, publicly
21 available, and commercial data sources, consumer
22 reporting agencies, social media, and such other
23 sources as determined by the Director of National
24 Intelligence.

1 “(2) TYPES OF INFORMATION.—Information
2 obtained and integrated from sources described in
3 paragraph (1) may include—

4 “(A) information relating to any criminal
5 or civil legal proceeding;

6 “(B) financial information relating to the
7 covered individual, including the credit worthi-
8 ness of the covered individual;

9 “(C) publicly available information, wheth-
10 er electronic, printed, or other form, including
11 relevant security or counterintelligence informa-
12 tion about the covered individual or information
13 that may suggest ill intent, vulnerability to
14 blackmail, compulsive behavior, allegiance to
15 another country, change in ideology, or that the
16 covered individual lacks good judgment, reli-
17 ability, or trustworthiness; and

18 “(D) data maintained on any terrorist or
19 criminal watch list maintained by any agency,
20 State or local government, or international or-
21 ganization.

22 “(c) REVIEWS OF COVERED INDIVIDUALS.—

23 “(1) REVIEWS.—

24 “(A) IN GENERAL.—The enhanced per-
25 sonnel security program of an agency shall re-

1 quire that, not less than 2 times every 5 years,
2 the head of the agency shall conduct or request
3 the conduct of automated record checks and
4 checks of information from sources under sub-
5 section (b) to ensure the continued eligibility of
6 each covered individual to access classified in-
7 formation and hold a sensitive position unless
8 more frequent reviews of automated record
9 checks and checks of information from sources
10 under subsection (b) are conducted on the cov-
11 ered individual.

12 “(B) SCOPE OF REVIEWS.—Except for a
13 covered individual who is subject to more fre-
14 quent reviews to ensure the continued eligibility
15 of the covered individual to access classified in-
16 formation and hold a sensitive position, the re-
17 views under subparagraph (A) shall consist of
18 random or aperiodic checks of covered individ-
19 uals, such that each covered individual is sub-
20 ject to at least 2 reviews during the 5-year pe-
21 riod beginning on the date on which the agency
22 implements the enhanced personnel security
23 program of an agency, and during each 5-year
24 period thereafter.

1 “(C) INDIVIDUAL REVIEWS.—A review of
2 the information relating to the continued eligi-
3 bility of a covered individual to access classified
4 information and hold a sensitive position under
5 subparagraph (A) may not be conducted until
6 after the end of the 120-day period beginning
7 on the date the covered individual receives the
8 notification required under paragraph (3).

9 “(2) RESULTS.—The head of an agency shall
10 take appropriate action if a review under paragraph
11 (1) finds relevant information that may affect the
12 continued eligibility of a covered individual to access
13 classified information and hold a sensitive position.

14 “(3) INFORMATION FOR COVERED INDIVID-
15 UALS.—The head of an agency shall ensure that
16 each covered individual is adequately advised of the
17 types of relevant security or counterintelligence in-
18 formation the covered individual is required to re-
19 port to the head of the agency.

20 “(4) LIMITATION.—Nothing in this subsection
21 shall be construed to affect the authority of an agen-
22 cy to determine the appropriate weight to be given
23 to information relating to a covered individual in
24 evaluating the continued eligibility of the covered in-
25 dividual.

1 “(5) AUTHORITY OF THE PRESIDENT.—Noth-
2 ing in this subsection shall be construed as limiting
3 the authority of the President to direct or perpet-
4 uate periodic reinvestigations of a more comprehen-
5 sive nature or to delegate the authority to direct or
6 perpetuate such reinvestigations.

7 “(6) EFFECT ON OTHER REVIEWS.—Reviews
8 conducted under paragraph (1) are in addition to in-
9 vestigations and reinvestigations conducted pursuant
10 to section 3001 of the Intelligence Reform and Ter-
11 rorism Prevention Act of 2004 (50 U.S.C. 3341).

12 “(d) AUDIT.—

13 “(1) IN GENERAL.—Beginning 2 years after the
14 date of the implementation of the enhanced per-
15 sonnel security program of an agency under sub-
16 section (a), the Inspector General of the agency shall
17 conduct at least 1 audit to assess the effectiveness
18 and fairness, which shall be determined in accord-
19 ance with performance measures and standards es-
20 tablished by the Director of National Intelligence, to
21 covered individuals of the enhanced personnel secu-
22 rity program of the agency.

23 “(2) SUBMISSIONS TO DNI.—The results of
24 each audit conducted under paragraph (1) shall be
25 submitted to the Director of National Intelligence to

1 assess the effectiveness and fairness of the enhanced
2 personnel security programs across the Federal Gov-
3 ernment.

4 “(e) DEFINITIONS.—In this section—

5 “(1) the term ‘agency’ has the meaning given
6 that term in section 3001 of the Intelligence Reform
7 and Terrorism Prevention Act of 2004 (50 U.S.C.
8 3341);

9 “(2) the term ‘consumer reporting agency’ has
10 the meaning given that term in section 603 of the
11 Fair Credit Reporting Act (15 U.S.C. 1681a);

12 “(3) the term ‘covered individual’ means an in-
13 dividual employed by an agency or a contractor of
14 an agency who has been determined eligible for ac-
15 cess to classified information or eligible to hold a
16 sensitive position;

17 “(4) the term ‘enhanced personnel security pro-
18 gram’ means a program implemented by an agency
19 at the direction of the Director of National Intel-
20 ligence under subsection (a); and”.

21 (2) TECHNICAL AND CONFORMING AMEND-
22 MENT.—The table of chapters for part III of title 5,
23 United States Code, is amended by adding at the
24 end following:

“Subpart J—Enhanced Personnel Security Programs

“110. Enhanced personnel security programs 11001”.

1 (b) RESOLUTION OF BACKLOG OF OVERDUE PERI-
2 ODIC REINVESTIGATIONS.—

3 (1) IN GENERAL.—The Director of National In-
4 telligence shall develop and implement a plan to
5 eliminate the backlog of overdue periodic reinvestiga-
6 tions of covered individuals.

7 (2) REQUIREMENTS.—The plan developed
8 under paragraph (1) shall—

9 (A) use a risk-based approach to—

10 (i) identify high-risk populations; and

11 (ii) prioritize reinvestigations that are
12 due or overdue to be conducted; and

13 (B) use random automated record checks
14 of covered individuals that shall include all cov-
15 ered individuals in the pool of individuals sub-
16 ject to a one-time check.

17 (3) DEFINITIONS.—In this subsection:

18 (A) The term “covered individual” means
19 an individual who has been determined eligible
20 for access to classified information or eligible to
21 hold a sensitive position.

22 (B) The term “periodic reinvestigations”
23 has the meaning given such term in section
24 3001(a)(7) of the Intelligence Reform and Ter-

1 rorism Prevention Act of 2004 (50 U.S.C.
2 3341(a)(7)).

3 **SEC. 307. NOTIFICATION OF CHANGES TO RETENTION OF**
4 **CALL DETAIL RECORD POLICIES.**

5 (a) REQUIREMENT TO RETAIN.—

6 (1) IN GENERAL.—Not later than 15 days after
7 learning that an electronic communication service
8 provider that generates call detail records in the or-
9 dinary course of business has changed the policy of
10 the provider on the retention of such call detail
11 records to result in a retention period of less than
12 18 months, the Director of National Intelligence
13 shall notify, in writing, the congressional intelligence
14 committees of such change.

15 (2) REPORT.—Not later than 30 days after the
16 date of the enactment of this Act, the Director shall
17 submit to the congressional intelligence committees a
18 report identifying each electronic communication
19 service provider that has, as of the date of the re-
20 port, a policy to retain call detail records for a pe-
21 riod of 18 months or less.

22 (b) DEFINITIONS.—In this section:

23 (1) CALL DETAIL RECORD.—The term “call de-
24 tail record” has the meaning given that term in sec-

1 tion 501(k) of the Foreign Intelligence Surveillance
2 Act of 1978 (50 U.S.C. 1861(k)).

3 (2) ELECTRONIC COMMUNICATION SERVICE
4 PROVIDER.—The term “electronic communication
5 service provider” has the meaning given that term in
6 section 701(b)(4) of the Foreign Intelligence Surveil-
7 lance Act of 1978 (50 U.S.C. 1881(b)(4)).

8 **SEC. 308. PERSONNEL INFORMATION NOTIFICATION POL-**
9 **ICY BY THE DIRECTOR OF NATIONAL INTEL-**
10 **LIGENCE.**

11 (a) DIRECTIVE REQUIRED.—The Director of Na-
12 tional Intelligence shall issue a directive containing a writ-
13 ten policy for the timely notification to the congressional
14 intelligence committees of the identities of individuals oc-
15 cupying senior level positions within the intelligence com-
16 munity.

17 (b) SENIOR LEVEL POSITION.—In identifying posi-
18 tions that are senior level positions in the intelligence com-
19 munity for purposes of the directive required under sub-
20 section (a), the Director of National Intelligence shall con-
21 sider whether a position—

22 (1) constitutes the head of an entity or a sig-
23 nificant component within an agency;

1 (2) is involved in the management or oversight
2 of matters of significant import to the leadership of
3 an entity of the intelligence community;

4 (3) provides significant responsibility on behalf
5 of the intelligence community;

6 (4) requires the management of a significant
7 number of personnel or funds;

8 (5) requires responsibility management or over-
9 sight of sensitive intelligence activities; and

10 (6) is held by an individual designated as a sen-
11 ior intelligence management official as such term is
12 defined in section 368(a)(6) of the Intelligence Au-
13 thorization Act for Fiscal Year 2010 (Public Law
14 111-259; 50 U.S.C. 404i-1 note).

15 (c) NOTIFICATION.—The Director shall ensure that
16 each notification under the directive issued under sub-
17 section (a) includes each of the following:

18 (1) The name of the individual occupying the
19 position.

20 (2) Any previous senior level position held by
21 the individual, if applicable, or the position held by
22 the individual immediately prior to the appointment.

23 (3) The position to be occupied by the indi-
24 vidual.

1 (4) Any other information the Director deter-
2 mines appropriate.

3 (d) RELATIONSHIP TO OTHER LAWS.—The directive
4 issued under subsection (a) and any amendment to such
5 directive shall be consistent with the provisions of the Na-
6 tional Security Act of 1947 (50 U.S.C. 401 et seq.).

7 (e) SUBMISSION.—Not later than 90 days after the
8 date of the enactment of this Act, the Director shall sub-
9 mit to the congressional intelligence committees the direc-
10 tive issued under subsection (a).

11 **SEC. 309. DESIGNATION OF LEAD INTELLIGENCE OFFICER**
12 **FOR TUNNELS.**

13 (a) IN GENERAL.—The Director of National Intel-
14 ligence shall designate an official to manage the collection
15 and analysis of intelligence regarding the tactical use of
16 tunnels by state and nonstate actors.

17 (b) ANNUAL REPORT.—Not later than the date that
18 is 10 months after the date of the enactment of this Act,
19 and biennially thereafter until the date that is 4 years
20 after the date of the enactment of this Act, the Director
21 of National Intelligence shall submit to the congressional
22 intelligence committees and the congressional defense
23 committees (as such term is defined in section 101(a)(16)
24 of title 10, United States Code) a report describing—

1 (1) trends in the use of tunnels by foreign state
2 and nonstate actors; and

3 (2) collaboration efforts between the United
4 States and partner countries to address the use of
5 tunnels by adversaries.

6 **SEC. 310. REPORTING PROCESS REQUIRED FOR TRACKING**
7 **CERTAIN REQUESTS FOR COUNTRY CLEAR-**
8 **ANCE.**

9 (a) IN GENERAL.—By not later than September 30,
10 2016, the Director of National Intelligence shall establish
11 a formal internal reporting process for tracking requests
12 for country clearance submitted to overseas Director of
13 National Intelligence representatives by departments and
14 agencies of the United States. Such reporting process shall
15 include a mechanism for tracking the department or agen-
16 cy that submits each such request and the date on which
17 each such request is submitted.

18 (b) CONGRESSIONAL BRIEFING.—By not later than
19 December 31, 2016, the Director of National Intelligence
20 shall brief the congressional intelligence committees on the
21 progress of the Director in establishing the process re-
22 quired under subsection (a).

23 **SEC. 311. STUDY ON REDUCTION OF ANALYTIC DUPLICA-**
24 **TION.**

25 (a) STUDY AND REPORT.—

1 (1) IN GENERAL.—Not later than January 31,
2 2016, the Director of National Intelligence shall—

3 (A) carry out a study to evaluate and
4 measure the incidence of duplication in finished
5 intelligence analysis products; and

6 (B) submit to the congressional intelligence
7 committees a report on the findings of such
8 study.

9 (2) METHODOLOGY REQUIREMENTS.—The
10 methodology used to carry out the study required by
11 this subsection shall be able to be repeated for use
12 in other subsequent studies.

13 (b) ELEMENTS.—The report required by subsection
14 (a)(1)(B) shall include—

15 (1) detailed information—

16 (A) relating to the frequency of duplication
17 of finished intelligence analysis products; and

18 (B) that describes the types of, and the
19 reasons for, any such duplication; and

20 (2) a determination as to whether to make the
21 production of such information a routine part of the
22 mission of the Analytic Integrity and Standards
23 Group.

24 (c) CUSTOMER IMPACT PLAN.—Not later than 180
25 days after the date of the enactment of this Act, the Direc-

1 tor of National Intelligence shall submit to the congres-
2 sional intelligence committees a plan for revising analytic
3 practice, tradecraft, and standards to ensure customers
4 are able to clearly identify—

5 (1) the manner in which intelligence products
6 written on similar topics and that are produced con-
7 temporaneously differ from one another in terms of
8 methodology, sourcing, or other distinguishing ana-
9 lytic characteristics; and

10 (2) the significance of that difference.

11 (d) CONSTRUCTION.—Nothing in this section may be
12 construed to impose any requirement that would interfere
13 with the production of an operationally urgent or other-
14 wise time-sensitive current intelligence product.

15 **SEC. 312. STRATEGY FOR COMPREHENSIVE INTERAGENCY**
16 **REVIEW OF THE UNITED STATES NATIONAL**
17 **SECURITY OVERHEAD SATELLITE ARCHITEC-**
18 **TURE.**

19 (a) REQUIREMENT FOR STRATEGY.—The Director of
20 National Intelligence shall collaborate with the Secretary
21 of Defense and the Chairman of the Joint Chiefs of Staff
22 to develop a strategy, with milestones and benchmarks,
23 to ensure that there is a comprehensive interagency review
24 of policies and practices for planning and acquiring na-
25 tional security satellite systems and architectures, includ-

1 ing the capabilities of commercial systems and partner
2 countries, consistent with the National Space Policy issued
3 on June 28, 2010. Such strategy shall, where applicable,
4 account for the unique missions and authorities vested in
5 the Department of Defense and the intelligence commu-
6 nity.

7 (b) ELEMENTS.—The strategy required by subsection
8 (a) shall ensure that the United States national security
9 overhead satellite architecture—

10 (1) meets the needs of the United States in
11 peace time and is resilient in war time;

12 (2) is fiscally responsible;

13 (3) accurately takes into account cost and per-
14 formance tradeoffs;

15 (4) meets realistic requirements;

16 (5) produces excellence, innovation, competition,
17 and a robust industrial base;

18 (6) aims to produce in less than 5 years innova-
19 tive satellite systems that are able to leverage com-
20 mon, standardized design elements and commercially
21 available technologies;

22 (7) takes advantage of rapid advances in com-
23 mercial technology, innovation, and commercial-like
24 acquisition practices;

1 (8) is open to innovative concepts, such as dis-
2 tributed, disaggregated architectures, that could
3 allow for better resiliency, reconstitution, replenish-
4 ment, and rapid technological refresh; and

5 (9) emphasizes deterrence and recognizes the
6 importance of offensive and defensive space control
7 capabilities.

8 (c) REPORT ON STRATEGY.—Not later than Feb-
9 ruary 28, 2016, the Director of National Intelligence, the
10 Secretary of Defense, and the Chairman of the Joint
11 Chiefs of Staff shall jointly submit to the congressional
12 intelligence committees, the Committee on Armed Services
13 of the Senate, and the Committee on Armed Services of
14 the House of Representatives a report on the strategy re-
15 quired by subsection (a).

16 **SEC. 313. CYBER ATTACK STANDARDS OF MEASUREMENT**
17 **STUDY.**

18 (a) STUDY REQUIRED.—The Director of National In-
19 telligence, in consultation with the Secretary of Homeland
20 Security, the Director of the Federal Bureau of Investiga-
21 tion, and the Secretary of Defense, shall carry out a study
22 to determine appropriate standards that—

23 (1) can be used to measure the damage of cyber
24 incidents for the purposes of determining the re-
25 sponse to such incidents; and

1 (2) include a method for quantifying the dam-
2 age caused to affected computers, systems, and de-
3 vices.

4 (b) REPORTS TO CONGRESS.—

5 (1) PRELIMINARY FINDINGS.—Not later than
6 180 days after the date of the enactment of this Act,
7 the Director of National Intelligence shall submit to
8 the appropriate congressional committees the initial
9 findings of the study required under subsection (a).

10 (2) REPORT.—Not later than 360 days after
11 the date of the enactment of this Act, the Director
12 of National Intelligence shall submit to the appro-
13 priate congressional committees a report containing
14 the complete findings of such study.

15 (3) FORM OF REPORT.—The report required by
16 paragraph (2) shall be submitted in unclassified
17 form, but may contain a classified annex.

18 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
19 FINED.—In this section, the term “appropriate congres-
20 sional committees” means the following:

21 (1) The congressional intelligence committees.

22 (2) The Committees on Armed Services of the
23 House of Representatives and the Senate.

1 (3) The Committee on Foreign Affairs of the
2 House of Representatives and the Committee on
3 Foreign Relations of the Senate.

4 (4) The Committee on Homeland Security of
5 the House of Representatives and the Committee on
6 Homeland Security and Governmental Affairs of the
7 Senate.

8 **TITLE IV—MATTERS RELATING**
9 **TO ELEMENTS OF THE INTEL-**
10 **LIGENCE COMMUNITY**

11 **Subtitle A—Office of the Director**
12 **of National Intelligence**

13 **SEC. 401. APPOINTMENT AND CONFIRMATION OF THE NA-**
14 **TIONAL COUNTERINTELLIGENCE EXECUTIVE.**

15 (a) IN GENERAL.—Section 902(a) of the Counter-
16 intelligence Enhancement Act of 2002 (50 U.S.C. 3382)
17 is amended to read as follows:

18 “(a) ESTABLISHMENT.—There shall be a National
19 Counterintelligence Executive who shall be appointed by
20 the President, by and with the advice and consent of the
21 Senate.”.

22 (b) EFFECTIVE DATE.—The amendment made by
23 subsection (a) shall take effect on the date that is one
24 year after the date of the enactment of this Act.

1 **SEC. 402. TECHNICAL AMENDMENTS RELATING TO PAY**
2 **UNDER TITLE 5, UNITED STATES CODE.**

3 Section 5102(a)(1) of title 5, United States Code, is
4 amended—

5 (1) in clause (vii), by striking “or”;

6 (2) by inserting after clause (vii) the following
7 new clause:

8 “(viii) the Office of the Director of Na-
9 tional Intelligence;” and

10 (3) in clause (x), by striking the period and in-
11 serting a semicolon.

12 **SEC. 403. ANALYTIC OBJECTIVITY REVIEW.**

13 (a) ASSESSMENT.—The Director of National Intel-
14 ligence shall assign the Chief of the Analytic Integrity and
15 Standards Group to conduct a review of finished intel-
16 ligence products produced by the Central Intelligence
17 Agency to assess whether the reorganization of the Agen-
18 cy, announced publicly on March 6, 2015, has resulted in
19 any loss of analytic objectivity.

20 (b) SUBMISSION.—Not later than March 6, 2017, the
21 Director of National Intelligence shall submit to the con-
22 gressional intelligence committees, in writing, the results
23 of the review required under subsection (a), including—

24 (1) an assessment comparing the analytic objec-
25 tivity of a representative sample of finished intel-
26 ligence products produced by the Central Intelligence

1 Agency before the reorganization and a representa-
2 tive sample of such finished intelligence products
3 produced after the reorganization, predicated on the
4 products' communication of uncertainty, expression
5 of alternative analysis, and other underlying evalua-
6 tive criteria referenced in the Strategic Evaluation of
7 All-Source Analysis directed by the Director;

8 (2) an assessment comparing the historical re-
9 sults of anonymous surveys of Central Intelligence
10 Agency analysts and customers conducted before the
11 reorganization and the results of such anonymous
12 surveys conducted after the reorganization, with a
13 focus on the analytic standard of objectivity;

14 (3) a metrics-based evaluation measuring the
15 effect that the reorganization's integration of oper-
16 ational, analytic, support, technical, and digital per-
17 sonnel and capabilities into Mission Centers has had
18 on analytic objectivity; and

19 (4) any recommendations for ensuring that ana-
20 lysts of the Central Intelligence Agency perform
21 their functions with objectivity, are not unduly con-
22 strained, and are not influenced by the force of pref-
23 erence for a particular policy.

1 **Subtitle B—Central Intelligence**
2 **Agency and Other Elements**

3 **SEC. 411. AUTHORITIES OF THE INSPECTOR GENERAL FOR**
4 **THE CENTRAL INTELLIGENCE AGENCY.**

5 (a) INFORMATION AND ASSISTANCE.—Paragraph (9)
6 of section 17(e) of the Central Intelligence Agency Act of
7 1949 (50 U.S.C. 3517(e)(9)) is amended to read as fol-
8 lows:

9 “(9)(A) The Inspector General may request such in-
10 formation or assistance as may be necessary for carrying
11 out the duties and responsibilities of the Inspector General
12 provided by this section from any Federal, State, or local
13 governmental agency or unit thereof.

14 “(B) Upon request of the Inspector General for infor-
15 mation or assistance from a department or agency of the
16 Federal Government, the head of the department or agen-
17 cy involved, insofar as practicable and not in contravention
18 of any existing statutory restriction or regulation of such
19 department or agency, shall furnish to the Inspector Gen-
20 eral, or to an authorized designee, such information or as-
21 sistance.

22 “(C) Nothing in this paragraph may be construed to
23 provide any new authority to the Central Intelligence
24 Agency to conduct intelligence activity in the United
25 States.

1 “(D) In this paragraph, the term ‘State’ means each
2 of the several States, the District of Columbia, the Com-
3 monwealth of Puerto Rico, the Commonwealth of the
4 Northern Mariana Islands, and any territory or possession
5 of the United States.”.

6 (b) TECHNICAL AMENDMENTS RELATING TO SELEC-
7 TION OF EMPLOYEES.—Paragraph (7) of such section (50
8 U.S.C. 3517(e)(7)) is amended—

9 (1) by inserting “(A)” before “Subject to appli-
10 cable law”; and

11 (2) by adding at the end the following new sub-
12 paragraph:

13 “(B) Consistent with budgetary and personnel re-
14 sources allocated by the Director, the Inspector General
15 has final approval of—

16 “(i) the selection of internal and external can-
17 didates for employment with the Office of Inspector
18 General; and

19 “(ii) all other personnel decisions concerning
20 personnel permanently assigned to the Office of In-
21 spector General, including selection and appointment
22 to the Senior Intelligence Service, but excluding all
23 security-based determinations that are not within
24 the authority of a head of other Central Intelligence
25 Agency offices.”.

1 **SEC. 412. PRIOR CONGRESSIONAL NOTIFICATION OF**
2 **TRANSFERS OF FUNDS FOR CERTAIN INTEL-**
3 **LIGENCE ACTIVITIES.**

4 (a) **LIMITATION.**—Except as provided in subsection
5 (b), none of the funds authorized to be appropriated by
6 this division or otherwise made available for the intel-
7 ligence community for fiscal year 2016 may be used to
8 initiate a transfer of funds from the Joint Improvised Ex-
9 plosive Device Defeat Fund or the Counterterrorism Part-
10 nerships Fund to be used for intelligence activities unless
11 the Director of National Intelligence or the Secretary of
12 Defense, as appropriate, submits to the congressional in-
13 telligence committees, by not later than 15 days before
14 initiating such a transfer, written notice of the transfer.

15 (b) **WAIVER.**—

16 (1) **IN GENERAL.**—The Director of National In-
17 telligence or the Secretary of Defense, as appro-
18 priate, may waive subsection (a) with respect to the
19 initiation of a transfer of funds if the Director or
20 Secretary, as the case may be, determines that an
21 emergency situation makes it impossible or imprac-
22 tical to provide the notice required under such sub-
23 section by the date that is 15 days before such initi-
24 ation.

25 (2) **NOTICE.**—If the Director or Secretary
26 issues a waiver under paragraph (1), the Director or

1 Secretary, as the case may be, shall submit to the
2 congressional intelligence committees, by not later
3 than 48 hours after the initiation of the transfer of
4 funds covered by the waiver, written notice of the
5 waiver and a justification for the waiver, including
6 a description of the emergency situation that neces-
7 sitated the waiver.

8 **TITLE V—MATTERS RELATING**
9 **TO FOREIGN COUNTRIES**
10 **Subtitle A—Matters Relating to**
11 **Russia**

12 **SEC. 501. NOTICE OF DEPLOYMENT OR TRANSFER OF**
13 **CLUB-K CONTAINER MISSILE SYSTEM BY THE**
14 **RUSSIAN FEDERATION.**

15 (a) NOTICE TO CONGRESS.—The Director of Na-
16 tional Intelligence shall submit to the appropriate congres-
17 sional committees written notice if the intelligence commu-
18 nity receives intelligence that the Russian Federation
19 has—

20 (1) deployed, or is about to deploy, the Club-
21 K container missile system through the Russian
22 military; or

23 (2) transferred or sold, or intends to transfer or
24 sell, the Club-K container missile system to another
25 state or non-state actor.

1 (b) NOTICE TO CONGRESSIONAL INTELLIGENCE
2 COMMITTEES.—Not later than 30 days after the date on
3 which the Director submits a notice under subsection (a),
4 the Director shall submit to the congressional intelligence
5 committees a written update regarding any intelligence
6 community engagement with a foreign partner on the de-
7 ployment and impacts of a deployment of the Club–K con-
8 tainer missile system to any potentially impacted nation.

9 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
10 FINED.—In this section, the term “appropriate congres-
11 sional committees” means the following:

12 (1) The congressional intelligence committees.

13 (2) The Committees on Armed Services of the
14 House of Representatives and the Senate.

15 (3) The Committee on Foreign Affairs of the
16 House of Representatives and the Committee on
17 Foreign Relations of the Senate.

18 **SEC. 502. ASSESSMENT ON FUNDING OF POLITICAL PAR-**
19 **TIES AND NONGOVERNMENTAL ORGANIZA-**
20 **TIONS BY THE RUSSIAN FEDERATION.**

21 (a) IN GENERAL.—Not later than 180 days after the
22 date of the enactment of this Act, the Director of National
23 Intelligence shall submit to the appropriate congressional
24 committees an intelligence community assessment on the
25 funding of political parties and nongovernmental organiza-

1 tions in former Soviet states and countries in Europe by
2 the Russian Security Services since January 1, 2006.

3 Such assessment shall include the following:

4 (1) The country involved, the entity funded, the
5 security service involved, and the intended effect of
6 the funding.

7 (2) An evaluation of such intended effects, in-
8 cluding with respect to—

9 (A) undermining the political cohesion of
10 the country involved;

11 (B) undermining the missile defense of the
12 United States and the North Atlantic Treaty
13 Organization; and

14 (C) undermining energy projects that could
15 provide an alternative to Russian energy.

16 (b) FORM.—The report under subsection (a) shall be
17 submitted in unclassified form, but may include a classi-
18 fied annex.

19 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
20 FINED.—In this section, the term “appropriate congres-
21 sional committees” means the following:

22 (1) The congressional intelligence committees.

23 (2) The Committees on Armed Services of the
24 House of Representatives and the Senate.

1 (3) The Committee on Foreign Affairs of the
2 House of Representatives and the Committee on
3 Foreign Relations of the Senate.

4 **SEC. 503. ASSESSMENT ON THE USE OF POLITICAL ASSAS-**
5 **SINATIONS AS A FORM OF STATECRAFT BY**
6 **THE RUSSIAN FEDERATION.**

7 (a) REQUIREMENT FOR ASSESSMENT.—Not later
8 than 180 days after the date of the enactment of this Act,
9 the Director of National Intelligence shall submit to the
10 appropriate congressional committees an intelligence com-
11 munity assessment on the use of political assassinations
12 as a form of statecraft by the Russian Federation since
13 January 1, 2000.

14 (b) CONTENT.—The assessment required by sub-
15 section (a) shall include—

16 (1) a list of Russian politicians, businessmen,
17 dissidents, journalists, current or former government
18 officials, foreign heads-of-state, foreign political lead-
19 ers, foreign journalists, members of nongovern-
20 mental organizations, and other relevant individuals
21 that the intelligence community assesses were assas-
22 sinated by Russian Security Services, or agents of
23 such services, since January 1, 2000; and

24 (2) for each individual described in paragraph
25 (1), the country in which the assassination took

1 place, the means used, associated individuals and or-
2 ganizations, and other background information re-
3 lated to the assassination of the individual.

4 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
5 FINED.—In this section, the term “appropriate congres-
6 sional committees” means the following:

7 (1) The congressional intelligence committees.

8 (2) The Committees on Armed Services of the
9 House of Representatives and the Senate.

10 (3) The Committee on Foreign Affairs of the
11 House of Representatives and the Committee on
12 Foreign Relations of the Senate.

13 **Subtitle B—Matters Relating to**
14 **Other Countries**

15 **SEC. 511. REPORT ON RESOURCES AND COLLECTION POS-**
16 **TURE WITH REGARD TO THE SOUTH CHINA**
17 **SEA AND EAST CHINA SEA.**

18 (a) IN GENERAL.—Not later than 180 days after the
19 date of the enactment of this Act, the Director of National
20 Intelligence shall submit to the congressional intelligence
21 committees an intelligence community assessment on the
22 resources used for collection efforts and the collection pos-
23 ture of the intelligence community with regard to the
24 South China Sea and East China Sea.

1 (b) ELEMENTS.—The intelligence community assess-
2 ment required by subsection (a) shall provide detailed in-
3 formation related to intelligence collection by the United
4 States with regard to the South China Sea and East
5 China Sea, including—

6 (1) a review of intelligence community collection
7 activities and a description of these activities, includ-
8 ing the lead agency, key partners, purpose of collec-
9 tion activity, annual funding and personnel, the
10 manner in which the collection is conducted, and
11 types of information collected;

12 (2) an explanation of how the intelligence com-
13 munity prioritizes and coordinates collection activi-
14 ties focused on such region; and

15 (3) a description of any collection and
16 resourcing gaps and efforts being made to address
17 such gaps.

18 **SEC. 512. USE OF LOCALLY EMPLOYED STAFF SERVING AT**
19 **A UNITED STATES DIPLOMATIC FACILITY IN**
20 **CUBA.**

21 (a) SUPERVISORY REQUIREMENT.—

22 (1) IN GENERAL.—Except as provided under
23 paragraph (2), the Secretary of State shall ensure
24 that, not later than 1 year after the date of the en-
25 actment of this Act, key supervisory positions at a

1 United States diplomatic facility in Cuba are occu-
2 pied by citizens of the United States.

3 (2) EXTENSION.—The Secretary of State may
4 extend the deadline under paragraph (1) for up to
5 1 year by providing advance written notification and
6 justification of such extension to the appropriate
7 congressional committees.

8 (b) REPORT.—Not later than 180 days after the date
9 of the enactment of this Act, the Secretary of State, in
10 coordination with the heads of other appropriate Federal
11 agencies, shall submit to the appropriate congressional
12 committees a report on—

13 (1) the progress made toward meeting the re-
14 quirement under subsection (a)(1); and

15 (2) the use of locally employed staff in United
16 States diplomatic facilities in Cuba, including—

17 (A) the number of such staff;

18 (B) the responsibilities of such staff;

19 (C) the manner in which such staff are se-
20 lected, including efforts to mitigate counter-
21 intelligence threats to the United States; and

22 (D) the potential cost and impact on the
23 operational capacity of the diplomatic facility if
24 such staff were reduced.

1 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
2 FINED.—In this section, the term “appropriate congres-
3 sional committees” means—

- 4 (1) the congressional intelligence committees;
- 5 (2) the Committee on Foreign Relations and
6 the Committee on Appropriations of the Senate; and
- 7 (3) the Committee on Foreign Affairs and the
8 Committee on Appropriations of the House of Rep-
9 resentatives.

10 **SEC. 513. INCLUSION OF SENSITIVE COMPARTMENTED IN-**
11 **FORMATION FACILITIES IN UNITED STATES**
12 **DIPLOMATIC FACILITIES IN CUBA.**

13 (a) RESTRICTED ACCESS SPACE REQUIREMENT.—
14 Each United States diplomatic facility in Cuba in which
15 classified information will be processed or in which classi-
16 fied communications occur that, after the date of the en-
17 actment of this Act, is constructed or undergoes a major
18 construction upgrade shall be constructed to include a sen-
19 sitive compartmented information facility.

20 (b) NATIONAL SECURITY WAIVER.—The Secretary of
21 State may waive the requirement under subsection (a) if
22 the Secretary—

- 23 (1) determines that such waiver is in the na-
24 tional security interest of the United States; and

1 (2) submits a written justification for such
2 waiver to the appropriate congressional committees
3 not later than 90 days before exercising such waiver.

4 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
5 FINED.—In this section, the term “appropriate congres-
6 sional committees” means—

7 (1) the congressional intelligence committees;

8 (2) the Committee on Foreign Relations and
9 the Committee on Appropriations of the Senate; and

10 (3) the Committee on Foreign Affairs and the
11 Committee on Appropriations of the House of Rep-
12 resentatives.

13 **SEC. 514. REPORT ON USE BY IRAN OF FUNDS MADE AVAIL-**
14 **ABLE THROUGH SANCTIONS RELIEF.**

15 (a) IN GENERAL.—At the times specified in sub-
16 section (b), the Director of National Intelligence, in con-
17 sultation with the Secretary of the Treasury, shall submit
18 to the appropriate congressional committees a report as-
19 sessing the following:

20 (1) The monetary value of any direct or indirect
21 forms of sanctions relief that Iran has received since
22 the Joint Plan of Action first entered into effect.

23 (2) How Iran has used funds made available
24 through sanctions relief, including the extent to

1 which any such funds have facilitated the ability of
2 Iran—

3 (A) to provide support for—

4 (i) any individual or entity designated
5 for the imposition of sanctions for activi-
6 ties relating to international terrorism pur-
7 suant to an executive order or by the Of-
8 fice of Foreign Assets Control of the De-
9 partment of the Treasury as of the date of
10 the enactment of this Act;

11 (ii) any organization designated by
12 the Secretary of State as a foreign ter-
13 rorist organization under section 219(a) of
14 the Immigration and Nationality Act (8
15 U.S.C. 1189(a)) as of the date of the en-
16 actment of this Act;

17 (iii) any other terrorist organization;

18 or

19 (iv) the regime of Bashar al Assad in
20 Syria;

21 (B) to advance the efforts of Iran or any
22 other country to develop nuclear weapons or
23 ballistic missiles overtly or covertly; or

24 (C) to commit any violation of the human
25 rights of the people of Iran.

1 (3) The extent to which any senior official of
2 the Government of Iran has diverted any funds
3 made available through sanctions relief to be used by
4 the official for personal use.

5 (b) SUBMISSION TO CONGRESS.—

6 (1) IN GENERAL.—The Director shall submit
7 the report required by subsection (a) to the appro-
8 priate congressional committees—

9 (A) not later than 180 days after the date
10 of the enactment of this Act and every 180
11 days thereafter during the period that the Joint
12 Plan of Action is in effect; and

13 (B) not later than 1 year after a subse-
14 quent agreement with Iran relating to the nu-
15 clear program of Iran takes effect and annually
16 thereafter during the period that such agree-
17 ment remains in effect.

18 (2) NONDUPLICATION.—The Director may sub-
19 mit the information required by subsection (a) with
20 a report required to be submitted to Congress under
21 another provision of law if—

22 (A) the Director notifies the appropriate
23 congressional committees of the intention of
24 making such submission before submitting that
25 report; and

1 (B) all matters required to be covered by
2 subsection (a) are included in that report.

3 (c) FORM OF REPORTS.—Each report required by
4 subsection (a) shall be submitted in unclassified form, but
5 may include a classified annex.

6 (d) DEFINITIONS.—In this section:

7 (1) APPROPRIATE CONGRESSIONAL COMMIT-
8 TEES.—The term “appropriate congressional com-
9 mittees” means—

10 (A) the Committee on Banking, Housing,
11 and Urban Affairs, the Committee on Finance,
12 the Committee on Foreign Relations, and the
13 Select Committee on Intelligence of the Senate;
14 and

15 (B) the Committee on Financial Services,
16 the Committee on Foreign Affairs, the Com-
17 mittee on Ways and Means, and the Permanent
18 Select Committee on Intelligence of the House
19 of Representatives.

20 (2) JOINT PLAN OF ACTION.—The term “Joint
21 Plan of Action” means the Joint Plan of Action,
22 signed at Geneva November 24, 2013, by Iran and
23 by France, Germany, the Russian Federation, the
24 People’s Republic of China, the United Kingdom,
25 and the United States, and all implementing mate-

1 rials and agreements related to the Joint Plan of
2 Action, including the technical understandings
3 reached on January 12, 2014, the extension thereto
4 agreed to on July 18, 2014, and the extension there-
5 to agreed to on November 24, 2014.

6 **TITLE VI—MATTERS RELATING**
7 **TO UNITED STATES NAVAL**
8 **STATION, GUANTANAMO BAY,**
9 **CUBA**

10 **SEC. 601. PROHIBITION ON USE OF FUNDS FOR TRANSFER**
11 **OR RELEASE OF INDIVIDUALS DETAINED AT**
12 **UNITED STATES NAVAL STATION, GUANTA-**
13 **NAMO BAY, CUBA, TO THE UNITED STATES.**

14 No amounts authorized to be appropriated or other-
15 wise made available to an element of the intelligence com-
16 munity may be used during the period beginning on the
17 date of the enactment of this Act and ending on December
18 31, 2016, to transfer, release, or assist in the transfer or
19 release, to or within the United States, its territories, or
20 possessions, Khalid Sheikh Mohammed or any other de-
21 tainee who—

22 (1) is not a United States citizen or a member
23 of the Armed Forces of the United States; and

1 (2) is or was held on or after January 20,
2 2009, at United States Naval Station, Guantanamo
3 Bay, Cuba, by the Department of Defense.

4 **SEC. 602. PROHIBITION ON USE OF FUNDS TO CONSTRUCT**
5 **OR MODIFY FACILITIES IN THE UNITED**
6 **STATES TO HOUSE DETAINEES TRANS-**
7 **FERRED FROM UNITED STATES NAVAL STA-**
8 **TION, GUANTANAMO BAY, CUBA.**

9 (a) IN GENERAL.—No amounts authorized to be ap-
10 propriated or otherwise made available to an element of
11 the intelligence community may be used during the period
12 beginning on the date of the enactment of this Act and
13 ending on December 31, 2016, to construct or modify any
14 facility in the United States, its territories, or possessions
15 to house any individual detained at Guantanamo for the
16 purposes of detention or imprisonment in the custody or
17 under the control of the Department of Defense unless
18 authorized by Congress.

19 (b) EXCEPTION.—The prohibition in subsection (a)
20 shall not apply to any modification of facilities at United
21 States Naval Station, Guantanamo Bay, Cuba.

22 (c) INDIVIDUAL DETAINED AT GUANTANAMO DE-
23 FINED.—In this section, the term “individual detained at
24 Guantanamo” means any individual located at United

1 States Naval Station, Guantanamo Bay, Cuba, as of Octo-
2 ber 1, 2009, who—

3 (1) is not a citizen of the United States or a
4 member of the Armed Forces of the United States;
5 and

6 (2) is—

7 (A) in the custody or under the control of
8 the Department of Defense; or

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

11 **SEC. 603. PROHIBITION ON USE OF FUNDS FOR TRANSFER**
12 **OR RELEASE TO CERTAIN COUNTRIES OF IN-**
13 **DIVIDUALS DETAINED AT UNITED STATES**
14 **NAVAL STATION, GUANTANAMO BAY, CUBA.**

15 No amounts authorized to be appropriated or other-
16 wise made available to an element of the intelligence com-
17 munity may be used during the period beginning on the
18 date of the enactment of this Act and ending on December
19 31, 2016, to transfer, release, or assist in the transfer or
20 release of any individual detained in the custody or under
21 the control of the Department of Defense at United States
22 Naval Station, Guantanamo Bay, Cuba, to the custody or
23 control of any country, or any entity within such country,
24 as follows:

25 (1) Libya.

1 (2) Somalia.

2 (3) Syria.

3 (4) Yemen.

4 **TITLE VII—REPORTS AND**
5 **OTHER MATTERS**
6 **Subtitle A—Reports**

7 **SEC. 701. REPEAL OF CERTAIN REPORTING REQUIRE-**
8 **MENTS.**

9 (a) QUADRENNIAL AUDIT OF POSITIONS REQUIRING
10 SECURITY CLEARANCES.—Section 506H of the National
11 Security Act of 1947 (50 U.S.C. 3104) is amended—

12 (1) by striking subsection (a);

13 (2) by redesignating subsections (b) and (c) as
14 subsections (a) and (b), respectively; and

15 (3) in subsection (b), as so redesignated, by
16 striking “The results required under subsection
17 (a)(2) and the reports required under subsection
18 (b)(1)” and inserting “The reports required under
19 subsection (a)(1)”.

20 (b) REPORTS ON ROLE OF ANALYSTS AT FBI.—Sec-
21 tion 2001(g) of the Intelligence Reform and Terrorism
22 Prevention Act of 2004 (Public Law 108–458; 118 Stat.
23 3700; 28 U.S.C. 532 note) is amended by striking para-
24 graph (3) and redesignating paragraph (4) as paragraph
25 (3).

1 (c) REPORT ON OUTSIDE EMPLOYMENT BY OFFI-
2 CERS AND EMPLOYEES OF INTELLIGENCE COMMUNITY.—

3 (1) IN GENERAL.—Section 102A(u) of the Na-
4 tional Security Act of 1947 (50 U.S.C. 3024(u)) is
5 amended—

6 (A) by striking “(1) The Director” and in-
7 serting “The Director”; and

8 (B) by striking paragraph (2).

9 (2) CONFORMING AMENDMENT.—Subsection (a)
10 of section 507 of such Act (50 U.S.C. 3106) is
11 amended—

12 (A) by striking paragraph (5); and

13 (B) by redesignating paragraph (6) as
14 paragraph (5).

15 (3) TECHNICAL AMENDMENT.—Subsection
16 (c)(1) of such section 507 is amended by striking
17 “subsection (a)(1)” and inserting “subsection (a)”.

18 (d) REPORTS ON NUCLEAR ASPIRATIONS OF NON-
19 STATE ENTITIES.—Section 1055 of the National Defense
20 Authorization Act for Fiscal Year 2010 (50 U.S.C. 2371)
21 is repealed.

22 (e) REPORTS ON ESPIONAGE BY PEOPLE’S REPUBLIC
23 OF CHINA.—Section 3151 of the National Defense Au-
24 thorization Act for Fiscal Year 2000 (42 U.S.C. 7383e)
25 is repealed.

1 (f) REPORTS ON SECURITY VULNERABILITIES OF
2 NATIONAL LABORATORY COMPUTERS.—Section 4508 of
3 the Atomic Energy Defense Act (50 U.S.C. 2659) is re-
4 pealed.

5 **SEC. 702. REPORTS ON FOREIGN FIGHTERS.**

6 (a) REPORTS REQUIRED.—Not later than 60 days
7 after the date of the enactment of this Act, and every 60
8 days thereafter, the Director of National Intelligence shall
9 submit to the congressional intelligence committees a re-
10 port on foreign fighter flows to and from Syria and to
11 and from Iraq. The Director shall define the term “foreign
12 fighter” in such reports.

13 (b) MATTERS TO BE INCLUDED.—Each report sub-
14 mitted under subsection (a) shall include each of the fol-
15 lowing:

16 (1) The total number of foreign fighters who
17 have traveled to Syria or Iraq since January 1,
18 2011, the total number of foreign fighters in Syria
19 or Iraq as of the date of the submittal of the report,
20 the total number of foreign fighters whose countries
21 of origin have a visa waiver program described in
22 section 217 of the Immigration and Nationality Act
23 (8 U.S.C. 1187), the total number of foreign fight-
24 ers who have left Syria or Iraq, the total number of

1 female foreign fighters, and the total number of de-
2 ceased foreign fighters.

3 (2) The total number of United States persons
4 who have traveled or attempted to travel to Syria or
5 Iraq since January 1, 2011, the total number of
6 such persons who have arrived in Syria or Iraq since
7 such date, and the total number of such persons who
8 have returned to the United States from Syria or
9 Iraq since such date.

10 (3) The total number of foreign fighters in the
11 Terrorist Identities Datamart Environment and the
12 status of each such foreign fighter in that database,
13 the number of such foreign fighters who are on a
14 watchlist, and the number of such foreign fighters
15 who are not on a watchlist.

16 (4) The total number of foreign fighters who
17 have been processed with biometrics, including face
18 images, fingerprints, and iris scans.

19 (5) Any programmatic updates to the foreign
20 fighter report since the last report was submitted,
21 including updated analysis on foreign country co-
22 operation, as well as actions taken, such as denying
23 or revoking visas.

1 (6) A worldwide graphic that describes foreign
2 fighters flows to and from Syria, with points of ori-
3 gin by country.

4 (c) ADDITIONAL REPORT.—Not later than 180 days
5 after the date of the enactment of this Act, the Director
6 of National Intelligence shall submit to the congressional
7 intelligence committees a report that includes—

8 (1) with respect to the travel of foreign fighters
9 to and from Iraq and Syria, a description of the in-
10 telligence sharing relationships between the United
11 States and member states of the European Union
12 and member states of the North Atlantic Treaty Or-
13 ganization; and

14 (2) an analysis of the challenges impeding such
15 intelligence sharing relationships.

16 (d) FORM.—The reports submitted under subsections
17 (a) and (c) may be submitted in classified form.

18 (e) TERMINATION.—The requirement to submit re-
19 ports under subsection (a) shall terminate on the date that
20 is 3 years after the date of the enactment of this Act.

21 **SEC. 703. REPORT ON STRATEGY, EFFORTS, AND RE-**
22 **SOURCES TO DETECT, DETER, AND DEGRADE**
23 **ISLAMIC STATE REVENUE MECHANISMS.**

24 (a) SENSE OF CONGRESS.—It is the sense of Con-
25 gress that the intelligence community should dedicate nec-

1 essary resources to defeating the revenue mechanisms of
2 the Islamic State.

3 (b) REPORT.—Not later than 90 days after the date
4 of the enactment of this Act, the Director of National In-
5 telligence shall submit to the congressional intelligence
6 committees a report on the strategy, efforts, and resources
7 of the intelligence community that are necessary to detect,
8 deter, and degrade the revenue mechanisms of the Islamic
9 State.

10 **SEC. 704. REPORT ON UNITED STATES COUNTERTER-**
11 **RORISM STRATEGY TO DISRUPT, DISMANTLE,**
12 **AND DEFEAT THE ISLAMIC STATE, AL-QA'IDA,**
13 **AND THEIR AFFILIATED GROUPS, ASSOCI-**
14 **ATED GROUPS, AND ADHERENTS.**

15 (a) REPORT.—

16 (1) IN GENERAL.—Not later than 180 days
17 after the date of the enactment of this Act, the
18 President shall transmit to the appropriate congress-
19 sional committees a comprehensive report on the
20 counterterrorism strategy of the United States to
21 disrupt, dismantle, and defeat the Islamic State, al-
22 Qa'ida, and their affiliated groups, associated
23 groups, and adherents.

24 (2) COORDINATION.—The report under para-
25 graph (1) shall be prepared in coordination with the

1 Director of National Intelligence, the Secretary of
2 State, the Secretary of the Treasury, the Attorney
3 General, and the Secretary of Defense, and the head
4 of any other department or agency of the Federal
5 Government that has responsibility for activities di-
6 rected at combating the Islamic State, al-Qa'ida,
7 and their affiliated groups, associated groups, and
8 adherents.

9 (3) ELEMENTS.—The report under by para-
10 graph (1) shall include each of the following:

11 (A) A definition of—

12 (i) core al-Qa'ida, including a list of
13 which known individuals constitute core al-
14 Qa'ida;

15 (ii) the Islamic State, including a list
16 of which known individuals constitute Is-
17 lamic State leadership;

18 (iii) an affiliated group of the Islamic
19 State or al-Qa'ida, including a list of which
20 known groups constitute an affiliate group
21 of the Islamic State or al-Qa'ida;

22 (iv) an associated group of the Islamic
23 State or al-Qa'ida, including a list of which
24 known groups constitute an associated
25 group of the Islamic State or al-Qa'ida;

1 (v) an adherent of the Islamic State
2 or al-Qa'ida, including a list of which
3 known groups constitute an adherent of
4 the Islamic State or al-Qa'ida; and

5 (vi) a group aligned with the Islamic
6 State or al-Qa'ida, including a description
7 of what actions a group takes or state-
8 ments it makes that qualify it as a group
9 aligned with the Islamic State or al-Qa'ida.

10 (B) An assessment of the relationship be-
11 tween all identified Islamic State or al-Qa'ida
12 affiliated groups, associated groups, and adher-
13 ents with Islamic State leadership or core al-
14 Qa'ida.

15 (C) An assessment of the strengthening or
16 weakening of the Islamic State or al-Qa'ida, its
17 affiliated groups, associated groups, and adher-
18 ents, from January 1, 2010, to the present, in-
19 cluding a description of the metrics that are
20 used to assess strengthening or weakening and
21 an assessment of the relative increase or de-
22 crease in violent attacks attributed to such enti-
23 ties.

24 (D) An assessment of whether an indi-
25 vidual can be a member of core al-Qa'ida if

1 such individual is not located in Afghanistan or
2 Pakistan.

3 (E) An assessment of whether an indi-
4 vidual can be a member of core al-Qa'ida as
5 well as a member of an al-Qa'ida affiliated
6 group, associated group, or adherent.

7 (F) A definition of defeat of the Islamic
8 State or core al-Qa'ida.

9 (G) An assessment of the extent or coordi-
10 nation, command, and control between the Is-
11 lamic State or core al-Qa'ida and their affiliated
12 groups, associated groups, and adherents, spe-
13 cifically addressing each such entity.

14 (H) An assessment of the effectiveness of
15 counterterrorism operations against the Islamic
16 State or core al-Qa'ida, their affiliated groups,
17 associated groups, and adherents, and whether
18 such operations have had a sustained impact on
19 the capabilities and effectiveness of the Islamic
20 State or core al-Qa'ida, their affiliated groups,
21 associated groups, and adherents.

22 (4) FORM.—The report under paragraph (1)
23 shall be submitted in unclassified form, but may in-
24 clude a classified annex.

1 (b) APPROPRIATE CONGRESSIONAL COMMITTEES
2 DEFINED.—In this section, the term “appropriate con-
3 gressional committees” means the following:

4 (1) The congressional intelligence committees.

5 (2) The Committees on Armed Services of the
6 House of Representatives and the Senate.

7 (3) The Committee on Foreign Affairs of the
8 House of Representatives and the Committee on
9 Foreign Relations of the Senate.

10 **SEC. 705. REPORT ON EFFECTS OF DATA BREACH OF OF-**
11 **FICE OF PERSONNEL MANAGEMENT.**

12 (a) REPORT.—Not later than 120 days after the date
13 of the enactment of this Act, the President shall transmit
14 to the congressional intelligence committees a report on
15 the data breach of the Office of Personnel Management
16 disclosed in June 2015.

17 (b) MATTERS INCLUDED.—The report under sub-
18 section (a) shall include the following:

19 (1) The effects, if any, of the data breach on
20 the operations of the intelligence community abroad,
21 including the types of operations, if any, that have
22 been negatively affected or entirely suspended or ter-
23 minated as a result of the data breach.

1 (2) An assessment of the effects of the data
2 breach on each element of the intelligence commu-
3 nity.

4 (3) An assessment of how foreign persons,
5 groups, or countries may use the data collected by
6 the data breach (particularly regarding information
7 included in background investigations for security
8 clearances), including with respect to—

9 (A) recruiting intelligence assets;

10 (B) influencing decisionmaking processes
11 within the Federal Government, including re-
12 garding foreign policy decisions; and

13 (C) compromising employees of the Fed-
14 eral Government and friends and families of
15 such employees for the purpose of gaining ac-
16 cess to sensitive national security and economic
17 information.

18 (4) An assessment of which departments or
19 agencies of the Federal Government use the best
20 practices to protect sensitive data, including a sum-
21 mary of any such best practices that were not used
22 by the Office of Personnel Management.

23 (5) An assessment of the best practices used by
24 the departments or agencies identified under para-

1 graph (4) to identify and fix potential vulnerabilities
2 in the systems of the department or agency.

3 (c) BRIEFING.—The Director of National Intelligence
4 shall provide to the congressional intelligence committees
5 an interim briefing on the report under subsection (a), in-
6 cluding a discussion of proposals and options for respond-
7 ing to cyber attacks.

8 (d) FORM.—The report under subsection (a) shall be
9 submitted in unclassified form, but may include a classi-
10 fied annex.

11 **SEC. 706. REPORT ON HIRING OF GRADUATES OF CYBER**
12 **CORPS SCHOLARSHIP PROGRAM BY INTEL-**
13 **LIGENCE COMMUNITY.**

14 (a) IN GENERAL.—Not later than 90 days after the
15 date of the enactment of this Act, the Director of National
16 Intelligence, in coordination with the Director of the Na-
17 tional Science Foundation, shall submit to the congres-
18 sional intelligence committees a report on the employment
19 by the intelligence community of graduates of the Cyber
20 Corps Scholarship Program. The report shall include the
21 following:

22 (1) The number of graduates of the Cyber
23 Corps Scholarship Program hired by each element of
24 the intelligence community.

1 tractors that are awarded contracts by elements of the in-
2 telligence community for goods, equipment, tools, and
3 services.

4 (b) MATTERS INCLUDED.—The report under sub-
5 section (a) shall include the following:

6 (1) The representation of covered business con-
7 cerns as described in subsection (a), including such
8 representation by—

9 (A) each type of covered business concern;

10 and

11 (B) each element of the intelligence com-
12 munity.

13 (2) If, as of the date of the enactment of this
14 Act, the Director does not record and monitor the
15 statistics required to carry out this section, a de-
16 scription of the actions taken by the Director to en-
17 sure that such statistics are recorded and monitored
18 beginning in fiscal year 2016.

19 (3) The actions the Director plans to take dur-
20 ing fiscal year 2016 to enhance the awarding of con-
21 tracts to covered business concerns by elements of
22 the intelligence community.

23 (c) COVERED BUSINESS CONCERNS DEFINED.—In
24 this section, the term “covered business concerns” means
25 the following:

- 1 (1) Minority-owned businesses.
- 2 (2) Women-owned businesses.
- 3 (3) Small disadvantaged businesses.
- 4 (4) Service-disabled veteran-owned businesses.
- 5 (5) Veteran-owned small businesses.

6 **Subtitle B—Other Matters**

7 **SEC. 711. USE OF HOMELAND SECURITY GRANT FUNDS IN**
8 **CONJUNCTION WITH DEPARTMENT OF EN-**
9 **ERGY NATIONAL LABORATORIES.**

10 Section 2008(a) of the Homeland Security Act of
11 2002 (6 U.S.C. 609(a)) is amended in the matter pre-
12 ceding paragraph (1) by inserting “including by working
13 in conjunction with a National Laboratory (as defined in
14 section 2(3) of the Energy Policy Act of 2005 (42 U.S.C.
15 15801(3))),” after “plans,”.

16 **SEC. 712. INCLUSION OF CERTAIN MINORITY-SERVING IN-**
17 **STITUTIONS IN GRANT PROGRAM TO EN-**
18 **HANCE RECRUITING OF INTELLIGENCE COM-**
19 **MUNITY WORKFORCE.**

20 Section 1024 of the National Security Act of 1947
21 (50 U.S.C. 3224) is amended—

22 (1) in subsection (c)—

23 (A) in paragraph (1), by striking “histori-
24 cally black colleges and universities and Pre-
25 dominantly Black Institutions” and inserting

1 “historically black colleges and universities,
2 Predominantly Black Institutions, Hispanic-
3 serving institutions, and Asian American and
4 Native American Pacific Islander-serving insti-
5 tutions”; and

6 (B) in the subsection heading, by striking
7 “HISTORICALLY BLACK” and inserting “CER-
8 TAIN MINORITY-SERVING”; and

9 (2) in subsection (g)—

10 (A) by redesignating paragraph (5) as
11 paragraph (7); and

12 (B) by inserting after paragraph (4) the
13 following new paragraphs (5) and (6):

14 “(5) HISPANIC-SERVING INSTITUTION.—The
15 term ‘Hispanic-serving institution’ has the meaning
16 given that term in section 502(a)(5) of the Higher
17 Education Act of 1965 (20 U.S.C. 1101a(a)(5)).

18 “(6) ASIAN AMERICAN AND NATIVE AMERICAN
19 PACIFIC ISLANDER-SERVING INSTITUTION.—The
20 term ‘Asian American and Native American Pacific
21 Islander-serving institution’ has the meaning given
22 that term in section 320(b)(2) of the Higher Edu-
23 cation Act of 1965 (20 U.S.C. 1059g(b)(2)).”.

1 **DIVISION N—CYBERSECURITY**
2 **ACT OF 2015**

3 **SEC. 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This division may be cited as the
5 “Cybersecurity Act of 2015”.

6 (b) **TABLE OF CONTENTS.**—The table of contents for
7 this division is as follows:

Sec. 1. Short title; table of contents.

TITLE I—CYBERSECURITY INFORMATION SHARING

Sec. 101. Short title.

Sec. 102. Definitions.

Sec. 103. Sharing of information by the Federal Government.

Sec. 104. Authorizations for preventing, detecting, analyzing, and mitigating
cybersecurity threats.

Sec. 105. Sharing of cyber threat indicators and defensive measures with the
Federal Government.

Sec. 106. Protection from liability.

Sec. 107. Oversight of Government activities.

Sec. 108. Construction and preemption.

Sec. 109. Report on cybersecurity threats.

Sec. 110. Exception to limitation on authority of Secretary of Defense to dis-
seminate certain information.

Sec. 111. Effective period.

TITLE II—NATIONAL CYBERSECURITY ADVANCEMENT

Subtitle A—National Cybersecurity and Communications Integration Center

Sec. 201. Short title.

Sec. 202. Definitions.

Sec. 203. Information sharing structure and processes.

Sec. 204. Information sharing and analysis organizations.

Sec. 205. National response framework.

Sec. 206. Report on reducing cybersecurity risks in DHS data centers.

Sec. 207. Assessment.

Sec. 208. Multiple simultaneous cyber incidents at critical infrastructure.

Sec. 209. Report on cybersecurity vulnerabilities of United States ports.

Sec. 210. Prohibition on new regulatory authority.

Sec. 211. Termination of reporting requirements.

Subtitle B—Federal Cybersecurity Enhancement

Sec. 221. Short title.

Sec. 222. Definitions.

Sec. 223. Improved Federal network security.

Sec. 224. Advanced internal defenses.

- Sec. 225. Federal cybersecurity requirements.
- Sec. 226. Assessment; reports.
- Sec. 227. Termination.
- Sec. 228. Identification of information systems relating to national security.
- Sec. 229. Direction to agencies.

TITLE III—FEDERAL CYBERSECURITY WORKFORCE ASSESSMENT

- Sec. 301. Short title.
- Sec. 302. Definitions.
- Sec. 303. National cybersecurity workforce measurement initiative.
- Sec. 304. Identification of cyber-related work roles of critical need.
- Sec. 305. Government Accountability Office status reports.

TITLE IV—OTHER CYBER MATTERS

- Sec. 401. Study on mobile device security.
- Sec. 402. Department of State international cyberspace policy strategy.
- Sec. 403. Apprehension and prosecution of international cyber criminals.
- Sec. 404. Enhancement of emergency services.
- Sec. 405. Improving cybersecurity in the health care industry.
- Sec. 406. Federal computer security.
- Sec. 407. Stopping the fraudulent sale of financial information of people of the United States.

1 **TITLE I—CYBERSECURITY**
2 **INFORMATION SHARING**

3 **SEC. 101. SHORT TITLE.**

4 This title may be cited as the “Cybersecurity Infor-
5 mation Sharing Act of 2015”.

6 **SEC. 102. DEFINITIONS.**

7 In this title:

8 (1) **AGENCY.**—The term “agency” has the
9 meaning given the term in section 3502 of title 44,
10 United States Code.

11 (2) **ANTITRUST LAWS.**—The term “antitrust
12 laws”—

13 (A) has the meaning given the term in the
14 first section of the Clayton Act (15 U.S.C. 12);

1 (B) includes section 5 of the Federal
2 Trade Commission Act (15 U.S.C. 45) to the
3 extent that section 5 of that Act applies to un-
4 fair methods of competition; and

5 (C) includes any State antitrust law, but
6 only to the extent that such law is consistent
7 with the law referred to in subparagraph (A) or
8 the law referred to in subparagraph (B).

9 (3) APPROPRIATE FEDERAL ENTITIES.—The
10 term “appropriate Federal entities” means the fol-
11 lowing:

12 (A) The Department of Commerce.

13 (B) The Department of Defense.

14 (C) The Department of Energy.

15 (D) The Department of Homeland Secu-
16 rity.

17 (E) The Department of Justice.

18 (F) The Department of the Treasury.

19 (G) The Office of the Director of National
20 Intelligence.

21 (4) CYBERSECURITY PURPOSE.—The term
22 “cybersecurity purpose” means the purpose of pro-
23 tecting an information system or information that is
24 stored on, processed by, or transiting an information

1 system from a cybersecurity threat or security vul-
2 nerability.

3 (5) CYBERSECURITY THREAT.—

4 (A) IN GENERAL.—Except as provided in
5 subparagraph (B), the term “cybersecurity
6 threat” means an action, not protected by the
7 First Amendment to the Constitution of the
8 United States, on or through an information
9 system that may result in an unauthorized ef-
10 fort to adversely impact the security, avail-
11 ability, confidentiality, or integrity of an infor-
12 mation system or information that is stored on,
13 processed by, or transiting an information sys-
14 tem.

15 (B) EXCLUSION.—The term “cybersecurity
16 threat” does not include any action that solely
17 involves a violation of a consumer term of serv-
18 ice or a consumer licensing agreement.

19 (6) CYBER THREAT INDICATOR.—The term
20 “cyber threat indicator” means information that is
21 necessary to describe or identify—

22 (A) malicious reconnaissance, including
23 anomalous patterns of communications that ap-
24 pear to be transmitted for the purpose of gath-

1 ering technical information related to a
2 cybersecurity threat or security vulnerability;

3 (B) a method of defeating a security con-
4 trol or exploitation of a security vulnerability;

5 (C) a security vulnerability, including
6 anomalous activity that appears to indicate the
7 existence of a security vulnerability;

8 (D) a method of causing a user with legiti-
9 mate access to an information system or infor-
10 mation that is stored on, processed by, or
11 transiting an information system to unwittingly
12 enable the defeat of a security control or exploi-
13 tation of a security vulnerability;

14 (E) malicious cyber command and control;

15 (F) the actual or potential harm caused by
16 an incident, including a description of the infor-
17 mation exfiltrated as a result of a particular
18 cybersecurity threat;

19 (G) any other attribute of a cybersecurity
20 threat, if disclosure of such attribute is not oth-
21 erwise prohibited by law; or

22 (H) any combination thereof.

23 (7) DEFENSIVE MEASURE.—

24 (A) IN GENERAL.—Except as provided in
25 subparagraph (B), the term “defensive meas-

1 ure” means an action, device, procedure, signa-
2 ture, technique, or other measure applied to an
3 information system or information that is
4 stored on, processed by, or transiting an infor-
5 mation system that detects, prevents, or miti-
6 gates a known or suspected cybersecurity threat
7 or security vulnerability.

8 (B) EXCLUSION.—The term “defensive
9 measure” does not include a measure that de-
10 stroys, renders unusable, provides unauthorized
11 access to, or substantially harms an information
12 system or information stored on, processed by,
13 or transiting such information system not
14 owned by—

15 (i) the private entity operating the
16 measure; or

17 (ii) another entity or Federal entity
18 that is authorized to provide consent and
19 has provided consent to that private entity
20 for operation of such measure.

21 (8) FEDERAL ENTITY.—The term “Federal en-
22 tity” means a department or agency of the United
23 States or any component of such department or
24 agency.

1 (9) INFORMATION SYSTEM.—The term “infor-
2 mation system”—

3 (A) has the meaning given the term in sec-
4 tion 3502 of title 44, United States Code; and

5 (B) includes industrial control systems,
6 such as supervisory control and data acquisition
7 systems, distributed control systems, and pro-
8 grammable logic controllers.

9 (10) LOCAL GOVERNMENT.—The term “local
10 government” means any borough, city, county, par-
11 ish, town, township, village, or other political sub-
12 division of a State.

13 (11) MALICIOUS CYBER COMMAND AND CON-
14 TROL.—The term “malicious cyber command and
15 control” means a method for unauthorized remote
16 identification of, access to, or use of, an information
17 system or information that is stored on, processed
18 by, or transiting an information system.

19 (12) MALICIOUS RECONNAISSANCE.—The term
20 “malicious reconnaissance” means a method for ac-
21 tively probing or passively monitoring an information
22 system for the purpose of discerning security
23 vulnerabilities of the information system, if such
24 method is associated with a known or suspected
25 cybersecurity threat.

1 (13) MONITOR.—The term “monitor” means to
2 acquire, identify, or scan, or to possess, information
3 that is stored on, processed by, or transiting an in-
4 formation system.

5 (14) NON-FEDERAL ENTITY.—

6 (A) IN GENERAL.—Except as otherwise
7 provided in this paragraph, the term “non-Fed-
8 eral entity” means any private entity, non-Fed-
9 eral government agency or department, or
10 State, tribal, or local government (including a
11 political subdivision, department, or component
12 thereof).

13 (B) INCLUSIONS.—The term “non-Federal
14 entity” includes a government agency or depart-
15 ment of the District of Columbia, the Common-
16 wealth of Puerto Rico, the United States Virgin
17 Islands, Guam, American Samoa, the Northern
18 Mariana Islands, and any other territory or
19 possession of the United States.

20 (C) EXCLUSION.—The term “non-Federal
21 entity” does not include a foreign power as de-
22 fined in section 101 of the Foreign Intelligence
23 Surveillance Act of 1978 (50 U.S.C. 1801).

24 (15) PRIVATE ENTITY.—

1 (A) IN GENERAL.—Except as otherwise
2 provided in this paragraph, the term “private
3 entity” means any person or private group, or-
4 ganization, proprietorship, partnership, trust,
5 cooperative, corporation, or other commercial or
6 nonprofit entity, including an officer, employee,
7 or agent thereof.

8 (B) INCLUSION.—The term “private enti-
9 ty” includes a State, tribal, or local government
10 performing utility services, such as electric, nat-
11 ural gas, or water services.

12 (C) EXCLUSION.—The term “private enti-
13 ty” does not include a foreign power as defined
14 in section 101 of the Foreign Intelligence Sur-
15 veillance Act of 1978 (50 U.S.C. 1801).

16 (16) SECURITY CONTROL.—The term “security
17 control” means the management, operational, and
18 technical controls used to protect against an unau-
19 thorized effort to adversely affect the confidentiality,
20 integrity, and availability of an information system
21 or its information.

22 (17) SECURITY VULNERABILITY.—The term
23 “security vulnerability” means any attribute of hard-
24 ware, software, process, or procedure that could en-
25 able or facilitate the defeat of a security control.

1 that may be declassified and shared at an unclassi-
2 fied level;

3 (3) the timely sharing with relevant Federal en-
4 tities and non-Federal entities, or the public if ap-
5 propriate, of unclassified, including controlled un-
6 classified, cyber threat indicators and defensive
7 measures in the possession of the Federal Govern-
8 ment;

9 (4) the timely sharing with Federal entities and
10 non-Federal entities, if appropriate, of information
11 relating to cybersecurity threats or authorized uses
12 under this title, in the possession of the Federal
13 Government about cybersecurity threats to such en-
14 tities to prevent or mitigate adverse effects from
15 such cybersecurity threats; and

16 (5) the periodic sharing, through publication
17 and targeted outreach, of cybersecurity best prac-
18 tices that are developed based on ongoing analyses
19 of cyber threat indicators, defensive measures, and
20 information relating to cybersecurity threats or au-
21 thorized uses under this title, in the possession of
22 the Federal Government, with attention to accessi-
23 bility and implementation challenges faced by small
24 business concerns (as defined in section 3 of the
25 Small Business Act (15 U.S.C. 632)).

1 (b) DEVELOPMENT OF PROCEDURES.—

2 (1) IN GENERAL.—The procedures developed
3 under subsection (a) shall—

4 (A) ensure the Federal Government has
5 and maintains the capability to share cyber
6 threat indicators and defensive measures in real
7 time consistent with the protection of classified
8 information;

9 (B) incorporate, to the greatest extent
10 practicable, existing processes and existing roles
11 and responsibilities of Federal entities and non-
12 Federal entities for information sharing by the
13 Federal Government, including sector specific
14 information sharing and analysis centers;

15 (C) include procedures for notifying, in a
16 timely manner, Federal entities and non-Fed-
17 eral entities that have received a cyber threat
18 indicator or defensive measure from a Federal
19 entity under this title that is known or deter-
20 mined to be in error or in contravention of the
21 requirements of this title or another provision
22 of Federal law or policy of such error or con-
23 travention;

24 (D) include requirements for Federal enti-
25 ties sharing cyber threat indicators or defensive

1 measures to implement and utilize security con-
2 trols to protect against unauthorized access to
3 or acquisition of such cyber threat indicators or
4 defensive measures;

5 (E) include procedures that require a Fed-
6 eral entity, prior to the sharing of a cyber
7 threat indicator—

8 (i) to review such cyber threat indi-
9 cator to assess whether such cyber threat
10 indicator contains any information not di-
11 rectly related to a cybersecurity threat that
12 such Federal entity knows at the time of
13 sharing to be personal information of a
14 specific individual or information that
15 identifies a specific individual and remove
16 such information; or

17 (ii) to implement and utilize a tech-
18 nical capability configured to remove any
19 information not directly related to a
20 cybersecurity threat that the Federal entity
21 knows at the time of sharing to be per-
22 sonal information of a specific individual or
23 information that identifies a specific indi-
24 vidual; and

1 (F) include procedures for notifying, in a
2 timely manner, any United States person whose
3 personal information is known or determined to
4 have been shared by a Federal entity in viola-
5 tion of this title.

6 (2) CONSULTATION.—In developing the proce-
7 dures required under this section, the Director of
8 National Intelligence, the Secretary of Homeland Se-
9 curity, the Secretary of Defense, and the Attorney
10 General shall consult with appropriate Federal enti-
11 ties, including the Small Business Administration
12 and the National Laboratories (as defined in section
13 2 of the Energy Policy Act of 2005 (42 U.S.C.
14 15801)), to ensure that effective protocols are imple-
15 mented that will facilitate and promote the sharing
16 of cyber threat indicators by the Federal Govern-
17 ment in a timely manner.

18 (c) SUBMITTAL TO CONGRESS.—Not later than 60
19 days after the date of the enactment of this Act, the Direc-
20 tor of National Intelligence, in consultation with the heads
21 of the appropriate Federal entities, shall submit to Con-
22 gress the procedures required by subsection (a).

1 **SEC. 104. AUTHORIZATIONS FOR PREVENTING, DETECTING,**
2 **ANALYZING, AND MITIGATING**
3 **CYBERSECURITY THREATS.**

4 (a) AUTHORIZATION FOR MONITORING.—

5 (1) IN GENERAL.—Notwithstanding any other
6 provision of law, a private entity may, for
7 cybersecurity purposes, monitor—

8 (A) an information system of such private
9 entity;

10 (B) an information system of another non-
11 Federal entity, upon the authorization and writ-
12 ten consent of such other entity;

13 (C) an information system of a Federal en-
14 tity, upon the authorization and written consent
15 of an authorized representative of the Federal
16 entity; and

17 (D) information that is stored on, proc-
18 essed by, or transiting an information system
19 monitored by the private entity under this para-
20 graph.

21 (2) CONSTRUCTION.—Nothing in this sub-
22 section shall be construed—

23 (A) to authorize the monitoring of an in-
24 formation system, or the use of any information
25 obtained through such monitoring, other than
26 as provided in this title; or

1 (B) to limit otherwise lawful activity.

2 (b) AUTHORIZATION FOR OPERATION OF DEFENSIVE
3 MEASURES.—

4 (1) IN GENERAL.—Notwithstanding any other
5 provision of law, a private entity may, for
6 cybersecurity purposes, operate a defensive measure
7 that is applied to—

8 (A) an information system of such private
9 entity in order to protect the rights or property
10 of the private entity;

11 (B) an information system of another non-
12 Federal entity upon written consent of such en-
13 tity for operation of such defensive measure to
14 protect the rights or property of such entity;
15 and

16 (C) an information system of a Federal en-
17 tity upon written consent of an authorized rep-
18 resentative of such Federal entity for operation
19 of such defensive measure to protect the rights
20 or property of the Federal Government.

21 (2) CONSTRUCTION.—Nothing in this sub-
22 section shall be construed—

23 (A) to authorize the use of a defensive
24 measure other than as provided in this sub-
25 section; or

1 (B) to limit otherwise lawful activity.

2 (c) AUTHORIZATION FOR SHARING OR RECEIVING
3 CYBER THREAT INDICATORS OR DEFENSIVE MEAS-
4 URES.—

5 (1) IN GENERAL.—Except as provided in para-
6 graph (2) and notwithstanding any other provision
7 of law, a non-Federal entity may, for a cybersecurity
8 purpose and consistent with the protection of classi-
9 fied information, share with, or receive from, any
10 other non-Federal entity or the Federal Government
11 a cyber threat indicator or defensive measure.

12 (2) LAWFUL RESTRICTION.—A non-Federal en-
13 tity receiving a cyber threat indicator or defensive
14 measure from another non-Federal entity or a Fed-
15 eral entity shall comply with otherwise lawful restric-
16 tions placed on the sharing or use of such cyber
17 threat indicator or defensive measure by the sharing
18 non-Federal entity or Federal entity.

19 (3) CONSTRUCTION.—Nothing in this sub-
20 section shall be construed—

21 (A) to authorize the sharing or receiving of
22 a cyber threat indicator or defensive measure
23 other than as provided in this subsection; or

24 (B) to limit otherwise lawful activity.

25 (d) PROTECTION AND USE OF INFORMATION.—

1 (1) SECURITY OF INFORMATION.—A non-Fed-
2 eral entity monitoring an information system, oper-
3 ating a defensive measure, or providing or receiving
4 a cyber threat indicator or defensive measure under
5 this section shall implement and utilize a security
6 control to protect against unauthorized access to or
7 acquisition of such cyber threat indicator or defen-
8 sive measure.

9 (2) REMOVAL OF CERTAIN PERSONAL INFORMA-
10 TION.—A non-Federal entity sharing a cyber threat
11 indicator pursuant to this title shall, prior to such
12 sharing—

13 (A) review such cyber threat indicator to
14 assess whether such cyber threat indicator con-
15 tains any information not directly related to a
16 cybersecurity threat that the non-Federal entity
17 knows at the time of sharing to be personal in-
18 formation of a specific individual or information
19 that identifies a specific individual and remove
20 such information; or

21 (B) implement and utilize a technical capa-
22 bility configured to remove any information not
23 directly related to a cybersecurity threat that
24 the non-Federal entity knows at the time of
25 sharing to be personal information of a specific

1 individual or information that identifies a spe-
2 cific individual.

3 (3) USE OF CYBER THREAT INDICATORS AND
4 DEFENSIVE MEASURES BY NON-FEDERAL ENTI-
5 TIES.—

6 (A) IN GENERAL.—Consistent with this
7 title, a cyber threat indicator or defensive meas-
8 ure shared or received under this section may,
9 for cybersecurity purposes—

10 (i) be used by a non-Federal entity to
11 monitor or operate a defensive measure
12 that is applied to—

13 (I) an information system of the
14 non-Federal entity; or

15 (II) an information system of an-
16 other non-Federal entity or a Federal
17 entity upon the written consent of
18 that other non-Federal entity or that
19 Federal entity; and

20 (ii) be otherwise used, retained, and
21 further shared by a non-Federal entity
22 subject to—

23 (I) an otherwise lawful restriction
24 placed by the sharing non-Federal en-
25 tity or Federal entity on such cyber

1 threat indicator or defensive measure;
2 or

3 (II) an otherwise applicable pro-
4 vision of law.

5 (B) CONSTRUCTION.—Nothing in this
6 paragraph shall be construed to authorize the
7 use of a cyber threat indicator or defensive
8 measure other than as provided in this section.

9 (4) USE OF CYBER THREAT INDICATORS BY
10 STATE, TRIBAL, OR LOCAL GOVERNMENT.—

11 (A) LAW ENFORCEMENT USE.—A State,
12 tribal, or local government that receives a cyber
13 threat indicator or defensive measure under this
14 title may use such cyber threat indicator or de-
15 fensive measure for the purposes described in
16 section 105(d)(5)(A).

17 (B) EXEMPTION FROM DISCLOSURE.—A
18 cyber threat indicator or defensive measure
19 shared by or with a State, tribal, or local gov-
20 ernment, including a component of a State,
21 tribal, or local government that is a private en-
22 tity, under this section shall be—

23 (i) deemed voluntarily shared informa-
24 tion; and

1 (ii) exempt from disclosure under any
2 provision of State, tribal, or local freedom
3 of information law, open government law,
4 open meetings law, open records law, sun-
5 shine law, or similar law requiring disclo-
6 sure of information or records.

7 (C) STATE, TRIBAL, AND LOCAL REGU-
8 LATORY AUTHORITY.—

9 (i) IN GENERAL.—Except as provided
10 in clause (ii), a cyber threat indicator or
11 defensive measure shared with a State,
12 tribal, or local government under this title
13 shall not be used by any State, tribal, or
14 local government to regulate, including an
15 enforcement action, the lawful activity of
16 any non-Federal entity or any activity
17 taken by a non-Federal entity pursuant to
18 mandatory standards, including an activity
19 relating to monitoring, operating a defen-
20 sive measure, or sharing of a cyber threat
21 indicator.

22 (ii) REGULATORY AUTHORITY SPE-
23 CIFICALLY RELATING TO PREVENTION OR
24 MITIGATION OF CYBERSECURITY
25 THREATS.—A cyber threat indicator or de-

1 fensive measure shared as described in
2 clause (i) may, consistent with a State,
3 tribal, or local government regulatory au-
4 thority specifically relating to the preven-
5 tion or mitigation of cybersecurity threats
6 to information systems, inform the devel-
7 opment or implementation of a regulation
8 relating to such information systems.

9 (e) ANTITRUST EXEMPTION.—

10 (1) IN GENERAL.—Except as provided in sec-
11 tion 108(e), it shall not be considered a violation of
12 any provision of antitrust laws for 2 or more private
13 entities to exchange or provide a cyber threat indi-
14 cator or defensive measure, or assistance relating to
15 the prevention, investigation, or mitigation of a
16 cybersecurity threat, for cybersecurity purposes
17 under this title.

18 (2) APPLICABILITY.—Paragraph (1) shall apply
19 only to information that is exchanged or assistance
20 provided in order to assist with—

21 (A) facilitating the prevention, investiga-
22 tion, or mitigation of a cybersecurity threat to
23 an information system or information that is
24 stored on, processed by, or transiting an infor-
25 mation system; or

1 (B) communicating or disclosing a cyber
2 threat indicator to help prevent, investigate, or
3 mitigate the effect of a cybersecurity threat to
4 an information system or information that is
5 stored on, processed by, or transiting an infor-
6 mation system.

7 (f) NO RIGHT OR BENEFIT.—The sharing of a cyber
8 threat indicator or defensive measure with a non-Federal
9 entity under this title shall not create a right or benefit
10 to similar information by such non-Federal entity or any
11 other non-Federal entity.

12 **SEC. 105. SHARING OF CYBER THREAT INDICATORS AND**
13 **DEFENSIVE MEASURES WITH THE FEDERAL**
14 **GOVERNMENT.**

15 (a) REQUIREMENT FOR POLICIES AND PROCE-
16 DURES.—

17 (1) INTERIM POLICIES AND PROCEDURES.—Not
18 later than 60 days after the date of the enactment
19 of this Act, the Attorney General and the Secretary
20 of Homeland Security shall, in consultation with the
21 heads of the appropriate Federal entities, jointly de-
22 velop and submit to Congress interim policies and
23 procedures relating to the receipt of cyber threat in-
24 dicators and defensive measures by the Federal Gov-
25 ernment.

1 (2) FINAL POLICIES AND PROCEDURES.—Not
2 later than 180 days after the date of the enactment
3 of this Act, the Attorney General and the Secretary
4 of Homeland Security shall, in consultation with the
5 heads of the appropriate Federal entities, jointly
6 issue and make publicly available final policies and
7 procedures relating to the receipt of cyber threat in-
8 dicators and defensive measures by the Federal Gov-
9 ernment.

10 (3) REQUIREMENTS CONCERNING POLICIES AND
11 PROCEDURES.—Consistent with the guidelines re-
12 quired by subsection (b), the policies and procedures
13 developed or issued under this subsection shall—

14 (A) ensure that cyber threat indicators
15 shared with the Federal Government by any
16 non-Federal entity pursuant to section 104(c)
17 through the real-time process described in sub-
18 section (c) of this section—

19 (i) are shared in an automated man-
20 ner with all of the appropriate Federal en-
21 tities;

22 (ii) are only subject to a delay, modi-
23 fication, or other action due to controls es-
24 tablished for such real-time process that
25 could impede real-time receipt by all of the

1 appropriate Federal entities when the
2 delay, modification, or other action is due
3 to controls—

4 (I) agreed upon unanimously by
5 all of the heads of the appropriate
6 Federal entities;

7 (II) carried out before any of the
8 appropriate Federal entities retains or
9 uses the cyber threat indicators or de-
10 fensive measures; and

11 (III) uniformly applied such that
12 each of the appropriate Federal enti-
13 ties is subject to the same delay,
14 modification, or other action; and

15 (iii) may be provided to other Federal
16 entities;

17 (B) ensure that cyber threat indicators
18 shared with the Federal Government by any
19 non-Federal entity pursuant to section 104 in a
20 manner other than the real-time process de-
21 scribed in subsection (c) of this section—

22 (i) are shared as quickly as operation-
23 ally practicable with all of the appropriate
24 Federal entities;

1 (ii) are not subject to any unnecessary
2 delay, interference, or any other action
3 that could impede receipt by all of the ap-
4 propriate Federal entities; and

5 (iii) may be provided to other Federal
6 entities; and

7 (C) ensure there are—

8 (i) audit capabilities; and

9 (ii) appropriate sanctions in place for
10 officers, employees, or agents of a Federal
11 entity who knowingly and willfully conduct
12 activities under this title in an unauthor-
13 ized manner.

14 (4) GUIDELINES FOR ENTITIES SHARING CYBER
15 THREAT INDICATORS WITH FEDERAL GOVERN-
16 MENT.—

17 (A) IN GENERAL.—Not later than 60 days
18 after the date of the enactment of this Act, the
19 Attorney General and the Secretary of Home-
20 land Security shall jointly develop and make
21 publicly available guidance to assist entities and
22 promote sharing of cyber threat indicators with
23 Federal entities under this title.

24 (B) CONTENTS.—The guidelines developed
25 and made publicly available under subpara-

1 graph (A) shall include guidance on the fol-
2 lowing:

3 (i) Identification of types of informa-
4 tion that would qualify as a cyber threat
5 indicator under this title that would be un-
6 likely to include information that—

7 (I) is not directly related to a
8 cybersecurity threat; and

9 (II) is personal information of a
10 specific individual or information that
11 identifies a specific individual.

12 (ii) Identification of types of informa-
13 tion protected under otherwise applicable
14 privacy laws that are unlikely to be directly
15 related to a cybersecurity threat.

16 (iii) Such other matters as the Attor-
17 ney General and the Secretary of Home-
18 land Security consider appropriate for enti-
19 ties sharing cyber threat indicators with
20 Federal entities under this title.

21 (b) PRIVACY AND CIVIL LIBERTIES.—

22 (1) INTERIM GUIDELINES.—Not later than 60
23 days after the date of the enactment of this Act, the
24 Attorney General and the Secretary of Homeland
25 Security shall, in consultation with heads of the ap-

1 appropriate Federal entities and in consultation with
2 officers designated under section 1062 of the Na-
3 tional Security Intelligence Reform Act of 2004 (42
4 U.S.C. 2000ee–1), jointly develop, submit to Con-
5 gress, and make available to the public interim
6 guidelines relating to privacy and civil liberties which
7 shall govern the receipt, retention, use, and dissemi-
8 nation of cyber threat indicators by a Federal entity
9 obtained in connection with activities authorized in
10 this title.

11 (2) FINAL GUIDELINES.—

12 (A) IN GENERAL.—Not later than 180
13 days after the date of the enactment of this
14 Act, the Attorney General and the Secretary of
15 Homeland Security shall, in coordination with
16 heads of the appropriate Federal entities and in
17 consultation with officers designated under sec-
18 tion 1062 of the National Security Intelligence
19 Reform Act of 2004 (42 U.S.C. 2000ee–1) and
20 such private entities with industry expertise as
21 the Attorney General and the Secretary con-
22 sider relevant, jointly issue and make publicly
23 available final guidelines relating to privacy and
24 civil liberties which shall govern the receipt, re-
25 tention, use, and dissemination of cyber threat

1 indicators by a Federal entity obtained in con-
2 nection with activities authorized in this title.

3 (B) PERIODIC REVIEW.—The Attorney
4 General and the Secretary of Homeland Secu-
5 rity shall, in coordination with heads of the ap-
6 propriate Federal entities and in consultation
7 with officers and private entities described in
8 subparagraph (A), periodically, but not less fre-
9 quently than once every 2 years, jointly review
10 the guidelines issued under subparagraph (A).

11 (3) CONTENT.—The guidelines required by
12 paragraphs (1) and (2) shall, consistent with the
13 need to protect information systems from
14 cybersecurity threats and mitigate cybersecurity
15 threats—

16 (A) limit the effect on privacy and civil lib-
17 erties of activities by the Federal Government
18 under this title;

19 (B) limit the receipt, retention, use, and
20 dissemination of cyber threat indicators con-
21 taining personal information of specific individ-
22 uals or information that identifies specific indi-
23 viduals, including by establishing—

24 (i) a process for the timely destruction
25 of such information that is known not to

1 be directly related to uses authorized under
2 this title; and

3 (ii) specific limitations on the length
4 of any period in which a cyber threat indi-
5 cator may be retained;

6 (C) include requirements to safeguard
7 cyber threat indicators containing personal in-
8 formation of specific individuals or information
9 that identifies specific individuals from unau-
10 thorized access or acquisition, including appro-
11 priate sanctions for activities by officers, em-
12 ployees, or agents of the Federal Government in
13 contravention of such guidelines;

14 (D) consistent with this title, any other ap-
15 plicable provisions of law, and the fair informa-
16 tion practice principles set forth in appendix A
17 of the document entitled “National Strategy for
18 Trusted Identities in Cyberspace” and pub-
19 lished by the President in April 2011, govern
20 the retention, use, and dissemination by the
21 Federal Government of cyber threat indicators
22 shared with the Federal Government under this
23 title, including the extent, if any, to which such
24 cyber threat indicators may be used by the Fed-
25 eral Government;

1 (E) include procedures for notifying enti-
2 ties and Federal entities if information received
3 pursuant to this section is known or determined
4 by a Federal entity receiving such information
5 not to constitute a cyber threat indicator;

6 (F) protect the confidentiality of cyber
7 threat indicators containing personal informa-
8 tion of specific individuals or information that
9 identifies specific individuals to the greatest ex-
10 tent practicable and require recipients to be in-
11 formed that such indicators may only be used
12 for purposes authorized under this title; and

13 (G) include steps that may be needed so
14 that dissemination of cyber threat indicators is
15 consistent with the protection of classified and
16 other sensitive national security information.

17 (c) CAPABILITY AND PROCESS WITHIN THE DEPART-
18 MENT OF HOMELAND SECURITY.—

19 (1) IN GENERAL.—Not later than 90 days after
20 the date of the enactment of this Act, the Secretary
21 of Homeland Security, in coordination with the
22 heads of the appropriate Federal entities, shall de-
23 velop and implement a capability and process within
24 the Department of Homeland Security that—

1 (A) shall accept from any non-Federal en-
2 tity in real time cyber threat indicators and de-
3 fensive measures, pursuant to this section;

4 (B) shall, upon submittal of the certifi-
5 cation under paragraph (2) that such capability
6 and process fully and effectively operates as de-
7 scribed in such paragraph, be the process by
8 which the Federal Government receives cyber
9 threat indicators and defensive measures under
10 this title that are shared by a non-Federal enti-
11 ty with the Federal Government through elec-
12 tronic mail or media, an interactive form on an
13 Internet website, or a real time, automated
14 process between information systems except—

15 (i) consistent with section 104, com-
16 munications between a Federal entity and
17 a non-Federal entity regarding a previously
18 shared cyber threat indicator to describe
19 the relevant cybersecurity threat or develop
20 a defensive measure based on such cyber
21 threat indicator; and

22 (ii) communications by a regulated
23 non-Federal entity with such entity's Fed-
24 eral regulatory authority regarding a
25 cybersecurity threat;

1 (C) ensures that all of the appropriate
2 Federal entities receive in an automated man-
3 ner such cyber threat indicators and defensive
4 measures shared through the real-time process
5 within the Department of Homeland Security;

6 (D) is in compliance with the policies, pro-
7 cedures, and guidelines required by this section;
8 and

9 (E) does not limit or prohibit otherwise
10 lawful disclosures of communications, records,
11 or other information, including—

12 (i) reporting of known or suspected
13 criminal activity, by a non-Federal entity
14 to any other non-Federal entity or a Fed-
15 eral entity, including cyber threat indica-
16 tors or defensive measures shared with a
17 Federal entity in furtherance of opening a
18 Federal law enforcement investigation;

19 (ii) voluntary or legally compelled par-
20 ticipation in a Federal investigation; and

21 (iii) providing cyber threat indicators
22 or defensive measures as part of a statu-
23 tory or authorized contractual requirement.

24 (2) CERTIFICATION AND DESIGNATION.—

1 (A) CERTIFICATION OF CAPABILITY AND
2 PROCESS.—Not later than 90 days after the
3 date of the enactment of this Act, the Secretary
4 of Homeland Security shall, in consultation
5 with the heads of the appropriate Federal enti-
6 ties, submit to Congress a certification as to
7 whether the capability and process required by
8 paragraph (1) fully and effectively operates—

9 (i) as the process by which the Fed-
10 eral Government receives from any non-
11 Federal entity a cyber threat indicator or
12 defensive measure under this title; and

13 (ii) in accordance with the interim
14 policies, procedures, and guidelines devel-
15 oped under this title.

16 (B) DESIGNATION.—

17 (i) IN GENERAL.—At any time after
18 certification is submitted under subpara-
19 graph (A), the President may designate an
20 appropriate Federal entity, other than the
21 Department of Defense (including the Na-
22 tional Security Agency), to develop and im-
23 plement a capability and process as de-
24 scribed in paragraph (1) in addition to the
25 capability and process developed under

1 such paragraph by the Secretary of Home-
2 land Security, if, not fewer than 30 days
3 before making such designation, the Presi-
4 dent submits to Congress a certification
5 and explanation that—

6 (I) such designation is necessary
7 to ensure that full, effective, and se-
8 cure operation of a capability and
9 process for the Federal Government
10 to receive from any non-Federal entity
11 cyber threat indicators or defensive
12 measures under this title;

13 (II) the designated appropriate
14 Federal entity will receive and share
15 cyber threat indicators and defensive
16 measures in accordance with the poli-
17 cies, procedures, and guidelines devel-
18 oped under this title, including sub-
19 section (a)(3)(A); and

20 (III) such designation is con-
21 sistent with the mission of such ap-
22 propriate Federal entity and improves
23 the ability of the Federal Government
24 to receive, share, and use cyber threat

1 indicators and defensive measures as
2 authorized under this title.

3 (ii) APPLICATION TO ADDITIONAL CA-
4 PABILITY AND PROCESS.—If the President
5 designates an appropriate Federal entity to
6 develop and implement a capability and
7 process under clause (i), the provisions of
8 this title that apply to the capability and
9 process required by paragraph (1) shall
10 also be construed to apply to the capability
11 and process developed and implemented
12 under clause (i).

13 (3) PUBLIC NOTICE AND ACCESS.—The Sec-
14 retary of Homeland Security shall ensure there is
15 public notice of, and access to, the capability and
16 process developed and implemented under paragraph
17 (1) so that—

18 (A) any non-Federal entity may share
19 cyber threat indicators and defensive measures
20 through such process with the Federal Govern-
21 ment; and

22 (B) all of the appropriate Federal entities
23 receive such cyber threat indicators and defen-
24 sive measures in real time with receipt through
25 the process within the Department of Home-

1 land Security consistent with the policies and
2 procedures issued under subsection (a).

3 (4) OTHER FEDERAL ENTITIES.—The process
4 developed and implemented under paragraph (1)
5 shall ensure that other Federal entities receive in a
6 timely manner any cyber threat indicators and de-
7 fensive measures shared with the Federal Govern-
8 ment through such process.

9 (d) INFORMATION SHARED WITH OR PROVIDED TO
10 THE FEDERAL GOVERNMENT.—

11 (1) NO WAIVER OF PRIVILEGE OR PROTEC-
12 TION.—The provision of cyber threat indicators and
13 defensive measures to the Federal Government
14 under this title shall not constitute a waiver of any
15 applicable privilege or protection provided by law, in-
16 cluding trade secret protection.

17 (2) PROPRIETARY INFORMATION.—Consistent
18 with section 104(c)(2) and any other applicable pro-
19 vision of law, a cyber threat indicator or defensive
20 measure provided by a non-Federal entity to the
21 Federal Government under this title shall be consid-
22 ered the commercial, financial, and proprietary in-
23 formation of such non-Federal entity when so des-
24 ignated by the originating non-Federal entity or a

1 third party acting in accordance with the written au-
2 thorization of the originating non-Federal entity.

3 (3) EXEMPTION FROM DISCLOSURE.—A cyber
4 threat indicator or defensive measure shared with
5 the Federal Government under this title shall be—

6 (A) deemed voluntarily shared information
7 and exempt from disclosure under section 552
8 of title 5, United States Code, and any State,
9 tribal, or local provision of law requiring disclo-
10 sure of information or records; and

11 (B) withheld, without discretion, from the
12 public under section 552(b)(3)(B) of title 5,
13 United States Code, and any State, tribal, or
14 local provision of law requiring disclosure of in-
15 formation or records.

16 (4) EX PARTE COMMUNICATIONS.—The provi-
17 sion of a cyber threat indicator or defensive measure
18 to the Federal Government under this title shall not
19 be subject to a rule of any Federal agency or depart-
20 ment or any judicial doctrine regarding ex parte
21 communications with a decision-making official.

22 (5) DISCLOSURE, RETENTION, AND USE.—

23 (A) AUTHORIZED ACTIVITIES.—Cyber
24 threat indicators and defensive measures pro-
25 vided to the Federal Government under this

1 title may be disclosed to, retained by, and used
2 by, consistent with otherwise applicable provi-
3 sions of Federal law, any Federal agency or de-
4 partment, component, officer, employee, or
5 agent of the Federal Government solely for—

- 6 (i) a cybersecurity purpose;
- 7 (ii) the purpose of identifying—
 - 8 (I) a cybersecurity threat, includ-
 - 9 ing the source of such cybersecurity
 - 10 threat; or
 - 11 (II) a security vulnerability;
- 12 (iii) the purpose of responding to, or
- 13 otherwise preventing or mitigating, a spe-
- 14 cific threat of death, a specific threat of se-
- 15 rious bodily harm, or a specific threat of
- 16 serious economic harm, including a ter-
- 17 rorist act or a use of a weapon of mass de-
- 18 struction;
- 19 (iv) the purpose of responding to, in-
- 20 vestigating, prosecuting, or otherwise pre-
- 21 venting or mitigating, a serious threat to a
- 22 minor, including sexual exploitation and
- 23 threats to physical safety; or
- 24 (v) the purpose of preventing, inves-
- 25 tigating, disrupting, or prosecuting an of-

1 fense arising out of a threat described in
2 clause (iii) or any of the offenses listed
3 in—

4 (I) sections 1028 through 1030
5 of title 18, United States Code (relat-
6 ing to fraud and identity theft);

7 (II) chapter 37 of such title (re-
8 lating to espionage and censorship);
9 and

10 (III) chapter 90 of such title (re-
11 lating to protection of trade secrets).

12 (B) PROHIBITED ACTIVITIES.—Cyber
13 threat indicators and defensive measures pro-
14 vided to the Federal Government under this
15 title shall not be disclosed to, retained by, or
16 used by any Federal agency or department for
17 any use not permitted under subparagraph (A).

18 (C) PRIVACY AND CIVIL LIBERTIES.—
19 Cyber threat indicators and defensive measures
20 provided to the Federal Government under this
21 title shall be retained, used, and disseminated
22 by the Federal Government—

23 (i) in accordance with the policies,
24 procedures, and guidelines required by sub-
25 sections (a) and (b);

1 (ii) in a manner that protects from
2 unauthorized use or disclosure any cyber
3 threat indicators that may contain—

4 (I) personal information of a spe-
5 cific individual; or

6 (II) information that identifies a
7 specific individual; and

8 (iii) in a manner that protects the
9 confidentiality of cyber threat indicators
10 containing—

11 (I) personal information of a spe-
12 cific individual; or

13 (II) information that identifies a
14 specific individual.

15 (D) FEDERAL REGULATORY AUTHORITY.—

16 (i) IN GENERAL.—Except as provided
17 in clause (ii), cyber threat indicators and
18 defensive measures provided to the Federal
19 Government under this title shall not be
20 used by any Federal, State, tribal, or local
21 government to regulate, including an en-
22 forcement action, the lawful activities of
23 any non-Federal entity or any activities
24 taken by a non-Federal entity pursuant to
25 mandatory standards, including activities

1 relating to monitoring, operating defensive
2 measures, or sharing cyber threat indica-
3 tors.

4 (ii) EXCEPTIONS.—

5 (I) REGULATORY AUTHORITY
6 SPECIFICALLY RELATING TO PREVEN-
7 TION OR MITIGATION OF
8 CYBERSECURITY THREATS.—Cyber
9 threat indicators and defensive meas-
10 ures provided to the Federal Govern-
11 ment under this title may, consistent
12 with Federal or State regulatory au-
13 thority specifically relating to the pre-
14 vention or mitigation of cybersecurity
15 threats to information systems, inform
16 the development or implementation of
17 regulations relating to such informa-
18 tion systems.

19 (II) PROCEDURES DEVELOPED
20 AND IMPLEMENTED UNDER THIS
21 TITLE.—Clause (i) shall not apply to
22 procedures developed and imple-
23 mented under this title.

1 **SEC. 106. PROTECTION FROM LIABILITY.**

2 (a) MONITORING OF INFORMATION SYSTEMS.—No
3 cause of action shall lie or be maintained in any court
4 against any private entity, and such action shall be
5 promptly dismissed, for the monitoring of an information
6 system and information under section 104(a) that is con-
7 ducted in accordance with this title.

8 (b) SHARING OR RECEIPT OF CYBER THREAT INDI-
9 CATORS.—No cause of action shall lie or be maintained
10 in any court against any private entity, and such action
11 shall be promptly dismissed, for the sharing or receipt of
12 a cyber threat indicator or defensive measure under sec-
13 tion 104(c) if—

14 (1) such sharing or receipt is conducted in ac-
15 cordance with this title; and

16 (2) in a case in which a cyber threat indicator
17 or defensive measure is shared with the Federal
18 Government, the cyber threat indicator or defensive
19 measure is shared in a manner that is consistent
20 with section 105(c)(1)(B) and the sharing or receipt,
21 as the case may be, occurs after the earlier of—

22 (A) the date on which the interim policies
23 and procedures are submitted to Congress
24 under section 105(a)(1) and guidelines are sub-
25 mitted to Congress under section 105(b)(1); or

1 (B) the date that is 60 days after the date
2 of the enactment of this Act.

3 (c) CONSTRUCTION.—Nothing in this title shall be
4 construed—

5 (1) to create—

6 (A) a duty to share a cyber threat indi-
7 cator or defensive measure; or

8 (B) a duty to warn or act based on the re-
9 ceipt of a cyber threat indicator or defensive
10 measure; or

11 (2) to undermine or limit the availability of oth-
12 erwise applicable common law or statutory defenses.

13 **SEC. 107. OVERSIGHT OF GOVERNMENT ACTIVITIES.**

14 (a) REPORT ON IMPLEMENTATION.—

15 (1) IN GENERAL.—Not later than 1 year after
16 the date of the enactment of this title, the heads of
17 the appropriate Federal entities shall jointly submit
18 to Congress a detailed report concerning the imple-
19 mentation of this title.

20 (2) CONTENTS.—The report required by para-
21 graph (1) may include such recommendations as the
22 heads of the appropriate Federal entities may have
23 for improvements or modifications to the authorities,
24 policies, procedures, and guidelines under this title
25 and shall include the following:

1 (A) An evaluation of the effectiveness of
2 real-time information sharing through the capa-
3 bility and process developed under section
4 105(c), including any impediments to such real-
5 time sharing.

6 (B) An assessment of whether cyber threat
7 indicators or defensive measures have been
8 properly classified and an accounting of the
9 number of security clearances authorized by the
10 Federal Government for the purpose of sharing
11 cyber threat indicators or defensive measures
12 with the private sector.

13 (C) The number of cyber threat indicators
14 or defensive measures received through the ca-
15 pability and process developed under section
16 105(c).

17 (D) A list of Federal entities that have re-
18 ceived cyber threat indicators or defensive
19 measures under this title.

20 (b) BIENNIAL REPORT ON COMPLIANCE.—

21 (1) IN GENERAL.—Not later than 2 years after
22 the date of the enactment of this Act and not less
23 frequently than once every 2 years thereafter, the in-
24 spectors general of the appropriate Federal entities,
25 in consultation with the Inspector General of the In-

1 intelligence Community and the Council of Inspectors
2 General on Financial Oversight, shall jointly submit
3 to Congress an interagency report on the actions of
4 the executive branch of the Federal Government to
5 carry out this title during the most recent 2-year pe-
6 riod.

7 (2) CONTENTS.—Each report submitted under
8 paragraph (1) shall include, for the period covered
9 by the report, the following:

10 (A) An assessment of the sufficiency of the
11 policies, procedures, and guidelines relating to
12 the sharing of cyber threat indicators within the
13 Federal Government, including those policies,
14 procedures, and guidelines relating to the re-
15 moval of information not directly related to a
16 cybersecurity threat that is personal informa-
17 tion of a specific individual or information that
18 identifies a specific individual.

19 (B) An assessment of whether cyber threat
20 indicators or defensive measures have been
21 properly classified and an accounting of the
22 number of security clearances authorized by the
23 Federal Government for the purpose of sharing
24 cyber threat indicators or defensive measures
25 with the private sector.

1 (C) A review of the actions taken by the
2 Federal Government based on cyber threat indi-
3 cators or defensive measures shared with the
4 Federal Government under this title, including
5 a review of the following:

6 (i) The appropriateness of subsequent
7 uses and disseminations of cyber threat in-
8 dicators or defensive measures.

9 (ii) Whether cyber threat indicators or
10 defensive measures were shared in a timely
11 and adequate manner with appropriate en-
12 tities, or, if appropriate, were made pub-
13 licly available.

14 (D) An assessment of the cyber threat in-
15 dicators or defensive measures shared with the
16 appropriate Federal entities under this title, in-
17 cluding the following:

18 (i) The number of cyber threat indica-
19 tors or defensive measures shared through
20 the capability and process developed under
21 section 105(c).

22 (ii) An assessment of any information
23 not directly related to a cybersecurity
24 threat that is personal information of a
25 specific individual or information identi-

1 fying a specific individual and was shared
2 by a non-Federal government entity with
3 the Federal government in contravention of
4 this title, or was shared within the Federal
5 Government in contravention of the guide-
6 lines required by this title, including a de-
7 scription of any significant violation of this
8 title.

9 (iii) The number of times, according
10 to the Attorney General, that information
11 shared under this title was used by a Fed-
12 eral entity to prosecute an offense listed in
13 section 105(d)(5)(A).

14 (iv) A quantitative and qualitative as-
15 sessment of the effect of the sharing of
16 cyber threat indicators or defensive meas-
17 ures with the Federal Government on pri-
18 vacy and civil liberties of specific individ-
19 uals, including the number of notices that
20 were issued with respect to a failure to re-
21 move information not directly related to a
22 cybersecurity threat that was personal in-
23 formation of a specific individual or infor-
24 mation that identified a specific individual

1 in accordance with the procedures required
2 by section 105(b)(3)(E).

3 (v) The adequacy of any steps taken
4 by the Federal Government to reduce any
5 adverse effect from activities carried out
6 under this title on the privacy and civil lib-
7 erties of United States persons.

8 (E) An assessment of the sharing of cyber
9 threat indicators or defensive measures among
10 Federal entities to identify inappropriate bar-
11 riers to sharing information.

12 (3) RECOMMENDATIONS.—Each report sub-
13 mitted under this subsection may include such rec-
14 ommendations as the inspectors general may have
15 for improvements or modifications to the authorities
16 and processes under this title.

17 (c) INDEPENDENT REPORT ON REMOVAL OF PER-
18 SONAL INFORMATION.—Not later than 3 years after the
19 date of the enactment of this Act, the Comptroller General
20 of the United States shall submit to Congress a report
21 on the actions taken by the Federal Government to remove
22 personal information from cyber threat indicators or de-
23 fensive measures pursuant to this title. Such report shall
24 include an assessment of the sufficiency of the policies,

1 procedures, and guidelines established under this title in
2 addressing concerns relating to privacy and civil liberties.

3 (d) FORM OF REPORTS.—Each report required under
4 this section shall be submitted in an unclassified form, but
5 may include a classified annex.

6 (e) PUBLIC AVAILABILITY OF REPORTS.—The un-
7 classified portions of the reports required under this sec-
8 tion shall be made available to the public.

9 **SEC. 108. CONSTRUCTION AND PREEMPTION.**

10 (a) OTHERWISE LAWFUL DISCLOSURES.—Nothing in
11 this title shall be construed—

12 (1) to limit or prohibit otherwise lawful dislo-
13 sures of communications, records, or other informa-
14 tion, including reporting of known or suspected
15 criminal activity, by a non-Federal entity to any
16 other non-Federal entity or the Federal Government
17 under this title; or

18 (2) to limit or prohibit otherwise lawful use of
19 such disclosures by any Federal entity, even when
20 such otherwise lawful disclosures duplicate or rep-
21 licate disclosures made under this title.

22 (b) WHISTLE BLOWER PROTECTIONS.—Nothing in
23 this title shall be construed to prohibit or limit the dislo-
24 sure of information protected under section 2302(b)(8) of
25 title 5, United States Code (governing disclosures of ille-

1 gality, waste, fraud, abuse, or public health or safety
2 threats), section 7211 of title 5, United States Code (gov-
3 erning disclosures to Congress), section 1034 of title 10,
4 United States Code (governing disclosure to Congress by
5 members of the military), section 1104 of the National
6 Security Act of 1947 (50 U.S.C. 3234) (governing dislo-
7 sure by employees of elements of the intelligence commu-
8 nity), or any similar provision of Federal or State law.

9 (c) PROTECTION OF SOURCES AND METHODS.—

10 Nothing in this title shall be construed—

11 (1) as creating any immunity against, or other-
12 wise affecting, any action brought by the Federal
13 Government, or any agency or department thereof,
14 to enforce any law, executive order, or procedure
15 governing the appropriate handling, disclosure, or
16 use of classified information;

17 (2) to affect the conduct of authorized law en-
18 forcement or intelligence activities; or

19 (3) to modify the authority of a department or
20 agency of the Federal Government to protect classi-
21 fied information and sources and methods and the
22 national security of the United States.

23 (d) RELATIONSHIP TO OTHER LAWS.—Nothing in
24 this title shall be construed to affect any requirement

1 under any other provision of law for a non-Federal entity
2 to provide information to the Federal Government.

3 (e) PROHIBITED CONDUCT.—Nothing in this title
4 shall be construed to permit price-fixing, allocating a mar-
5 ket between competitors, monopolizing or attempting to
6 monopolize a market, boycotting, or exchanges of price or
7 cost information, customer lists, or information regarding
8 future competitive planning.

9 (f) INFORMATION SHARING RELATIONSHIPS.—Noth-
10 ing in this title shall be construed—

11 (1) to limit or modify an existing information
12 sharing relationship;

13 (2) to prohibit a new information sharing rela-
14 tionship;

15 (3) to require a new information sharing rela-
16 tionship between any non-Federal entity and a Fed-
17 eral entity or another non-Federal entity; or

18 (4) to require the use of the capability and
19 process within the Department of Homeland Secu-
20 rity developed under section 105(c).

21 (g) PRESERVATION OF CONTRACTUAL OBLIGATIONS
22 AND RIGHTS.—Nothing in this title shall be construed—

23 (1) to amend, repeal, or supersede any current
24 or future contractual agreement, terms of service
25 agreement, or other contractual relationship between

1 any non-Federal entities, or between any non-Fed-
2 eral entity and a Federal entity; or

3 (2) to abrogate trade secret or intellectual prop-
4 erty rights of any non-Federal entity or Federal en-
5 tity.

6 (h) ANTI-TASKING RESTRICTION.—Nothing in this
7 title shall be construed to permit a Federal entity—

8 (1) to require a non-Federal entity to provide
9 information to a Federal entity or another non-Fed-
10 eral entity;

11 (2) to condition the sharing of cyber threat in-
12 dicators with a non-Federal entity on such entity's
13 provision of cyber threat indicators to a Federal en-
14 tity or another non-Federal entity; or

15 (3) to condition the award of any Federal
16 grant, contract, or purchase on the provision of a
17 cyber threat indicator to a Federal entity or another
18 non-Federal entity.

19 (i) NO LIABILITY FOR NON-PARTICIPATION.—Noth-
20 ing in this title shall be construed to subject any entity
21 to liability for choosing not to engage in the voluntary ac-
22 tivities authorized in this title.

23 (j) USE AND RETENTION OF INFORMATION.—Noth-
24 ing in this title shall be construed to authorize, or to mod-
25 ify any existing authority of, a department or agency of

1 the Federal Government to retain or use any information
2 shared under this title for any use other than permitted
3 in this title.

4 (k) FEDERAL PREEMPTION.—

5 (1) IN GENERAL.—This title supersedes any
6 statute or other provision of law of a State or polit-
7 ical subdivision of a State that restricts or otherwise
8 expressly regulates an activity authorized under this
9 title.

10 (2) STATE LAW ENFORCEMENT.—Nothing in
11 this title shall be construed to supersede any statute
12 or other provision of law of a State or political sub-
13 division of a State concerning the use of authorized
14 law enforcement practices and procedures.

15 (l) REGULATORY AUTHORITY.—Nothing in this title
16 shall be construed—

17 (1) to authorize the promulgation of any regu-
18 lations not specifically authorized to be issued under
19 this title;

20 (2) to establish or limit any regulatory author-
21 ity not specifically established or limited under this
22 title; or

23 (3) to authorize regulatory actions that would
24 duplicate or conflict with regulatory requirements,

1 mandatory standards, or related processes under an-
2 other provision of Federal law.

3 (m) **AUTHORITY OF SECRETARY OF DEFENSE TO**
4 **RESPOND TO MALICIOUS CYBER ACTIVITY CARRIED OUT**
5 **BY FOREIGN POWERS.**—Nothing in this title shall be con-
6 strued to limit the authority of the Secretary of Defense
7 under section 130g of title 10, United States Code.

8 (n) **CRIMINAL PROSECUTION.**—Nothing in this title
9 shall be construed to prevent the disclosure of a cyber
10 threat indicator or defensive measure shared under this
11 title in a case of criminal prosecution, when an applicable
12 provision of Federal, State, tribal, or local law requires
13 disclosure in such case.

14 **SEC. 109. REPORT ON CYBERSECURITY THREATS.**

15 (a) **REPORT REQUIRED.**—Not later than 180 days
16 after the date of the enactment of this Act, the Director
17 of National Intelligence, in coordination with the heads of
18 other appropriate elements of the intelligence community,
19 shall submit to the Select Committee on Intelligence of
20 the Senate and the Permanent Select Committee on Intel-
21 ligence of the House of Representatives a report on
22 cybersecurity threats, including cyber attacks, theft, and
23 data breaches.

24 (b) **CONTENTS.**—The report required by subsection
25 (a) shall include the following:

1 (1) An assessment of the current intelligence
2 sharing and cooperation relationships of the United
3 States with other countries regarding cybersecurity
4 threats, including cyber attacks, theft, and data
5 breaches, directed against the United States and
6 which threaten the United States national security
7 interests and economy and intellectual property, spe-
8 cifically identifying the relative utility of such rela-
9 tionships, which elements of the intelligence commu-
10 nity participate in such relationships, and whether
11 and how such relationships could be improved.

12 (2) A list and an assessment of the countries
13 and nonstate actors that are the primary threats of
14 carrying out a cybersecurity threat, including a
15 cyber attack, theft, or data breach, against the
16 United States and which threaten the United States
17 national security, economy, and intellectual property.

18 (3) A description of the extent to which the ca-
19 pabilities of the United States Government to re-
20 spond to or prevent cybersecurity threats, including
21 cyber attacks, theft, or data breaches, directed
22 against the United States private sector are de-
23 graded by a delay in the prompt notification by pri-
24 vate entities of such threats or cyber attacks, theft,
25 and data breaches.

1 (4) An assessment of additional technologies or
2 capabilities that would enhance the ability of the
3 United States to prevent and to respond to
4 cybersecurity threats, including cyber attacks, theft,
5 and data breaches.

6 (5) An assessment of any technologies or prac-
7 tices utilized by the private sector that could be rap-
8 idly fielded to assist the intelligence community in
9 preventing and responding to cybersecurity threats.

10 (c) FORM OF REPORT.—The report required by sub-
11 section (a) shall be made available in classified and unclas-
12 sified forms.

13 (d) INTELLIGENCE COMMUNITY DEFINED.—In this
14 section, the term “intelligence community” has the mean-
15 ing given that term in section 3 of the National Security
16 Act of 1947 (50 U.S.C. 3003).

17 **SEC. 110. EXCEPTION TO LIMITATION ON AUTHORITY OF**
18 **SECRETARY OF DEFENSE TO DISSEMINATE**
19 **CERTAIN INFORMATION.**

20 Notwithstanding subsection (c)(3) of section 393 of
21 title 10, United States Code, the Secretary of Defense may
22 authorize the sharing of cyber threat indicators and defen-
23 sive measures pursuant to the policies, procedures, and
24 guidelines developed or issued under this title.

1 **SEC. 111. EFFECTIVE PERIOD.**

2 (a) IN GENERAL.—Except as provided in subsection
3 (b), this title and the amendments made by this title shall
4 be effective during the period beginning on the date of
5 the enactment of this Act and ending on September 30,
6 2025.

7 (b) EXCEPTION.—With respect to any action author-
8 ized by this title or information obtained pursuant to an
9 action authorized by this title, which occurred before the
10 date on which the provisions referred to in subsection (a)
11 cease to have effect, the provisions of this title shall con-
12 tinue in effect.

13 **TITLE II—NATIONAL**
14 **CYBERSECURITY ADVANCE-**
15 **MENT**

16 **Subtitle A—National Cybersecurity**
17 **and Communications Integra-**
18 **tion Center**

19 **SEC. 201. SHORT TITLE.**

20 This subtitle may be cited as the “National
21 Cybersecurity Protection Advancement Act of 2015”.

22 **SEC. 202. DEFINITIONS.**

23 In this subtitle:

24 (1) APPROPRIATE CONGRESSIONAL COMMIT-
25 TEES.—The term “appropriate congressional com-
26 mittees” means—

1 (A) the Committee on Homeland Security
2 and Governmental Affairs of the Senate; and

3 (B) the Committee on Homeland Security
4 of the House of Representatives.

5 (2) CYBERSECURITY RISK; INCIDENT.—The
6 terms “cybersecurity risk” and “incident” have the
7 meanings given those terms in section 227 of the
8 Homeland Security Act of 2002, as so redesignated
9 by section 223(a)(3) of this division.

10 (3) CYBER THREAT INDICATOR; DEFENSIVE
11 MEASURE.—The terms “cyber threat indicator” and
12 “defensive measure” have the meanings given those
13 terms in section 102.

14 (4) DEPARTMENT.—The term “Department”
15 means the Department of Homeland Security.

16 (5) SECRETARY.—The term “Secretary” means
17 the Secretary of Homeland Security.

18 **SEC. 203. INFORMATION SHARING STRUCTURE AND PROC-**
19 **ESSES.**

20 Section 227 of the Homeland Security Act of 2002,
21 as so redesignated by section 223(a)(3) of this division,
22 is amended—

23 (1) in subsection (a)—

24 (A) by redesignating paragraphs (3) and

25 (4) as paragraphs (4) and (5), respectively;

1 (B) by striking paragraphs (1) and (2) and
2 inserting the following:

3 “(1) the term ‘cybersecurity risk’—

4 “(A) means threats to and vulnerabilities
5 of information or information systems and any
6 related consequences caused by or resulting
7 from unauthorized access, use, disclosure, deg-
8 radation, disruption, modification, or destruc-
9 tion of such information or information sys-
10 tems, including such related consequences
11 caused by an act of terrorism; and

12 “(B) does not include any action that sole-
13 ly involves a violation of a consumer term of
14 service or a consumer licensing agreement;

15 “(2) the terms ‘cyber threat indicator’ and ‘de-
16 fensive measure’ have the meanings given those
17 terms in section 102 of the Cybersecurity Act of
18 2015;

19 “(3) the term ‘incident’ means an occurrence
20 that actually or imminently jeopardizes, without law-
21 ful authority, the integrity, confidentiality, or avail-
22 ability of information on an information system, or
23 actually or imminently jeopardizes, without lawful
24 authority, an information system;”;

1 (C) in paragraph (4), as so redesignated,
2 by striking “and” at the end;

3 (D) in paragraph (5), as so redesignated,
4 by striking the period at the end and inserting
5 “; and”; and

6 (E) by adding at the end the following:

7 “(6) the term ‘sharing’ (including all conjuga-
8 tions thereof) means providing, receiving, and dis-
9 seminating (including all conjugations of each of
10 such terms).”;

11 (2) in subsection (c)—

12 (A) in paragraph (1)—

13 (i) by inserting “, including the imple-
14 mentation of title I of the Cybersecurity
15 Act of 2015” before the semicolon at the
16 end; and

17 (ii) by inserting “cyber threat indica-
18 tors, defensive measures,” before
19 “cybersecurity risks”;

20 (B) in paragraph (3), by striking
21 “cybersecurity risks” and inserting “cyber
22 threat indicators, defensive measures,
23 cybersecurity risks,”;

24 (C) in paragraph (5)(A), by striking
25 “cybersecurity risks” and inserting “cyber

1 threat indicators, defensive measures,
2 cybersecurity risks,”;

3 (D) in paragraph (6)—

4 (i) by striking “cybersecurity risks”
5 and inserting “cyber threat indicators, de-
6 fensive measures, cybersecurity risks,”;
7 and

8 (ii) by striking “and” at the end;

9 (E) in paragraph (7)—

10 (i) in subparagraph (A), by striking
11 “and” at the end;

12 (ii) in subparagraph (B), by striking
13 the period at the end and inserting “;
14 and”; and

15 (iii) by adding at the end the fol-
16 lowing:

17 “(C) sharing cyber threat indicators and
18 defensive measures;”; and

19 (F) by adding at the end the following:

20 “(8) engaging with international partners, in
21 consultation with other appropriate agencies, to—

22 “(A) collaborate on cyber threat indicators,
23 defensive measures, and information related to
24 cybersecurity risks and incidents; and

1 “(B) enhance the security and resilience of
2 global cybersecurity;

3 “(9) sharing cyber threat indicators, defensive
4 measures, and other information related to
5 cybersecurity risks and incidents with Federal and
6 non-Federal entities, including across sectors of crit-
7 ical infrastructure and with State and major urban
8 area fusion centers, as appropriate;

9 “(10) participating, as appropriate, in national
10 exercises run by the Department; and

11 “(11) in coordination with the Office of Emer-
12 gency Communications of the Department, assessing
13 and evaluating consequence, vulnerability, and threat
14 information regarding cyber incidents to public safe-
15 ty communications to help facilitate continuous im-
16 provements to the security and resiliency of such
17 communications.”;

18 (3) in subsection (d)(1)—

19 (A) in subparagraph (B)—

20 (i) in clause (i), by striking “and
21 local” and inserting “, local, and tribal”;

22 (ii) in clause (ii), by striking “; and”
23 and inserting “, including information
24 sharing and analysis centers.”;

1 (iii) in clause (iii), by adding “and” at
2 the end; and

3 (iv) by adding at the end the fol-
4 lowing:

5 “(iv) private entities;”.

6 (B) in subparagraph (D), by striking
7 “and” at the end;

8 (C) by redesignating subparagraph (E) as
9 subparagraph (F); and

10 (D) by inserting after subparagraph (D)
11 the following:

12 “(E) an entity that collaborates with State
13 and local governments on cybersecurity risks
14 and incidents, and has entered into a voluntary
15 information sharing relationship with the Cen-
16 ter; and”;

17 (4) in subsection (e)—

18 (A) in paragraph (1)—

19 (i) in subparagraph (A), by inserting
20 “cyber threat indicators, defensive meas-
21 ures, and” before “information”;

22 (ii) in subparagraph (B), by inserting
23 “cyber threat indicators, defensive meas-
24 ures, and” before “information related”;

25 (iii) in subparagraph (F)—

1 (I) by striking “cybersecurity
2 risks” and inserting “cyber threat in-
3 dicators, defensive measures,
4 cybersecurity risks,”; and

5 (II) by striking “and” at the end;

6 (iv) in subparagraph (G), by striking
7 “cybersecurity risks and incidents” and in-
8 serting “cyber threat indicators, defensive
9 measures, cybersecurity risks, and inci-
10 dents; and”; and

11 (v) by adding at the end the following:

12 “(H) the Center designates an agency con-
13 tact for non-Federal entities;”;

14 (B) in paragraph (2)—

15 (i) by striking “cybersecurity risks”
16 and inserting “cyber threat indicators, de-
17 fensive measures, cybersecurity risks,”;
18 and

19 (ii) by inserting “or disclosure” after
20 “access”; and

21 (C) in paragraph (3), by inserting before
22 the period at the end the following: “, including
23 by working with the Privacy Officer appointed
24 under section 222 to ensure that the Center fol-
25 lows the policies and procedures specified in

1 subsections (b) and (d)(5)(C) of section 105 of
2 the Cybersecurity Act of 2015”; and

3 (5) by adding at the end the following:

4 “(g) AUTOMATED INFORMATION SHARING.—

5 “(1) IN GENERAL.—The Under Secretary ap-
6 pointed under section 103(a)(1)(H), in coordination
7 with industry and other stakeholders, shall develop
8 capabilities making use of existing information tech-
9 nology industry standards and best practices, as ap-
10 propriate, that support and rapidly advance the de-
11 velopment, adoption, and implementation of auto-
12 mated mechanisms for the sharing of cyber threat
13 indicators and defensive measures in accordance
14 with title I of the Cybersecurity Act of 2015.

15 “(2) ANNUAL REPORT.—The Under Secretary
16 appointed under section 103(a)(1)(H) shall submit
17 to the Committee on Homeland Security and Gov-
18 ernmental Affairs of the Senate and the Committee
19 on Homeland Security of the House of Representa-
20 tives an annual report on the status and progress of
21 the development of the capabilities described in
22 paragraph (1). Such reports shall be required until
23 such capabilities are fully implemented.

24 “(h) VOLUNTARY INFORMATION SHARING PROCE-
25 DURES.—

1 “(1) PROCEDURES.—

2 “(A) IN GENERAL.—The Center may enter
3 into a voluntary information sharing relation-
4 ship with any consenting non-Federal entity for
5 the sharing of cyber threat indicators and de-
6 fensive measures for cybersecurity purposes in
7 accordance with this section. Nothing in this
8 subsection may be construed to require any
9 non-Federal entity to enter into any such infor-
10 mation sharing relationship with the Center or
11 any other entity. The Center may terminate a
12 voluntary information sharing relationship
13 under this subsection, at the sole and
14 unreviewable discretion of the Secretary, acting
15 through the Under Secretary appointed under
16 section 103(a)(1)(H), for any reason, including
17 if the Center determines that the non-Federal
18 entity with which the Center has entered into
19 such a relationship has violated the terms of
20 this subsection.

21 “(B) NATIONAL SECURITY.—The Sec-
22 retary may decline to enter into a voluntary in-
23 formation sharing relationship under this sub-
24 section, at the sole and unreviewable discretion
25 of the Secretary, acting through the Under Sec-

1 retary appointed under section 103(a)(1)(H),
2 for any reason, including if the Secretary deter-
3 mines that such is appropriate for national se-
4 curity.

5 “(2) VOLUNTARY INFORMATION SHARING RELA-
6 TIONSHPIS.—A voluntary information sharing rela-
7 tionship under this subsection may be characterized
8 as an agreement described in this paragraph.

9 “(A) STANDARD AGREEMENT.—For the
10 use of a non-Federal entity, the Center shall
11 make available a standard agreement, con-
12 sistent with this section, on the Department’s
13 website.

14 “(B) NEGOTIATED AGREEMENT.—At the
15 request of a non-Federal entity, and if deter-
16 mined appropriate by the Center, at the sole
17 and unreviewable discretion of the Secretary,
18 acting through the Under Secretary appointed
19 under section 103(a)(1)(H), the Department
20 shall negotiate a non-standard agreement, con-
21 sistent with this section.

22 “(C) EXISTING AGREEMENTS.—An agree-
23 ment between the Center and a non-Federal en-
24 tity that is entered into before the date of en-
25 actment of this subsection, or such an agree-

1 ment that is in effect before such date, shall be
2 deemed in compliance with the requirements of
3 this subsection, notwithstanding any other pro-
4 vision or requirement of this subsection. An
5 agreement under this subsection shall include
6 the relevant privacy protections as in effect
7 under the Cooperative Research and Develop-
8 ment Agreement for Cybersecurity Information
9 Sharing and Collaboration, as of December 31,
10 2014. Nothing in this subsection may be con-
11 strued to require a non-Federal entity to enter
12 into either a standard or negotiated agreement
13 to be in compliance with this subsection.

14 “(i) DIRECT REPORTING.—The Secretary shall de-
15 velop policies and procedures for direct reporting to the
16 Secretary by the Director of the Center regarding signifi-
17 cant cybersecurity risks and incidents.

18 “(j) REPORTS ON INTERNATIONAL COOPERATION.—
19 Not later than 180 days after the date of enactment of
20 this subsection, and periodically thereafter, the Secretary
21 of Homeland Security shall submit to the Committee on
22 Homeland Security and Governmental Affairs of the Sen-
23 ate and the Committee on Homeland Security of the
24 House of Representatives a report on the range of efforts
25 underway to bolster cybersecurity collaboration with rel-

1 evant international partners in accordance with subsection
2 (c)(8).

3 “(k) OUTREACH.—Not later than 60 days after the
4 date of enactment of this subsection, the Secretary, acting
5 through the Under Secretary appointed under section
6 103(a)(1)(H), shall—

7 “(1) disseminate to the public information
8 about how to voluntarily share cyber threat indica-
9 tors and defensive measures with the Center; and

10 “(2) enhance outreach to critical infrastructure
11 owners and operators for purposes of such sharing.

12 “(l) COORDINATED VULNERABILITY DISCLOSURE.—
13 The Secretary, in coordination with industry and other
14 stakeholders, may develop and adhere to Department poli-
15 cies and procedures for coordinating vulnerability disclo-
16 sures.”.

17 **SEC. 204. INFORMATION SHARING AND ANALYSIS ORGANI-**
18 **ZATIONS.**

19 Section 212 of the Homeland Security Act of 2002
20 (6 U.S.C. 131) is amended—

21 (1) in paragraph (5)—

22 (A) in subparagraph (A)—

23 (i) by inserting “, including informa-
24 tion related to cybersecurity risks and inci-

1 dents,” after “critical infrastructure infor-
2 mation”; and

3 (ii) by inserting “, including
4 cybersecurity risks and incidents,” after
5 “related to critical infrastructure”;

6 (B) in subparagraph (B)—

7 (i) by inserting “, including
8 cybersecurity risks and incidents,” after
9 “critical infrastructure information”; and

10 (ii) by inserting “, including
11 cybersecurity risks and incidents,” after
12 “related to critical infrastructure”; and

13 (C) in subparagraph (C), by inserting “,
14 including cybersecurity risks and incidents,”
15 after “critical infrastructure information”; and

16 (2) by adding at the end the following:

17 “(8) CYBERSECURITY RISK; INCIDENT.—The
18 terms ‘cybersecurity risk’ and ‘incident’ have the
19 meanings given those terms in section 227.”.

20 **SEC. 205. NATIONAL RESPONSE FRAMEWORK.**

21 Section 228 of the Homeland Security Act of 2002,
22 as added by section 223(a)(4) of this division, is amended
23 by adding at the end the following:

24 “(d) NATIONAL RESPONSE FRAMEWORK.—The Sec-
25 retary, in coordination with the heads of other appropriate

1 Federal departments and agencies, and in accordance with
2 the National Cybersecurity Incident Response Plan re-
3 quired under subsection (c), shall regularly update, main-
4 tain, and exercise the Cyber Incident Annex to the Na-
5 tional Response Framework of the Department.”.

6 **SEC. 206. REPORT ON REDUCING CYBERSECURITY RISKS IN**
7 **DHS DATA CENTERS.**

8 Not later than 1 year after the date of the enactment
9 of this Act, the Secretary shall submit to the appropriate
10 congressional committees a report on the feasibility of the
11 Department creating an environment for the reduction in
12 cybersecurity risks in Department data centers, including
13 by increasing compartmentalization between systems, and
14 providing a mix of security controls between such compart-
15 ments.

16 **SEC. 207. ASSESSMENT.**

17 Not later than 2 years after the date of enactment
18 of this Act, the Comptroller General of the United States
19 shall submit to the appropriate congressional committees
20 a report that includes—

21 (1) an assessment of the implementation by the
22 Secretary of this title and the amendments made by
23 this title; and

24 (2) to the extent practicable, findings regarding
25 increases in the sharing of cyber threat indicators,

1 defensive measures, and information relating to
2 cybersecurity risks and incidents at the center estab-
3 lished under section 227 of the Homeland Security
4 Act of 2002, as redesignated by section 223(a) of
5 this division, and throughout the United States.

6 **SEC. 208. MULTIPLE SIMULTANEOUS CYBER INCIDENTS AT**
7 **CRITICAL INFRASTRUCTURE.**

8 Not later than 1 year after the date of enactment
9 of this Act, the Under Secretary appointed under section
10 103(a)(1)(H) of the Homeland Security Act of 2002 (6
11 U.S.C. 113(a)(1)(H)) shall provide information to the ap-
12 propriate congressional committees on the feasibility of
13 producing a risk-informed plan to address the risk of mul-
14 tiple simultaneous cyber incidents affecting critical infra-
15 structure, including cyber incidents that may have a cas-
16 cading effect on other critical infrastructure.

17 **SEC. 209. REPORT ON CYBERSECURITY VULNERABILITIES**
18 **OF UNITED STATES PORTS.**

19 Not later than 180 days after the date of enactment
20 of this Act, the Secretary shall submit to the appropriate
21 congressional committees, the Committee on Commerce,
22 Science and Transportation of the Senate, and the Com-
23 mittee on Transportation and Infrastructure of the House
24 of Representatives a report on cybersecurity vulnerabilities
25 for the 10 United States ports that the Secretary deter-

1 mines are at greatest risk of a cybersecurity incident and
2 provide recommendations to mitigate such vulnerabilities.

3 **SEC. 210. PROHIBITION ON NEW REGULATORY AUTHORITY.**

4 Nothing in this subtitle or the amendments made by
5 this subtitle may be construed to grant the Secretary any
6 authority to promulgate regulations or set standards relat-
7 ing to the cybersecurity of non-Federal entities, not in-
8 cluding State, local, and tribal governments, that was not
9 in effect on the day before the date of enactment of this
10 Act.

11 **SEC. 211. TERMINATION OF REPORTING REQUIREMENTS.**

12 Any reporting requirements in this subtitle shall ter-
13minate on the date that is 7 years after the date of enact-
14ment of this Act.

15 **Subtitle B—Federal Cybersecurity**
16 **Enhancement**

17 **SEC. 221. SHORT TITLE.**

18 This subtitle may be cited as the “Federal
19 Cybersecurity Enhancement Act of 2015”.

20 **SEC. 222. DEFINITIONS.**

21 In this subtitle:

22 (1) AGENCY.—The term “agency” has the
23 meaning given the term in section 3502 of title 44,
24 United States Code.

1 (2) AGENCY INFORMATION SYSTEM.—The term
2 “agency information system” has the meaning given
3 the term in section 228 of the Homeland Security
4 Act of 2002, as added by section 223(a)(4) of this
5 division.

6 (3) APPROPRIATE CONGRESSIONAL COMMIT-
7 TEES.—The term “appropriate congressional com-
8 mittees” means—

9 (A) the Committee on Homeland Security
10 and Governmental Affairs of the Senate; and

11 (B) the Committee on Homeland Security
12 of the House of Representatives.

13 (4) CYBERSECURITY RISK; INFORMATION SYS-
14 TEM.—The terms “cybersecurity risk” and “infor-
15 mation system” have the meanings given those
16 terms in section 227 of the Homeland Security Act
17 of 2002, as so redesignated by section 223(a)(3) of
18 this division.

19 (5) DIRECTOR.—The term “Director” means
20 the Director of the Office of Management and Budg-
21 et.

22 (6) INTELLIGENCE COMMUNITY.—The term
23 “intelligence community” has the meaning given the
24 term in section 3(4) of the National Security Act of
25 1947 (50 U.S.C. 3003(4)).

1 (7) NATIONAL SECURITY SYSTEM.—The term
2 “national security system” has the meaning given
3 the term in section 11103 of title 40, United States
4 Code.

5 (8) SECRETARY.—The term “Secretary” means
6 the Secretary of Homeland Security.

7 **SEC. 223. IMPROVED FEDERAL NETWORK SECURITY.**

8 (a) IN GENERAL.—Subtitle C of title II of the Home-
9 land Security Act of 2002 (6 U.S.C. 141 et seq.) is amend-
10 ed—

11 (1) by redesignating section 228 as section 229;

12 (2) by redesignating section 227 as subsection
13 (c) of section 228, as added by paragraph (4), and
14 adjusting the margins accordingly;

15 (3) by redesignating the second section des-
16 ignated as section 226 (relating to the national
17 cybersecurity and communications integration cen-
18 ter) as section 227;

19 (4) by inserting after section 227, as so redesign-
20 ated, the following:

21 **“SEC. 228. CYBERSECURITY PLANS.**

22 “(a) DEFINITIONS.—In this section—

23 “(1) the term ‘agency information system’
24 means an information system used or operated by an
25 agency or by another entity on behalf of an agency;

1 “(2) the terms ‘cybersecurity risk’ and ‘infor-
2 mation system’ have the meanings given those terms
3 in section 227;

4 “(3) the term ‘intelligence community’ has the
5 meaning given the term in section 3(4) of the Na-
6 tional Security Act of 1947 (50 U.S.C. 3003(4));
7 and

8 “(4) the term ‘national security system’ has the
9 meaning given the term in section 11103 of title 40,
10 United States Code.

11 “(b) INTRUSION ASSESSMENT PLAN.—

12 “(1) REQUIREMENT.—The Secretary, in coordi-
13 nation with the Director of the Office of Manage-
14 ment and Budget, shall—

15 “(A) develop and implement an intrusion
16 assessment plan to proactively detect, identify,
17 and remove intruders in agency information
18 systems on a routine basis; and

19 “(B) update such plan as necessary.

20 “(2) EXCEPTION.—The intrusion assessment
21 plan required under paragraph (1) shall not apply to
22 the Department of Defense, a national security sys-
23 tem, or an element of the intelligence community.”;

1 (5) in section 228(c), as so redesignated, by
2 striking “section 226” and inserting “section 227”;
3 and

4 (6) by inserting after section 229, as so redesignated, the following:

6 **“SEC. 230. FEDERAL INTRUSION DETECTION AND PREVEN-**
7 **TION SYSTEM.**

8 “(a) DEFINITIONS.—In this section—

9 “(1) the term ‘agency’ has the meaning given
10 the term in section 3502 of title 44, United States
11 Code;

12 “(2) the term ‘agency information’ means infor-
13 mation collected or maintained by or on behalf of an
14 agency;

15 “(3) the term ‘agency information system’ has
16 the meaning given the term in section 228; and

17 “(4) the terms ‘cybersecurity risk’ and ‘infor-
18 mation system’ have the meanings given those terms
19 in section 227.

20 “(b) REQUIREMENT.—

21 “(1) IN GENERAL.—Not later than 1 year after
22 the date of enactment of this section, the Secretary
23 shall deploy, operate, and maintain, to make avail-
24 able for use by any agency, with or without reim-
25 bursement—

1 “(A) a capability to detect cybersecurity
2 risks in network traffic transiting or traveling
3 to or from an agency information system; and

4 “(B) a capability to prevent network traffic
5 associated with such cybersecurity risks from
6 transiting or traveling to or from an agency in-
7 formation system or modify such network traf-
8 fic to remove the cybersecurity risk.

9 “(2) REGULAR IMPROVEMENT.—The Secretary
10 shall regularly deploy new technologies and modify
11 existing technologies to the intrusion detection and
12 prevention capabilities described in paragraph (1) as
13 appropriate to improve the intrusion detection and
14 prevention capabilities.

15 “(c) ACTIVITIES.—In carrying out subsection (b), the
16 Secretary—

17 “(1) may access, and the head of an agency
18 may disclose to the Secretary or a private entity pro-
19 viding assistance to the Secretary under paragraph
20 (2), information transiting or traveling to or from an
21 agency information system, regardless of the location
22 from which the Secretary or a private entity pro-
23 viding assistance to the Secretary under paragraph
24 (2) accesses such information, notwithstanding any
25 other provision of law that would otherwise restrict

1 or prevent the head of an agency from disclosing
2 such information to the Secretary or a private entity
3 providing assistance to the Secretary under para-
4 graph (2);

5 “(2) may enter into contracts or other agree-
6 ments with, or otherwise request and obtain the as-
7 sistance of, private entities to deploy, operate, and
8 maintain technologies in accordance with subsection
9 (b);

10 “(3) may retain, use, and disclose information
11 obtained through the conduct of activities authorized
12 under this section only to protect information and
13 information systems from cybersecurity risks;

14 “(4) shall regularly assess through operational
15 test and evaluation in real world or simulated envi-
16 ronments available advanced protective technologies
17 to improve detection and prevention capabilities, in-
18 cluding commercial and noncommercial technologies
19 and detection technologies beyond signature-based
20 detection, and acquire, test, and deploy such tech-
21 nologies when appropriate;

22 “(5) shall establish a pilot through which the
23 Secretary may acquire, test, and deploy, as rapidly
24 as possible, technologies described in paragraph (4);
25 and

1 “(6) shall periodically update the privacy im-
2 pact assessment required under section 208(b) of
3 the E-Government Act of 2002 (44 U.S.C. 3501
4 note).

5 “(d) PRINCIPLES.—In carrying out subsection (b),
6 the Secretary shall ensure that—

7 “(1) activities carried out under this section are
8 reasonably necessary for the purpose of protecting
9 agency information and agency information systems
10 from a cybersecurity risk;

11 “(2) information accessed by the Secretary will
12 be retained no longer than reasonably necessary for
13 the purpose of protecting agency information and
14 agency information systems from a cybersecurity
15 risk;

16 “(3) notice has been provided to users of an
17 agency information system concerning access to
18 communications of users of the agency information
19 system for the purpose of protecting agency informa-
20 tion and the agency information system; and

21 “(4) the activities are implemented pursuant to
22 policies and procedures governing the operation of
23 the intrusion detection and prevention capabilities.

24 “(e) PRIVATE ENTITIES.—

1 “(1) CONDITIONS.—A private entity described
2 in subsection (c)(2) may not—

3 “(A) disclose any network traffic transiting
4 or traveling to or from an agency information
5 system to any entity other than the Department
6 or the agency that disclosed the information
7 under subsection (c)(1), including personal in-
8 formation of a specific individual or information
9 that identifies a specific individual not directly
10 related to a cybersecurity risk; or

11 “(B) use any network traffic transiting or
12 traveling to or from an agency information sys-
13 tem to which the private entity gains access in
14 accordance with this section for any purpose
15 other than to protect agency information and
16 agency information systems against
17 cybersecurity risks or to administer a contract
18 or other agreement entered into pursuant to
19 subsection (c)(2) or as part of another contract
20 with the Secretary.

21 “(2) LIMITATION ON LIABILITY.—No cause of
22 action shall lie in any court against a private entity
23 for assistance provided to the Secretary in accord-
24 ance with this section and any contract or agree-
25 ment entered into pursuant to subsection (c)(2).

1 “(3) RULE OF CONSTRUCTION.—Nothing in
2 paragraph (2) shall be construed to authorize an
3 Internet service provider to break a user agreement
4 with a customer without the consent of the cus-
5 tomer.

6 “(f) PRIVACY OFFICER REVIEW.—Not later than 1
7 year after the date of enactment of this section, the Pri-
8 vacy Officer appointed under section 222, in consultation
9 with the Attorney General, shall review the policies and
10 guidelines for the program carried out under this section
11 to ensure that the policies and guidelines are consistent
12 with applicable privacy laws, including those governing the
13 acquisition, interception, retention, use, and disclosure of
14 communications.”.

15 (b) AGENCY RESPONSIBILITIES.—

16 (1) IN GENERAL.—Except as provided in para-
17 graph (2)—

18 (A) not later than 1 year after the date of
19 enactment of this Act or 2 months after the
20 date on which the Secretary makes available the
21 intrusion detection and prevention capabilities
22 under section 230(b)(1) of the Homeland Secu-
23 rity Act of 2002, as added by subsection (a),
24 whichever is later, the head of each agency shall
25 apply and continue to utilize the capabilities to

1 all information traveling between an agency in-
2 formation system and any information system
3 other than an agency information system; and

4 (B) not later than 6 months after the date
5 on which the Secretary makes available im-
6 provements to the intrusion detection and pre-
7 vention capabilities pursuant to section
8 230(b)(2) of the Homeland Security Act of
9 2002, as added by subsection (a), the head of
10 each agency shall apply and continue to utilize
11 the improved intrusion detection and prevention
12 capabilities.

13 (2) EXCEPTION.—The requirements under
14 paragraph (1) shall not apply to the Department of
15 Defense, a national security system, or an element
16 of the intelligence community.

17 (3) DEFINITION.—Notwithstanding section
18 222, in this subsection, the term “agency informa-
19 tion system” means an information system owned or
20 operated by an agency.

21 (4) RULE OF CONSTRUCTION.—Nothing in this
22 subsection shall be construed to limit an agency
23 from applying the intrusion detection and prevention
24 capabilities to an information system other than an
25 agency information system under section 230(b)(1)

1 of the Homeland Security Act of 2002, as added by
2 subsection (a), at the discretion of the head of the
3 agency or as provided in relevant policies, directives,
4 and guidelines.

5 (c) TABLE OF CONTENTS AMENDMENT.—The table
6 of contents in section 1(b) of the Homeland Security Act
7 of 2002 (6 U.S.C. 101 note) is amended by striking the
8 items relating to the first section designated as section
9 226, the second section designated as section 226 (relating
10 to the national cybersecurity and communications integra-
11 tion center), section 227, and section 228 and inserting
12 the following:

“Sec. 226. Cybersecurity recruitment and retention.

“Sec. 227. National cybersecurity and communications integration center.

“Sec. 228. Cybersecurity plans.

“Sec. 229. Clearances.

“Sec. 230. Federal intrusion detection and prevention system.”.

13 **SEC. 224. ADVANCED INTERNAL DEFENSES.**

14 (a) ADVANCED NETWORK SECURITY TOOLS.—

15 (1) IN GENERAL.—The Secretary shall include,
16 in the efforts of the Department to continuously di-
17 agnose and mitigate cybersecurity risks, advanced
18 network security tools to improve visibility of net-
19 work activity, including through the use of commer-
20 cial and free or open source tools, and to detect and
21 mitigate intrusions and anomalous activity.

22 (2) DEVELOPMENT OF PLAN.—The Director
23 shall develop and the Secretary shall implement a

1 plan to ensure that each agency utilizes advanced
2 network security tools, including those described in
3 paragraph (1), to detect and mitigate intrusions and
4 anomalous activity.

5 (b) **PRIORITIZING ADVANCED SECURITY TOOLS.**—
6 The Director and the Secretary, in consultation with ap-
7 propriate agencies, shall—

8 (1) review and update Government-wide policies
9 and programs to ensure appropriate prioritization
10 and use of network security monitoring tools within
11 agency networks; and

12 (2) brief appropriate congressional committees
13 on such prioritization and use.

14 (c) **IMPROVED METRICS.**—The Secretary, in collabo-
15 ration with the Director, shall review and update the
16 metrics used to measure security under section 3554 of
17 title 44, United States Code, to include measures of intru-
18 sion and incident detection and response times.

19 (d) **TRANSPARENCY AND ACCOUNTABILITY.**—The
20 Director, in consultation with the Secretary, shall increase
21 transparency to the public on agency cybersecurity pos-
22 ture, including by increasing the number of metrics avail-
23 able on Federal Government performance websites and, to
24 the greatest extent practicable, displaying metrics for de-
25 partment components, small agencies, and micro-agencies.

1 (e) MAINTENANCE OF TECHNOLOGIES.—Section
2 3553(b)(6)(B) of title 44, United States Code, is amended
3 by inserting “, operating, and maintaining” after “deploy-
4 ing”.

5 (f) EXCEPTION.—The requirements under this sec-
6 tion shall not apply to the Department of Defense, a na-
7 tional security system, or an element of the intelligence
8 community.

9 **SEC. 225. FEDERAL CYBERSECURITY REQUIREMENTS.**

10 (a) IMPLEMENTATION OF FEDERAL CYBERSECURITY
11 STANDARDS.—Consistent with section 3553 of title 44,
12 United States Code, the Secretary, in consultation with
13 the Director, shall exercise the authority to issue binding
14 operational directives to assist the Director in ensuring
15 timely agency adoption of and compliance with policies
16 and standards promulgated under section 11331 of title
17 40, United States Code, for securing agency information
18 systems.

19 (b) CYBERSECURITY REQUIREMENTS AT AGEN-
20 CIES.—

21 (1) IN GENERAL.—Consistent with policies,
22 standards, guidelines, and directives on information
23 security under subchapter II of chapter 35 of title
24 44, United States Code, and the standards and
25 guidelines promulgated under section 11331 of title

1 40, United States Code, and except as provided in
2 paragraph (2), not later than 1 year after the date
3 of the enactment of this Act, the head of each agen-
4 cy shall—

5 (A) identify sensitive and mission critical
6 data stored by the agency consistent with the
7 inventory required under the first subsection (c)
8 (relating to the inventory of major information
9 systems) and the second subsection (c) (relating
10 to the inventory of information systems) of sec-
11 tion 3505 of title 44, United States Code;

12 (B) assess access controls to the data de-
13 scribed in subparagraph (A), the need for read-
14 ily accessible storage of the data, and individ-
15 uals' need to access the data;

16 (C) encrypt or otherwise render indecipher-
17 able to unauthorized users the data described in
18 subparagraph (A) that is stored on or
19 transiting agency information systems;

20 (D) implement a single sign-on trusted
21 identity platform for individuals accessing each
22 public website of the agency that requires user
23 authentication, as developed by the Adminis-
24 trator of General Services in collaboration with
25 the Secretary; and

1 (E) implement identity management con-
2 sistent with section 504 of the Cybersecurity
3 Enhancement Act of 2014 (Public Law 113–
4 274; 15 U.S.C. 7464), including multi-factor
5 authentication, for—

6 (i) remote access to an agency infor-
7 mation system; and

8 (ii) each user account with elevated
9 privileges on an agency information sys-
10 tem.

11 (2) EXCEPTION.—The requirements under
12 paragraph (1) shall not apply to an agency informa-
13 tion system for which—

14 (A) the head of the agency has personally
15 certified to the Director with particularity
16 that—

17 (i) operational requirements articu-
18 lated in the certification and related to the
19 agency information system would make it
20 excessively burdensome to implement the
21 cybersecurity requirement;

22 (ii) the cybersecurity requirement is
23 not necessary to secure the agency infor-
24 mation system or agency information
25 stored on or transiting it; and

1 (iii) the agency has taken all nec-
2 essary steps to secure the agency informa-
3 tion system and agency information stored
4 on or transiting it; and

5 (B) the head of the agency or the designee
6 of the head of the agency has submitted the
7 certification described in subparagraph (A) to
8 the appropriate congressional committees and
9 the agency's authorizing committees.

10 (3) CONSTRUCTION.—Nothing in this section
11 shall be construed to alter the authority of the Sec-
12 retary, the Director, or the Director of the National
13 Institute of Standards and Technology in imple-
14 menting subchapter II of chapter 35 of title 44,
15 United States Code. Nothing in this section shall be
16 construed to affect the National Institute of Stand-
17 ards and Technology standards process or the re-
18 quirement under section 3553(a)(4) of such title or
19 to discourage continued improvements and advance-
20 ments in the technology, standards, policies, and
21 guidelines used to promote Federal information se-
22 curity.

23 (c) EXCEPTION.—The requirements under this sec-
24 tion shall not apply to the Department of Defense, a na-

1 tional security system, or an element of the intelligence
2 community.

3 **SEC. 226. ASSESSMENT; REPORTS.**

4 (a) DEFINITIONS.—In this section:

5 (1) AGENCY INFORMATION.—The term “agency
6 information” has the meaning given the term in sec-
7 tion 230 of the Homeland Security Act of 2002, as
8 added by section 223(a)(6) of this division.

9 (2) CYBER THREAT INDICATOR; DEFENSIVE
10 MEASURE.—The terms “cyber threat indicator” and
11 “defensive measure” have the meanings given those
12 terms in section 102.

13 (3) INTRUSION ASSESSMENTS.—The term “in-
14 trusion assessments” means actions taken under the
15 intrusion assessment plan to identify and remove in-
16 truders in agency information systems.

17 (4) INTRUSION ASSESSMENT PLAN.—The term
18 “intrusion assessment plan” means the plan re-
19 quired under section 228(b)(1) of the Homeland Se-
20 curity Act of 2002, as added by section 223(a)(4) of
21 this division.

22 (5) INTRUSION DETECTION AND PREVENTION
23 CAPABILITIES.—The term “intrusion detection and
24 prevention capabilities” means the capabilities re-
25 quired under section 230(b) of the Homeland Secu-

1 rity Act of 2002, as added by section 223(a)(6) of
2 this division.

3 (b) THIRD-PARTY ASSESSMENT.—Not later than 3
4 years after the date of enactment of this Act, the Comp-
5 troller General of the United States shall conduct a study
6 and publish a report on the effectiveness of the approach
7 and strategy of the Federal Government to securing agen-
8 cy information systems, including the intrusion detection
9 and prevention capabilities and the intrusion assessment
10 plan.

11 (c) REPORTS TO CONGRESS.—

12 (1) INTRUSION DETECTION AND PREVENTION
13 CAPABILITIES.—

14 (A) SECRETARY OF HOMELAND SECURITY
15 REPORT.—Not later than 6 months after the
16 date of enactment of this Act, and annually
17 thereafter, the Secretary shall submit to the ap-
18 propriate congressional committees a report on
19 the status of implementation of the intrusion
20 detection and prevention capabilities, includ-
21 ing—

22 (i) a description of privacy controls;

23 (ii) a description of the technologies
24 and capabilities utilized to detect
25 cybersecurity risks in network traffic, in-

1 cluding the extent to which those tech-
2 nologies and capabilities include existing
3 commercial and noncommercial tech-
4 nologies;

5 (iii) a description of the technologies
6 and capabilities utilized to prevent network
7 traffic associated with cybersecurity risks
8 from transiting or traveling to or from
9 agency information systems, including the
10 extent to which those technologies and ca-
11 pabilities include existing commercial and
12 noncommercial technologies;

13 (iv) a list of the types of indicators or
14 other identifiers or techniques used to de-
15 tect cybersecurity risks in network traffic
16 transiting or traveling to or from agency
17 information systems on each iteration of
18 the intrusion detection and prevention ca-
19 pabilities and the number of each such
20 type of indicator, identifier, and technique;

21 (v) the number of instances in which
22 the intrusion detection and prevention ca-
23 pabilities detected a cybersecurity risk in
24 network traffic transiting or traveling to or
25 from agency information systems and the

1 number of times the intrusion detection
2 and prevention capabilities blocked net-
3 work traffic associated with cybersecurity
4 risk; and

5 (vi) a description of the pilot estab-
6 lished under section 230(c)(5) of the
7 Homeland Security Act of 2002, as added
8 by section 223(a)(6) of this division, in-
9 cluding the number of new technologies
10 tested and the number of participating
11 agencies.

12 (B) OMB REPORT.—Not later than 18
13 months after the date of enactment of this Act,
14 and annually thereafter, the Director shall sub-
15 mit to Congress, as part of the report required
16 under section 3553(c) of title 44, United States
17 Code, an analysis of agency application of the
18 intrusion detection and prevention capabilities,
19 including—

20 (i) a list of each agency and the de-
21 gree to which each agency has applied the
22 intrusion detection and prevention capabili-
23 ties to an agency information system; and

24 (ii) a list by agency of—

1 (I) the number of instances in
2 which the intrusion detection and pre-
3 vention capabilities detected a
4 cybersecurity risk in network traffic
5 transiting or traveling to or from an
6 agency information system and the
7 types of indicators, identifiers, and
8 techniques used to detect such
9 cybersecurity risks; and

10 (II) the number of instances in
11 which the intrusion detection and pre-
12 vention capabilities prevented network
13 traffic associated with a cybersecurity
14 risk from transiting or traveling to or
15 from an agency information system
16 and the types of indicators, identi-
17 fiers, and techniques used to detect
18 such agency information systems.

19 (C) CHIEF INFORMATION OFFICER.—Not
20 earlier than 18 months after the date of enact-
21 ment of this Act and not later than 2 years
22 after the date of enactment of this Act, the
23 Federal Chief Information Officer shall review
24 and submit to the appropriate congressional
25 committees a report assessing the intrusion de-

1 tection and intrusion prevention capabilities, in-
2 cluding—

3 (i) the effectiveness of the system in
4 detecting, disrupting, and preventing
5 cyber-threat actors, including advanced
6 persistent threats, from accessing agency
7 information and agency information sys-
8 tems;

9 (ii) whether the intrusion detection
10 and prevention capabilities, continuous
11 diagnostics and mitigation, and other sys-
12 tems deployed under subtitle D of title II
13 of the Homeland Security Act of 2002 (6
14 U.S.C. 231 et seq.) are effective in secur-
15 ing Federal information systems;

16 (iii) the costs and benefits of the in-
17 trusion detection and prevention capabili-
18 ties, including as compared to commercial
19 technologies and tools and including the
20 value of classified cyber threat indicators;
21 and

22 (iv) the capability of agencies to pro-
23 tect sensitive cyber threat indicators and
24 defensive measures if they were shared

1 through unclassified mechanisms for use in
2 commercial technologies and tools.

3 (2) OMB REPORT ON DEVELOPMENT AND IM-
4 PLEMENTATION OF INTRUSION ASSESSMENT PLAN,
5 ADVANCED INTERNAL DEFENSES, AND FEDERAL
6 CYBERSECURITY REQUIREMENTS.—The Director
7 shall—

8 (A) not later than 6 months after the date
9 of enactment of this Act, and 30 days after any
10 update thereto, submit the intrusion assessment
11 plan to the appropriate congressional commit-
12 tees;

13 (B) not later than 1 year after the date of
14 enactment of this Act, and annually thereafter,
15 submit to Congress, as part of the report re-
16 quired under section 3553(c) of title 44, United
17 States Code—

18 (i) a description of the implementation
19 of the intrusion assessment plan;

20 (ii) the findings of the intrusion as-
21 sessments conducted pursuant to the intru-
22 sion assessment plan;

23 (iii) a description of the advanced net-
24 work security tools included in the efforts
25 to continuously diagnose and mitigate

1 cybersecurity risks pursuant to section
2 224(a)(1); and

3 (iv) a list by agency of compliance
4 with the requirements of section 225(b);
5 and

6 (C) not later than 1 year after the date of
7 enactment of this Act, submit to the appro-
8 priate congressional committees—

9 (i) a copy of the plan developed pursu-
10 ant to section 224(a)(2); and

11 (ii) the improved metrics developed
12 pursuant to section 224(c).

13 (d) FORM.—Each report required under this section
14 shall be submitted in unclassified form, but may include
15 a classified annex.

16 **SEC. 227. TERMINATION.**

17 (a) IN GENERAL.—The authority provided under sec-
18 tion 230 of the Homeland Security Act of 2002, as added
19 by section 223(a)(6) of this division, and the reporting re-
20 quirements under section 226(c) of this division shall ter-
21minate on the date that is 7 years after the date of enact-
22ment of this Act.

23 (b) RULE OF CONSTRUCTION.—Nothing in sub-
24 section (a) shall be construed to affect the limitation of
25 liability of a private entity for assistance provided to the

1 Secretary under section 230(d)(2) of the Homeland Secu-
2 rity Act of 2002, as added by section 223(a)(6) of this
3 division, if such assistance was rendered before the termi-
4 nation date under subsection (a) or otherwise during a pe-
5 riod in which the assistance was authorized.

6 **SEC. 228. IDENTIFICATION OF INFORMATION SYSTEMS RE-**
7 **LATING TO NATIONAL SECURITY.**

8 (a) IN GENERAL.—Except as provided in subsection
9 (c), not later than 180 days after the date of enactment
10 of this Act—

11 (1) the Director of National Intelligence and
12 the Director of the Office of Management and Budg-
13 et, in coordination with the heads of other agencies,
14 shall—

15 (A) identify all unclassified information
16 systems that provide access to information that
17 may provide an adversary with the ability to de-
18 rive information that would otherwise be consid-
19 ered classified;

20 (B) assess the risks that would result from
21 the breach of each unclassified information sys-
22 tem identified in subparagraph (A); and

23 (C) assess the cost and impact on the mis-
24 sion carried out by each agency that owns an
25 unclassified information system identified in

1 subparagraph (A) if the system were to be sub-
2 sequently designated as a national security sys-
3 tem; and

4 (2) the Director of National Intelligence and
5 the Director of the Office of Management and Budg-
6 et shall submit to the appropriate congressional com-
7 mittees, the Select Committee on Intelligence of the
8 Senate, and the Permanent Select Committee on In-
9 telligence of the House of Representatives a report
10 that includes the findings under paragraph (1).

11 (b) FORM.—The report submitted under subsection
12 (a)(2) shall be in unclassified form, and shall include a
13 classified annex.

14 (c) EXCEPTION.—The requirements under subsection
15 (a)(1) shall not apply to the Department of Defense, a
16 national security system, or an element of the intelligence
17 community.

18 (d) RULE OF CONSTRUCTION.—Nothing in this sec-
19 tion shall be construed to designate an information system
20 as a national security system.

21 **SEC. 229. DIRECTION TO AGENCIES.**

22 (a) IN GENERAL.—Section 3553 of title 44, United
23 States Code, is amended by adding at the end the fol-
24 lowing:

25 “(h) DIRECTION TO AGENCIES.—

1 “(1) AUTHORITY.—

2 “(A) IN GENERAL.—Subject to subpara-
3 graph (B), in response to a known or reason-
4 ably suspected information security threat, vul-
5 nerability, or incident that represents a sub-
6 stantial threat to the information security of an
7 agency, the Secretary may issue an emergency
8 directive to the head of an agency to take any
9 lawful action with respect to the operation of
10 the information system, including such systems
11 used or operated by another entity on behalf of
12 an agency, that collects, processes, stores,
13 transmits, disseminates, or otherwise maintains
14 agency information, for the purpose of pro-
15 tecting the information system from, or miti-
16 gating, an information security threat.

17 “(B) EXCEPTION.—The authorities of the
18 Secretary under this subsection shall not apply
19 to a system described subsection (d) or to a sys-
20 tem described in paragraph (2) or (3) of sub-
21 section (e).

22 “(2) PROCEDURES FOR USE OF AUTHORITY.—
23 The Secretary shall—

24 “(A) in coordination with the Director, and
25 in consultation with Federal contractors as ap-

1 appropriate, establish procedures governing the
2 circumstances under which a directive may be
3 issued under this subsection, which shall in-
4 clude—

5 “(i) thresholds and other criteria;

6 “(ii) privacy and civil liberties protec-
7 tions; and

8 “(iii) providing notice to potentially
9 affected third parties;

10 “(B) specify the reasons for the required
11 action and the duration of the directive;

12 “(C) minimize the impact of a directive
13 under this subsection by—

14 “(i) adopting the least intrusive
15 means possible under the circumstances to
16 secure the agency information systems;
17 and

18 “(ii) limiting directives to the shortest
19 period practicable;

20 “(D) notify the Director and the head of
21 any affected agency immediately upon the
22 issuance of a directive under this subsection;

23 “(E) consult with the Director of the Na-
24 tional Institute of Standards and Technology
25 regarding any directive under this subsection

1 that implements standards and guidelines devel-
2 oped by the National Institute of Standards
3 and Technology;

4 “(F) ensure that directives issued under
5 this subsection do not conflict with the stand-
6 ards and guidelines issued under section 11331
7 of title 40;

8 “(G) consider any applicable standards or
9 guidelines developed by the National Institute
10 of Standards and Technology issued by the Sec-
11 retary of Commerce under section 11331 of
12 title 40; and

13 “(H) not later than February 1 of each
14 year, submit to the appropriate congressional
15 committees a report regarding the specific ac-
16 tions the Secretary has taken pursuant to para-
17 graph (1)(A).

18 “(3) IMMINENT THREATS.—

19 “(A) IN GENERAL.—Notwithstanding sec-
20 tion 3554, the Secretary may authorize the use
21 under this subsection of the intrusion detection
22 and prevention capabilities established under
23 section 230(b)(1) of the Homeland Security Act
24 of 2002 for the purpose of ensuring the security
25 of agency information systems, if—

1 “(i) the Secretary determines there is
2 an imminent threat to agency information
3 systems;

4 “(ii) the Secretary determines a direc-
5 tive under subsection (b)(2)(C) or para-
6 graph (1)(A) is not reasonably likely to re-
7 sult in a timely response to the threat;

8 “(iii) the Secretary determines the
9 risk posed by the imminent threat out-
10 weighs any adverse consequences reason-
11 ably expected to result from the use of the
12 intrusion detection and prevention capabili-
13 ties under the control of the Secretary;

14 “(iv) the Secretary provides prior no-
15 tice to the Director, and the head and chief
16 information officer (or equivalent official)
17 of each agency to which specific actions
18 will be taken pursuant to this paragraph,
19 and notifies the appropriate congressional
20 committees and authorizing committees of
21 each such agency within 7 days of taking
22 an action under this paragraph of—

23 “(I) any action taken under this
24 paragraph; and

1 “(II) the reasons for and dura-
2 tion and nature of the action;

3 “(v) the action of the Secretary is
4 consistent with applicable law; and

5 “(vi) the Secretary authorizes the use
6 of the intrusion detection and prevention
7 capabilities in accordance with the advance
8 procedures established under subparagraph
9 (C).

10 “(B) LIMITATION ON DELEGATION.—The
11 authority under this paragraph may not be del-
12 egated by the Secretary.

13 “(C) ADVANCE PROCEDURES.—The Sec-
14 retary shall, in coordination with the Director,
15 and in consultation with the heads of Federal
16 agencies, establish procedures governing the cir-
17 cumstances under which the Secretary may au-
18 thorize the use of the intrusion detection and
19 prevention capabilities under subparagraph (A).
20 The Secretary shall submit the procedures to
21 Congress.

22 “(4) LIMITATION.—The Secretary may direct
23 or authorize lawful action or the use of the intrusion
24 detection and prevention capabilities under this sub-
25 section only to—

1 “(A) protect agency information from un-
2 authorized access, use, disclosure, disruption,
3 modification, or destruction; or

4 “(B) require the remediation of or protect
5 against identified information security risks
6 with respect to—

7 “(i) information collected or main-
8 tained by or on behalf of an agency; or

9 “(ii) that portion of an information
10 system used or operated by an agency or
11 by a contractor of an agency or other orga-
12 nization on behalf of an agency.

13 “(i) ANNUAL REPORT TO CONGRESS.—Not later
14 than February 1 of each year, the Director and the Sec-
15 retary shall submit to the appropriate congressional com-
16 mittees a report regarding the specific actions the Director
17 and the Secretary have taken pursuant to subsection
18 (a)(5), including any actions taken pursuant to section
19 11303(b)(5) of title 40.

20 “(j) APPROPRIATE CONGRESSIONAL COMMITTEES
21 DEFINED.—In this section, the term ‘appropriate congres-
22 sional committees’ means—

23 “(1) the Committee on Appropriations and the
24 Committee on Homeland Security and Governmental
25 Affairs of the Senate; and

1 (A) the Committee on Armed Services of
2 the Senate;

3 (B) the Committee on Homeland Security
4 and Governmental Affairs of the Senate;

5 (C) the Select Committee on Intelligence of
6 the Senate;

7 (D) the Committee on Commerce, Science,
8 and Transportation of the Senate;

9 (E) the Committee on Armed Services of
10 the House of Representatives;

11 (F) the Committee on Homeland Security
12 of the House of Representatives;

13 (G) the Committee on Oversight and Gov-
14 ernment Reform of the House of Representa-
15 tives; and

16 (H) the Permanent Select Committee on
17 Intelligence of the House of Representatives.

18 (2) DIRECTOR.—The term “Director” means
19 the Director of the Office of Personnel Management.

20 (3) NATIONAL INITIATIVE FOR CYBERSECURITY
21 EDUCATION.—The term “National Initiative for
22 Cybersecurity Education” means the initiative under
23 the national cybersecurity awareness and education
24 program, as authorized under section 401 of the

1 Cybersecurity Enhancement Act of 2014 (15 U.S.C.
2 7451).

3 (4) WORK ROLES.—The term “ work roles”
4 means a specialized set of tasks and functions re-
5 quiring specific knowledge, skills, and abilities.

6 **SEC. 303. NATIONAL CYBERSECURITY WORKFORCE MEAS-**
7 **UREMENT INITIATIVE.**

8 (a) IN GENERAL.—The head of each Federal agency
9 shall—

10 (1) identify all positions within the agency that
11 require the performance of cybersecurity or other
12 cyber-related functions; and

13 (2) assign the corresponding employment code
14 under the National Initiative for Cybersecurity Edu-
15 cation in accordance with subsection (b).

16 (b) EMPLOYMENT CODES.—

17 (1) PROCEDURES.—

18 (A) CODING STRUCTURE.—Not later than
19 180 days after the date of the enactment of this
20 Act, the Director, in coordination with the Na-
21 tional Institute of Standards and Technology,
22 shall develop a coding structure under the Na-
23 tional Initiative for Cybersecurity Education.

24 (B) IDENTIFICATION OF CIVILIAN CYBER
25 PERSONNEL.—Not later than 9 months after

1 the date of enactment of this Act, the Director,
2 in coordination with the Secretary of Homeland
3 Security, the Director of the National Institute
4 of Standards and Technology, and the Director
5 of National Intelligence, shall establish proce-
6 dures to implement the National Initiative for
7 Cybersecurity Education coding structure to
8 identify all Federal civilian positions that re-
9 quire the performance of information tech-
10 nology, cybersecurity, or other cyber-related
11 functions.

12 (C) IDENTIFICATION OF NONCIVILIAN
13 CYBER PERSONNEL.—Not later than 18 months
14 after the date of enactment of this Act, the Sec-
15 retary of Defense shall establish procedures to
16 implement the National Initiative for
17 Cybersecurity Education’s coding structure to
18 identify all Federal noncivilian positions that
19 require the performance of information tech-
20 nology, cybersecurity, or other cyber-related
21 functions.

22 (D) BASELINE ASSESSMENT OF EXISTING
23 CYBERSECURITY WORKFORCE.—Not later than
24 3 months after the date on which the proce-
25 dures are developed under subparagraphs (B)

1 and (C), respectively, the head of each Federal
2 agency shall submit to the appropriate congress-
3 sional committees of jurisdiction a report that
4 identifies—

5 (i) the percentage of personnel with
6 information technology, cybersecurity, or
7 other cyber-related job functions who cur-
8 rently hold the appropriate industry-recog-
9 nized certifications as identified under the
10 National Initiative for Cybersecurity Edu-
11 cation;

12 (ii) the level of preparedness of other
13 civilian and noncivilian cyber personnel
14 without existing credentials to take certifi-
15 cation exams; and

16 (iii) a strategy for mitigating any
17 gaps identified in clause (i) or (ii) with the
18 appropriate training and certification for
19 existing personnel.

20 (E) PROCEDURES FOR ASSIGNING
21 CODES.—Not later than 3 months after the
22 date on which the procedures are developed
23 under subparagraphs (B) and (C), respectively,
24 the head of each Federal agency shall establish
25 procedures—

1 (i) to identify all encumbered and va-
2 cant positions with information technology,
3 cybersecurity, or other cyber-related func-
4 tions (as defined in the National Initiative
5 for Cybersecurity Education's coding struc-
6 ture); and

7 (ii) to assign the appropriate employ-
8 ment code to each such position, using
9 agreed standards and definitions.

10 (2) CODE ASSIGNMENTS.—Not later than 1
11 year after the date after the procedures are estab-
12 lished under paragraph (1)(E), the head of each
13 Federal agency shall complete assignment of the ap-
14 propriate employment code to each position within
15 the agency with information technology,
16 cybersecurity, or other cyber-related functions.

17 (c) PROGRESS REPORT.—Not later than 180 days
18 after the date of enactment of this Act, the Director shall
19 submit a progress report on the implementation of this
20 section to the appropriate congressional committees.

21 **SEC. 304. IDENTIFICATION OF CYBER-RELATED WORK**

22 **ROLES OF CRITICAL NEED.**

23 (a) IN GENERAL.—Beginning not later than 1 year
24 after the date on which the employment codes are assigned
25 to employees pursuant to section 303(b)(2), and annually

1 thereafter through 2022, the head of each Federal agency,
2 in consultation with the Director, the Director of the Na-
3 tional Institute of Standards and Technology, and the Sec-
4 retary of Homeland Security, shall—

5 (1) identify information technology,
6 cybersecurity, or other cyber-related work roles of
7 critical need in the agency’s workforce; and

8 (2) submit a report to the Director that—

9 (A) describes the information technology,
10 cybersecurity, or other cyber-related roles iden-
11 tified under paragraph (1); and

12 (B) substantiates the critical need designa-
13 tions.

14 (b) GUIDANCE.—The Director shall provide Federal
15 agencies with timely guidance for identifying information
16 technology, cybersecurity, or other cyber-related roles of
17 critical need, including—

18 (1) current information technology,
19 cybersecurity, and other cyber-related roles with
20 acute skill shortages; and

21 (2) information technology, cybersecurity, or
22 other cyber-related roles with emerging skill short-
23 ages.

24 (c) CYBERSECURITY NEEDS REPORT.—Not later
25 than 2 years after the date of the enactment of this Act,

1 the Director, in consultation with the Secretary of Home-
2 land Security, shall—

3 (1) identify critical needs for information tech-
4 nology, cybersecurity, or other cyber-related work-
5 force across all Federal agencies; and

6 (2) submit a progress report on the implemen-
7 tation of this section to the appropriate congres-
8 sional committees.

9 **SEC. 305. GOVERNMENT ACCOUNTABILITY OFFICE STATUS**
10 **REPORTS.**

11 The Comptroller General of the United States shall—

12 (1) analyze and monitor the implementation of
13 sections 303 and 304; and

14 (2) not later than 3 years after the date of the
15 enactment of this Act, submit a report to the appro-
16 priate congressional committees that describes the
17 status of such implementation.

18 **TITLE IV—OTHER CYBER**
19 **MATTERS**

20 **SEC. 401. STUDY ON MOBILE DEVICE SECURITY.**

21 (a) IN GENERAL.—Not later than 1 year after the
22 date of the enactment of this Act, the Secretary of Home-
23 land Security, in consultation with the Director of the Na-
24 tional Institute of Standards and Technology, shall—

1 (1) complete a study on threats relating to the
2 security of the mobile devices of the Federal Govern-
3 ment; and

4 (2) submit an unclassified report to Congress,
5 with a classified annex if necessary, that contains
6 the findings of such study, the recommendations de-
7 veloped under paragraph (3) of subsection (b), the
8 deficiencies, if any, identified under (4) of such sub-
9 section, and the plan developed under paragraph (5)
10 of such subsection.

11 (b) MATTERS STUDIED.—In carrying out the study
12 under subsection (a)(1), the Secretary, in consultation
13 with the Director of the National Institute of Standards
14 and Technology, shall—

15 (1) assess the evolution of mobile security tech-
16 niques from a desktop-centric approach, and whether
17 such techniques are adequate to meet current mobile
18 security challenges;

19 (2) assess the effect such threats may have on
20 the cybersecurity of the information systems and
21 networks of the Federal Government (except for na-
22 tional security systems or the information systems
23 and networks of the Department of Defense and the
24 intelligence community);

1 (3) develop recommendations for addressing
2 such threats based on industry standards and best
3 practices;

4 (4) identify any deficiencies in the current au-
5 thorities of the Secretary that may inhibit the ability
6 of the Secretary to address mobile device security
7 throughout the Federal Government (except for na-
8 tional security systems and the information systems
9 and networks of the Department of Defense and in-
10 telligence community); and

11 (5) develop a plan for accelerated adoption of
12 secure mobile device technology by the Department
13 of Homeland Security.

14 (c) INTELLIGENCE COMMUNITY DEFINED.—In this
15 section, the term “intelligence community” has the mean-
16 ing given such term in section 3 of the National Security
17 Act of 1947 (50 U.S.C. 3003).

18 **SEC. 402. DEPARTMENT OF STATE INTERNATIONAL CYBER-**
19 **SPACE POLICY STRATEGY.**

20 (a) IN GENERAL.—Not later than 90 days after the
21 date of the enactment of this Act, the Secretary of State
22 shall produce a comprehensive strategy relating to United
23 States international policy with regard to cyberspace.

24 (b) ELEMENTS.—The strategy required by subsection
25 (a) shall include the following:

1 (1) A review of actions and activities under-
2 taken by the Secretary of State to date to support
3 the goal of the President’s International Strategy for
4 Cyberspace, released in May 2011, to “work inter-
5 nationally to promote an open, interoperable, secure,
6 and reliable information and communications infra-
7 structure that supports international trade and com-
8 merce, strengthens international security, and fos-
9 ters free expression and innovation.”.

10 (2) A plan of action to guide the diplomacy of
11 the Secretary of State, with regard to foreign coun-
12 tries, including conducting bilateral and multilateral
13 activities to develop the norms of responsible inter-
14 national behavior in cyberspace, and status review of
15 existing discussions in multilateral fora to obtain
16 agreements on international norms in cyberspace.

17 (3) A review of the alternative concepts with re-
18 gard to international norms in cyberspace offered by
19 foreign countries that are prominent actors, includ-
20 ing China, Russia, Brazil, and India.

21 (4) A detailed description of threats to United
22 States national security in cyberspace from foreign
23 countries, state-sponsored actors, and private actors
24 to Federal and private sector infrastructure of the
25 United States, intellectual property in the United

1 States, and the privacy of citizens of the United
2 States.

3 (5) A review of policy tools available to the
4 President to deter foreign countries, state-sponsored
5 actors, and private actors, including those outlined
6 in Executive Order 13694, released on April 1,
7 2015.

8 (6) A review of resources required by the Sec-
9 retary, including the Office of the Coordinator for
10 Cyber Issues, to conduct activities to build respon-
11 sible norms of international cyber behavior.

12 (c) CONSULTATION.—In preparing the strategy re-
13 quired by subsection (a), the Secretary of State shall con-
14 sult, as appropriate, with other agencies and departments
15 of the United States and the private sector and nongovern-
16 mental organizations in the United States with recognized
17 credentials and expertise in foreign policy, national secu-
18 rity, and cybersecurity.

19 (d) FORM OF STRATEGY.—The strategy required by
20 subsection (a) shall be in unclassified form, but may in-
21 clude a classified annex.

22 (e) AVAILABILITY OF INFORMATION.—The Secretary
23 of State shall—

24 (1) make the strategy required in subsection (a)
25 available the public; and

1 (2) brief the Committee on Foreign Relations of
2 the Senate and the Committee on Foreign Affairs of
3 the House of Representatives on the strategy, in-
4 cluding any material contained in a classified annex.

5 **SEC. 403. APPREHENSION AND PROSECUTION OF INTER-**
6 **NATIONAL CYBER CRIMINALS.**

7 (a) INTERNATIONAL CYBER CRIMINAL DEFINED.—
8 In this section, the term “international cyber criminal”
9 means an individual—

10 (1) who is believed to have committed a
11 cybercrime or intellectual property crime against the
12 interests of the United States or the citizens of the
13 United States; and

14 (2) for whom—

15 (A) an arrest warrant has been issued by
16 a judge in the United States; or

17 (B) an international wanted notice (com-
18 monly referred to as a “Red Notice”) has been
19 circulated by Interpol.

20 (b) CONSULTATIONS FOR NONCOOPERATION.—The
21 Secretary of State, or designee, shall consult with the ap-
22 propriate government official of each country from which
23 extradition is not likely due to the lack of an extradition
24 treaty with the United States or other reasons, in which
25 one or more international cyber criminals are physically

1 present, to determine what actions the government of such
2 country has taken—

3 (1) to apprehend and prosecute such criminals;

4 and

5 (2) to prevent such criminals from carrying out
6 cybercrimes or intellectual property crimes against
7 the interests of the United States or its citizens.

8 (c) ANNUAL REPORT.—

9 (1) IN GENERAL.—The Secretary of State shall
10 submit to the appropriate congressional committees
11 an annual report that includes—

12 (A) the number of international cyber
13 criminals located in other countries,
14 disaggregated by country, and indicating from
15 which countries extradition is not likely due to
16 the lack of an extradition treaty with the
17 United States or other reasons;

18 (B) the nature and number of significant
19 discussions by an official of the Department of
20 State on ways to thwart or prosecute inter-
21 national cyber criminals with an official of an-
22 other country, including the name of each such
23 country; and

1 (C) for each international cyber criminal
2 who was extradited to the United States during
3 the most recently completed calendar year—

4 (i) his or her name;

5 (ii) the crimes for which he or she was
6 charged;

7 (iii) his or her previous country of res-
8 idence; and

9 (iv) the country from which he or she
10 was extradited into the United States.

11 (2) FORM.—The report required by this sub-
12 section shall be in unclassified form to the maximum
13 extent possible, but may include a classified annex.

14 (3) APPROPRIATE CONGRESSIONAL COMMIT-
15 TEES.—For purposes of this subsection, the term
16 “appropriate congressional committees” means—

17 (A) the Committee on Foreign Relations,
18 the Committee on Appropriations, the Com-
19 mittee on Homeland Security and Govern-
20 mental Affairs, the Committee on Banking,
21 Housing, and Urban Affairs, the Select Com-
22 mittee on Intelligence, and the Committee on
23 the Judiciary of the Senate; and

24 (B) the Committee on Foreign Affairs, the
25 Committee on Appropriations, the Committee

1 on Homeland Security, the Committee on Fi-
2 nancial Services, the Permanent Select Com-
3 mittee on Intelligence, and the Committee on
4 the Judiciary of the House of Representatives.

5 **SEC. 404. ENHANCEMENT OF EMERGENCY SERVICES.**

6 (a) COLLECTION OF DATA.—Not later than 90 days
7 after the date of the enactment of this Act, the Secretary
8 of Homeland Security, acting through the center estab-
9 lished under section 227 of the Homeland Security Act
10 of 2002, as redesignated by section 223(a)(3) of this divi-
11 sion, in coordination with appropriate Federal entities and
12 the Director for Emergency Communications, shall estab-
13 lish a process by which a Statewide Interoperability Coor-
14 dinator may report data on any cybersecurity risk or inci-
15 dent involving any information system or network used by
16 emergency response providers (as defined in section 2 of
17 the Homeland Security Act of 2002 (6 U.S.C. 101)) with-
18 in the State.

19 (b) ANALYSIS OF DATA.—Not later than 1 year after
20 the date of the enactment of this Act, the Secretary of
21 Homeland Security, acting through the Director of the
22 National Cybersecurity and Communications Integration
23 Center, in coordination with appropriate entities and the
24 Director for Emergency Communications, and in consulta-
25 tion with the Secretary of Commerce, acting through the

1 Director of the National Institute of Standards and Tech-
2 nology, shall conduct integration and analysis of the data
3 reported under subsection (a) to develop information and
4 recommendations on security and resilience measures for
5 any information system or network used by State emer-
6 gency response providers.

7 (c) BEST PRACTICES.—

8 (1) IN GENERAL.—Using the results of the in-
9 tegration and analysis conducted under subsection
10 (b), and any other relevant information, the Director
11 of the National Institute of Standards and Tech-
12 nology shall, on an ongoing basis, facilitate and sup-
13 port the development of methods for reducing
14 cybersecurity risks to emergency response providers
15 using the process described in section 2(e) of the
16 National Institute of Standards and Technology Act
17 (15 U.S.C. 272(e)).

18 (2) REPORT.—The Director of the National In-
19 stitute of Standards and Technology shall submit to
20 Congress a report on the result of the activities of
21 the Director under paragraph (1), including any
22 methods developed by the Director under such para-
23 graph, and shall make such report publicly available
24 on the website of the National Institute of Stand-
25 ards and Technology.

1 (d) RULE OF CONSTRUCTION.—Nothing in this sec-
2 tion shall be construed to—

3 (1) require a State to report data under sub-
4 section (a); or

5 (2) require a non-Federal entity (as defined in
6 section 102) to—

7 (A) adopt a recommended measure devel-
8 oped under subsection (b); or

9 (B) follow the result of the activities car-
10 ried out under subsection (c), including any
11 methods developed under such subsection.

12 **SEC. 405. IMPROVING CYBERSECURITY IN THE HEALTH**
13 **CARE INDUSTRY.**

14 (a) DEFINITIONS.—In this section:

15 (1) APPROPRIATE CONGRESSIONAL COMMIT-
16 TEES.—The term “appropriate congressional com-
17 mittees” means—

18 (A) the Committee on Health, Education,
19 Labor, and Pensions, the Committee on Home-
20 land Security and Governmental Affairs, and
21 the Select Committee on Intelligence of the
22 Senate; and

23 (B) the Committee on Energy and Com-
24 merce, the Committee on Homeland Security,

1 and the Permanent Select Committee on Intel-
2 ligence of the House of Representatives.

3 (2) BUSINESS ASSOCIATE.—The term “business
4 associate” has the meaning given such term in sec-
5 tion 160.103 of title 45, Code of Federal Regula-
6 tions (as in effect on the day before the date of the
7 enactment of this Act).

8 (3) COVERED ENTITY.—The term “covered en-
9 tity” has the meaning given such term in section
10 160.103 of title 45, Code of Federal Regulations (as
11 in effect on the day before the date of the enactment
12 of this Act).

13 (4) CYBERSECURITY THREAT; CYBER THREAT
14 INDICATOR; DEFENSIVE MEASURE; FEDERAL ENTI-
15 TY; NON-FEDERAL ENTITY; PRIVATE ENTITY.—The
16 terms “cybersecurity threat”, “cyber threat indi-
17 cator”, “defensive measure”, “Federal entity”,
18 “non-Federal entity”, and “private entity” have the
19 meanings given such terms in section 102 of this di-
20 vision.

21 (5) HEALTH CARE CLEARINGHOUSE; HEALTH
22 CARE PROVIDER; HEALTH PLAN.—The terms
23 “health care clearinghouse”, “health care provider”,
24 and “health plan” have the meanings given such
25 terms in section 160.103 of title 45, Code of Federal

1 Regulations (as in effect on the day before the date
2 of the enactment of this Act).

3 (6) HEALTH CARE INDUSTRY STAKEHOLDER.—

4 The term “health care industry stakeholder” means
5 any—

6 (A) health plan, health care clearinghouse,
7 or health care provider;

8 (B) advocate for patients or consumers;

9 (C) pharmacist;

10 (D) developer or vendor of health informa-
11 tion technology;

12 (E) laboratory;

13 (F) pharmaceutical or medical device man-
14 ufacturer; or

15 (G) additional stakeholder the Secretary
16 determines necessary for purposes of subsection
17 (b)(1), (c)(1), (c)(3), or (d)(1).

18 (7) SECRETARY.—The term “Secretary” means
19 the Secretary of Health and Human Services.

20 (b) REPORT.—

21 (1) IN GENERAL.—Not later than 1 year after
22 the date of enactment of this Act, the Secretary
23 shall submit to the Committee on Health, Edu-
24 cation, Labor, and Pensions of the Senate and the
25 Committee on Energy and Commerce of the House

1 of Representatives a report on the preparedness of
2 the Department of Health and Human Services and
3 health care industry stakeholders in responding to
4 cybersecurity threats.

5 (2) CONTENTS OF REPORT.—With respect to
6 the internal response of the Department of Health
7 and Human Services to emerging cybersecurity
8 threats, the report under paragraph (1) shall in-
9 clude—

10 (A) a clear statement of the official within
11 the Department of Health and Human Services
12 to be responsible for leading and coordinating
13 efforts of the Department regarding
14 cybersecurity threats in the health care indus-
15 try; and

16 (B) a plan from each relevant operating di-
17 vision and subdivision of the Department of
18 Health and Human Services on how such divi-
19 sion or subdivision will address cybersecurity
20 threats in the health care industry, including a
21 clear delineation of how each such division or
22 subdivision will divide responsibility among the
23 personnel of such division or subdivision and
24 communicate with other such divisions and sub-

1 divisions regarding efforts to address such
2 threats.

3 (c) HEALTH CARE INDUSTRY CYBERSECURITY TASK
4 FORCE.—

5 (1) IN GENERAL.—Not later than 90 days after
6 the date of the enactment of this Act, the Secretary,
7 in consultation with the Director of the National In-
8 stitute of Standards and Technology and the Sec-
9 retary of Homeland Security, shall convene health
10 care industry stakeholders, cybersecurity experts,
11 and any Federal agencies or entities the Secretary
12 determines appropriate to establish a task force to—

13 (A) analyze how industries, other than the
14 health care industry, have implemented strate-
15 gies and safeguards for addressing
16 cybersecurity threats within their respective in-
17 dustries;

18 (B) analyze challenges and barriers private
19 entities (excluding any State, tribal, or local
20 government) in the health care industry face se-
21 curing themselves against cyber attacks;

22 (C) review challenges that covered entities
23 and business associates face in securing
24 networked medical devices and other software

1 or systems that connect to an electronic health
2 record;

3 (D) provide the Secretary with information
4 to disseminate to health care industry stake-
5 holders of all sizes for purposes of improving
6 their preparedness for, and response to,
7 cybersecurity threats affecting the health care
8 industry;

9 (E) establish a plan for implementing title
10 I of this division, so that the Federal Govern-
11 ment and health care industry stakeholders may
12 in real time, share actionable cyber threat indi-
13 cators and defensive measures; and

14 (F) report to the appropriate congressional
15 committees on the findings and recommenda-
16 tions of the task force regarding carrying out
17 subparagraphs (A) through (E).

18 (2) TERMINATION.—The task force established
19 under this subsection shall terminate on the date
20 that is 1 year after the date on which such task
21 force is established.

22 (3) DISSEMINATION.—Not later than 60 days
23 after the termination of the task force established
24 under this subsection, the Secretary shall dissemi-
25 nate the information described in paragraph (1)(D)

1 to health care industry stakeholders in accordance
2 with such paragraph.

3 (d) ALIGNING HEALTH CARE INDUSTRY SECURITY
4 APPROACHES.—

5 (1) IN GENERAL.—The Secretary shall estab-
6 lish, through a collaborative process with the Sec-
7 retary of Homeland Security, health care industry
8 stakeholders, the Director of the National Institute
9 of Standards and Technology, and any Federal enti-
10 ty or non-Federal entity the Secretary determines
11 appropriate, a common set of voluntary, consensus-
12 based, and industry-led guidelines, best practices,
13 methodologies, procedures, and processes that—

14 (A) serve as a resource for cost-effectively
15 reducing cybersecurity risks for a range of
16 health care organizations;

17 (B) support voluntary adoption and imple-
18 mentation efforts to improve safeguards to ad-
19 dress cybersecurity threats;

20 (C) are consistent with—

21 (i) the standards, guidelines, best
22 practices, methodologies, procedures, and
23 processes developed under section 2(c)(15)
24 of the National Institute of Standards and
25 Technology Act (15 U.S.C. 272(c)(15));

1 (ii) the security and privacy regula-
2 tions promulgated under section 264(e) of
3 the Health Insurance Portability and Ac-
4 countability Act of 1996 (42 U.S.C.
5 1320d–2 note); and

6 (iii) the provisions of the Health In-
7 formation Technology for Economic and
8 Clinical Health Act (title XIII of division
9 A, and title IV of division B, of Public
10 Law 111–5), and the amendments made
11 by such Act; and

12 (D) are updated on a regular basis and ap-
13 plicable to a range of health care organizations.

14 (2) LIMITATION.—Nothing in this subsection
15 shall be interpreted as granting the Secretary au-
16 thority to—

17 (A) provide for audits to ensure that
18 health care organizations are in compliance
19 with this subsection; or

20 (B) mandate, direct, or condition the
21 award of any Federal grant, contract, or pur-
22 chase, on compliance with this subsection.

23 (3) NO LIABILITY FOR NONPARTICIPATION.—
24 Nothing in this section shall be construed to subject
25 a health care industry stakeholder to liability for

1 choosing not to engage in the voluntary activities au-
2 thorized or guidelines developed under this sub-
3 section.

4 (e) INCORPORATING ONGOING ACTIVITIES.—In car-
5 rying out the activities under this section, the Secretary
6 may incorporate activities that are ongoing as of the day
7 before the date of enactment of this Act and that are con-
8 sistent with the objectives of this section.

9 (f) RULE OF CONSTRUCTION.—Nothing in this sec-
10 tion shall be construed to limit the antitrust exemption
11 under section 104(e) or the protection from liability under
12 section 106.

13 **SEC. 406. FEDERAL COMPUTER SECURITY.**

14 (a) DEFINITIONS.—In this section:

15 (1) COVERED SYSTEM.—The term “covered sys-
16 tem” shall mean a national security system as de-
17 fined in section 11103 of title 40, United States
18 Code, or a Federal computer system that provides
19 access to personally identifiable information.

20 (2) COVERED AGENCY.—The term “covered
21 agency” means an agency that operates a covered
22 system.

23 (3) LOGICAL ACCESS CONTROL.—The term
24 “logical access control” means a process of granting

1 or denying specific requests to obtain and use infor-
2 mation and related information processing services.

3 (4) MULTI-FACTOR AUTHENTICATION.—The
4 term “multi-factor authentication” means the use of
5 not fewer than 2 authentication factors, such as the
6 following:

7 (A) Something that is known to the user,
8 such as a password or personal identification
9 number.

10 (B) An access device that is provided to
11 the user, such as a cryptographic identification
12 device or token.

13 (C) A unique biometric characteristic of
14 the user.

15 (5) PRIVILEGED USER.—The term “privileged
16 user” means a user who has access to system con-
17 trol, monitoring, or administrative functions.

18 (b) INSPECTOR GENERAL REPORTS ON COVERED
19 SYSTEMS.—

20 (1) IN GENERAL.—Not later than 240 days
21 after the date of enactment of this Act, the Inspec-
22 tor General of each covered agency shall submit to
23 the appropriate committees of jurisdiction in the
24 Senate and the House of Representatives a report,
25 which shall include information collected from the

1 covered agency for the contents described in para-
2 graph (2) regarding the Federal computer systems
3 of the covered agency.

4 (2) CONTENTS.—The report submitted by each
5 Inspector General of a covered agency under para-
6 graph (1) shall include, with respect to the covered
7 agency, the following:

8 (A) A description of the logical access poli-
9 cies and practices used by the covered agency to
10 access a covered system, including whether ap-
11 propriate standards were followed.

12 (B) A description and list of the logical ac-
13 cess controls and multi-factor authentication
14 used by the covered agency to govern access to
15 covered systems by privileged users.

16 (C) If the covered agency does not use log-
17 ical access controls or multi-factor authentica-
18 tion to access a covered system, a description of
19 the reasons for not using such logical access
20 controls or multi-factor authentication.

21 (D) A description of the following informa-
22 tion security management practices used by the
23 covered agency regarding covered systems:

24 (i) The policies and procedures fol-
25 lowed to conduct inventories of the soft-

1 ware present on the covered systems of the
2 covered agency and the licenses associated
3 with such software.

4 (ii) What capabilities the covered
5 agency utilizes to monitor and detect
6 exfiltration and other threats, including—

7 (I) data loss prevention capabili-
8 ties;

9 (II) forensics and visibility capa-
10 bilities; or

11 (III) digital rights management
12 capabilities.

13 (iii) A description of how the covered
14 agency is using the capabilities described
15 in clause (ii).

16 (iv) If the covered agency is not uti-
17 lizing capabilities described in clause (ii), a
18 description of the reasons for not utilizing
19 such capabilities.

20 (E) A description of the policies and proce-
21 dures of the covered agency with respect to en-
22 suring that entities, including contractors, that
23 provide services to the covered agency are im-
24 plementing the information security manage-
25 ment practices described in subparagraph (D).

1 (3) **EXISTING REVIEW.**—The reports required
2 under this subsection may be based in whole or in
3 part on an audit, evaluation, or report relating to
4 programs or practices of the covered agency, and
5 may be submitted as part of another report, includ-
6 ing the report required under section 3555 of title
7 44, United States Code.

8 (4) **CLASSIFIED INFORMATION.**—Reports sub-
9 mitted under this subsection shall be in unclassified
10 form, but may include a classified annex.

11 **SEC. 407. STOPPING THE FRAUDULENT SALE OF FINANCIAL**
12 **INFORMATION OF PEOPLE OF THE UNITED**
13 **STATES.**

14 Section 1029(h) of title 18, United States Code, is
15 amended by striking “title if—” and all that follows
16 through “therefrom.” and inserting “title if the offense
17 involves an access device issued, owned, managed, or con-
18 trolled by a financial institution, account issuer, credit
19 card system member, or other entity organized under the
20 laws of the United States, or any State, the District of
21 Columbia, or other territory of the United States.”.

22 **DIVISION O—OTHER MATTERS**

23 **SEC. 1. TABLE OF CONTENTS.**

24 The table of contents for this division is as follows:

Sec. 1. Table of contents.

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TITLE I—OIL EXPORTS, SAFETY VALVE, AND MARITIME SECURITY

Sec. 101. Oil Exports, Safety Valve, and Maritime Security.

TITLE II—TERRORIST TRAVEL PREVENTION AND VISA WAIVER PROGRAM REFORM

- Sec. 201. Short title.
- Sec. 202. Electronic passport requirement.
- Sec. 203. Restriction on use of visa waiver program for aliens who travel to certain countries.
- Sec. 204. Designation requirements for program countries.
- Sec. 205. Reporting requirements.
- Sec. 206. High risk program countries.
- Sec. 207. Enhancements to the electronic system for travel authorization.
- Sec. 208. Provision of assistance to non-program countries.
- Sec. 209. Clerical amendments.
- Sec. 210. Sense of Congress.

TITLE III—JAMES ZADROGA 9/11 HEALTH AND COMPENSATION REAUTHORIZATION ACT

- Sec. 301. Short title.
- Sec. 302. Reauthorizing the World Trade Center Health Program.

TITLE IV—JAMES ZADROGA 9/11 VICTIM COMPENSATION FUND REAUTHORIZATION

- Sec. 401. Short title.
- Sec. 402. Reauthorizing the September 11th Victim Compensation Fund of 2001.
- Sec. 403. Amendment to exempt programs.
- Sec. 404. Compensation for United States Victims of State Sponsored Terrorism Act.
- Sec. 405. Budgetary provisions.

TITLE V—MEDICARE AND MEDICAID PROVISIONS

- Sec. 501. Medicare Improvement Fund.
- Sec. 502. Medicare payment incentive for the transition from traditional x-ray imaging to digital radiography and other Medicare imaging payment provision.
- Sec. 503. Limiting Federal Medicaid reimbursement to States for durable medical equipment (DME) to Medicare payment rates.
- Sec. 504. Treatment of disposable devices.

TITLE VI—PUERTO RICO

- Sec. 601. Modification of Medicare inpatient hospital payment rate for Puerto Rico hospitals.
- Sec. 602. Application of Medicare HITECH payments to hospitals in Puerto Rico.

TITLE VII—FINANCIAL SERVICES

- Sec. 701. Table of contents.
- Sec. 702. Limitations on sale of preferred stock.

- Sec. 703. Confidentiality of information shared between State and Federal financial services regulators.
- Sec. 704. Application of FACA.
- Sec. 705. Treatment of affiliate transactions.
- Sec. 706. Ensuring the protection of insurance policyholders.
- Sec. 707. Limitation on SEC funds.
- Sec. 708. Elimination of reporting requirement.
- Sec. 709. Extension of Hardest Hit Fund; Termination of Home Affordable Modification Program.

TITLE VIII—LAND AND WATER CONSERVATION FUND

- Sec. 801. Land and Water Conservation Fund.

TITLE IX—NATIONAL OCEANS AND COASTAL SECURITY

- Sec. 901. Short title.
- Sec. 902. Definitions.
- Sec. 903. Purposes and agreements.
- Sec. 904. National Oceans and Coastal Security Fund.
- Sec. 905. Eligible uses.
- Sec. 906. Grants.
- Sec. 907. Annual report.
- Sec. 908. Funding.

TITLE X—BUDGETARY PROVISIONS

- Sec. 1001. Budgetary effects.
- Sec. 1002. Authority to make adjustment in FY 2016 allocation.
- Sec. 1003. Estimates.

TITLE XI—IRAQ LOAN AUTHORITY

- Sec. 1101. Iraq loan authority.

1 **TITLE I—OIL EXPORTS, SAFETY**
2 **VALVE, AND MARITIME SECUR-**
3 **RITY**

4 **SEC. 101. OIL EXPORTS, SAFETY VALVE, AND MARITIME SE-**
5 **CURITY.**

6 (a) REPEAL.—Section 103 of the Energy Policy and
7 Conservation Act (42 U.S.C. 6212) and the item relating
8 thereto in the table of contents of that Act are repealed.

9 (b) NATIONAL POLICY ON OIL EXPORT RESTRICTI-
10 ON.—Notwithstanding any other provision of law, except

1 as provided in subsections (c) and (d), to promote the effi-
2 cient exploration, production, storage, supply, marketing,
3 pricing, and regulation of energy resources, including fos-
4 sil fuels, no official of the Federal Government shall im-
5 pose or enforce any restriction on the export of crude oil.

6 (c) SAVINGS CLAUSE.—Nothing in this section limits
7 the authority of the President under the Constitution, the
8 International Emergency Economic Powers Act (50
9 U.S.C. 1701 et seq.) or regulations issued under that Act
10 (other than section 754.2 of title 15, Code of Federal Reg-
11 ulations), the National Emergencies Act (50 U.S.C. 1601
12 et seq.), part B of title II of the Energy Policy and Con-
13 servation Act (42 U.S.C. 6271 et seq.), the Trading With
14 the Enemy Act (50 U.S.C. App. 1 et seq.), or any other
15 provision of law that imposes sanctions on a foreign per-
16 son or foreign government (including any provision of law
17 that prohibits or restricts United States persons from en-
18 gaging in a transaction with a sanctioned person or gov-
19 ernment), including a foreign government that is des-
20 ignated as a state sponsor of terrorism, to prohibit ex-
21 ports.

22 (d) EXCEPTIONS AND PRESIDENTIAL AUTHORITY.—

23 (1) IN GENERAL.—The President may impose
24 export licensing requirements or other restrictions

1 on the export of crude oil from the United States for
2 a period of not more than 1 year, if—

3 (A) the President declares a national emer-
4 gency and formally notices the declaration of a
5 national emergency in the Federal Register;

6 (B) the export licensing requirements or
7 other restrictions on the export of crude oil
8 from the United States under this subsection
9 apply to 1 or more countries, persons, or orga-
10 nizations in the context of sanctions or trade
11 restrictions imposed by the United States for
12 reasons of national security by the Executive
13 authority of the President or by Congress; or

14 (C) the Secretary of Commerce, in con-
15 sultation with the Secretary of Energy, finds
16 and reports to the President that—

17 (i) the export of crude oil pursuant to
18 this Act has caused sustained material oil
19 supply shortages or sustained oil prices
20 significantly above world market levels that
21 are directly attributable to the export of
22 crude oil produced in the United States;
23 and

24 (ii) those supply shortages or price in-
25 creases have caused or are likely to cause

1 sustained material adverse employment ef-
2 fects in the United States.

3 (2) RENEWAL.—Any requirement or restriction
4 imposed pursuant to subparagraph (A) of paragraph
5 (1) may be renewed for 1 or more additional periods
6 of not more than 1 year each.

7 (e) NATIONAL DEFENSE SEALIFT ENHANCEMENT.—

8 (1) PAYMENTS.—Section 53106(a)(1) of title
9 46, United States Code, is amended—

10 (A) in subparagraph (B), by striking the
11 comma before “for each”;

12 (B) in subparagraph (C), by striking
13 “2015, 2016, 2017, and 2018;” and inserting
14 “and 2015;”;

15 (C) by redesignating subparagraph (E) as
16 subparagraph (G); and

17 (D) by striking subparagraph (D) and in-
18 serting the following:

19 “(D) \$4,999,950 for fiscal year 2017;

20 “(E) \$5,000,000 for each of fiscal years
21 2018, 2019, and 2020;

22 “(F) \$5,233,463 for fiscal year 2021;
23 and”.

1 (2) AUTHORIZATION OF APPROPRIATIONS.—
2 Section 53111 of title 46, United States Code, is
3 amended—

4 (A) in paragraph (3), by striking “2015,
5 2017, and 2018;” and inserting “and 2015”;

6 (B) by redesignating paragraph (5) as
7 paragraph (7); and

8 (C) by striking paragraph (4) and insert-
9 ing the following:

10 “(4) \$299,997,000 for fiscal year 2017;

11 “(5) \$300,000,000 for each of fiscal years
12 2018, 2019, and 2020;

13 “(6) \$314,007,780 for fiscal year 2021; and”.

14 **TITLE II—TERRORIST TRAVEL**
15 **PREVENTION AND VISA WAIV-**
16 **ER PROGRAM REFORM**

17 **SECTION 201. SHORT TITLE.**

18 This title may be cited as the “Visa Waiver Program
19 Improvement and Terrorist Travel Prevention Act of
20 2015”.

21 **SEC. 202. ELECTRONIC PASSPORT REQUIREMENT.**

22 (a) REQUIREMENT FOR ALIEN TO POSSESS ELEC-
23 TRONIC PASSPORT.—Section 217(a)(3) of the Immigra-
24 tion and Nationality Act (8 U.S.C. 1187(a)(3)) is amend-
25 ed to read as follows:

1 “(3) PASSPORT REQUIREMENTS.—The alien, at
2 the time of application for admission, is in posses-
3 sion of a valid unexpired passport that satisfies the
4 following:

5 “(A) MACHINE READABLE.—The passport
6 is a machine-readable passport that is tamper-
7 resistant, incorporates document authentication
8 identifiers, and otherwise satisfies the inter-
9 nationally accepted standard for machine read-
10 ability.

11 “(B) ELECTRONIC.—Beginning on April 1,
12 2016, the passport is an electronic passport
13 that is fraud-resistant, contains relevant bio-
14 graphic and biometric information (as deter-
15 mined by the Secretary of Homeland Security),
16 and otherwise satisfies internationally accepted
17 standards for electronic passports.”.

18 (b) REQUIREMENT FOR PROGRAM COUNTRY TO
19 VALIDATE PASSPORTS.—Section 217(c)(2)(B) of the Im-
20 migration and Nationality Act (8 U.S.C. 1187(c)(2)(B))
21 is amended to read as follows:

22 “(B) PASSPORT PROGRAM.—

23 “(i) ISSUANCE OF PASSPORTS.—The
24 government of the country certifies that it
25 issues to its citizens passports described in

1 subparagraph (A) of subsection (a)(3), and
2 on or after April 1, 2016, passports de-
3 scribed in subparagraph (B) of subsection
4 (a)(3).

5 “(ii) VALIDATION OF PASSPORTS.—
6 Not later than October 1, 2016, the gov-
7 ernment of the country certifies that it has
8 in place mechanisms to validate passports
9 described in subparagraphs (A) and (B) of
10 subsection (a)(3) at each key port of entry
11 into that country. This requirement shall
12 not apply to travel between countries which
13 fall within the Schengen Zone.”.

14 (c) CONFORMING AMENDMENT.—Section 303(c) of
15 the Enhanced Border Security and Visa Entry Reform Act
16 of 2002 is repealed (8 U.S.C. 1732(c)).

17 **SEC. 203. RESTRICTION ON USE OF VISA WAIVER PROGRAM**
18 **FOR ALIENS WHO TRAVEL TO CERTAIN**
19 **COUNTRIES.**

20 Section 217(a) of the Immigration and Nationality
21 Act (8 U.S.C. 1187(a)), as amended by this Act, is further
22 amended by adding at the end the following:

23 “(12) NOT PRESENT IN IRAQ, SYRIA, OR ANY
24 OTHER COUNTRY OR AREA OF CONCERN.—

1 “(A) IN GENERAL.—Except as provided in
2 subparagraphs (B) and (C)—

3 “(i) the alien has not been present, at
4 any time on or after March 1, 2011—

5 “(I) in Iraq or Syria;

6 “(II) in a country that is des-
7 ignated by the Secretary of State
8 under section 6(j) of the Export Ad-
9 ministration Act of 1979 (50 U.S.C.
10 2405) (as continued in effect under
11 the International Emergency Eco-
12 nomic Powers Act (50 U.S.C. 1701 et
13 seq.)), section 40 of the Arms Export
14 Control Act (22 U.S.C. 2780), section
15 620A of the Foreign Assistance Act of
16 1961 (22 U.S.C. 2371), or any other
17 provision of law, as a country, the
18 government of which has repeatedly
19 provided support of acts of inter-
20 national terrorism; or

21 “(III) in any other country or
22 area of concern designated by the Sec-
23 retary of Homeland Security under
24 subparagraph (D); and

1 “(ii) regardless of whether the alien is
2 a national of a program country, the alien
3 is not a national of—

4 “(I) Iraq or Syria;

5 “(II) a country that is des-
6 ignated, at the time the alien applies
7 for admission, by the Secretary of
8 State under section 6(j) of the Export
9 Administration Act of 1979 (50
10 U.S.C. 2405) (as continued in effect
11 under the International Emergency
12 Economic Powers Act (50 U.S.C.
13 1701 et seq.)), section 40 of the Arms
14 Export Control Act (22 U.S.C. 2780),
15 section 620A of the Foreign Assist-
16 ance Act of 1961 (22 U.S.C. 2371),
17 or any other provision of law, as a
18 country, the government of which has
19 repeatedly provided support of acts of
20 international terrorism; or

21 “(III) any other country that is
22 designated, at the time the alien ap-
23 plies for admission, by the Secretary
24 of Homeland Security under subpara-
25 graph (D).

1 “(B) CERTAIN MILITARY PERSONNEL AND
2 GOVERNMENT EMPLOYEES.—Subparagraph
3 (A)(i) shall not apply in the case of an alien if
4 the Secretary of Homeland Security determines
5 that the alien was present—

6 “(i) in order to perform military serv-
7 ice in the armed forces of a program coun-
8 try; or

9 “(ii) in order to carry out official du-
10 ties as a full time employee of the govern-
11 ment of a program country.

12 “(C) WAIVER.—The Secretary of Home-
13 land Security may waive the application of sub-
14 paragraph (A) to an alien if the Secretary de-
15 termines that such a waiver is in the law en-
16 forcement or national security interests of the
17 United States.

18 “(D) COUNTRIES OR AREAS OF CON-
19 CERN.—

20 “(i) IN GENERAL.—Not later than 60
21 days after the date of the enactment of
22 this paragraph, the Secretary of Homeland
23 Security, in consultation with the Sec-
24 retary of State and the Director of Na-
25 tional Intelligence, shall determine whether

1 the requirement under subparagraph (A)
2 shall apply to any other country or area.

3 “(ii) CRITERIA.—In making a deter-
4 mination under clause (i), the Secretary
5 shall consider—

6 “(I) whether the presence of an
7 alien in the country or area increases
8 the likelihood that the alien is a cred-
9 ible threat to the national security of
10 the United States;

11 “(II) whether a foreign terrorist
12 organization has a significant pres-
13 ence in the country or area; and

14 “(III) whether the country or
15 area is a safe haven for terrorists.

16 “(iii) ANNUAL REVIEW.—The Sec-
17 retary shall conduct a review, on an annual
18 basis, of any determination made under
19 clause (i).

20 “(E) REPORT.—Beginning not later than
21 one year after the date of the enactment of this
22 paragraph, and annually thereafter, the Sec-
23 retary of Homeland Security shall submit to the
24 Committee on Homeland Security, the Com-
25 mittee on Foreign Affairs, the Permanent Se-

1 lect Committee on Intelligence, and the Com-
2 mittee on the Judiciary of the House of Rep-
3 resentatives, and the Committee on Homeland
4 Security and Governmental Affairs, the Com-
5 mittee on Foreign Relations, the Select Com-
6 mittee on Intelligence, and the Committee on
7 the Judiciary of the Senate a report on each in-
8 stance in which the Secretary exercised the
9 waiver authority under subparagraph (C) dur-
10 ing the previous year.”.

11 **SEC. 204. DESIGNATION REQUIREMENTS FOR PROGRAM**
12 **COUNTRIES.**

13 (a) REPORTING LOST AND STOLEN PASSPORTS.—
14 Section 217(c)(2)(D) of the Immigration and Nationality
15 Act (8 U.S.C. 1187(c)(2)(D)), as amended by this Act,
16 is further amended by striking “within a strict time limit”
17 and inserting “not later than 24 hours after becoming
18 aware of the theft or loss”.

19 (b) INTERPOL SCREENING.—Section 217(c)(2) of the
20 Immigration and Nationality Act (8 U.S.C. 1187(c)(2)),
21 as amended by this Act, is further amended by adding
22 at the end the following:

23 “(G) INTERPOL SCREENING.—Not later
24 than 270 days after the date of the enactment
25 of this subparagraph, except in the case of a

1 country in which there is not an international
2 airport, the government of the country certifies
3 to the Secretary of Homeland Security that, to
4 the maximum extent allowed under the laws of
5 the country, it is screening, for unlawful activ-
6 ity, each person who is not a citizen or national
7 of that country who is admitted to or departs
8 that country, by using relevant databases and
9 notices maintained by Interpol, or other means
10 designated by the Secretary of Homeland Secu-
11 rity. This requirement shall not apply to travel
12 between countries which fall within the
13 Schengen Zone.”.

14 (c) IMPLEMENTATION OF PASSENGER INFORMATION
15 EXCHANGE AGREEMENT.—Section 217(c)(2)(F) of the
16 Immigration and Nationality Act (8 U.S.C.
17 1187(c)(2)(F)), as amended by this Act, is further amend-
18 ed by inserting before the period at the end the following:
19 “, and fully implements such agreement”.

20 (d) TERMINATION OF DESIGNATION.—Section 217(f)
21 of the Immigration and Nationality Act (8 U.S.C.
22 1187(f)) is amended by adding at the end the following:

23 “(6) FAILURE TO SHARE INFORMATION.—

24 “(A) IN GENERAL.—If the Secretary of
25 Homeland Security and the Secretary of State

1 jointly determine that the program country is
2 not sharing information, as required by sub-
3 section (c)(2)(F), the Secretary of Homeland
4 Security shall terminate the designation of the
5 country as a program country.

6 “(B) REDESIGNATION.—In the case of a
7 termination under this paragraph, the Secretary
8 of Homeland Security shall redesignate the
9 country as a program country, without regard
10 to paragraph (2) or (3) of subsection (c) or
11 paragraphs (1) through (4), when the Secretary
12 of Homeland Security, in consultation with the
13 Secretary of State, determines that the country
14 is sharing information, as required by sub-
15 section (c)(2)(F).

16 “(7) FAILURE TO SCREEN.—

17 “(A) IN GENERAL.—Beginning on the date
18 that is 270 days after the date of the enact-
19 ment of this paragraph, if the Secretary of
20 Homeland Security and the Secretary of State
21 jointly determine that the program country is
22 not conducting the screening required by sub-
23 section (c)(2)(G), the Secretary of Homeland
24 Security shall terminate the designation of the
25 country as a program country.

1 “(B) REDESIGNATION.—In the case of a
2 termination under this paragraph, the Secretary
3 of Homeland Security shall redesignate the
4 country as a program country, without regard
5 to paragraph (2) or (3) of subsection (c) or
6 paragraphs (1) through (4), when the Secretary
7 of Homeland Security, in consultation with the
8 Secretary of State, determines that the country
9 is conducting the screening required by sub-
10 section (c)(2)(G).”.

11 **SEC. 205. REPORTING REQUIREMENTS.**

12 (a) IN GENERAL.—Section 217(c) of the Immigration
13 and Nationality Act (8 U.S.C. 1187(c)), as amended by
14 this Act, is further amended—

15 (1) in paragraph (2)(C)(iii)—

16 (A) by striking “and the Committee on
17 International Relations” and inserting “, the
18 Committee on Foreign Affairs, and the Com-
19 mittee on Homeland Security”; and

20 (B) by striking “and the Committee on
21 Foreign Relations” and inserting “, the Com-
22 mittee on Foreign Relations, and the Com-
23 mittee on Homeland Security and Govern-
24 mental Affairs”; and

25 (2) in paragraph (5)(A)(i)—

1 (A) in subclause (III)—

2 (i) by inserting after “the Committee
3 on Foreign Affairs,” the following: “the
4 Permanent Select Committee on Intel-
5 ligence,”;

6 (ii) by inserting after “the Committee
7 on Foreign Relations,” the following: “the
8 Select Committee on Intelligence”; and

9 (iii) by striking “and” at the end;

10 (B) in subclause (IV), by striking the pe-
11 riod at the end and inserting the following: “;
12 and”; and

13 (C) by adding at the end the following:

14 “(V) shall submit to the commit-
15 tees described in subclause (III), a re-
16 port that includes an assessment of
17 the threat to the national security of
18 the United States of the designation
19 of each country designated as a pro-
20 gram country, including the compli-
21 ance of the government of each such
22 country with the requirements under
23 subparagraphs (D) and (F) of para-
24 graph (2), as well as each such gov-

1 ernment’s capacity to comply with
2 such requirements.”.

3 (b) DATE OF SUBMISSION OF FIRST REPORT.—The
4 Secretary of Homeland Security shall submit the first re-
5 port described in subclause (V) of section 217(c)(5)(A)(i)
6 of the Immigration and Nationality Act (8 U.S.C.
7 (c)(5)(A)(i)), as added by subsection (a), not later than
8 90 days after the date of the enactment of this Act.

9 **SEC. 206. HIGH RISK PROGRAM COUNTRIES.**

10 Section 217(c) of the Immigration and Nationality
11 Act (8 U.S.C. 1187(c)), as amended by this Act, is further
12 amended by adding at the end the following:

13 “(12) DESIGNATION OF HIGH RISK PROGRAM
14 COUNTRIES.—

15 “(A) IN GENERAL.—The Secretary of
16 Homeland Security, in consultation with the Di-
17 rector of National Intelligence and the Sec-
18 retary of State, shall evaluate program coun-
19 tries on an annual basis based on the criteria
20 described in subparagraph (B) and shall iden-
21 tify any program country, the admission of na-
22 tionals from which under the visa waiver pro-
23 gram under this section, the Secretary deter-
24 mines presents a high risk to the national secu-
25 rity of the United States.

1 “(B) CRITERIA.—In evaluating program
2 countries under subparagraph (A), the Sec-
3 retary of Homeland Security, in consultation
4 with the Director of National Intelligence and
5 the Secretary of State, shall consider the fol-
6 lowing criteria:

7 “(i) The number of nationals of the
8 country determined to be ineligible to trav-
9 el to the United States under the program
10 during the previous year.

11 “(ii) The number of nationals of the
12 country who were identified in United
13 States Government databases related to
14 the identities of known or suspected terror-
15 ists during the previous year.

16 “(iii) The estimated number of na-
17 tionals of the country who have traveled to
18 Iraq or Syria at any time on or after
19 March 1, 2011 to engage in terrorism.

20 “(iv) The capacity of the country to
21 combat passport fraud.

22 “(v) The level of cooperation of the
23 country with the counter-terrorism efforts
24 of the United States.

1 “(vi) The adequacy of the border and
2 immigration control of the country.

3 “(vii) Any other criteria the Secretary
4 of Homeland Security determines to be ap-
5 propriate.

6 “(C) SUSPENSION OF DESIGNATION.—The
7 Secretary of Homeland Security, in consultation
8 with the Secretary of State, may suspend the
9 designation of a program country based on a
10 determination that the country presents a high
11 risk to the national security of the United
12 States under subparagraph (A) until such time
13 as the Secretary determines that the country no
14 longer presents such a risk.

15 “(D) REPORT.—Not later than 60 days
16 after the date of the enactment of this para-
17 graph, and annually thereafter, the Secretary of
18 Homeland Security, in consultation with the Di-
19 rector of National Intelligence and the Sec-
20 retary of State, shall submit to the Committee
21 on Homeland Security, the Committee on For-
22 eign Affairs, the Permanent Select Committee
23 on Intelligence, and the Committee on the Judi-
24 ciary of the House of Representatives, and the
25 Committee on Homeland Security and Govern-

1 mental Affairs, the Committee on Foreign Rela-
2 tions, the Select Committee on Intelligence, and
3 the Committee on the Judiciary of the Senate
4 a report, which includes an evaluation and
5 threat assessment of each country determined
6 to present a high risk to the national security
7 of the United States under subparagraph (A).”.

8 **SEC. 207. ENHANCEMENTS TO THE ELECTRONIC SYSTEM**
9 **FOR TRAVEL AUTHORIZATION.**

10 (a) IN GENERAL.—Section 217(h)(3) of the Immi-
11 gration and Nationality Act (8 U.S.C. 1187(h)(3)) is
12 amended—

13 (1) in subparagraph (C)(i), by inserting after
14 “any such determination” the following: “or shorten
15 the period of eligibility under any such determina-
16 tion”;

17 (2) by striking subparagraph (D) and inserting
18 the following:

19 “(D) FRAUD DETECTION.—The Secretary
20 of Homeland Security shall research opportuni-
21 ties to incorporate into the System technology
22 that will detect and prevent fraud and deception
23 in the System.

24 “(E) ADDITIONAL AND PREVIOUS COUN-
25 TRIES OF CITIZENSHIP.—The Secretary of

1 Homeland Security shall collect from an appli-
2 cant for admission pursuant to this section in-
3 formation on any additional or previous coun-
4 tries of citizenship of that applicant. The Sec-
5 retary shall take any information so collected
6 into account when making determinations as to
7 the eligibility of the alien for admission pursu-
8 ant to this section.

9 “(F) REPORT ON CERTAIN LIMITATIONS
10 ON TRAVEL.—Not later than 30 days after the
11 date of the enactment of this subparagraph and
12 annually thereafter, the Secretary of Homeland
13 Security, in consultation with the Secretary of
14 State, shall submit to the Committee on Home-
15 land Security, the Committee on the Judiciary,
16 and the Committee on Foreign Affairs of the
17 House of Representatives, and the Committee
18 on Homeland Security and Governmental Af-
19 fairs, the Committee on the Judiciary, and the
20 Committee on Foreign Relations of the Senate
21 a report on the number of individuals who were
22 denied eligibility to travel under the program,
23 or whose eligibility for such travel was revoked
24 during the previous year, and the number of
25 such individuals determined, in accordance with

1 subsection (a)(6), to represent a threat to the
2 national security of the United States, and shall
3 include the country or countries of citizenship
4 of each such individual.”.

5 (b) REPORT.—Not later than 30 days after the date
6 of the enactment of this Act, the Secretary of Homeland
7 Security, in consultation with the Secretary of State, shall
8 submit to the Committee on Homeland Security, the Com-
9 mittee on the Judiciary, and the Committee on Foreign
10 Affairs of the House of Representatives, and the Com-
11 mittee on Homeland Security and Governmental Affairs,
12 the Committee on the Judiciary, and the Committee on
13 Foreign Relations of the Senate a report on steps to
14 strengthen the electronic system for travel authorization
15 authorized under section 217(h)(3) of the Immigration
16 and Nationality Act (8 U.S.C. 1187(h)(3))) in order to
17 better secure the international borders of the United
18 States and prevent terrorists and instruments of terrorism
19 from entering the United States.

20 **SEC. 208. PROVISION OF ASSISTANCE TO NON-PROGRAM**
21 **COUNTRIES.**

22 The Secretary of Homeland Security, in consultation
23 with the Secretary of State, shall provide assistance in a
24 risk-based manner to countries that do not participate in
25 the visa waiver program under section 217 of the Immi-

1 gration and Nationality Act (8 U.S.C. 1187) to assist
2 those countries in—

3 (1) submitting to Interpol information about
4 the theft or loss of passports of citizens or nationals
5 of such a country; and

6 (2) issuing, and validating at the ports of entry
7 of such a country, electronic passports that are
8 fraud-resistant, contain relevant biographic and bio-
9 metric information (as determined by the Secretary
10 of Homeland Security), and otherwise satisfy inter-
11 nationally accepted standards for electronic pass-
12 ports.

13 **SEC. 209. CLERICAL AMENDMENTS.**

14 (a) SECRETARY OF HOMELAND SECURITY.—Section
15 217 of the Immigration and Nationality Act (8 U.S.C.
16 1187), as amended by this Act, is further amended by
17 striking “Attorney General” each place such term appears
18 (except in subsection (c)(11)(B)) and inserting “Secretary
19 of Homeland Security”.

20 (b) ELECTRONIC SYSTEM FOR TRAVEL AUTHORIZA-
21 TION.—Section 217 of the Immigration and Nationality
22 Act (8 U.S.C. 1187), as amended this Act, is further
23 amended—

1 (1) by striking “electronic travel authorization
2 system” each place it appears and inserting “elec-
3 tronic system for travel authorization”;

4 (2) in the heading in subsection (a)(11), by
5 striking “ELECTRONIC TRAVEL AUTHORIZATION SYS-
6 TEM” and inserting “ELECTRONIC SYSTEM FOR
7 TRAVEL AUTHORIZATION”; and

8 (3) in the heading in subsection (h)(3), by
9 striking “ELECTRONIC TRAVEL AUTHORIZATION SYS-
10 TEM” and inserting “ELECTRONIC SYSTEM FOR
11 TRAVEL AUTHORIZATION”.

12 **SEC. 210. SENSE OF CONGRESS.**

13 It is the sense of Congress that the International
14 Civil Aviation Organization, the specialized agency of the
15 United Nations responsible for establishing international
16 standards, specifications, and best practices related to the
17 administration and governance of border controls and in-
18 spection formalities, should establish standards for the in-
19 troduction of electronic passports (referred to in this sec-
20 tion as “e-passports”), and obligate member countries to
21 utilize such e-passports as soon as possible. Such e-pass-
22 ports should be a combined paper and electronic passport
23 that contains biographic and biometric information that
24 can be used to authenticate the identity of travelers
25 through an embedded chip.

1 **TITLE III—JAMES ZADROGA 9/11**
2 **HEALTH AND COMPENSATION**
3 **REAUTHORIZATION ACT**

4 **SEC. 301. SHORT TITLE.**

5 This title may be cited as the “James Zadroga 9/11
6 Health and Compensation Reauthorization Act”.

7 **SEC. 302. REAUTHORIZING THE WORLD TRADE CENTER**
8 **HEALTH PROGRAM.**

9 (a) WORLD TRADE CENTER HEALTH PROGRAM
10 FUND.—Section 3351 of the Public Health Service Act
11 (42 U.S.C. 300mm–61) is amended—

12 (1) in subsection (a)—

13 (A) in paragraph (2)—

14 (i) in the matter preceding subpara-
15 graph (A), by striking “each of fiscal years
16 2012” and all that follows through
17 “2011)” and inserting “fiscal year 2016
18 and each subsequent fiscal year through
19 fiscal year 2090”; and

20 (ii) by striking subparagraph (A) and
21 inserting the following:

22 “(A) the Federal share, consisting of an
23 amount equal to—

24 “(i) for fiscal year 2016,
25 \$330,000,000;

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1 “(ii) for fiscal year 2017,
2 \$345,610,000;
3 “(iii) for fiscal year 2018,
4 \$380,000,000;
5 “(iv) for fiscal year 2019,
6 \$440,000,000;
7 “(v) for fiscal year 2020,
8 \$485,000,000;
9 “(vi) for fiscal year 2021,
10 \$501,000,000;
11 “(vii) for fiscal year 2022,
12 \$518,000,000;
13 “(viii) for fiscal year 2023,
14 \$535,000,000;
15 “(ix) for fiscal year 2024,
16 \$552,000,000;
17 “(x) for fiscal year 2025,
18 \$570,000,000; and
19 “(xi) for each subsequent fiscal year
20 through fiscal year 2090, the amount spec-
21 ified under this subparagraph for the pre-
22 vious fiscal year increased by the percent-
23 age increase in the consumer price index
24 for all urban consumers (all items; United
25 States city average) as estimated by the

1 Secretary for the 12-month period ending
2 with March of the previous year; plus”;
3 and

4 (B) by striking paragraph (4) and insert-
5 ing the following:

6 “(4) AMOUNTS FROM PRIOR FISCAL YEARS.—
7 Amounts that were deposited, or identified for de-
8 posit, into the Fund for any fiscal year under para-
9 graph (2), as such paragraph was in effect on the
10 day before the date of enactment of the James
11 Zadroga 9/11 Health and Compensation Reauthor-
12 ization Act, that were not expended in carrying out
13 this title for any such fiscal year, shall remain de-
14 posited, or be deposited, as the case may be, into the
15 Fund.

16 “(5) AMOUNTS TO REMAIN AVAILABLE UNTIL
17 EXPENDED.—Amounts deposited into the Fund
18 under this subsection, including amounts deposited
19 under paragraph (2) as in effect on the day before
20 the date of enactment of the James Zadroga 9/11
21 Health and Compensation Reauthorization Act, for a
22 fiscal year shall remain available, for the purposes
23 described in this title, until expended for such fiscal
24 year and any subsequent fiscal year through fiscal
25 year 2090.”;

1 (2) in subsection (b)(1), by striking “sections
2 3302(a)” and all that follows through “3342” and
3 inserting “sections 3301(e), 3301(f), 3302(a),
4 3302(b), 3303, 3304, 3305(a)(1), 3305(a)(2),
5 3305(e), 3341, and 3342”; and

6 (3) in subsection (c)—

7 (A) in paragraph (1)—

8 (i) by striking subparagraph (B);

9 (ii) by redesignating subparagraph
10 (C) as subparagraph (B); and

11 (iii) by amending subparagraph (A) to
12 read as follows:

13 “(A) for fiscal year 2016, the amount de-
14 termined for such fiscal year under subpara-
15 graph (C) as in effect on the day before the
16 date of enactment of the James Zadroga 9/11
17 Health and Compensation Reauthorization Act;
18 and”;

19 (B) in paragraph (2)—

20 (i) by amending subparagraph (A) to
21 read as follows:

22 “(A) for fiscal year 2016, \$200,000;”;

23 (ii) by striking subparagraph (B); and

24 (iii) by redesignating subparagraph
25 (C) as subparagraph (B);

1 (C) in paragraph (3), by striking “section
2 3303” and all that follows and inserting “sec-
3 tion 3303, for fiscal year 2016 and each subse-
4 quent fiscal year, \$750,000.”;

5 (D) in paragraph (4), by striking subpara-
6 graphs (A) and (B) and inserting the following:

7 “(A) for fiscal year 2016, the amount de-
8 termined for such fiscal year under subpara-
9 graph (C) as in effect on the day before the
10 date of enactment of the James Zadroga 9/11
11 Health and Compensation Reauthorization Act;

12 “(B) for fiscal year 2017, \$15,000,000;
13 and”;

14 (E) in paragraph (5)—

15 (i) by striking subparagraph (B);

16 (ii) by redesignating subparagraph
17 (C) as subparagraph (B); and

18 (iii) by amending subparagraph (A) to
19 read as follows:

20 “(A) for fiscal year 2016, the amount de-
21 termined for such fiscal year under subpara-
22 graph (C) as in effect on the day before the
23 date of enactment of the James Zadroga 9/11
24 Health and Compensation Reauthorization Act;
25 and”;

1 (F) in paragraph (6)—
2 (i) by striking subparagraph (B);
3 (ii) by redesignating subparagraph
4 (C) as subparagraph (B); and
5 (iii) by amending subparagraph (A) to
6 read as follows:

7 “(A) for fiscal year 2016, the amount de-
8 termined for such fiscal year under subpara-
9 graph (C) as in effect on the day before the
10 date of enactment of the James Zadroga 9/11
11 Health and Compensation Reauthorization Act;
12 and”.

13 (b) GAO STUDIES; REGULATIONS; TERMINATION.—
14 Section 3301 of the Public Health Service Act (42 U.S.C.
15 300mm) is amended by adding at the end the following:

16 “(i) GAO STUDIES.—
17 “(1) REPORT.—Not later than 18 months after
18 the date of the enactment of the James Zadroga 9/
19 11 Health and Compensation Reauthorization Act,
20 the Comptroller General of the United States shall
21 submit to the Committee on Energy and Commerce
22 of the House of Representatives and the Committee
23 on Health, Education, Labor, and Pensions of the
24 Senate a report that assesses, with respect to the

1 WTC Program, the effectiveness of each of the fol-
2 lowing:

3 “(A) The quality assurance program devel-
4 oped and implemented under subsection (e).

5 “(B) The procedures for providing certifi-
6 cations of coverage of conditions as WTC-re-
7 lated health conditions for enrolled WTC re-
8 sponders under section 3312(b)(2)(B)(iii) and
9 for screening-eligible WTC survivors and cer-
10 tified-eligible WTC survivors under such section
11 as applied under section 3322(a).

12 “(C) Any action under the WTC Program
13 to ensure appropriate payment (including the
14 avoidance of improper payments), including de-
15 termining the extent to which individuals en-
16 rolled in the WTC Program are eligible for
17 workers compensation or sources of health cov-
18 erage, ascertaining the liability of such com-
19 pensation or sources of health coverage, and
20 making recommendations for ensuring effective
21 and efficient coordination of benefits for indi-
22 viduals enrolled in the WTC Program that does
23 not place an undue burden on such individuals.

24 “(2) SUBSEQUENT ASSESSMENTS.—Not later
25 than 6 years and 6 months after the date of enact-

1 ment of the James Zadroga 9/11 Health and Com-
2 pensation Reauthorization Act, and every 5 years
3 thereafter through fiscal year 2042, the Comptroller
4 General of the United States shall—

5 “(A) consult the Committee on Energy and
6 Commerce of the House of Representatives and
7 the Committee on Health, Education, Labor,
8 and Pensions of the Senate on the objectives in
9 assessing the WTC Program; and

10 “(B) prepare and submit to such Commit-
11 tees a report that assesses the WTC Program
12 for the applicable reporting period, including
13 the objectives described in subparagraph (A).

14 “(j) REGULATIONS.—The WTC Program Adminis-
15 trator is authorized to promulgate such regulations as the
16 Administrator determines necessary to administer this
17 title.

18 “(k) TERMINATION.—The WTC Program shall ter-
19 minate on October 1, 2090.”.

20 (c) CLINICAL CENTERS OF EXCELLENCE AND DATA
21 CENTERS.—Section 3305 of the Public Health Service Act
22 (42 U.S.C. 300mm-4) is amended—

23 (1) in subsection (a)—

24 (A) in paragraph (1)(B), by inserting “and
25 retention” after “outreach”; and

1 (B) in paragraph (2)(A)(iii), by inserting
2 “and retention” after “outreach”; and
3 (2) in subsection (b)(1)(B)(vi), by striking “sec-
4 tion 3304(c)” and inserting “section 3304(d)”.

5 (d) WORLD TRADE CENTER RESPONDERS.—Section
6 3311(a)(4)(B)(i)(II) of the Public Health Service Act (42
7 U.S.C. 300mm–21(a)(4)(B)(i)(II)) is amended by striking
8 “through the end of fiscal year 2020”.

9 (e) ADDITIONS TO LIST OF HEALTH CONDITIONS
10 FOR WTC RESPONDERS.—

11 (1) EXPANDING TIME FOR ACTIONS BY ADMIN-
12 STRATOR AND BY ADVISORY COMMITTEE.—Section
13 3312(a)(6) of the Public Health Service Act (42
14 U.S.C. 300mm–22(a)(6)) is amended—

15 (A) in subparagraph (B), in the matter
16 preceding clause (i), by striking “60 days” and
17 inserting “90 days”; and

18 (B) in subparagraph (C), by striking “60
19 days” each place such term appears and insert-
20 ing “90 days”.

21 (2) PEER REVIEW FOR DECISIONS; ENHANCED
22 ROLE OF ADVISORY COMMITTEE.—Section
23 3312(a)(6) of the Public Health Service Act (42
24 U.S.C. 300mm–22(a)(6)), as amended by paragraph

1 (1), is further amended by adding at the end the fol-
2 lowing:

3 “(F) INDEPENDENT PEER REVIEWS.—

4 Prior to issuing a final rule to add a health
5 condition to the list in paragraph (3), the WTC
6 Program Administrator shall provide for an
7 independent peer review of the scientific and
8 technical evidence that would be the basis for
9 issuing such final rule.

10 “(G) ADDITIONAL ADVISORY COMMITTEE
11 RECOMMENDATIONS.—

12 “(i) PROGRAM POLICIES.—

13 “(I) EXISTING POLICIES.—Not
14 later than 1 year after the date of en-
15 actment of the James Zadroga 9/11
16 Health and Compensation Reauthor-
17 ization Act, the WTC Program Ad-
18 ministrator shall request the Advisory
19 Committee to review and evaluate the
20 policies and procedures, in effect at
21 the time of the review and evaluation,
22 that are used to determine whether
23 sufficient evidence exists to support
24 adding a health condition to the list in
25 paragraph (3).

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1 “(II) SUBSEQUENT POLICIES.—

2 Prior to establishing any substantive
3 new policy or procedure used to make
4 the determination described in sub-
5 clause (I) or prior to making any sub-
6 stantive amendment to any policy or
7 procedure described in such subclause,
8 the WTC Program Administrator
9 shall request the Advisory Committee
10 to review and evaluate such sub-
11 stantive policy, procedure, or amend-
12 ment.

13 “(ii) IDENTIFICATION OF INDIVID-
14 UALS CONDUCTING INDEPENDENT PEER
15 REVIEWS.—Not later than 1 year after the
16 date of enactment of the James Zadroga 9/
17 11 Health and Compensation Reauthoriza-
18 tion Act and not less than every 2 years
19 thereafter, the WTC Program Adminis-
20 trator shall seek recommendations from
21 the Advisory Committee regarding the
22 identification of individuals to conduct the
23 independent peer reviews under subpara-
24 graph (F).”.

1 (f) WORLD TRADE CENTER SURVIVORS.—Section
2 3321(a)(3)(B)(i)(II) of the Public Health Service Act (42
3 U.S.C. 300mm–31(a)(3)(B)(i)(II)) is amended by striking
4 “through the end of fiscal year 2020”.

5 (g) PAYMENT OF CLAIMS.—Section 3331(d)(1)(B) of
6 the Public Health Service Act (42 U.S.C. 300mm–
7 41(d)(1)(B)) is amended—

8 (1) by striking “the last calendar quarter” and
9 all that follows through “2015” and inserting “each
10 calendar quarter of fiscal year 2016 and of each
11 subsequent fiscal year through fiscal year 2090,”;
12 and

13 (2) by striking “and with respect to calendar
14 quarters in fiscal year 2016” and all that follows
15 and inserting a period.

16 (h) WORLD TRADE CENTER HEALTH REGISTRY.—
17 Section 3342 of the Public Health Service Act (42 U.S.C.
18 300mm–52) is amended by striking “April 20, 2009” and
19 inserting “January 1, 2015”.

20 **TITLE IV—JAMES ZADROGA 9/11**
21 **VICTIM COMPENSATION**
22 **FUND REAUTHORIZATION**

23 **SEC. 401. SHORT TITLE.**

24 This title may be cited as the “James Zadroga 9/11
25 Victim Compensation Fund Reauthorization Act”.

1 **SEC. 402. REAUTHORIZING THE SEPTEMBER 11TH VICTIM**
2 **COMPENSATION FUND OF 2001.**

3 (a) DEFINITIONS.—Section 402 of the Air Transpor-
4 tation Safety and System Stabilization Act (49 U.S.C.
5 40101 note) is amended—

6 (1) in paragraph (9)—

7 (A) by striking “medical expense loss,”;

8 and

9 (B) by striking “and loss of business or
10 employment opportunities” and inserting “loss
11 of business or employment opportunities, and
12 past out-of-pocket medical expense loss but not
13 future medical expense loss”;

14 (2) by redesignating paragraph (14) as para-
15 graph (16);

16 (3) by inserting after paragraph (13), the fol-
17 lowing:

18 “(14) WTC PROGRAM ADMINISTRATOR.—The
19 term ‘WTC Program Administrator’ has the mean-
20 ing given such term in section 3306 of the Public
21 Health Service Act (42 U.S.C. 300mm–5).

22 “(15) WTC-RELATED PHYSICAL HEALTH CON-
23 DITION.—The term ‘WTC-related physical health
24 condition’—

25 “(A) means, subject to subparagraph (B),
26 a WTC-related health condition as defined by

1 section 3312(a) of the Public Health Service
2 Act (42 U.S.C. 300mm-22(a)), including the
3 conditions listed in section 3322(b) of such Act
4 (42 U.S.C. 300mm-32(b)); and

5 “(B) does not include—

6 “(i) a mental health condition de-
7 scribed in paragraph (1)(A)(ii) or (3)(B)
8 of section 3312(a) of such Act (42 U.S.C.
9 300mm-22(a));

10 “(ii) any mental health condition cer-
11 tified under section 3312(b)(2)(B)(iii) of
12 such Act (42 U.S.C. 300mm-
13 22(b)(2)(B)(iii)) (including such certifi-
14 cation as applied under section 3322(a) of
15 such Act (42 U.S.C. 300mm-32(a));

16 “(iii) a mental health condition de-
17 scribed in section 3322(b)(2) of such Act
18 (42 U.S.C. 300mm-32(b)(2)); or

19 “(iv) any other mental health condi-
20 tion.”; and

21 (4) in paragraph (16), as redesignated by para-
22 graph (2), by striking subparagraph (C) and insert-
23 ing the following:

24 “(C) the area in Manhattan that is south
25 of the line that runs along Canal Street from

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1 the Hudson River to the intersection of Canal
2 Street and East Broadway, north on East
3 Broadway to Clinton Street, and east on Clin-
4 ton Street to the East River;”.

5 (b) PURPOSE.—Section 403 of the Air Transpor-
6 tation Safety and System Stabilization Act (49 U.S.C.
7 40101 note) is amended—

8 (1) by inserting “full” before “compensation”;
9 and

10 (2) by inserting “, or the rescue and recovery
11 efforts during the immediate aftermath of such
12 crashes” before the period.

13 (c) ELIGIBILITY REQUIREMENTS FOR FILING
14 CLAIMS.—Section 405 of the Air Transportation Safety
15 and System Stabilization Act (49 U.S.C. 40101 note) is
16 amended—

17 (1) in subsection (a)(3)—

18 (A) by striking subparagraph (B) and in-
19 serting the following:

20 “(B) EXCEPTION.—A claim may be filed
21 under paragraph (1), in accordance with sub-
22 section (c)(3)(A)(i), by an individual (or by a
23 personal representative on behalf of a deceased
24 individual) during the period beginning on the
25 date on which the regulations are updated

1 under section 407(b)(1) and ending on the date
2 that is 5 years after the date of enactment of
3 the James Zadroga 9/11 Victim Compensation
4 Fund Reauthorization Act.

5 “(C) SPECIAL MASTER DETERMINATION.—

6 “(i) IN GENERAL.—For claims filed
7 under this title during the period described
8 in subparagraph (B), the Special Master
9 shall establish a system for determining
10 whether, for purposes of this title, the
11 claim is—

12 “(I) a claim in Group A, as de-
13 scribed in clause (ii); or

14 “(II) a claim in Group B, as de-
15 scribed in clause (iii).

16 “(ii) GROUP A CLAIMS.—A claim
17 under this title is a claim in Group A if—

18 “(I) the claim is filed under this
19 title during the period described in
20 subparagraph (B); and

21 “(II) on or before the day before
22 the date of enactment of the James
23 Zadroga 9/11 Victim Compensation
24 Fund Reauthorization Act, the Special
25 Master postmarks and transmits a

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1 final award determination to the
2 claimant filing such claim.

3 “(iii) GROUP B CLAIMS.—A claim
4 under this title is a claim in Group B if
5 the claim—

6 “(I) is filed under this title dur-
7 ing the period described in subpara-
8 graph (B); and

9 “(II) is not a claim described in
10 clause (ii).

11 “(iv) DEFINITION OF FINAL AWARD
12 DETERMINATION.—For purposes of this
13 subparagraph, the term ‘final award deter-
14 mination’ means a letter from the Special
15 Master indicating the total amount of com-
16 pensation to which a claimant is entitled
17 for a claim under this title without regard
18 to the limitation under the second sentence
19 of section 406(d)(1), as such section was
20 in effect on the day before the date of en-
21 actment of the James Zadroga 9/11 Victim
22 Compensation Fund Reauthorization
23 Act.”;

24 (2) in subsection (b)—

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1 (A) in paragraph (1)(B)(ii), by inserting
2 “subject to paragraph (7),” before “the
3 amount”;

4 (B) in paragraph (6)—

5 (i) by striking “The Special Master”
6 and inserting the following:

7 “(A) IN GENERAL.—The Special Master”;

8 and

9 (ii) by adding at the end the fol-
10 lowing:

11 “(B) GROUP B CLAIMS.—Notwithstanding
12 any other provision of this title, in the case of
13 a claim in Group B as described in subsection
14 (a)(3)(C)(iii), a claimant filing such claim shall
15 receive an amount of compensation under this
16 title for such claim that is not greater than the
17 amount determined under paragraph (1)(B)(ii)
18 less the amount of any collateral source com-
19 pensation that such claimant has received or is
20 entitled to receive for such claim as a result of
21 the terrorist-related aircraft crashes of Sep-
22 tember 11, 2001.”; and

23 (C) by adding at the end the following:

24 “(7) LIMITATIONS FOR GROUP B CLAIMS.—

1 “(A) NONECONOMIC LOSSES.—With re-
2 spect to a claim in Group B as described in
3 subsection (a)(3)(C)(iii), the total amount of
4 compensation to which a claimant filing such
5 claim is entitled to receive for such claim under
6 this title on account of any noneconomic loss—

7 “(i) that results from any type of can-
8 cer shall not exceed \$250,000; and

9 “(ii) that does not result from any
10 type of cancer shall not exceed \$90,000.

11 “(B) DETERMINATION OF ECONOMIC
12 LOSS.—

13 “(i) IN GENERAL.—Subject to the
14 limitation described in clause (ii) and with
15 respect to a claim in Group B as described
16 in subsection (a)(3)(C)(iii), the Special
17 Master shall, for purposes of calculating
18 the amount of compensation to which a
19 claimant is entitled under this title for
20 such claim on account of any economic
21 loss, determine the loss of earnings or
22 other benefits related to employment by
23 using the applicable methodology described
24 in section 104.43 or 104.45 of title 28,
25 Code of Federal Regulations, as such Code

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1 was in effect on the day before the date of
2 enactment of the James Zadroga 9/11 Vic-
3 tim Compensation Fund Reauthorization
4 Act.

5 “(ii) ANNUAL GROSS INCOME LIMITA-
6 TION.—In considering annual gross income
7 under clause (i) for the purposes described
8 in such clause, the Special Master shall,
9 for each year of any loss of earnings or
10 other benefits related to employment, limit
11 the annual gross income of the claimant
12 (or decedent in the case of a personal rep-
13 resentative) for each such year to an
14 amount that is not greater than \$200,000.

15 “(C) GROSS INCOME DEFINED.—For pur-
16 poses of this paragraph, the term ‘gross income’
17 has the meaning given such term in section 61
18 of the Internal Revenue Code of 1986.”; and
19 (3) in subsection (c)(3)—

20 (A) in subparagraph (A)—

21 (i) in clause (ii), in the matter pre-
22 ceding subclause (I), by striking “An indi-
23 vidual” and inserting “Except with respect
24 to claims in Group B as described in sub-
25 section (a)(3)(C)(iii), an individual”;

1 (ii) in clause (iii), by striking “section
2 407(a)” and inserting “section 407(b)(1)”;
3 and

4 (iii) by adding at the end the fol-
5 lowing:

6 “(iv) GROUP B CLAIMS.—

7 “(I) IN GENERAL.—Subject to
8 subclause (II), an individual filing a
9 claim in Group B as described in sub-
10 section (a)(3)(C)(iii) may be eligible
11 for compensation under this title only
12 if the Special Master, with assistance
13 from the WTC Program Adminis-
14 trator as necessary, determines based
15 on the evidence presented that the in-
16 dividual has a WTC-related physical
17 health condition, as defined by section
18 402 of this Act.

19 “(II) PERSONAL REPRESENTA-
20 TIVES.—An individual filing a claim
21 in Group B, as described in subsection
22 (a)(3)(C)(iii), who is a personal rep-
23 resentative described in paragraph
24 (2)(C) may be eligible for compensa-
25 tion under this title only if the Special

1 Master, with assistance from the
2 WTC Program Administrator as nec-
3 essary, determines based on the evi-
4 dence presented that the applicable
5 decedent suffered from a condition
6 that was, or would have been deter-
7 mined to be, a WTC-related physical
8 health condition, as defined by section
9 402 of this Act.”; and

10 (B) in subparagraph (C)(ii)(II), by striking
11 “section 407(b)” and inserting “section
12 407(b)(1)”.

13 (d) PAYMENTS TO ELIGIBLE INDIVIDUALS.—Section
14 406 of the Air Transportation Safety and System Sta-
15 bilization Act (49 U.S.C. 40101 note) is amended—

16 (1) in subsection (b), by striking “This title”
17 and inserting “For the purpose of providing com-
18 pensation for claims in Group A as described in sec-
19 tion 405(a)(3)(C)(ii), this title”; and

20 (2) by amending subsection (d) to read as fol-
21 lows:

22 “(d) LIMITATIONS.—

23 “(1) GROUP A CLAIMS.—

24 “(A) IN GENERAL.—The total amount of
25 Federal funds paid for compensation under this

1 title, with respect to claims in Group A as de-
2 scribed in section 405(a)(3)(C)(ii), shall not ex-
3 ceed \$2,775,000,000.

4 “(B) REMAINDER OF CLAIM AMOUNTS.—

5 In the case of a claim in Group A as described
6 in section 405(a)(3)(C)(ii) and for which the
7 Special Master has ratably reduced the amount
8 of compensation for such claim pursuant to
9 paragraph (2) of this subsection, as this sub-
10 section was in effect on the day before the date
11 of enactment of the James Zadroga 9/11 Victim
12 Compensation Fund Reauthorization Act, the
13 Special Master shall, as soon as practicable
14 after the date of enactment of such Act, author-
15 ize payment of the amount of compensation
16 that is equal to the difference between—

17 “(i) the amount of compensation that
18 the claimant would have been paid under
19 this title for such claim without regard to
20 the limitation under the second sentence of
21 paragraph (1) of this subsection, as this
22 subsection was in effect on the day before
23 the date of enactment of the James
24 Zadroga 9/11 Victim Compensation Fund
25 Reauthorization Act; and

1 “(ii) the amount of compensation the
2 claimant was paid under this title for such
3 claim prior to the date of enactment of
4 such Act.

5 “(2) GROUP B CLAIMS.—

6 “(A) IN GENERAL.—The total amount of
7 Federal funds paid for compensation under this
8 title, with respect to claims in Group B as de-
9 scribed in section 405(a)(3)(C)(iii), shall not ex-
10 ceed the amount of funds deposited into the
11 Victims Compensation Fund under section 410.

12 “(B) PAYMENT SYSTEM.—The Special
13 Master shall establish a system for providing
14 compensation for claims in Group B as de-
15 scribed in section 405(a)(3)(C)(iii) in accord-
16 ance with this subsection and section 405(b)(7).

17 “(C) DEVELOPMENT OF AGENCY POLICIES
18 AND PROCEDURES.—

19 “(i) DEVELOPMENT.—

20 “(I) IN GENERAL.—Not later
21 than 30 days after the date of enact-
22 ment of the James Zadroga 9/11 Vic-
23 tim Compensation Fund Reauthoriza-
24 tion Act, the Special Master shall de-
25 velop agency policies and procedures

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1 that meet the requirements under
2 subclauses (II) and (III) for providing
3 compensation for claims in Group B
4 as described in section
5 405(a)(3)(C)(iii), including policies
6 and procedures for presumptive award
7 schedules, administrative expenses,
8 and related internal memoranda.

9 “(II) LIMITATION.—The policies
10 and procedures developed under sub-
11 clause (I) shall ensure that total ex-
12 penditures, including administrative
13 expenses, in providing compensation
14 for claims in Group B, as described in
15 section 405(a)(3)(C)(iii), do not ex-
16 ceed the amount of funds deposited
17 into the Victims Compensation Fund
18 under section 410.

19 “(III) PRIORITIZATION.—The
20 policies and procedures developed
21 under subclause (I) shall prioritize
22 claims for claimants who are deter-
23 mined by the Special Master as suf-
24 fering from the most debilitating
25 physical conditions to ensure, for pur-

1 poses of equity, that such claimants
2 are not unduly burdened by such poli-
3 cies or procedures.

4 “(ii) REASSESSMENT.—Beginning 1
5 year after the date of enactment of the
6 James Zadroga 9/11 Victim Compensation
7 Fund Reauthorization Act, and each year
8 thereafter until the Victims Compensation
9 Fund is permanently closed under section
10 410(e), the Special Master shall conduct a
11 reassessment of the agency policies and
12 procedures developed under clause (i) to
13 ensure that such policies and procedures
14 continue to satisfy the requirements under
15 subclauses (II) and (III) of such clause. If
16 the Special Master determines, upon reas-
17 sessment, that such agency policies or pro-
18 cedures do not achieve the requirements of
19 such subclauses, the Special Master shall
20 take additional actions or make such modi-
21 fications as necessary to achieve such re-
22 quirements.”.

23 (e) REGULATIONS.—Section 407(b) of the Air Trans-
24 portation Safety and System Stabilization Act (49 U.S.C.
25 40101 note) is amended—

1 (1) by striking “Not later than” and inserting
2 the following:

3 “(1) JAMES ZADROGA 9/11 HEALTH AND COM-
4 PENSATION ACT OF 2010.—Not later than”;

5 (2) by adding at the end the following:

6 “(2) JAMES ZADROGA 9/11 VICTIM COMPENSA-
7 TION FUND REAUTHORIZATION ACT.—Not later than
8 180 days after the date of enactment of the James
9 Zadroga 9/11 Victim Compensation Fund Reauthor-
10 ization Act, the Special Master shall update the reg-
11 ulations promulgated under subsection (a), and up-
12 dated under paragraph (1), to the extent necessary
13 to comply with the amendments made by such Act.”.

14 (f) VICTIMS COMPENSATION FUND.—Title IV of the
15 Air Transportation Safety and System Stabilization Act
16 (49 U.S.C. 40101 note) is amended by adding at the end
17 the following:

18 **“SEC. 410. VICTIMS COMPENSATION FUND.**

19 “(a) IN GENERAL.—There is established in the
20 Treasury of the United States a fund to be known as the
21 ‘Victims Compensation Fund’, consisting of amounts de-
22 posited into such fund under subsection (b).

23 “(b) DEPOSITS INTO FUND.—There shall be depos-
24 ited into the Victims Compensation Fund each of the fol-
25 lowing:

1 “(1) Effective on the day after the date on
2 which all claimants who file a claim in Group A, as
3 described in section 405(a)(3)(C)(ii), have received
4 the full compensation due such claimants under this
5 title for such claim, any amounts remaining from
6 the total amount made available under section 406
7 to compensate claims in Group A as described in
8 section 405(a)(3)(C)(ii).

9 “(2) The amount appropriated under subsection
10 (c).

11 “(c) APPROPRIATIONS.—There is appropriated, out
12 of any money in the Treasury not otherwise appropriated,
13 \$4,600,000,000 for fiscal year 2017, to remain available
14 until expended, to provide compensation for claims in
15 Group B as described in section 405(a)(3)(C)(iii).

16 “(d) AVAILABILITY OF FUNDS.—Amounts deposited
17 into the Victims Compensation Fund shall be available,
18 without further appropriation, to the Special Master to
19 provide compensation for claims in Group B as described
20 in section 405(a)(3)(C)(iii).

21 “(e) TERMINATION.—Upon completion of all pay-
22 ments under this title, the Victims Compensation Fund
23 shall be permanently closed.”.

24 (g) 9-11 RESPONSE AND BIOMETRIC ENTRY-EXIT
25 FEE.—Title IV of the Air Transportation Safety and Sys-

1 tem Stabilization Act (49 U.S.C. 40101 note), as amended
2 by subsection (f), is further amended by adding at the end
3 the following:

4 **“SEC. 411. 9-11 RESPONSE AND BIOMETRIC ENTRY-EXIT**
5 **FEE.**

6 “(a) TEMPORARY L-1 VISA FEE INCREASE.—Not-
7 withstanding section 281 of the Immigration and Nation-
8 ality Act (8 U.S.C. 1351) or any other provision of law,
9 during the period beginning on the date of the enactment
10 of this section and ending on September 30, 2025, the
11 combined filing fee and fraud prevention and detection fee
12 required to be submitted with an application for admission
13 as a nonimmigrant under section 101(a)(15)(L) of the Im-
14 migration and Nationality Act (8 U.S.C. 1101(a)(15)(L)),
15 including an application for an extension of such status,
16 shall be increased by \$4,500 for applicants that employ
17 50 or more employees in the United States if more than
18 50 percent of the applicant’s employees are non-
19 immigrants admitted pursuant to subparagraph (H)(i)(b)
20 or (L) of section 101(a)(15) of such Act.

21 “(b) TEMPORARY H-1B VISA FEE INCREASE.—Not-
22 withstanding section 281 of the Immigration and Nation-
23 ality Act (8 U.S.C. 1351) or any other provision of law,
24 during the period beginning on the date of the enactment
25 of this section and ending on September 30, 2025, the

1 combined filing fee and fraud prevention and detection fee
2 required to be submitted with an application for admission
3 as a nonimmigrant under section 101(a)(15)(H)(i)(b) of
4 the Immigration and Nationality Act (8 U.S.C.
5 1101(a)(15)(H)(i)(b)), including an application for an ex-
6 tension of such status, shall be increased by \$4,000 for
7 applicants that employ 50 or more employees in the
8 United States if more than 50 percent of the applicant's
9 employees are nonimmigrants described in section
10 101(a)(15)(L) of such Act.

11 “(c) 9-11 RESPONSE AND BIOMETRIC EXIT AC-
12 COUNT.—

13 “(1) ESTABLISHMENT.—There is established in
14 the general fund of the Treasury a separate account,
15 which shall be known as the ‘9–11 Response and Bi-
16 ometric Exit Account’.

17 “(2) DEPOSITS.—

18 “(A) IN GENERAL.—Subject to subpara-
19 graph (B), of the amounts collected pursuant to
20 the fee increases authorized under subsections
21 (a) and (b)—

22 “(i) 50 percent shall be deposited in
23 the general fund of the Treasury; and

24 “(ii) 50 percent shall be deposited as
25 offsetting receipts into the 9–11 Response

1 and Biometric Exit Account, and shall re-
2 main available until expended.

3 “(B) TERMINATION OF DEPOSITS IN AC-
4 COUNT.—After a total of \$1,000,000,000 is de-
5 posited into the 9–11 Response and Biometric
6 Exit Account under subparagraph (A)(ii), all
7 amounts collected pursuant to the fee increases
8 authorized under subsections (a) and (b) shall
9 be deposited in the general fund of the Treas-
10 ury.

11 “(3) USE OF FUNDS.—For fiscal year 2017,
12 and each fiscal year thereafter, amounts in the 9–
13 11 Response and Biometric Exit Account shall be
14 available to the Secretary of Homeland Security
15 without further appropriation for implementing the
16 biometric entry and exit data system described in
17 section 7208 of the Intelligence Reform and Ter-
18 rorism Prevention Act of 2004 (8 U.S.C. 1365b).”.

19 (h) ADMINISTRATIVE COSTS.—Section 1347 of the
20 Full-Year Continuing Appropriations Act, 2011 (49
21 U.S.C. 40101 note) is amended—

22 (1) by inserting “and (2)” after “(d)(1)”; and

23 (2) by adding at the end the following: “Costs
24 for payments for compensation for claims in Group
25 A, as described in section 405(a)(3)(C)(ii) of such

1 Act, shall be paid from amounts made available
2 under section 406 of such Act. Costs for payments
3 for compensation for claims in Group B, as de-
4 scribed in section 405(a)(3)(C)(iii) of such Act, shall
5 be paid from amounts in the Victims Compensation
6 Fund established under section 410 of such Act.”.

7 **SEC. 403. AMENDMENT TO EXEMPT PROGRAMS.**

8 (a) IN GENERAL.—Section 255(g)(1)(B) of the Bal-
9 anced Budget and Emergency Deficit Control Act of 1985
10 (2 U.S.C. 905(g)(1)(B)) is amended by—

11 (1) inserting after the item relating to Retire-
12 ment Pay and Medical Benefits for Commissioned
13 Officers, Public Health Service the following:

14 “September 11th Victim Compensation Fund
15 (15–0340–0–1–754).”;

16 (2) inserting after the item relating to United
17 States Secret Service, DC Annuity the following:

18 “Victims Compensation Fund established under
19 section 410 of the Air Transportation Safety and
20 System Stabilization Act (49 U.S.C. 40101 note).

21 “United States Victims of State Sponsored Ter-
22 rorism Fund.”; and

23 (3) inserting after the item relating to the Vol-
24 untary Separation Incentive Fund the following:

1 “World Trade Center Health Program Fund
2 (75–0946–0–1–551).”.

3 (b) APPLICABILITY.—The amendments made by this
4 section shall apply to any sequestration order issued under
5 the Balanced Budget and Emergency Deficit Control Act
6 of 1985 (2 U.S.C. 900 et seq.) on or after the date of
7 enactment of this Act.

8 **SEC. 404. COMPENSATION FOR UNITED STATES VICTIMS OF**
9 **STATE SPONSORED TERRORISM ACT.**

10 (a) SHORT TITLE.—This section may be cited as the
11 “Justice for United States Victims of State Sponsored
12 Terrorism Act”.

13 (b) ADMINISTRATION OF THE UNITED STATES VIC-
14 TIMS OF STATE SPONSORED TERRORISM FUND.—

15 (1) ADMINISTRATION OF THE FUND.—

16 (A) APPOINTMENT AND TERMS OF SPE-
17 CIAL MASTER.—

18 (i) INITIAL APPOINTMENT.—Not later
19 than 60 days after the date of the enact-
20 ment of this Act, the Attorney General
21 shall appoint a Special Master. The initial
22 term for the Special Master shall be 18
23 months.

24 (ii) ADDITIONAL TERMS.—Thereafter,
25 each time there exists funds in excess of

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1 \$100,000,000 in the Fund, the Attorney
2 General shall appoint or reappoint a Spe-
3 cial Master for such period as is appro-
4 priate, not to exceed 1 year. In addition, if
5 there exists in the Fund funds that are
6 less than \$100,000,000, the Attorney Gen-
7 eral may appoint or reappoint a Special
8 Master each time the Attorney General de-
9 termines there are sufficient funds avail-
10 able in the Fund to compensate eligible
11 claimants, for such period as is appro-
12 priate, not to exceed 1 year.

13 (iii) SPECIAL MASTER TO ADMINISTER
14 COMPENSATION FROM THE FUND.—The
15 Special Master shall administer the com-
16 pensation program described in this section
17 for United States persons who are victims
18 of state sponsored terrorism.

19 (B) ADMINISTRATIVE COSTS AND USE OF
20 DEPARTMENT OF JUSTICE PERSONNEL.—The
21 Special Master may utilize, as necessary, no
22 more than 5 full-time equivalent Department of
23 Justice personnel to assist in carrying out the
24 duties of the Special Master under this section.
25 Any costs associated with the use of such per-

1 sonnel, and any other administrative costs of
2 carrying out this section, shall be paid from the
3 Fund.

4 (C) COMPENSATION OF SPECIAL MAS-
5 TER.—The Special Master shall be compensated
6 from the Fund at a rate not to exceed the an-
7 nual rate of basic pay for level IV of the Execu-
8 tive Schedule, as prescribed by section 5315 of
9 title 5, United States Code.

10 (2) PUBLICATION OF REGULATIONS AND PRO-
11 CEDURES.—

12 (A) IN GENERAL.—Not later than 60 days
13 after the date of the initial appointment of the
14 Special Master, the Special Master shall publish
15 in the Federal Register and on a website main-
16 tained by the Department of Justice a notice
17 specifying the procedures necessary for United
18 States persons to apply and establish eligibility
19 for payment, including procedures by which eli-
20 gible United States persons may apply by and
21 through their attorney. Such notice is not sub-
22 ject to the requirements of section 553 of title
23 5, United States Code.

24 (B) INFORMATION REGARDING OTHER
25 SOURCES OF COMPENSATION.—As part of the

1 procedures for United States persons to apply
2 and establish eligibility for payment, the Special
3 Master shall require applicants to provide the
4 Special Master with information regarding com-
5 pensation from any source other than this Fund
6 that the claimant (or, in the case of a personal
7 representative, the victim's beneficiaries) has
8 received or is entitled or scheduled to receive as
9 a result of the act of international terrorism
10 that gave rise to a claimant's final judgment,
11 including information identifying the amount,
12 nature, and source of such compensation.

13 (3) DECISIONS OF THE SPECIAL MASTER.—All
14 decisions made by the Special Master with regard to
15 compensation from the Fund shall be—

16 (A) in writing and provided to the Attor-
17 ney General, each claimant and, if applicable,
18 the attorney for each claimant; and

19 (B) final and, except as provided in para-
20 graph (4), not subject to administrative or judi-
21 cial review.

22 (4) REVIEW HEARING.—

23 (A) Not later than 30 days after receipt of
24 a written decision by the Special Master, a
25 claimant whose claim is denied in whole or in

1 part by the Special Master may request a hear-
2 ing before the Special Master pursuant to pro-
3 cedures established by the Special Master.

4 (B) Not later than 90 days after any such
5 hearing, the Special Master shall issue a final
6 written decision affirming or amending the
7 original decision. The written decision is final
8 and nonreviewable.

9 (c) ELIGIBLE CLAIMS.—

10 (1) IN GENERAL.—For the purposes of this sec-
11 tion, a claim is an eligible claim if the Special Mas-
12 ter determines that—

13 (A) the judgment holder, or claimant, is a
14 United States person;

15 (B) the claim is described in paragraph
16 (2); and

17 (C) the requirements of paragraph (3) are
18 met.

19 (2) CERTAIN CLAIMS.—The claims referred to
20 in paragraph (1) are claims for—

21 (A) compensatory damages awarded to a
22 United States person in a final judgment—

23 (i) issued by a United States district
24 court under State or Federal law against a
25 state sponsor of terrorism; and

1 (ii) arising from acts of international
2 terrorism, for which the foreign state was
3 determined not to be immune from the ju-
4 risdiction of the courts of the United
5 States under section 1605A, or section
6 1605(a)(7) (as such section was in effect
7 on January 27, 2008), of title 28, United
8 States Code;

9 (B) the sum total of \$10,000 per day for
10 each day that a United States person was taken
11 and held hostage from the United States em-
12 bassy in Tehran, Iran, during the period begin-
13 ning November 4, 1979, and ending January
14 20, 1981, if such person is identified as a mem-
15 ber of the proposed class in case number 1:00-
16 CV-03110 (EGS) of the United States District
17 Court for the District of Columbia; or

18 (C) damages for the spouses and children
19 of the former hostages described in subpara-
20 graph (B), if such spouse or child is identified
21 as a member of the proposed class in case num-
22 ber 1:00-CV-03110 (EGS) of the United States
23 Court for the District of Columbia, in the fol-
24 lowing amounts:

1 (i) For each spouse of a former hos-
2 tage identified as a member of the pro-
3 posed class described in this subparagraph,
4 a \$600,000 lump sum.

5 (ii) For each child of a former hostage
6 identified as a member of the proposed
7 class described in this subparagraph, a
8 \$600,000 lump sum.

9 (3) DEADLINE FOR APPLICATION SUBMIS-
10 SION.—

11 (A) IN GENERAL.—The deadline for sub-
12 mitting an application for a payment under this
13 subsection is as follows:

14 (i) Not later than 90 days after the
15 date of the publication required under sub-
16 section (b)(2)(A), with regard to an appli-
17 cation based on—

18 (I) a final judgment described in
19 paragraph (2)(A) obtained before that
20 date of publication; or

21 (II) a claim described in para-
22 graph (2)(B) or (2)(C).

23 (ii) Not later than 90 days after the
24 date of obtaining a final judgment, with

1 regard to a final judgment obtained on or
2 after the date of that publication.

3 (B) GOOD CAUSE.—For good cause shown,
4 the Special Master may grant a claimant a rea-
5 sonable extension of a deadline under this para-
6 graph.

7 (d) PAYMENTS.—

8 (1) TO WHOM MADE.—The Special Master shall
9 order payment from the Fund for each eligible claim
10 of a United States person to that person or, if that
11 person is deceased, to the personal representative of
12 the estate of that person.

13 (2) TIMING OF INITIAL PAYMENTS.—The Spe-
14 cial Master shall authorize all initial payments to
15 satisfy eligible claims under this section not later
16 than 1 year after the date of the enactment of this
17 Act.

18 (3) PAYMENTS TO BE MADE PRO RATA.—

19 (A) IN GENERAL.—

20 (i) PRO RATA BASIS.—Except as pro-
21 vided in subparagraph (B) and subject to
22 the limitations described in clause (ii), the
23 Special Master shall carry out paragraph
24 (1), by dividing all available funds on a pro
25 rata basis, based on the amounts out-

1 standing and unpaid on eligible claims,
2 until all such amounts have been paid in
3 full.

4 (ii) LIMITATIONS.—The limitations
5 described in this clause are as follows:

6 (I) In the event that a United
7 States person has an eligible claim
8 that exceeds \$20,000,000, the Special
9 Master shall treat that claim as if it
10 were for \$20,000,000 for purposes of
11 this section.

12 (II) In the event that a United
13 States person and the immediate fam-
14 ily members of such person, have
15 claims that if aggregated would ex-
16 ceed \$35,000,000, the Special Master
17 shall, for purposes of this section, re-
18 duce such claims on a pro rata basis
19 such that in the aggregate such claims
20 do not exceed \$35,000,000.

21 (III) In the event that a United
22 States person, or the immediate fam-
23 ily member of such person, has an eli-
24 gible claim under this section and has
25 received an award or an award deter-

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1 mination under section 405 of the Air
2 Transportation Safety and System
3 Stabilization Act (49 U.S.C. 40101
4 note), the amount of compensation to
5 which such person, or the immediate
6 family member of such person, was
7 determined to be entitled under sec-
8 tion 405 of the Air Transportation
9 Safety and System Stabilization Act
10 (49 U.S.C. 40101 note) shall be con-
11 sidered controlling for the purposes of
12 this section, notwithstanding any com-
13 pensatory damages amounts such per-
14 son, or immediate family member of
15 such person, is deemed eligible for or
16 entitled to pursuant to a final judg-
17 ment described in subsection
18 (c)(2)(A).

19 (B) MINIMUM PAYMENTS.—

20 (i) Any applicant with an eligible
21 claim described in subsection (c)(2) who
22 has received, or is entitled or scheduled to
23 receive, any payment that is equal to, or in
24 excess of, 30 percent of the total compen-
25 satory damages owed to such applicant on

1 the applicant's claim from any source other
2 than this Fund shall not receive any pay-
3 ment from the Fund until such time as all
4 other eligible applicants have received from
5 the Fund an amount equal to 30 percent
6 of the compensatory damages awarded to
7 those applicants pursuant to their final
8 judgments or to claims under subsection
9 (c)(2)(B) or (c)(2)(C). For purposes of cal-
10 culating the pro rata amounts for these
11 payments, the Special Master shall not in-
12 clude the total compensatory damages for
13 applicants excluded from payment by this
14 subparagraph.

15 (ii) To the extent that an applicant
16 with an eligible claim has received less
17 than 30 percent of the compensatory dam-
18 ages owed that applicant under a final
19 judgment or claim described in subsection
20 (c)(2) from any source other than this
21 Fund, such applicant may apply to the
22 Special Master for the difference between
23 the percentage of compensatory damages
24 the applicant has received from other
25 sources and the percentage of compen-

1 satory damages to be awarded other eligi-
2 ble applicants from the Fund.

3 (4) ADDITIONAL PAYMENTS.—On January 1 of
4 the second calendar year that begins after the date
5 of the initial payments described in paragraph (1) if
6 funds are available in the Fund, the Special Master
7 shall authorize additional payments on a pro rata
8 basis to those claimants with eligible claims under
9 subsection (c)(2) and shall authorize additional pay-
10 ments for eligible claims annually thereafter if funds
11 are available in the Fund.

12 (5) SUBROGATION AND RETENTION OF
13 RIGHTS.—

14 (A) UNITED STATES SUBROGATED TO
15 CREDITOR RIGHTS TO THE EXTENT OF PAY-
16 MENT.—The United States shall be subrogated
17 to the rights of any person who applies for and
18 receives payments under this section, but only
19 to the extent and in the amount of such pay-
20 ments made under this section. The President
21 shall pursue these subrogated rights as claims
22 or offsets of the United States in appropriate
23 ways, including any negotiation process that
24 precedes the normalization of relations between
25 the foreign state designated as a state sponsor

1 of terrorism and the United States or the lifting
2 of sanctions against such foreign state.

3 (B) RIGHTS RETAINED.—To the extent
4 amounts of damages remain unpaid and out-
5 standing following any payments made under
6 this subsection, each applicant shall retain that
7 applicant’s creditor rights in any unpaid and
8 outstanding amounts of the judgment, including
9 any prejudgment or post-judgment interest, or
10 punitive damages, awarded by the United
11 States district court pursuant to a judgment.

12 (e) UNITED STATES VICTIMS OF STATE SPONSORED
13 TERRORISM FUND.—

14 (1) ESTABLISHMENT OF UNITED STATES VIC-
15 TIMS OF STATE SPONSORED TERRORISM FUND.—
16 There is established in the Treasury a fund, to be
17 designated as the United States Victims of State
18 Sponsored Terrorism Fund.

19 (2) DEPOSIT AND TRANSFER.—Beginning on
20 the date of the enactment of this Act, the following
21 shall be deposited or transferred into the Fund for
22 distribution under this section:

23 (A) FORFEITED FUNDS AND PROPERTY.—

24 (i) CRIMINAL FUNDS AND PROP-
25 ERTY.—All funds, and the net proceeds

1 from the sale of property, forfeited or paid
2 to the United States after the date of en-
3 actment of this Act as a criminal penalty
4 or fine arising from a violation of any li-
5 cense, order, regulation, or prohibition
6 issued under the International Emergency
7 Economic Powers Act (50 U.S.C. 1701 et
8 seq.) or the Trading with the Enemy Act
9 (50 U.S.C. App. 1 et seq.), or any related
10 criminal conspiracy, scheme, or other Fed-
11 eral offense arising from the actions of, or
12 doing business with or acting on behalf of,
13 a state sponsor of terrorism.

14 (ii) CIVIL FUNDS AND PROPERTY.—
15 One-half of all funds, and one-half of the
16 net proceeds from the sale of property, for-
17 feited or paid to the United States after
18 the date of enactment of this Act as a civil
19 penalty or fine arising from a violation of
20 any license, order, regulation, or prohibi-
21 tion issued under the International Emer-
22 gency Economic Powers Act (50 U.S.C.
23 1701 et seq.) or the Trading with the
24 Enemy Act (50 U.S.C. App. 1 et seq.), or
25 any related conspiracy, scheme, or other

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1 Federal offense arising from the actions of,
2 or doing business with or acting on behalf
3 of, a state sponsor of terrorism.

4 (B) TRANSFER INTO FUND OF CERTAIN
5 ASSIGNED ASSETS OF IRAN AND ELECTION TO
6 PARTICIPATE IN FUND.—

7 (i) DEPOSIT INTO FUND OF ASSIGNED
8 PROCEEDS FROM SALE OF PROPERTIES
9 AND RELATED ASSETS IDENTIFIED IN IN
10 RE 650 FIFTH AVENUE & RELATED PROP-
11 erties.—

12 (I) IN GENERAL.—Except as pro-
13 vided in subclause (II), if the United
14 States receives a final judgment for-
15 feiting the properties and related as-
16 sets identified in the proceedings cap-
17 tioned as In Re 650 Fifth Avenue &
18 Related Properties, No. 08 Civ. 10934
19 (S.D.N.Y. filed Dec. 17, 2008), the
20 net proceeds (not including the litiga-
21 tion expenses and sales costs incurred
22 by the United States) resulting from
23 the sale of such properties and related
24 assets by the United States shall be
25 deposited into the Fund.

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1 (II) LIMITATION.—The following
2 proceeds resulting from any sale of
3 the properties and related assets iden-
4 tified in subclause (I) shall not be
5 transferred into the Fund:

6 (aa) The percentage of pro-
7 ceeds attributable to any party
8 identified as a Settling Judgment
9 Creditor in the order dated April
10 16, 2014, in such proceedings,
11 who does not make an election
12 (described in clause (iii)) to par-
13 ticipate in the Fund.

14 (bb) The percentage of pro-
15 ceeds attributable to the parties
16 identified as the Hegna Judg-
17 ment Creditors in such pro-
18 ceedings, unless and until a final
19 judgment is entered denying the
20 claims of such creditors.

21 (ii) DEPOSIT INTO FUND OF AS-
22 SIGNED ASSETS IDENTIFIED IN PETERSON
23 V. ISLAMIC REPUBLIC OF IRAN.—If a final
24 judgment is entered in Peterson v. Islamic
25 Republic of Iran, No. 10 Civ. 4518

1 (S.D.N.Y.), awarding the assets at issue in
2 that case to the judgment creditors identi-
3 fied in the order dated July 9, 2013, those
4 assets shall be deposited into the Fund,
5 but only to the extent, and in such per-
6 centage, that the rights, title, and interest
7 to such assets were assigned through elec-
8 tions made pursuant to clause (iii).

9 (iii) ELECTION TO PARTICIPATE IN
10 THE FUND.—Upon written notice to the
11 Attorney General, the Special Master, and
12 the chief judge of the United States Dis-
13 trict Court for the Southern District of
14 New York within 60 days after the date of
15 the publication required under subsection
16 (b)(2)(A) a United States person, who is a
17 judgment creditor in the proceedings cap-
18 tioned Peterson v. Islamic Republic of
19 Iran, No. 10 Civ. 4518 (S.D.N.Y.), or a
20 Settling Judgment Creditor as identified in
21 the order dated May 27, 2014, in the pro-
22 ceedings captioned In Re 650 Fifth Avenue
23 & Related Properties, No. 08 Civ. 10934
24 (S.D.N.Y. filed Dec. 17, 2008), shall have
25 the right to elect to participate in the

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1 Fund and, to the extent any such person
2 exercises such right, shall irrevocably as-
3 sign to the Fund all rights, title, and inter-
4 est to such person's claims to the assets at
5 issue in such proceedings. To the extent
6 that a United States person is both a judg-
7 ment creditor in the proceedings captioned
8 Peterson v. Islamic Republic of Iran, No.
9 10 Civ. 4518 (S.D.N.Y.) and a Settling
10 Judgment Creditor in In Re 650 Fifth Av-
11 enue & Related Properties, No. 08 Civ.
12 10934 (S.D.N.Y. filed Dec. 17, 2008), any
13 election by such person to participate in
14 the Fund pursuant to this paragraph shall
15 operate as an election to assign any and all
16 rights, title, and interest in the assets in
17 both actions for the purposes of partici-
18 pating in the Fund. The Attorney General
19 is authorized to pursue any such assigned
20 rights, title, and interest in those claims
21 for the benefit of the Fund.

22 (iv) APPLICATION FOR CONDITIONAL
23 PAYMENT.—A United States person who is
24 a judgment creditor or a Settling Judg-
25 ment Creditor in the proceedings identified

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1 in clause (iii) and who does not elect to
2 participate in the Fund may, notwith-
3 standing such failure to elect, submit an
4 application for conditional payment from
5 the Fund, subject to the following limita-
6 tions:

7 (I) IN GENERAL.—Notwith-
8 standing any such claimant’s eligi-
9 bility for payment and the initial
10 deadline for initial payments set forth
11 in subsection (d)(2), the Special Mas-
12 ter shall allocate but withhold pay-
13 ment to an eligible claimant who ap-
14 plies for a conditional payment under
15 this paragraph until such time as an
16 adverse final judgment is entered in
17 both of the proceedings identified in
18 clause (iii).

19 (II) EXCEPTION.—

20 (aa) In the event that an ad-
21 verse final judgment is entered in
22 the proceedings captioned Peter-
23 son v. Islamic Republic of Iran,
24 No. 10 Civ. 4518 (S.D.N.Y),
25 prior to a final judgment being

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1 entered in the proceedings cap-
2 tioned In Re 650 Fifth Avenue &
3 Related Properties, No. 08 Civ.
4 10934 (S.D.N.Y. filed Dec. 17,
5 2008), the Special Master shall
6 release a portion of an eligible
7 claimant's conditional payment to
8 such eligible claimant if the Spe-
9 cial Master anticipates that such
10 claimant will receive less than the
11 amount of the conditional pay-
12 ment from any proceeds from a
13 final judgment that is entered in
14 favor of the plaintiffs in In Re
15 650 Fifth Avenue & Related
16 Properties. Such portion shall
17 not exceed the difference between
18 the amount of the conditional
19 payment and the amount the
20 Special Master anticipates such
21 claimant will receive from the
22 proceeds of In Re 650 Fifth Ave-
23 nue & Related Properties.

24 (bb) In the event that a
25 final judgment is entered in favor

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1 of the plaintiffs in the pro-
2 ceedings captioned Peterson v.
3 Islamic Republic of Iran, No. 10
4 Civ. 4518 (S.D.N.Y) and funds
5 are distributed, the payments al-
6 located to claimants who applied
7 for a conditional payment under
8 this subparagraph shall be con-
9 sidered void, and any funds pre-
10 viously allocated to such condi-
11 tional payments shall be made
12 available and distributed to all
13 other eligible claimants pursuant
14 to subsection (d).

15 (3) EXPENDITURES FROM FUND.—Amounts in
16 the Fund shall be available, without further appro-
17 priation, for the payment of eligible claims and com-
18 pensation of the Special Master in accordance with
19 this section.

20 (4) MANAGEMENT OF FUND.—The Fund shall
21 be managed and invested in the same manner as a
22 trust fund is managed and invested under section
23 9602 of the Internal Revenue Code of 1986.

24 (5) FUNDING.—There is appropriated to the
25 Fund, out of any money in the Treasury not other-

1 wise appropriated, \$1,025,000,000 for fiscal year
2 2017, to remain available until expended.

3 (6) TERMINATION.—

4 (A) IN GENERAL.—Amounts in the Fund
5 may not be obligated on or after January 2,
6 2026.

7 (B) CLOSING OF FUND.—Effective on the
8 day after all amounts authorized to be paid
9 from the Fund under this section that were ob-
10 ligated before January 2, 2026 are expended,
11 any unobligated balances in the Fund shall be
12 transferred, as appropriate, to either the De-
13 partment of the Treasury Forfeiture Fund es-
14 tablished under section 9705 of title 31, United
15 States Code, or to the Department of Justice
16 Assets Forfeiture Fund established under sec-
17 tion 524(c)(1) of title 28, United States Code.

18 (f) ATTORNEYS' FEES AND COSTS.—

19 (1) IN GENERAL.—No attorney shall charge, re-
20 ceive, or collect, and the Special Master shall not ap-
21 prove, any payment of fees and costs that in the ag-
22 gregate exceeds 25 percent of any payment made
23 under this section.

24 (2) PENALTY.—Any attorney who violates para-
25 graph (1) shall be fined under title 18, United

1 States Code, imprisoned for not more than 1 year,
2 or both.

3 (g) AWARD OF COMPENSATION TO INFORMERS.—

4 (1) IN GENERAL.—Any United States person
5 who holds a final judgment described in subsection
6 (c)(2)(A) or a claim under subsection (c)(2)(B) or
7 (c)(2)(C) and who meets the requirements set forth
8 in paragraph (2) is entitled to receive an award of
9 10 percent of the funds deposited in the Fund under
10 subsection (e)(2) attributable to information such
11 person furnished to the Attorney General that leads
12 to a forfeiture described in subsection (e)(2)(A),
13 which is made after the date of enactment of this
14 Act pursuant to a proceeding resulting in forfeiture
15 that was initiated after the date of enactment of this
16 Act.

17 (2) PERSON DESCRIBED.—A person meets the
18 requirements of this paragraph if—

19 (A) the person identifies and notifies the
20 Attorney General of funds or property—

21 (i) of a state sponsor of terrorism, or
22 held by a third party on behalf of or sub-
23 ject to the control of that state sponsor of
24 terrorism;

1 (ii) that were not previously identified
2 or known by the United States Govern-
3 ment; and

4 (iii) that are subsequently forfeited di-
5 rectly or in the form of substitute assets to
6 the United States; and

7 (B) the Attorney General finds that the
8 identification and notification under subpara-
9 graph (A) by that person substantially contrib-
10 uted to the forfeiture to the United States.

11 (h) SPECIAL EXCLUSION FROM COMPENSATION.—In
12 no event shall an individual who is criminally culpable for
13 an act of international terrorism receive any compensation
14 under this section, either directly or on behalf of a victim.

15 (i) REPORT TO CONGRESS.—Within 30 days after au-
16 thorizing the payment of compensation of eligible claims
17 pursuant to subsection (d), the Special Master shall sub-
18 mit to the chairman and ranking minority member of the
19 Committee on the Judiciary of the House of Representa-
20 tives and the chairman and ranking minority member of
21 the Committee on the Judiciary of the Senate a report
22 on the payment of eligible claims, which shall include—

23 (1) an explanation of the procedures for filing
24 and processing of applications for compensation; and

1 (2) an analysis of the payments made to United
2 States persons from the Fund and the amount of
3 outstanding eligible claims, including—

4 (A) the number of applications for com-
5 pensation submitted;

6 (B) the number of applications approved
7 and the amount of each award;

8 (C) the number of applications denied and
9 the reasons for the denial;

10 (D) the number of applications for com-
11 pensation that are pending for which compen-
12 satory damages have not been paid in full; and

13 (E) the total amount of compensatory
14 damages from eligible claims that have been
15 paid and that remain unpaid.

16 (j) DEFINITIONS.—In this section the following defi-
17 nitions apply:

18 (1) ACT OF INTERNATIONAL TERRORISM.—The
19 term “act of international terrorism” includes—

20 (A) an act of torture, extrajudicial killing,
21 aircraft sabotage, or hostage taking as those
22 terms are defined in section 1605A(h) of title
23 28, United States Code; and

24 (B) providing material support or re-
25 sources, as defined in section 2339A of title 18,

1 United States Code, for an act described in
2 subparagraph (A).

3 (2) ADVERSE FINAL JUDGMENT.—The term
4 “adverse final judgment” means a final judgment in
5 favor of the defendant, or defendants, in the pro-
6 ceedings identified in subsection (e)(2)(B)(iii), or
7 which does not order any payment from, or award
8 any interest in, the assets at issue in such pro-
9 ceedings to the plaintiffs, judgment creditors, or Set-
10 tling Judgment Creditors in such proceedings.

11 (3) COMPENSATORY DAMAGES.—The term
12 “compensatory damages” does not include pre-judg-
13 ment or post-judgment interest or punitive damages.

14 (4) FINAL JUDGMENT.—The term “final judg-
15 ment” means an enforceable final judgment, decree
16 or order on liability and damages entered by a
17 United States district court that is not subject to
18 further appellate review, but does not include a
19 judgment, decree, or order that has been waived, re-
20 linquished, satisfied, espoused by the United States,
21 or subject to a bilateral claims settlement agreement
22 between the United States and a foreign state. In
23 the case of a default judgment, such judgment shall
24 not be considered a final judgment until such time

1 as service of process has been completed pursuant to
2 section 1608(e) of title 28, United States Code.

3 (5) FUND.—The term “Fund” means the
4 United States Victims of State Sponsored Terrorism
5 Fund established by this section.

6 (6) SOURCE OTHER THAN THIS FUND.—The
7 term “source other than this Fund” means all col-
8 lateral sources, including life insurance, pension
9 funds, death benefit programs, payments by Federal,
10 State, or local governments (including payments
11 from the September 11th Victim Compensation
12 Fund (49 U.S.C. 40101 note)), and court awarded
13 compensation related to the act of international ter-
14 rorism that gave rise to a claimant’s final judgment.
15 The term “entitled or scheduled to receive” in sub-
16 section (d)(3)(B)(i) includes any potential recovery
17 where that person or their representative is a party
18 to any civil or administrative action pending in any
19 court or agency of competent jurisdiction in which
20 the party seeks to enforce the judgment giving rise
21 to the application to the Fund.

22 (7) STATE SPONSOR OF TERRORISM.—The term
23 “state sponsor of terrorism” means a country the
24 government of which the Secretary of State has de-
25 termined, for purposes of section 6(j) of the Export

1 Administration Act of 1979 (50 U.S.C. 4605(j)),
2 section 620A of the Foreign Assistance Act of 1961
3 (22 U.S.C. 2371), section 40 of the Arms Export
4 Control Act (22 U.S.C. 2780), or any other provi-
5 sion of law, is a government that has repeatedly pro-
6 vided support for acts of international terrorism.

7 (8) UNITED STATES PERSON.—The term
8 “United States person” means a natural person who
9 has suffered an injury arising from the actions of a
10 foreign state for which the foreign state has been de-
11 termined not to be immune from the jurisdiction of
12 the courts of the United States under section 1605A
13 or section 1605(a)(7) (as such section was in effect
14 on January 27, 2008) of title 28, United States
15 Code, or is eligible to make a claim under subsection
16 (c)(2)(B) or subsection (c)(2)(C).

17 (k) SEVERABILITY.—The provisions of this section
18 are severable. If any provision of this section, or any appli-
19 cation thereof, is found unconstitutional, that finding shall
20 not affect any provision or application of this section not
21 so adjudicated.

22 **SEC. 405. BUDGETARY PROVISIONS.**

23 (a) LIMITATION.—Notwithstanding any other provi-
24 sion of law, including section 982 of title 18, United States
25 Code, and section 413 of the Controlled Substances Act

1 (21 U.S.C. 853), none of the funds paid to the United
2 States Government by BNP Paribas S.A. as part of, or
3 related to, a plea agreement dated June 27, 2014, entered
4 into between the Department of Justice and BNP Paribas
5 S.A., and subject to a consent order entered by the United
6 States District Court for the Southern District of New
7 York on May 1, 2015, in United States v. BNPP, No.
8 14 Cr. 460 (S.D.N.Y.) to settle charges against BNP
9 Paribas S.A. for conspiracy to commit an offense against
10 the United States in violation of section 371 of title 18,
11 United States Code, by conspiring to violate the Inter-
12 national Emergency Economic Powers Act (50 U.S.C.
13 1701 et seq.), and the Trading with the Enemy Act (50
14 U.S.C. 4301 et seq.), may be used by the United States
15 Government—

16 (1) in any manner in furtherance of the pro-
17 posed use of such funds by the Department of Jus-
18 tice to compensate individuals as announced by the
19 Department of Justice on May 1, 2015; or

20 (2) in any other manner whatsoever, including
21 in furtherance of any program to compensate victims
22 of international or state sponsored terrorism, except
23 as such funds are directed by Congress pursuant to
24 this title and the amendments made by this title.

1 (b) RESCISSION OF FUNDS FROM BNP SETTLE-
2 MENT.—Of the amounts in the Department of the Treas-
3 ury Forfeiture Fund established under section 9705 of
4 title 31, United States Code, \$3,800,000,000 from funds
5 paid to the United States Government by BNP Paribas
6 S.A. as part of, or related to, a plea agreement dated June
7 27, 2014, entered into between the Department of Justice
8 and BNP Paribas S.A., and subject to a consent order
9 entered by the United States District Court for the South-
10 ern District of New York on May 1, 2015, in United
11 States v. BNPP, No. 14 Cr. 460 (S.D.N.Y.), shall be
12 deobligated, if necessary, and shall be permanently re-
13 scinded.

14 **TITLE V—MEDICARE AND** 15 **MEDICAID PROVISIONS**

16 **SEC. 501. MEDICARE IMPROVEMENT FUND.**

17 Section 1898(b)(1) of the Social Security Act (42
18 U.S.C. 1395iii(b)(1)) is amended by striking
19 “\$205,000,000” and inserting “\$5,000,000”.

20 **SEC. 502. MEDICARE PAYMENT INCENTIVE FOR THE TRAN-** 21 **SITION FROM TRADITIONAL X-RAY IMAGING** 22 **TO DIGITAL RADIOGRAPHY AND OTHER** 23 **MEDICARE IMAGING PAYMENT PROVISION.**

24 (a) PHYSICIAN FEE SCHEDULE.—

25 (1) PAYMENT INCENTIVE FOR TRANSITION.—

1 (A) IN GENERAL.—Section 1848(b) of the
2 Social Security Act (42 U.S.C. 1395w–4(b)) is
3 amended by adding at the end the following
4 new paragraph:

5 “(9) SPECIAL RULE TO INCENTIVIZE TRANSI-
6 TION FROM TRADITIONAL X-RAY IMAGING TO DIG-
7 ITAL RADIOGRAPHY.—

8 “(A) LIMITATION ON PAYMENT FOR FILM
9 X-RAY IMAGING SERVICES.—In the case of an
10 imaging service (including the imaging portion
11 of a service) that is an X-ray taken using film
12 and that is furnished during 2017 or a subse-
13 quent year, the payment amount for the tech-
14 nical component (including the technical compo-
15 nent portion of a global service) of such service
16 that would otherwise be determined under this
17 section (without application of this paragraph
18 and before application of any other adjustment
19 under this section) for such year shall be re-
20 duced by 20 percent.

21 “(B) PHASED-IN LIMITATION ON PAYMENT
22 FOR COMPUTED RADIOGRAPHY IMAGING SERV-
23 ICES.—In the case of an imaging service (in-
24 cluding the imaging portion of a service) that is

1 an X-ray taken using computed radiography
2 technology—

3 “(i) in the case of such a service fur-
4 nished during 2018, 2019, 2020, 2021, or
5 2022, the payment amount for the tech-
6 nical component (including the technical
7 component portion of a global service) of
8 such service that would otherwise be deter-
9 mined under this section (without applica-
10 tion of this paragraph and before applica-
11 tion of any other adjustment under this
12 section) for such year shall be reduced by
13 7 percent; and

14 “(ii) in the case of such a service fur-
15 nished during 2023 or a subsequent year,
16 the payment amount for the technical com-
17 ponent (including the technical component
18 portion of a global service) of such service
19 that would otherwise be determined under
20 this section (without application of this
21 paragraph and before application of any
22 other adjustment under this section) for
23 such year shall be reduced by 10 percent.

24 “(C) COMPUTED RADIOGRAPHY TECH-
25 NOLOGY DEFINED.—For purposes of this para-

1 graph, the term ‘computed radiography tech-
2 nology’ means cassette-based imaging which
3 utilizes an imaging plate to create the image in-
4 volved.

5 “(D) IMPLEMENTATION.—In order to im-
6 plement this paragraph, the Secretary shall
7 adopt appropriate mechanisms which may in-
8 clude use of modifiers.”.

9 (B) EXEMPTION FROM BUDGET NEU-
10 TRALITY.—Section 1848(c)(2)(B)(v) of the So-
11 cial Security Act (42 U.S.C. 1395w-
12 4(c)(2)(B)(v)) is amended by adding at the end
13 the following new subclause:

14 “(X) REDUCED EXPENDITURES
15 ATTRIBUTABLE TO INCENTIVES TO
16 TRANSITION TO DIGITAL RADIOG-
17 RAPHY.—Effective for fee schedules
18 established beginning with 2017, re-
19 duced expenditures attributable to
20 subparagraph (A) of subsection (b)(9)
21 and effective for fee schedules estab-
22 lished beginning with 2018, reduced
23 expenditures attributable to subpara-
24 graph (B) of such subsection.”.

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1 (2) REDUCTION OF DISCOUNT IN PAYMENT FOR
2 PROFESSIONAL COMPONENT OF MULTIPLE IMAGING
3 SERVICES.—

4 (A) IN GENERAL.—Section 1848(b) of the
5 Social Security Act (42 U.S.C. 1395w-4(b)), as
6 amended by paragraph (1), is amended by add-
7 ing at the end the following new paragraph:

8 “(10) REDUCTION OF DISCOUNT IN PAYMENT
9 FOR PROFESSIONAL COMPONENT OF MULTIPLE IM-
10 AGING SERVICES.—In the case of the professional
11 component of imaging services furnished on or after
12 January 1, 2017, instead of the 25 percent reduc-
13 tion for multiple procedures specified in the final
14 rule published by the Secretary in the Federal Reg-
15 ister on November 28, 2011, as amended in the final
16 rule published by the Secretary in the Federal Reg-
17 ister on November 16, 2012, the reduction percent-
18 age shall be 5 percent.”.

19 (B) EXEMPTION FROM BUDGET NEU-
20 TRALITY.—Section 1848(c)(2)(B)(v) of the So-
21 cial Security Act (42 U.S.C. 1395w
22 4(c)(2)(B)(v)), as amended by paragraph (1), is
23 amended by adding at the end by the following
24 new subclause:

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1 “(XI) DISCOUNT IN PAYMENT
2 FOR PROFESSIONAL COMPONENT OF
3 IMAGING SERVICES.—Effective for fee
4 schedules established beginning with
5 2017, reduced expenditures attrib-
6 utable to subsection (b)(10).”.

7 (C) CONFORMING AMENDMENT.—Section
8 220(i) of the Protecting Access to Medicare Act
9 of 2014 (42 U.S.C. 1395w-4 note) is repealed.

10 (b) PAYMENT INCENTIVE FOR TRANSITION UNDER
11 HOSPITAL OUTPATIENT PROSPECTIVE PAYMENT SYS-
12 TEM.—Section 1833(t)(16) of the Social Security Act (42
13 U.S.C. 1395(t)(16)) is amended by adding at the end the
14 following new subparagraph:

15 “(F) PAYMENT INCENTIVE FOR THE TRAN-
16 SITION FROM TRADITIONAL X-RAY IMAGING TO
17 DIGITAL RADIOGRAPHY.—Notwithstanding the
18 previous provisions of this subsection:

19 “(i) LIMITATION ON PAYMENT FOR
20 FILM X-RAY IMAGING SERVICES.—In the
21 case of an imaging service that is an X-ray
22 taken using film and that is furnished dur-
23 ing 2017 or a subsequent year, the pay-
24 ment amount for such service (including
25 the X-ray component of a packaged serv-

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1 ice) that would otherwise be determined
2 under this section (without application of
3 this paragraph and before application of
4 any other adjustment under this sub-
5 section) for such year shall be reduced by
6 20 percent.

7 “(ii) PHASED-IN LIMITATION ON PAY-
8 MENT FOR COMPUTED RADIOGRAPHY IM-
9 AGING SERVICES.—In the case of an imag-
10 ing service that is an X-ray taken using
11 computed radiography technology (as de-
12 fined in section 1848(b)(9)(C))—

13 “(I) in the case of such a service
14 furnished during 2018, 2019, 2020,
15 2021, or 2022, the payment amount
16 for such service (including the X-ray
17 component of a packaged service) that
18 would otherwise be determined under
19 this section (without application of
20 this paragraph and before application
21 of any other adjustment under this
22 subsection) for such year shall be re-
23 duced by 7 percent; and

24 “(II) in the case of such a service
25 furnished during 2023 or a subse-

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1 quent year, the payment amount for
2 such service (including the X-ray com-
3 ponent of a packaged service) that
4 would otherwise be determined under
5 this section (without application of
6 this paragraph and before application
7 of any other adjustment under this
8 subsection) for such year shall be re-
9 duced by 10 percent.

10 “(iii) APPLICATION WITHOUT REGARD
11 TO BUDGET NEUTRALITY.—The reductions
12 made under this subparagraph—

13 “(I) shall not be considered an
14 adjustment under paragraph (2)(E);
15 and

16 “(II) shall not be implemented in
17 a budget neutral manner.

18 “(iv) IMPLEMENTATION.—In order to
19 implement this subparagraph, the Sec-
20 retary shall adopt appropriate mechanisms
21 which may include use of modifiers.”.

22 **SEC. 503. LIMITING FEDERAL MEDICAID REIMBURSEMENT**
23 **TO STATES FOR DURABLE MEDICAL EQUIP-**
24 **MENT (DME) TO MEDICARE PAYMENT RATES.**

25 (a) MEDICAID REIMBURSEMENT.—

1958

1 (1) IN GENERAL.—Section 1903(i) of the Social
2 Security Act (42 U.S.C. 1396b(i)) is amended—

3 (A) in paragraph (25), by striking “or” at
4 the end;

5 (B) in paragraph (26), by striking the pe-
6 riod at the end and inserting “; or”; and

7 (C) by inserting after paragraph (26) the
8 following new paragraph:

9 “(27) with respect to any amounts expended by
10 the State on the basis of a fee schedule for items de-
11 scribed in section 1861(n) and furnished on or after
12 January 1, 2019, as determined in the aggregate
13 with respect to each class of such items as defined
14 by the Secretary, in excess of the aggregate amount,
15 if any, that would be paid for such items within such
16 class on a fee-for-service basis under the program
17 under part B of title XVIII, including, as applicable,
18 under a competitive acquisition program under sec-
19 tion 1847 in an area of the State.”.

20 (2) RULE OF CONSTRUCTION.—Nothing in the
21 amendments made by paragraph (1) shall be con-
22 strued to prohibit a State Medicaid program from
23 providing medical assistance for durable medical
24 equipment for which payment is denied or not avail-

1 able under the Medicare program under title XVIII
2 of such Act.

3 (b) **EVALUATING APPLICATION OF DME PAYMENT**
4 **LIMITS UNDER MEDICAID.**—The Secretary of Health and
5 Human Services shall evaluate the impact of applying
6 Medicare payment rates with respect to payment for dura-
7 ble medical equipment under the Medicaid program under
8 section 1903(i)(27) of the Social Security Act, as inserted
9 by subsection (a)(1)(C). The Secretary shall make avail-
10 able to the public the results of such evaluation.

11 **SEC. 504. TREATMENT OF DISPOSABLE DEVICES.**

12 (a) **IN GENERAL.**—Section 1834 of the Social Secu-
13 rity Act (42 U.S.C. 1395m) is amended by adding at the
14 end the following new subsection:

15 “(s) **PAYMENT FOR APPLICABLE DISPOSABLE DE-**
16 **VICES.**—

17 “(1) **SEPARATE PAYMENT.**—The Secretary shall
18 make a payment (separate from the payments other-
19 wise made under section 1895) in the amount estab-
20 lished under paragraph (3) to a home health agency
21 for an applicable disposable device (as defined in
22 paragraph (2)) when furnished on or after January
23 1, 2017, to an individual who receives home health
24 services for which payment is made under section
25 1895(b).

1 “(2) APPLICABLE DISPOSABLE DEVICE.—In
2 this subsection, the term applicable disposable device
3 means a disposable device that, as determined by the
4 Secretary, is—

5 “(A) a disposable negative pressure wound
6 therapy device that is an integrated system
7 comprised of a non-manual vacuum pump, a re-
8 ceptacle for collecting exudate, and dressings
9 for the purposes of wound therapy; and

10 “(B) a substitute for, and used in lieu of,
11 a negative pressure wound therapy durable
12 medical equipment item that is an integrated
13 system of a negative pressure vacuum pump, a
14 separate exudate collection canister, and
15 dressings that would otherwise be covered for
16 individuals for such wound therapy.

17 “(3) PAYMENT AMOUNT.—The separate pay-
18 ment amount established under this paragraph for
19 an applicable disposable device for a year shall be
20 equal to the amount of the payment that would be
21 made under section 1833(t) (relating to payment for
22 covered OPD services) for the year for the Level I
23 Healthcare Common Procedure Coding System
24 (HCPCS) code for which the description for a pro-

1 fessional service includes the furnishing of such de-
2 vice.”.

3 (b) CONFORMING AMENDMENTS.—

4 (1) COINSURANCE.—Section 1833(a)(1) of the
5 Social Security Act (42 U.S.C. 1395l(a)(1)) is
6 amended—

7 (A) by striking “and (Z)” and inserting
8 “(Z)”; and

9 (B) by inserting before the semicolon at
10 the end the following: “, and (AA) with respect
11 to an applicable disposable device (as defined in
12 paragraph (2) of section 1834(s)) furnished to
13 an individual pursuant to paragraph (1) of such
14 section, the amount paid shall be equal to 80
15 percent of the lesser of the actual charge or the
16 amount determined under paragraph (3) of
17 such section”.

18 (2) HOME HEALTH.—Section 1861(m)(5) of the
19 Social Security Act (42 U.S.C. 1395x(m)(5)) is
20 amended by inserting “and applicable disposable de-
21 vices (as defined in section 1834(s)(2))” after “du-
22 rable medical equipment”.

23 (c) REPORTS.—

24 (1) GAO STUDY AND REPORT ON DISPOSABLE
25 DEVICES.—

1962

1 (A) STUDY.—The Comptroller General of
2 the United States shall conduct a study on the
3 value of disposable devices to the Medicare pro-
4 gram and Medicare beneficiaries and the role of
5 disposable devices as substitutes for durable
6 medical equipment. Such study shall address
7 the following:

8 (i) The types of disposable devices
9 that could potentially qualify as being sub-
10 stitutes for durable medical equipment
11 under the Medicare program, the similar-
12 ities and differences between such dispos-
13 able devices and the durable medical equip-
14 ment for which they would be a substitute,
15 and the extent to which other payers, in-
16 cluding the Medicaid program and private
17 payers, cover such disposable devices.

18 (ii) Views of, and information from,
19 medical device manufacturers, providers of
20 services, and suppliers on the incentives
21 and disincentives under current Medicare
22 coverage and payment policies for dispos-
23 able devices that are substitutes for dura-
24 ble medical equipment and how such poli-
25 cies affect manufacturers' decisions to de-

1963

1 velop innovative products and providers'
2 and suppliers' decisions to use such prod-
3 ucts.

4 (iii) Implications of expanding cov-
5 erage under the Medicare program to in-
6 clude additional disposable devices that are
7 substitutes for durable medical equipment.

8 (iv) Payment methodologies that could
9 be used to pay for disposable devices that
10 are substitutes for durable medical equip-
11 ment other than applicable disposable de-
12 vices pursuant to the amendments made by
13 subsections (a) and (b).

14 (v) Other applicable areas determined
15 appropriate by the Comptroller General.

16 (B) REPORT.—Not later than 18 months
17 after the date of the enactment of this Act, the
18 Comptroller General of the United States shall
19 submit to Congress and the Secretary of Health
20 and Human Services a report on the study con-
21 ducted under subparagraph (A), together with
22 recommendations for such legislation and ad-
23 ministrative action as the Comptroller General
24 determines to be appropriate.

1 (2) GAO STUDY AND REPORT ON THE IMPACT
2 OF THE PAYMENT OF APPLICABLE DISPOSABLE DE-
3 VICES.—

4 (A) STUDY.—The Comptroller General of
5 the United States shall conduct a study on the
6 impact of the payment for applicable disposable
7 devices (as defined in section 1834(s)(2) of the
8 Social Security Act) under the provisions of,
9 and the amendments made by, subsections (a)
10 and (b). Such study shall address the following:

11 (i) The impact on utilization and
12 Medicare program and beneficiary spend-
13 ing as a result of such provisions and
14 amendments.

15 (ii) The type of Medicare beneficiaries
16 who, under the home health benefit, use
17 the applicable disposable device and the pe-
18 riod of use of the applicable disposable de-
19 vices compared to the beneficiaries who use
20 the substitute durable medical equipment
21 and their period of use.

22 (iii) How payment rates of other pay-
23 ers, including the Medicaid program and
24 private payers, for applicable disposable
25 devices compare to the payment rates for

1965

1 such devices under such provisions and
2 amendments.

3 (iv) Other applicable areas determined
4 appropriate by the Comptroller General.

5 (B) REPORT.—Not later than 4 years after
6 the date of the enactment of this Act, the
7 Comptroller General of the United States shall
8 submit to Congress and the Secretary of Health
9 and Human Services a report on the study con-
10 ducted under subparagraph (A), together with
11 recommendations for such legislation and ad-
12 ministrative action as the Comptroller General
13 determines to be appropriate.

14 (d) EFFECTIVE DATE.—The amendments made by
15 this section shall apply to items furnished on or after Jan-
16 uary 1, 2017.

17 **TITLE VI—PUERTO RICO**

18 **SEC. 601. MODIFICATION OF MEDICARE INPATIENT HOS-** 19 **PITAL PAYMENT RATE FOR PUERTO RICO** 20 **HOSPITALS.**

21 Section 1886(d)(9)(E) of the Social Security Act (42
22 U.S.C. 1395ww(d)(9)(E)) is amended—

- 23 (1) by striking “and” at the end of clause (iii);
24 (2) in clause (iv)—

1966

1 (A) by inserting “and before January 1,
2 2016,” after “2004,”; and

3 (B) by striking the period at the end and
4 inserting “; and”; and

5 (3) by adding at the end the following new
6 clause:

7 “(v) on or after January 1, 2016, the applicable
8 Puerto Rico percentage is 0 percent and the applica-
9 ble Federal percentage is 100 percent.”.

10 **SEC. 602. APPLICATION OF MEDICARE HITECH PAYMENTS**

11 **TO HOSPITALS IN PUERTO RICO.**

12 (a) IN GENERAL.—Subsection (n)(6)(B) of section
13 1886 of the Social Security Act (42 U.S.C. 1395ww) is
14 amended by striking “subsection (d) hospital” and insert-
15 ing “hospital that is a subsection (d) hospital or a sub-
16 section (d) Puerto Rico hospital”.

17 (b) CONFORMING AMENDMENTS.—

18 (1) Subsection (b)(3)(B)(ix) of section 1886 of
19 the Social Security Act (42 U.S.C. 1395ww) is
20 amended—

21 (A) in subclause (I), by striking
22 “(n)(6)(A)” and inserting “(n)(6)(B)”; and

23 (B) in subclause (II), by striking “a sub-
24 section (d) hospital” and inserting “an eligible
25 hospital”.

1967

1 (2) Paragraphs (2) and (4)(A) of section
2 1853(m) of the Social Security Act (42 U.S.C.
3 1395w-23(m)) are each amended by striking
4 “1886(n)(6)(A)” and inserting “1886(n)(6)(B)”.

5 (c) IMPLEMENTATION.—Notwithstanding any other
6 provision of law, the Secretary of Health and Human
7 Services may implement the amendments made by this
8 section by program instruction or otherwise.

9 (d) EFFECTIVE DATE.—The amendments made by
10 this section shall apply as if included in the enactment
11 of the American Recovery and Reinvestment Act of 2009
12 (Public Law 111-5), except that, in order to take into ac-
13 count delays in the implementation of this section, in ap-
14 plying subsections (b)(3)(B)(ix), (n)(2)(E)(ii), and
15 (n)(2)(G)(i) of section 1886 of the Social Security Act,
16 as amended by this section, any reference in such sub-
17 sections to a particular year shall be treated with respect
18 to a subsection (d) Puerto Rico hospital as a reference
19 to the year that is 5 years after such particular year (or
20 7 years after such particular year in the case of applying
21 subsection (b)(3)(B)(ix) of such section).

22 **TITLE VII—FINANCIAL SERVICES**

23 **SEC. 701. TABLE OF CONTENTS.**

24 The table of contents for this title is as follows:

Sec. 701. Table of contents.

Sec. 702. Limitations on sale of preferred stock.

1968

- Sec. 703. Confidentiality of information shared between State and Federal financial services regulators.
- Sec. 704. Application of FACA.
- Sec. 705. Treatment of affiliate transactions.
- Sec. 706. Ensuring the protection of insurance policyholders.
- Sec. 707. Limitation on SEC funds.
- Sec. 708. Elimination of reporting requirement.
- Sec. 709. Extension of Hardest Hit Fund; Termination of Making Home Affordable initiative.

1 **SEC. 702. LIMITATIONS ON SALE OF PREFERRED STOCK.**

2 (a) DEFINITIONS.—In this section:

3 (1) SECRETARY.—The term “Secretary” means
4 the Secretary of the Treasury.

5 (2) SENIOR PREFERRED STOCK PURCHASE
6 AGREEMENT.—The term “Senior Preferred Stock
7 Purchase Agreement” means—

8 (A) the Amended and Restated Senior Pre-
9 ferred Stock Purchase Agreement, dated Sep-
10 tember 26, 2008, as such Agreement has been
11 amended on May 6, 2009, December 24, 2009,
12 and August 17, 2012, respectively, and as such
13 Agreement may be further amended and re-
14 stated, entered into between the Department of
15 the Treasury and each enterprise, as applicable;
16 and

17 (B) any provision of any certificate in con-
18 nection with such Agreement creating or desig-
19 nating the terms, powers, preferences, privi-
20 leges, limitations, or any other conditions of the
21 Variable Liquidation Preference Senior Pre-

1 ferred Stock of an enterprise issued or sold pur-
2 suant to such Agreement.

3 (b) LIMITATIONS ON SALE OF PREFERRED STOCK.—

4 Notwithstanding any other provision of law or any provi-
5 sion of the Senior Preferred Stock Purchase Agreement,
6 until at least January 1, 2018, the Secretary may not sell,
7 transfer, relinquish, liquidate, divest, or otherwise dispose
8 of any outstanding shares of senior preferred stock ac-
9 quired pursuant to the Senior Preferred Stock Purchase
10 Agreement, unless Congress has passed and the President
11 has signed into law legislation that includes a specific in-
12 struction to the Secretary regarding the sale, transfer, re-
13 linquishment, liquidation, divestiture, or other disposition
14 of the senior preferred stock so acquired.

15 (c) SENSE OF CONGRESS.—It is the Sense of Con-

16 gress that Congress should pass and the President should
17 sign into law legislation determining the future of Fannie
18 Mae and Freddie Mac, and that notwithstanding the expi-
19 ration of subsection (b), the Secretary should not sell,
20 transfer, relinquish, liquidate, divest, or otherwise dispose
21 of any outstanding shares of senior preferred stock ac-
22 quired pursuant to the Senior Preferred Stock Purchase
23 Agreement until such legislation is enacted.

1970

1 **SEC. 703. CONFIDENTIALITY OF INFORMATION SHARED BE-**
2 **TWEEN STATE AND FEDERAL FINANCIAL**
3 **SERVICES REGULATORS.**

4 Section 1512(a) of the S.A.F.E. Mortgage Licensing
5 Act of 2008 (12 U.S.C. 5111(a)) is amended by inserting
6 “or financial services” before “industry”.

7 **SEC. 704. APPLICATION OF FACA.**

8 Section 1013 of the Consumer Financial Protection
9 Act of 2010 (12 U.S.C. 5493) is amended by adding at
10 the end the following:

11 “(h) APPLICATION OF FACA.—Notwithstanding any
12 provision of the Federal Advisory Committee Act (5
13 U.S.C. App.), such Act shall apply to each advisory com-
14 mittee of the Bureau and each subcommittee of such an
15 advisory committee.”.

16 **SEC. 705. TREATMENT OF AFFILIATE TRANSACTIONS.**

17 (a) COMMODITY EXCHANGE ACT AMENDMENTS.—
18 Section 2(h)(7)(D) of the Commodity Exchange Act (7
19 U.S.C. 2(h)(7)(D)) is amended—

20 (1) by redesignating clause (iii) as clause (v);

21 (2) by striking clauses (i) and (ii) and inserting
22 the following:

23 “(i) IN GENERAL.—An affiliate of a
24 person that qualifies for an exception
25 under subparagraph (A) (including affiliate
26 entities predominantly engaged in pro-

1971

1 viding financing for the purchase of the
2 merchandise or manufactured goods of the
3 person) may qualify for the exception only
4 if the affiliate—

5 “(I) enters into the swap to
6 hedge or mitigate the commercial risk
7 of the person or other affiliate of the
8 person that is not a financial entity,
9 and the commercial risk that the affil-
10 iate is hedging or mitigating has been
11 transferred to the affiliate;

12 “(II) is directly and wholly-owned
13 by another affiliate qualified for the
14 exception under this subparagraph or
15 an entity that is not a financial entity;

16 “(III) is not indirectly majority-
17 owned by a financial entity;

18 “(IV) is not ultimately owned by
19 a parent company that is a financial
20 entity; and

21 “(V) does not provide any serv-
22 ices, financial or otherwise, to any af-
23 filiate that is a nonbank financial
24 company supervised by the Board of
25 Governors (as defined under section

1972

1 102 of the Financial Stability Act of
2 2010).

3 “(ii) LIMITATION ON QUALIFYING AF-
4 FILIATES.—The exception in clause (i)
5 shall not apply if the affiliate is—

6 “(I) a swap dealer;

7 “(II) a security-based swap deal-
8 er;

9 “(III) a major swap participant;

10 “(IV) a major security-based
11 swap participant;

12 “(V) a commodity pool;

13 “(VI) a bank holding company;

14 “(VII) a private fund, as defined
15 in section 202(a) of the Investment
16 Advisers Act of 1940 (15 U.S.C. 80-
17 b-2(a));

18 “(VIII) an employee benefit plan
19 or government plan, as defined in
20 paragraphs (3) and (32) of section 3
21 of the Employee Retirement Income
22 Security Act of 1974 (29 U.S.C.
23 1002);

24 “(IX) an insured depository insti-
25 tution;

1973

1 “(X) a farm credit system insti-
2 tution;

3 “(XI) a credit union;

4 “(XII) a nonbank financial com-
5 pany supervised by the Board of Gov-
6 ernors (as defined under section 102
7 of the Financial Stability Act of
8 2010); or

9 “(XIII) an entity engaged in the
10 business of insurance and subject to
11 capital requirements established by an
12 insurance governmental authority of a
13 State, a territory of the United
14 States, the District of Columbia, a
15 country other than the United States,
16 or a political subdivision of a country
17 other than the United States that is
18 engaged in the supervision of insur-
19 ance companies under insurance law.

20 “(iii) LIMITATION ON AFFILIATES’ AF-
21 FILIATES.—Unless the Commission deter-
22 mines, by order, rule, or regulation, that it
23 is in the public interest, the exception in
24 clause (i) shall not apply with respect to an

1974

1 affiliate if the affiliate is itself affiliated
2 with—

3 “(I) a major security-based swap
4 participant;

5 “(II) a security-based swap deal-
6 er;

7 “(III) a major swap participant;
8 or

9 “(IV) a swap dealer.

10 “(iv) CONDITIONS ON TRANS-
11 ACTIONS.—With respect to an affiliate that
12 qualifies for the exception in clause (i)—

13 “(I) the affiliate may not enter
14 into any swap other than for the pur-
15 pose of hedging or mitigating com-
16 mercial risk; and

17 “(II) neither the affiliate nor any
18 person affiliated with the affiliate that
19 is not a financial entity may enter
20 into a swap with or on behalf of any
21 affiliate that is a financial entity or
22 otherwise assume, net, combine, or
23 consolidate the risk of swaps entered
24 into by any such financial entity, ex-
25 cept one that is an affiliate that quali-

1975

1 fies for the exception under clause
2 (i).”; and

3 (3) by adding at the end the following:

4 “(vi) RISK MANAGEMENT PROGRAM.—
5 Any swap entered into by an affiliate that
6 qualifies for the exception in clause (i)
7 shall be subject to a centralized risk man-
8 agement program of the affiliate, which is
9 reasonably designed both to monitor and
10 manage the risks associated with the swap
11 and to identify each of the affiliates on
12 whose behalf a swap was entered into.”.

13 (b) SECURITIES EXCHANGE ACT OF 1934 AMEND-
14 MENT.—Section 3C(g)(4) of the Securities Exchange Act
15 of 1934 (15 U.S.C. 78c–3(g)(4)) is amended—

16 (1) by redesignating subparagraph (C) as sub-
17 paragraph (E);

18 (2) by striking subparagraphs (A) and (B) and
19 inserting the following:

20 “(A) IN GENERAL.—An affiliate of a per-
21 son that qualifies for an exception under this
22 subsection (including affiliate entities predomi-
23 nantly engaged in providing financing for the
24 purchase of the merchandise or manufactured

1 goods of the person) may qualify for the excep-
2 tion only if the affiliate—

3 “(i) enters into the security-based
4 swap to hedge or mitigate the commercial
5 risk of the person or other affiliate of the
6 person that is not a financial entity, and
7 the commercial risk that the affiliate is
8 hedging or mitigating has been transferred
9 to the affiliate;

10 “(ii) is directly and wholly-owned by
11 another affiliate qualified for the exception
12 under this paragraph or an entity that is
13 not a financial entity;

14 “(iii) is not indirectly majority-owned
15 by a financial entity;

16 “(iv) is not ultimately owned by a par-
17 ent company that is a financial entity; and

18 “(v) does not provide any services, fi-
19 nancial or otherwise, to any affiliate that is
20 a nonbank financial company supervised by
21 the Board of Governors (as defined under
22 section 102 of the Financial Stability Act
23 of 2010).

1977

1 “(B) LIMITATION ON QUALIFYING AFFILI-
2 ATES.—The exception in subparagraph (A)
3 shall not apply if the affiliate is—

4 “(i) a swap dealer;

5 “(ii) a security-based swap dealer;

6 “(iii) a major swap participant;

7 “(iv) a major security-based swap par-
8 ticipant;

9 “(v) a commodity pool;

10 “(vi) a bank holding company;

11 “(vii) a private fund, as defined in
12 section 202(a) of the Investment Advisers
13 Act of 1940 (15 U.S.C. 80–b–2(a));

14 “(viii) an employee benefit plan or
15 government plan, as defined in paragraphs
16 (3) and (32) of section 3 of the Employee
17 Retirement Income Security Act of 1974
18 (29 U.S.C. 1002);

19 “(ix) an insured depository institu-
20 tion;

21 “(x) a farm credit system institution;

22 “(xi) a credit union;

23 “(xii) a nonbank financial company
24 supervised by the Board of Governors (as

1978

1 defined under section 102 of the Financial
2 Stability Act of 2010); or

3 “(xiii) an entity engaged in the busi-
4 ness of insurance and subject to capital re-
5 quirements established by an insurance
6 governmental authority of a State, a terri-
7 tory of the United States, the District of
8 Columbia, a country other than the United
9 States, or a political subdivision of a coun-
10 try other than the United States that is
11 engaged in the supervision of insurance
12 companies under insurance law.

13 “(C) LIMITATION ON AFFILIATES’ AFFILI-
14 ATES.—Unless the Commission determines, by
15 order, rule, or regulation, that it is in the public
16 interest, the exception in subparagraph (A)
17 shall not apply with respect to an affiliate if
18 such affiliate is itself affiliated with—

19 “(i) a major security-based swap par-
20 ticipant;

21 “(ii) a security-based swap dealer;

22 “(iii) a major swap participant; or

23 “(iv) a swap dealer.

1979

1 “(D) CONDITIONS ON TRANSACTIONS.—

2 With respect to an affiliate that qualifies for
3 the exception in subparagraph (A)—

4 “(i) such affiliate may not enter into
5 any security-based swap other than for the
6 purpose of hedging or mitigating commer-
7 cial risk; and

8 “(ii) neither such affiliate nor any
9 person affiliated with such affiliate that is
10 not a financial entity may enter into a se-
11 curity-based swap with or on behalf of any
12 affiliate that is a financial entity or other-
13 wise assume, net, combine, or consolidate
14 the risk of security-based swaps entered
15 into by any such financial entity, except
16 one that is an affiliate that qualifies for
17 the exception under subparagraph (A).”;
18 and

19 (3) by adding at the end the following:

20 “(F) RISK MANAGEMENT PROGRAM.—Any
21 security-based swap entered into by an affiliate
22 that qualifies for the exception in subparagraph
23 (A) shall be subject to a centralized risk man-
24 agement program of the affiliate, which is rea-
25 sonably designed both to monitor and manage

1 the risks associated with the security-based
2 swap and to identify each of the affiliates on
3 whose behalf a security-based swap was entered
4 into.”.

5 **SEC. 706. ENSURING THE PROTECTION OF INSURANCE POL-**
6 **ICYHOLDERS.**

7 (a) SOURCE OF STRENGTH.—Section 38A of the
8 Federal Deposit Insurance Act (12 U.S.C. 1831o–1) is
9 amended—

10 (1) by redesignating subsections (c), (d), and
11 (e) as subsections (d), (e), and (f), respectively; and

12 (2) by inserting after subsection (b) the fol-
13 lowing:

14 “(c) AUTHORITY OF STATE INSURANCE REGU-
15 LATOR.—

16 “(1) IN GENERAL.—The provisions of section
17 5(g) of the Bank Holding Company Act of 1956 (12
18 U.S.C. 1844(g)) shall apply to a savings and loan
19 holding company that is an insurance company, an
20 affiliate of an insured depository institution that is
21 an insurance company, and to any other company
22 that is an insurance company and that directly or
23 indirectly controls an insured depository institution,
24 to the same extent as the provisions of that section

1 apply to a bank holding company that is an insur-
2 ance company.

3 “(2) RULE OF CONSTRUCTION.—Requiring a
4 bank holding company that is an insurance com-
5 pany, a savings and loan holding company that is an
6 insurance company, an affiliate of an insured deposi-
7 tory institution that is an insurance company, or any
8 other company that is an insurance company and
9 that directly or indirectly controls an insured deposi-
10 tory institution to serve as a source of financial
11 strength under this section shall be deemed an ac-
12 tion of the Board that requires a bank holding com-
13 pany to provide funds or other assets to a subsidiary
14 depository institution for purposes of section 5(g) of
15 the Bank Holding Company Act of 1956 (12 U.S.C.
16 1844(g)).”.

17 (b) LIQUIDATION AUTHORITY.—The Dodd-Frank
18 Wall Street Reform and Consumer Protection Act (12
19 U.S.C. 5301 et seq.) is amended—

20 (1) in section 203(e)(3) (12 U.S.C. 5383(e)(3)),
21 by inserting “or rehabilitation” after “orderly liq-
22 uidation” each place that term appears; and

23 (2) in section 204(d)(4) (12 U.S.C.
24 5384(d)(4)), by inserting before the semicolon at the
25 end the following: “, except that, if the covered fi-

1 nancial company or covered subsidiary is an insur-
2 ance company or a subsidiary of an insurance com-
3 pany, the Corporation—

4 “(A) shall promptly notify the State insur-
5 ance authority for the insurance company of the
6 intention to take such lien; and

7 “(B) may only take such lien—

8 “(i) to secure repayment of funds
9 made available to such covered financial
10 company or covered subsidiary; and

11 “(ii) if the Corporation determines,
12 after consultation with the State insurance
13 authority, that such lien will not unduly
14 impede or delay the liquidation or rehabili-
15 tation of the insurance company, or the re-
16 covery by its policyholders”.

17 **SEC. 707. LIMITATION ON SEC FUNDS.**

18 None of the funds made available by any division of
19 this Act shall be used by the Securities and Exchange
20 Commission to finalize, issue, or implement any rule, regu-
21 lation, or order regarding the disclosure of political con-
22 tributions, contributions to tax exempt organizations, or
23 dues paid to trade associations.

1983

1 **SEC. 708. ELIMINATION OF REPORTING REQUIREMENT.**

2 Paragraph (6) of section 21(h) of the Securities Ex-
3 change Act of 1934 (15 U.S.C. 78u(h)) is repealed.

4 **SEC. 709. EXTENSION OF HARDEST HIT FUND; TERMI-**
5 **NATION OF MAKING HOME AFFORDABLE INI-**
6 **TIATIVE.**

7 (a) **EXTENSION OF HARDEST HIT FUND.**—Section
8 120(b) of the Emergency Economic Stabilization Act of
9 2008 (12 U.S.C. 5230(b)) is amended by inserting after
10 the period at the end the following: “Notwithstanding the
11 foregoing, the Secretary may further extend the authority
12 provided under this Act to expire on December 31, 2017,
13 provided that (1) any such extension shall apply only with
14 respect to current program participants in the Housing
15 Finance Agency Innovation Fund for the Hardest Hit
16 Housing Markets, and (2) funds obligated following such
17 extension shall not exceed \$2,000,000,000.”.

18 (b) **TERMINATION.**—

19 (1) **IN GENERAL.**—The Making Home Afford-
20 able initiative of the Secretary of the Treasury, as
21 authorized under the Emergency Economic Sta-
22 bilization Act of 2008 (12 U.S.C. 5201 et seq.),
23 shall terminate on December 31, 2016.

24 (2) **APPLICABILITY.**—Paragraph (1) shall not
25 apply to any loan modification application made
26 under the Home Affordable Modification Program

1984

1 under the Making Home Affordable initiative of the
2 Secretary of the Treasury, as authorized under the
3 Emergency Economic Stabilization Act of 2008 (12
4 U.S.C. 5201 et seq.), before December 31, 2016.

5 **TITLE VIII—LAND AND WATER**
6 **CONSERVATION FUND**

7 **SEC. 801. LAND AND WATER CONSERVATION FUND.**

8 (a) REAUTHORIZATION.—Section 200302 of title 54,
9 United States Code, is amended—

10 (1) in subsection (b), in the language preceding
11 paragraph (1), by striking “September 30, 2015”
12 and inserting “September 30, 2018”; and

13 (2) in subsection (c)(1), by striking “September
14 30, 2015” and inserting “September 30, 2018”.

15 (b) PROHIBITION ON USE OF CONDEMNATION OR
16 EMINENT DOMAIN.—Except as provided by subsection
17 (c), for fiscal years 2016, 2017, and 2018, unless other-
18 wise provided by division G of this Act or an Act enacted
19 after this Act making appropriations for the Department
20 of the Interior, Environment, and Related Agencies, no
21 funds appropriated by such division or Act for the acqui-
22 sition of lands or interests in lands may be expended for
23 the filing of declarations of taking or complaints in con-
24 demnation without the approval of the House and Senate
25 Committees on Appropriations.

1985

1 (c) EXCEPTION FOR EVERGLADES.—Hereafter, sub-
2 section (b) shall not apply to funds appropriated to imple-
3 ment the Everglades National Park Protection and Ex-
4 pansion Act of 1989, or to funds appropriated for Federal
5 assistance to the State of Florida to acquire lands for Ev-
6 erglades restoration purposes.

7 **TITLE IX—NATIONAL OCEANS**
8 **AND COASTAL SECURITY**

9 **SEC. 901. SHORT TITLE.**

10 This title may be cited as the “National Oceans and
11 Coastal Security Act”.

12 **SEC. 902. DEFINITIONS.**

13 In this title:

14 (1) COASTAL COUNTY.—The term “coastal
15 county” has the meaning given the term by the Na-
16 tional Oceanic and Atmospheric Administration in
17 the document entitled “NOAA’s List of Coastal
18 Counties for the Bureau of the Census” (or similar
19 successor document).

20 (2) COASTAL STATE.—The term “coastal
21 State” has the meaning given the term “coastal
22 state” in section 304 of the Coastal Zone Manage-
23 ment Act of 1972 (16 U.S.C. 1453).

24 (3) FOUNDATION.—The term “Foundation”
25 means the National Fish and Wildlife Foundation

1986

1 established by section 2(a) of the National Fish and
2 Wildlife Foundation Establishment Act (16 U.S.C.
3 3701(a)).

4 (4) FUND.—The term “Fund” means the Na-
5 tional Oceans and Coastal Security Fund established
6 under section 904(a).

7 (5) INDIAN TRIBE.—The term “Indian tribe”
8 means any federally recognized Indian tribe.

9 (6) ADMINISTRATOR.—Except as otherwise spe-
10 cifically provided, the term “Administrator” means
11 the Under Secretary of Commerce for Oceans and
12 Atmosphere and Administrator of the National Oce-
13 anic and Atmospheric Administration.

14 (7) TIDAL SHORELINE.—The term “tidal shore-
15 line” has the meaning given that term pursuant to
16 section 923.110(c)(2)(i) of title 15, Code of Federal
17 Regulations, or a similar successor regulation.

18 **SEC. 903. PURPOSES AND AGREEMENTS.**

19 (a) PURPOSES.—The purposes of this title are to bet-
20 ter understand and utilize the oceans, coasts, and Great
21 Lakes of the United States, and ensure present and future
22 generations will benefit from the full range of ecological,
23 economic, social, and recreational opportunities, security,
24 and services these resources are capable of providing.

1987

1 (b) AGREEMENTS.—The Administrator and the
2 Foundation may enter into such agreements as may be
3 necessary to carry out the purposes of this title.

4 **SEC. 904. NATIONAL OCEANS AND COASTAL SECURITY**
5 **FUND.**

6 (a) ESTABLISHMENT.—The Administrator and the
7 Foundation are authorized to establish the National
8 Oceans and Coastal Security Fund as a tax exempt fund
9 to further the purposes of this title.

10 (b) DEPOSITS.—

11 (1) IN GENERAL.—There shall be deposited into
12 the Fund amounts appropriated or otherwise made
13 available to carry out this title.

14 (2) PROHIBITIONS ON DONATIONS FROM FOR-
15 EIGN GOVERNMENTS.—No amounts donated by a
16 foreign government, as defined in section 7342 of
17 title 5, United States Code, may be deposited into
18 the Fund.

19 (c) REQUIREMENTS.—Any amounts received by the
20 Foundation pursuant to this title shall be subject to the
21 provisions of the National Fish and Wildlife Foundation
22 Establishment Act (16 U.S.C. 3701 et seq.), except the
23 provisions of—

24 (1) section 4(e)(1)(B) of that Act (16 U.S.C.
25 3703(e)(1)(B)); and

1988

1 (2) section 10(a) of that Act (16 U.S.C.
2 3709(a)).

3 (d) EXPENDITURE.—Of the amounts deposited into
4 the Fund for each fiscal year—

5 (1) funds may be used by the Foundation to
6 award grants to coastal States under section 906(b);

7 (2) funds may be used by the Foundation to
8 award grants under section 906(c);

9 (3) no more than 2 percent may be used by the
10 Administrator and the Foundation for administra-
11 tive expenses to carry out this title, which amount
12 shall be divided between the Administrator and the
13 Foundation pursuant to an agreement reached and
14 documented by both the Administrator and the
15 Foundation.

16 (e) RECOVERY OF PAYMENTS.—After notice and an
17 opportunity for a hearing, the Administrator is authorized
18 to recover any Federal payments under this section if the
19 Foundation—

20 (1) makes a withdrawal or expenditure from the
21 Fund that is not consistent with the requirements of
22 section 905; or

23 (2) fails to comply with a procedure, measure,
24 method, or standard established under section
25 906(a)(1).

1 **SEC. 905. ELIGIBLE USES.**

2 (a) IN GENERAL.—Amounts in the Fund may be allo-
3 cated by the Foundation to support programs and activi-
4 ties intended to better understand and utilize ocean and
5 coastal resources and coastal infrastructure, including
6 baseline scientific research, ocean observing, and other
7 programs and activities carried out in coordination with
8 Federal and State departments or agencies.

9 (b) PROHIBITION ON USE OF FUNDS FOR LITIGA-
10 TION OR OTHER PURPOSES.—No funds made available
11 under this title may be used to—

12 (1) fund litigation against the Federal Govern-
13 ment; or

14 (2) fund the creation of national marine monu-
15 ments and marine protected areas, marine spatial
16 planning, or the National Ocean Policy.

17 **SEC. 906. GRANTS.**

18 (a) ADMINISTRATION OF GRANTS.—

19 (1) IN GENERAL.—Not later than 90 days after
20 funds are deposited into the Fund and made avail-
21 able to the Foundation for administrative purposes,
22 the Foundation shall establish the following:

23 (A) Application and review procedures for
24 the awarding of grants under this section, in-
25 cluding requirements ensuring that any
26 amounts awarded under such subsections may

1 only be used for an eligible use described under
2 section 905.

3 (B) Selection procedures and criteria for
4 the awarding of grants under this section
5 that—

6 (i) require consultation with the Ad-
7 ministrators and the Secretary of the Inte-
8 rior; and

9 (ii) prioritize the projects or activities
10 where non-Federal partners have com-
11 mitted to share the cost of the project.

12 (C) Eligibility criteria for awarding
13 grants—

14 (i) under subsection (b) to coastal
15 States; and

16 (ii) under subsection (c) to—

17 (I) entities including States, local
18 governments, and Indian tribes; and

19 (II) the research and restoration
20 work of associations, nongovernmental
21 organizations, public-private partner-
22 ships, and academic institutions.

23 (D) Performance accountability and moni-
24 toring measures for programs and activities

1 funded by a grant awarded under subsection (b)
2 or (c).

3 (E) Procedures and methods to ensure ac-
4 curate accounting and appropriate administra-
5 tion of grants awarded under this section, in-
6 cluding standards of recordkeeping.

7 (F) Procedures to carry out audits of the
8 Fund as necessary, but not less frequently than
9 once every year if grants have been awarded in
10 that year.

11 (G) Procedures to carry out audits of the
12 recipients of grants under this section.

13 (H) Procedures to make publicly available
14 on the Internet a list of all projects funded by
15 the Fund, that includes at a minimum the
16 grant recipient, grant amount, project descrip-
17 tion, and project status.

18 (2) APPROVAL.—The Foundation shall submit
19 to the Administrator for approval each procedure,
20 measure, method, and standard established under
21 paragraph (1).

22 (b) GRANTS TO COASTAL STATES.—

23 (1) IN GENERAL.—The Administrator and the
24 Foundation may award grants according to the pro-
25 cedures established in subsection (a) to coastal

1992

1 States and United States territories to support ac-
2 tivities consistent with section 904. In determining
3 distribution of grants, the Foundation may—

4 (A) consider for each State—

5 (i) percent of total United States
6 shoreline miles;

7 (ii) coastal population density; and

8 (iii) other factors;

9 (B) establish criteria for States, including
10 the requirement for a State to establish a plan
11 to distribute the funds; and

12 (C) establish a maximum and minimum
13 percentage of funding to be awarded to each
14 State or United States territory.

15 (2) INDIAN TRIBES.—As a condition on receipt
16 of a grant under this subsection, a State that re-
17 ceives a grant under this subsection shall ensure
18 that Indian tribes in the State are eligible to partici-
19 pate in any competitive grants established in this
20 title.

21 (c) NATIONAL GRANTS FOR OCEANS, COASTS, AND
22 GREAT LAKES.—

23 (1) IN GENERAL.—The Administrator and the
24 Foundation may award grants according to the pro-

1 cedures established in subsection (a) to support ac-
2 tivities consistent with section 905.

3 (2) ADVISORY PANEL.—

4 (A) IN GENERAL.—The Foundation may
5 establish an advisory panel to conduct reviews
6 of applications for grants under paragraph (1)
7 and the Foundation may consider the rec-
8 ommendations of the advisory panel with re-
9 spect to such applications.

10 (B) MEMBERSHIP.—The advisory panel
11 described under subparagraph (A) shall include
12 persons representing—

13 (i) ocean and coastal dependent indus-
14 tries;

15 (ii) geographic regions as defined by
16 the Foundation; and

17 (iii) academic institutions.

18 **SEC. 907. ANNUAL REPORT.**

19 (a) REQUIREMENT FOR ANNUAL REPORT.—Subject
20 to subsection (c), beginning with fiscal year 2017, not
21 later than 60 days after the end of each fiscal year, the
22 Foundation shall submit to the Committee on Commerce,
23 Science, and Transportation of the Senate and the Com-
24 mittee on Natural Resources of the House of Representa-

1 tives a report on the operation of the Fund during that
2 fiscal year.

3 (b) CONTENT.—Each annual report submitted under
4 subsection (a) for a fiscal year shall include—

5 (1) a full and complete statement of the re-
6 ceipts, including the source of all receipts, expendi-
7 tures, and investments of the Fund;

8 (2) a statement of the amounts deposited in the
9 Fund and the balance remaining in the Fund at the
10 end of the fiscal year; and

11 (3) a description of the expenditures made from
12 the Fund for the fiscal year, including the purpose
13 of the expenditures.

14 **SEC. 908. FUNDING.**

15 There is authorized to be appropriated such sums as
16 are necessary for fiscal years 2017, 2018, and 2019 for
17 this title.

18 **TITLE X—BUDGETARY**
19 **PROVISIONS**

20 **SEC. 1001. BUDGETARY EFFECTS.**

21 (a) STATUTORY PAYGO SCORECARDS.—The budg-
22 etary effects of this division and division P shall not be
23 entered on either PAYGO scorecard maintained pursuant
24 to section 4(d) of the Statutory Pay-As-You-Go Act of
25 2010.

1995

1 (b) SENATE PAYGO SCORECARDS.—The budgetary
2 effects of this division and division P shall not be entered
3 on any PAYGO scorecard maintained for purposes of sec-
4 tion 201 of S. Con. Res. 21 (110th Congress).

5 (c) CLASSIFICATION OF BUDGETARY EFFECTS.—
6 Notwithstanding Rule 3 of the Budget Scorekeeping
7 Guidelines set forth in the joint explanatory statement of
8 the committee of conference accompanying Conference Re-
9 port 105-217 and section 250(c)(8) of the Balanced Budg-
10 et and Emergency Deficit Control Act of 1985, the budg-
11 etary effects of this division and division P shall not be
12 estimated—

13 (1) for purposes of section 251 of the such Act;

14 and

15 (2) for purposes of paragraph (4)(C) of section
16 3 of the Statutory Pay-As-You-Go Act of 2010 as
17 being included in an appropriation Act.

18 **SEC. 1002. AUTHORITY TO MAKE ADJUSTMENT IN FY 2016**

19 **ALLOCATION.**

20 (a) IN GENERAL.—After the date of enactment of
21 this Act, the chair of the Committee on the Budget of the
22 House of Representatives may revise appropriate alloca-
23 tions, aggregates, and levels established by Senate Concur-
24 rent Resolution 11 (114th Congress) to achieve consist-
25 ency with the Bipartisan Budget Act of 2015.

1996

1 (b) EXERCISE OF RULEMAKING POWERS.—The
2 House adopts the provisions of this section—

3 (1) as an exercise of the rulemaking power of
4 the House of Representatives and as such they shall
5 be considered as part of the rules of the House of
6 Representatives, and these rules shall supersede
7 other rules only to the extent that they are incon-
8 sistent with other such rules; and

9 (2) with full recognition of the constitutional
10 right of the House of Representatives to change
11 those rules at any time, in the same manner, and to
12 the same extent as in the case of any other rule of
13 the House of Representatives.

14 **SEC. 1003. ESTIMATES.**

15 Section 251(a)(7)(B) of the Balanced Budget and
16 Emergency Deficit Control Act of 1985 (2 U.S.C.
17 901(a)(7)(B)) is amended in the first sentence by striking
18 “the CBO estimate of that legislation, an OMB estimate
19 of the amount of discretionary new budget authority and
20 outlays” and inserting “both the CBO and OMB estimates
21 of the amount of discretionary new budget authority”.

1997

1 **TITLE XI—IRAQ LOAN**
2 **AUTHORITY**

3 **SEC. 1101. IRAQ LOAN AUTHORITY.**

4 (a) **AUTHORITY.**—During fiscal year 2016, direct
5 loans under section 23 of the Arms Export Control Act
6 may be made available for Iraq, gross obligations for the
7 principal amounts of which shall not exceed
8 \$2,700,000,000: *Provided*, That funds appropriated under
9 the heading “Foreign Military Financing Program” in
10 title VIII of the Department of State, Foreign Operations
11 and Related Programs Appropriations Act, 2016 that are
12 designated by the Congress for Overseas Contingency Op-
13 erations/Global War on Terrorism pursuant to section
14 251(b)(2)(A) of the Balanced Budget and Emergency
15 Deficit Control Act of 1985, may be made available for
16 the costs, as defined in section 502 of the Congressional
17 Budget Act of 1974, of direct loans, except that such
18 funds may not be derived from amounts specifically des-
19 ignated by such Acts for countries other than Iraq: *Pro-*
20 *vided further*, That such costs, including the cost of modi-
21 fying such loans, shall be as defined in section 502 of the
22 Congressional Budget Act of 1974, and may include the
23 costs of selling, reducing, or cancelling any amounts owed
24 to the United States or any agency of the United States
25 by Iraq: *Provided further*, That the Government of the

1998

1 United States may charge fees for such loans, which shall
2 be collected from borrowers in accordance with section
3 502(7) of the Congressional Budget Act of 1974: *Provided*
4 *further*, That no funds made available to Iraq by the De-
5 partment of State, Foreign Operations, and Related Pro-
6 grams Appropriations Act, 2016 or previous appropria-
7 tions Acts may be used for payment of any fees associated
8 with such loans: *Provided further*, That applicable provi-
9 sions of section 3 of the Arms Export Control Act relating
10 to restrictions on transfers, re-transfers and end-use shall
11 apply to defense articles and services purchased with such
12 loans: *Provided further*, That, in consultation with the
13 Government of Iraq, special emphasis shall be placed on
14 assistance to covered groups (as defined in section
15 1223(e)(2)(D) of Public Law 114–92) with the loans
16 made available pursuant to this paragraph: *Provided fur-*
17 *ther*, That such loans shall be repaid in not more than
18 12 years, including a grace period of up to 1 year on re-
19 payment of principal.

20 (b) CONSULTATION AND NOTIFICATION.—Funds
21 made available pursuant to this section shall be subject
22 to prior consultation with the appropriate congressional
23 committees, and subject to the regular notification proce-
24 dures of the Committees on Appropriations.

1999

1 (c) COMMITTEES.—For the purposes of this section,
2 the terms “appropriate congressional committees” and
3 “Committees on Appropriations” have the same meaning
4 as used in the Department of State, Foreign Operations
5 and Related Programs Appropriations Act, 2016.

6 (d) BUDGETARY EFFECTS.—Section 1001 of title X
7 of this division shall not apply to this section.

8 **DIVISION P—TAX-RELATED**
9 **PROVISIONS**

10 **SEC. 1. TABLE OF CONTENTS.**

11 The table of contents for this division is as follows:

Sec. 1. Table of contents.

**TITLE I—HIGH COST EMPLOYER-SPONSORED HEALTH COVERAGE
EXCISE TAX PROVISIONS**

Sec. 101. Delay of excise tax on high cost employer-sponsored health coverage.

Sec. 102. Deductibility of excise tax on high cost employer-sponsored health coverage.

Sec. 103. Study on suitable benchmarks for age and gender adjustment of excise tax on high cost employer-sponsored health coverage.

TITLE II—ANNUAL FEE ON HEALTH INSURANCE PROVIDERS

Sec. 201. Moratorium on annual fee on health insurance providers.

TITLE III—MISCELLANEOUS PROVISIONS

Sec. 301. Extension and phaseout of credits for wind facilities.

Sec. 302. Extension of election to treat qualified facilities as energy property.

Sec. 303. Extension and phaseout of solar energy credit.

Sec. 304. Extension and phaseout of credits with respect to qualified solar electric property and qualified solar water heating property.

Sec. 305. Treatment of transportation costs of independent refiners.

2000

1 **TITLE I—HIGH COST EMPLOYER-**
2 **SPONSORED HEALTH COV-**
3 **ERAGE EXCISE TAX PROVI-**
4 **SIONS**

5 **SEC. 101. DELAY OF EXCISE TAX ON HIGH COST EMPLOYER-**
6 **SPONSORED HEALTH COVERAGE.**

7 (a) IN GENERAL.—Sections 9001(c) and 10901(c) of
8 the Patient Protection and Affordable Care Act, as
9 amended by section 1401(b) of the Health Care and Edu-
10 cation Reconciliation Act of 2010, are each amended by
11 striking “2017” and inserting “2019”.

12 (b) CONFORMING AMENDMENT.—Clause (v) of sec-
13 tion 4980I(b)(3)(C) of the Internal Revenue Code of 1986
14 is amended—

15 (1) by striking “as in effect” and inserting “as
16 determined for”, and

17 (2) by striking “as so in effect” and inserting
18 “as so determined”.

19 **SEC. 102. DEDUCTIBILITY OF EXCISE TAX ON HIGH COST**
20 **EMPLOYER-SPONSORED HEALTH COVERAGE.**

21 Paragraph (10) of section 4980I(f) of the Internal
22 Revenue Code of 1986 is amended to read as follows:

23 “(10) DEDUCTIBILITY OF TAX.—Section
24 275(a)(6) shall not apply to the tax imposed by sub-
25 section (a).”.

1 **SEC. 103. STUDY ON SUITABLE BENCHMARKS FOR AGE AND**
2 **GENDER ADJUSTMENT OF EXCISE TAX ON**
3 **HIGH COST EMPLOYER-SPONSORED HEALTH**
4 **COVERAGE.**

5 Not later than 18 months after the date of the enact-
6 ment of this Act, the Comptroller General of the United
7 States, in consultation with the National Association of
8 Insurance Commissioners, shall report to the Committee
9 on Finance of the Senate and the Committee on Ways and
10 Means of the House of Representatives on—

11 (1) the suitability of the use (in effect under
12 section 4980I(b)(3)(C)(iii)(II) of the Internal Rev-
13 enue Code of 1986 as of the date of the enactment
14 of this Act) of the premium cost of the Blue Cross/
15 Blue Shield standard benefit option under the Fed-
16 eral Employees Health Benefits Plan as a bench-
17 mark for the age and gender adjustment of the ap-
18 plicable dollar limit with respect to the excise tax on
19 high cost employer-sponsored health coverage under
20 section 4980I of the Internal Revenue Code of 1986;
21 and

22 (2) recommendations regarding any more suit-
23 able benchmarks for such age and gender adjust-
24 ment.

2002

1 **TITLE II—ANNUAL FEE ON**
2 **HEALTH INSURANCE PRO-**
3 **VIDERS**

4 **SEC. 201. MORATORIUM ON ANNUAL FEE ON HEALTH IN-**
5 **SURANCE PROVIDERS.**

6 Subsection (j) of section 9010 of the Patient Protec-
7 tion and Affordable Care Act is amended to read as fol-
8 lows:

9 “(j) **EFFECTIVE DATE.**—This section shall apply to
10 calendar years—

11 “(1) beginning after December 31, 2013, and
12 ending before January 1, 2017, and

13 “(2) beginning after December 31, 2017.”.

14 **TITLE III—MISCELLANEOUS**
15 **PROVISIONS**

16 **SEC. 301. EXTENSION AND PHASEOUT OF CREDITS FOR**
17 **WIND FACILITIES.**

18 (a) **IN GENERAL.**—

19 (1) **EXTENSION.**—Paragraph (1) of section
20 45(d) of the Internal Revenue Code of 1986 is
21 amended by striking “January 1, 2015” and insert-
22 ing “January 1, 2020”.

23 (2) **PHASEOUT.**—Subsection (b) of section 45
24 of such Code is amended by adding at the end the
25 following new paragraph:

2003

1 “(5) PHASEOUT OF CREDIT FOR WIND FACILI-
2 TIES.—In the case of any facility using wind to
3 produce electricity, the amount of the credit deter-
4 mined under subsection (a) (determined after the
5 application of paragraphs (1), (2), and (3) and with-
6 out regard to this paragraph) shall be reduced by—

7 “(A) in the case of any facility the con-
8 struction of which begins after December 31,
9 2016, and before January 1, 2018, 20 percent,

10 “(B) in the case of any facility the con-
11 struction of which begins after December 31,
12 2017, and before January 1, 2019, 40 percent,
13 and

14 “(C) in the case of any facility the con-
15 struction of which begins after December 31,
16 2018, and before January 1, 2020, 60 per-
17 cent.”.

18 (b) EFFECTIVE DATE.—The amendments made by
19 this section shall take effect on January 1, 2015.

20 **SEC. 302. EXTENSION OF ELECTION TO TREAT QUALIFIED**
21 **FACILITIES AS ENERGY PROPERTY.**

22 (a) IN GENERAL.—Clause (ii) of section 48(a)(5)(C)
23 is amended by inserting “(January 1, 2020, in the case
24 of any facility which is described in paragraph (1) of sec-
25 tion 45(d))” before “, and”.

2004

1 (b) PHASEOUT FOR WIND FACILITIES.—Paragraph
2 (5) of section 48(a) is amended by adding at the end the
3 following new subparagraph:

4 “(E) PHASEOUT OF CREDIT FOR WIND FA-
5 CILITIES.—In the case of any facility using
6 wind to produce electricity, the amount of the
7 credit determined under this section (deter-
8 mined after the application of paragraphs (1)
9 and (2) and without regard to this subpara-
10 graph) shall be reduced by—

11 “(i) in the case of any facility the con-
12 struction of which begins after December
13 31, 2016, and before January 1, 2018, 20
14 percent,

15 “(ii) in the case of any facility the
16 construction of which begins after Decem-
17 ber 31, 2017, and before January 1, 2019,
18 40 percent, and

19 “(iii) in the case of any facility the
20 construction of which begins after Decem-
21 ber 31, 2018, and before January 1, 2020,
22 60 percent.”.

23 (c) EFFECTIVE DATE.—The amendments made by
24 this section shall take effect on January 1, 2015.

2005

1 **SEC. 303. EXTENSION AND PHASEOUT OF SOLAR ENERGY**

2 **CREDIT.**

3 (a) EXTENSION.—Subclause (II) of section
4 48(a)(2)(A)(i) of the Internal Revenue Code of 1986 is
5 amended by striking “periods ending before January 1,
6 2017” and inserting “property the construction of which
7 begins before January 1, 2022”.

8 (b) PHASEOUT FOR SOLAR ENERGY PROPERTY.—
9 Subsection (a) of section 48 of such Code is amended by
10 adding at the end the following new paragraph:

11 “(6) PHASEOUT FOR SOLAR ENERGY PROP-
12 ERTY.—

13 “(A) IN GENERAL.—Subject to subpara-
14 graph (B), in the case of any energy property
15 described in paragraph (3)(A)(i) the construc-
16 tion of which begins before January 1, 2022,
17 the energy percentage determined under para-
18 graph (2) shall be equal to—

19 “(i) in the case of any property the
20 construction of which begins after Decem-
21 ber 31, 2019, and before January 1, 2021,
22 26 percent, and

23 “(ii) in the case of any property the
24 construction of which begins after Decem-
25 ber 31, 2020, and before January 1, 2022,
26 22 percent.

2006

1 “(B) PLACED IN SERVICE DEADLINE.—In
2 the case of any property energy property de-
3 scribed in paragraph (3)(A)(i) the construction
4 of which begins before January 1, 2022, and
5 which is not placed in service before January 1,
6 2024, the energy percentage determined under
7 paragraph (2) shall be equal to 10 percent.”.

8 (c) CONFORMING AMENDMENT.—Subparagraph (A)
9 of section 48(a)(2) of such Code is amended by striking
10 “The energy percentage” and inserting “Except as pro-
11 vided in paragraph (6), the energy percentage”.

12 (d) EFFECTIVE DATE.—The amendments made by
13 this section shall take effect on the date of the enactment
14 of this Act.

15 **SEC. 304. EXTENSION AND PHASEOUT OF CREDITS WITH**
16 **RESPECT TO QUALIFIED SOLAR ELECTRIC**
17 **PROPERTY AND QUALIFIED SOLAR WATER**
18 **HEATING PROPERTY.**

19 (a) IN GENERAL.—Section 25D of the Internal Rev-
20 enue Code of 1986 is amended—

21 (1) in paragraphs (1) and (2) of subsection (a),
22 by striking “30 percent” each place it appears and
23 inserting “the applicable percentage”,

24 (2) in subsection (g), by inserting “(December
25 31, 2021, in the case of any qualified solar electric

2007

1 property expenditures and qualified solar water heat-
2 ing property expenditures)” before the period at the
3 end,

4 (3) by redesignating subsection (g), as amended
5 by paragraph (2), as subsection (h), and

6 (4) by inserting after subsection (f) the fol-
7 lowing new subsection:

8 “(g) APPLICABLE PERCENTAGE.—For purposes of
9 paragraphs (1) and (2) of subsection (a), the applicable
10 percentage shall be—

11 “(1) in the case of property placed in service
12 after December 31, 2016, and before January 1,
13 2020, 30 percent,

14 “(2) in the case of property placed in service
15 after December 31, 2019, and before January 1,
16 2021, 26 percent, and

17 “(3) in the case of property placed in service
18 after December 31, 2020, and before January 1,
19 2022, 22 percent.”.

20 (b) EFFECTIVE DATE.—The amendments made by
21 this section shall take effect on January 1, 2017.

2008

1 **SEC. 305. TREATMENT OF TRANSPORTATION COSTS OF**
2 **INDEPENDENT REFINERS.**

3 (a) IN GENERAL.—Paragraph (3) of section 199(c)
4 of the Internal Revenue Code of 1986 is amended by add-
5 ing at the end the following new subparagraph:

6 “(C) TRANSPORTATION COSTS OF INDE-
7 PENDENT REFINERS.—

8 “(i) IN GENERAL.—In the case of any
9 taxpayer who is in the trade or business of
10 refining crude oil and who is not a major
11 integrated oil company (as defined in sec-
12 tion 167(h)(5)(B), determined without re-
13 gard to clause (iii) thereof) for the taxable
14 year, in computing oil related qualified
15 production activities income under sub-
16 section (d)(9)(B), the amount allocated to
17 domestic production gross receipts under
18 paragraph (1)(B) for costs related to the
19 transportation of oil shall be 25 percent of
20 the amount properly allocable under such
21 paragraph (determined without regard to
22 this subparagraph).

23 “(ii) TERMINATION.—Clause (i) shall
24 not apply to any taxable year beginning
25 after December 31, 2021.”.

2009

1 (b) EFFECTIVE DATE.—The amendment made by
2 this section shall apply to taxable years beginning after
3 December 31, 2015.

