AN ACT

Making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes.

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Be it enacted by the Senate and House of Representa-
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tives of the United States of America in Congress assembled,
SECTION 1. SHORT TITLE.

This Act may be cited as the “Interior, Environment, Financial Services, and General Government Appropriations Act, 2019”.

DIVISION A—DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes, namely:

TITLE I
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
MANAGEMENT OF LANDS AND RESOURCES

For necessary expenses for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau, and assessment of mineral potential of public lands pursuant to section 1010(a) of Public Law 96–487 (16 U.S.C. 3150(a)), $1,247,883,000,
to remain available until expended, including all such amounts as are collected from permit processing fees, as authorized but made subject to future appropriation by section 35(d)(3)(A)(i) of the Mineral Leasing Act (30 U.S.C. 191), except that amounts from permit processing fees may be used for any bureau-related expenses associated with the processing of oil and gas applications for permits to drill and related use of authorizations.

In addition, $39,696,000 is for Mining Law Administration program operations, including the cost of administering the mining claim fee program, to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation from mining claim maintenance fees and location fees that are hereby authorized for fiscal year 2019, so as to result in a final appropriation estimated at not more than $1,247,883,000, and $2,000,000, to remain available until expended, from communication site rental fees established by the Bureau for the cost of administering communication site activities.

LAND ACQUISITION

For expenses necessary to carry out sections 205, 206, and 318(d) of Public Law 94–579, including administrative expenses and acquisition of lands or waters, or interests therein, $17,392,000, to be derived from the
Land and Water Conservation Fund and to remain available until expended.

OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein, including existing connecting roads on or adjacent to such grant lands; $106,985,000, to remain available until expended: Provided, That 25 percent of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (43 U.S.C. 2605).

RANGE IMPROVEMENTS

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1751),
notwithstanding any other Act, sums equal to 50 percent of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315b, 315m) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than $10,000,000, to remain available until expended: Provided, That not to exceed $600,000 shall be available for administrative expenses.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under Public Law 94–579 (43 U.S.C. 1701 et seq.), and under section 28 of the Mineral Leasing Act (30 U.S.C. 185), to remain available until expended: Provided, That notwithstanding any provision to the contrary of section 305(a) of Public Law 94–579 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture,
compromise, or settlement, if not appropriate for refund pursuant to section 305(e) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this Act by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such action are used on the exact lands damaged which led to the action: 

Provided further, That any such moneys that are in excess of amounts needed to repair damage to the exact land for which funds were collected may be used to repair other damaged public lands.

MISCELLANEOUS TRUST FUNDS

In addition to amounts authorized to be expended under existing laws, there is hereby appropriated such amounts as may be contributed under section 307 of Public Law 94–579 (43 U.S.C. 1737), and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act (43 U.S.C. 1721(b)), to remain available until expended.
The Bureau of Land Management may carry out the operations funded under this Act by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities, including with States. Appropriations for the Bureau shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title; up to $100,000 for payments, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on the Secretary’s certificate, not to exceed $10,000: Provided, That notwithstanding Public Law 90–620 (44 U.S.C. 501), the Bureau may, under cooperative cost-sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share the cost of printing either in cash or in services, and the Bureau determines the cooperator is capable of meeting accepted quality standards: Provided further, That projects to be funded pursuant to a written commitment by a State government to provide an identi-
fied amount of money in support of the project may be carried out by the Bureau on a reimbursable basis. Appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau or its contractors or for the sale of wild horses and burros that results in their destruction for processing into commercial products.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

For necessary expenses of the United States Fish and Wildlife Service, as authorized by law, and for scientific and economic studies, general administration, and for the performance of other authorized functions related to such resources, $1,288,808,000 (reduced by $500,000) (increased by $500,000) (increased by $1,000,000), to remain available until September 30, 2020: Provided, That not to exceed $10,941,000 shall be used for implementing subsections (a), (b), (c), and (e) of section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533) (except for processing petitions, developing and issuing proposed and final regulations, and taking any other steps to implement actions described in subsection (c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii)): Provided further, That $12,022,000 shall be provided to the National Fish and Wildlife Foundation pursuant to section 3709 of title 16, United States Code,
for the benefit of, and in connection with, the activities
and services of the United States Fish and Wildlife Serv-

ice.

CONSTRUCTION

For construction, improvement, acquisition, or re-
moval of buildings and other facilities required in the con-
servation, management, investigation, protection, and uti-

lization of fish and wildlife resources, and the acquisition
of lands and interests therein; $59,734,000 (reduced by
$3,850,000), to remain available until expended.

LAND ACQUISITION

For expenses necessary to carry out chapter 2003 of
title 54, United States Code, including administrative ex-

penses, and for acquisition of land or waters, or interest
therein, in accordance with statutory authority applicable
to the United States Fish and Wildlife Service,

$47,438,000, to be derived from the Land and Water Con-
servation Fund and to remain available until expended,
of which, notwithstanding section 200306 of title 54,
United States Code, not more than $10,000,000 shall be
for land conservation partnerships authorized by the
Highlands Conservation Act of 2004, including not to ex-
ceed $320,000 for administrative expenses: Provided, That
none of the funds appropriated for specific land acquisi-
tion projects may be used to pay for any administrative overhead, planning or other management costs.

**COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND**

For expenses necessary to carry out section 6 of the Endangered Species Act of 1973 (16 U.S.C. 1535), $53,495,000, to remain available until expended, of which $22,695,000 is to be derived from the Cooperative Endangered Species Conservation Fund; and of which $30,800,000 is to be derived from the Land and Water Conservation Fund.

**NATIONAL WILDLIFE REFUGE FUND**

For expenses necessary to implement the Act of October 17, 1978 (16 U.S.C. 715s), $13,228,000.

**NORTH AMERICAN WETLANDS CONSERVATION FUND**

For expenses necessary to carry out the provisions of the North American Wetlands Conservation Act (16 U.S.C. 4401 et seq.), $42,000,000, to remain available until expended.

**NEOTROPICAL MIGRATORY BIRD CONSERVATION**

For expenses necessary to carry out the Neotropical Migratory Bird Conservation Act (16 U.S.C. 6101 et seq.), $3,910,000, to remain available until expended.
MULTINATIONAL SPECIES CONSERVATION FUND


STATE AND TRIBAL WILDLIFE GRANTS

For wildlife conservation grants to States and to the District of Columbia, Puerto Rico, Guam, the United States Virgin Islands, the Northern Mariana Islands, American Samoa, and Indian tribes under the provisions of the Fish and Wildlife Act of 1956 and the Fish and Wildlife Coordination Act, for the development and implementation of programs for the benefit of wildlife and their habitat, including species that are not hunted or fished, $63,571,000, to remain available until expended: Provided, That of the amount provided herein, $4,209,000 is for a competitive grant program for Indian tribes not subject to the remaining provisions of this appropriation: Provided further, That $6,362,000 is for a competitive grant program to implement approved plans for States, territories, and other jurisdictions and at the discretion of af-
fected States, the regional Associations of fish and wildlife agencies, not subject to the remaining provisions of this appropriation: Provided further, That the Secretary shall, after deducting $10,571,000 and administrative expenses, apportion the amount provided herein in the following manner: (1) to the District of Columbia and to the Commonwealth of Puerto Rico, each a sum equal to not more than one-half of 1 percent thereof; and (2) to Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands, each a sum equal to not more than one-fourth of 1 percent thereof: Provided further, That the Secretary shall apportion the remaining amount in the following manner: (1) one-third of which is based on the ratio to which the land area of such State bears to the total land area of all such States; and (2) two-thirds of which is based on the ratio to which the population of such State bears to the total population of all such States: 3 Provided further, That the amounts apportioned under this paragraph shall be adjusted equitably so that no State shall be apportioned a sum which is less than 1 percent of the amount available for apportionment under this paragraph for any fiscal year or more than 5 percent of such amount: Provided further, That the Federal share of planning grants shall not exceed 75 percent of the total costs of such projects and the Fed-
eral share of implementation grants shall not exceed 65 percent of the total costs of such projects: Provided further, That the non-Federal share of such projects may not be derived from Federal grant programs: Provided further, That any amount apportioned in 2019 to any State, territory, or other jurisdiction that remains unobligated as of September 30, 2020, shall be reapportioned, together with funds appropriated in 2021, in the manner provided hereinafter.

ADMINISTRATIVE PROVISIONS

The United States Fish and Wildlife Service may carry out the operations of Service programs by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities. Appropriations and funds available to the United States Fish and Wildlife Service shall be available for repair of damage to public roads within and adjacent to reservation areas caused by operations of the Service; options for the purchase of land at not to exceed $1 for each option; facilities incident to such public recreational uses on conservation areas as are consistent with their primary purpose; and the maintenance and improvement of aquaria, buildings, and other facilities under the jurisdiction of the Service and to which the United States has title, and which are used pursuant to law in connection with management,
and investigation of fish and wildlife resources: Provided,
That notwithstanding 44 U.S.C. 501, the Service may,
under cooperative cost sharing and partnership arrange-
ments authorized by law, procure printing services from
cooperators in connection with jointly produced publica-
tions for which the cooperators share at least one-half the
cost of printing either in cash or services and the Service
determines the cooperator is capable of meeting accepted
quality standards: Provided further, That the Service may
accept donated aircraft as replacements for existing air-
craft: Provided further, That notwithstanding 31 U.S.C.
3302, all fees collected for non-toxic shot review and ap-
proval shall be deposited under the heading “United
States Fish and Wildlife Service—Resource Management”
and shall be available to the Secretary, without further
appropriation, to be used for expenses of processing of
such non-toxic shot type or coating applications and revis-
ing regulations as necessary, and shall remain available
until expended.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, oper-
ation, and maintenance of areas and facilities adminis-
tered by the National Park Service and for the general
administration of the National Park Service,
$2,527,810,000 (reduced by $300,000) (increased by
$300,000), of which $10,032,000 for planning and inter-
agency coordination in support of Everglades restoration
and $149,461,000 for maintenance, repair, or rehabilita-
tion projects for constructed assets and $166,575,000 for
cyclic maintenance projects for constructed assets and cul-
tural resources shall remain available until September 30,
2020: Provided, That funds appropriated under this head-
ing in this Act are available for the purposes of section
5 of Public Law 95–348.

NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation pro-
grams, natural programs, cultural programs, heritage
partnership programs, environmental compliance, inter-
national park affairs, and grant administration, not other-
wise provided for, $63,638,000.

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the National
Historic Preservation Act (division A of subtitle III of title
54, United States Code), $91,910,000 (increased by
$5,000,000) (increased by $2,500,000) (increased by
$2,000,000), to be derived from the Historic Preservation
Fund and to remain available until September 30, 2020,
of which $13,000,000 (reduced by $20,000,000)(increased
by $20,000,000) shall be for Save America’s Treasures
grants for preservation of national significant sites, structures and artifacts as authorized by section 7303 of the Omnibus Public Land Management Act of 2009 (54 U.S.C. 3089): Provided, That an individual Save America’s Treasures grant shall be matched by non-Federal funds: Provided further, That individual projects shall only be eligible for one grant: Provided further, That all projects to be funded shall be approved by the Secretary of the Interior in consultation with the House and Senate Committees on Appropriations: Provided further, That of the funds provided for the Historic Preservation Fund, $500,000 (increased by $500,000) is for competitive grants for the survey and nomination of properties to the National Register of Historic Places and as National Historic Landmarks associated with communities currently under-represented, as determined by the Secretary, $13,000,000 (increased by $2,500,000) is for competitive grants to preserve the sites and stories of the Civil Rights movement, and $5,000,000 (increased by $2,000,000) (increased by $1,000,000) is for grants to Historically Black Colleges and Universities: Provided further, That such competitive grants shall be made without imposing the matching requirements in section 302902(b)(3) of title 54, United States Code, to States and Indian tribes as defined in chapter 3003 of such title, Native Hawaiian organiza-
CONSTRUCTION

For construction, improvements, repair, or replacement of physical facilities, and compliance and planning for programs and areas administered by the National Park Service, $366,333,000, to remain available until expended: Provided, That notwithstanding any other provision of law, for any project initially funded in fiscal year 2019 with a future phase indicated in the National Park Service 5-Year Line Item Construction Plan, a single procurement may be issued which includes the full scope of the project: Provided further, That the solicitation and contract shall contain the clause availability of funds found at 48 CFR 52.232–18: Provided further, That National Park Service Donations, Park Concessions Franchise Fees, and Recreation Fees may be made available for the cost of adjustments and changes within the original scope of effort for projects funded by the National Park Service Construction appropriation: Provided further, That the Secretary of the Interior shall consult with the Committees on Appropriations, in accordance with current reprogramming thresholds, prior to making any charges authorized by this section.
LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out chapter 2003 of title 54, United States Code, including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with the statutory authority applicable to the National Park Service, $172,363,000, to be derived from the Land and Water Conservation Fund and to remain available until expended, of which $124,006,000 is for the State assistance program and of which $10,000,000 shall be for the American Battlefield Protection Program grants as authorized by chapter 3081 of title 54, United States Code.

CENTENNIAL CHALLENGE

For expenses necessary to carry out the provisions of section 101701 of title 54, United States Code, relating to challenge cost share agreements, $30,000,000, to remain available until expended, for Centennial Challenge projects and programs: Provided, That not less than 50 percent of the total cost of each project or program shall be derived from non-Federal sources in the form of donated cash, assets, or a pledge of donation guaranteed by an irrevocable letter of credit.
ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

In addition to other uses set forth in section 101917(c)(2) of title 54, United States Code, franchise fees credited to a sub-account shall be available for expenditure by the Secretary, without further appropriation, for use at any unit within the National Park System to extinguish or reduce liability for Possessory Interest or leasehold surrenders interest. Such funds may only be used for this purpose to the extent that the benefitting unit anticipated franchise fee receipts over the term of the contract at that unit exceed the amount of funds used to extinguish or reduce liability. Franchise fees at the benefitting unit shall be credited to the sub-account of the originating unit over a period not to exceed the term of a single contract at the benefitting unit, in the amount of funds so expended to extinguish or reduce liability.

For the costs of administration of the Land and Water Conservation Fund grants authorized by section 105(a)(2)(B) of the Gulf of Mexico Energy Security Act of 2006 (Public Law 109–432), the National Park Service may retain up to 3 percent of the amounts which are authorized to be disbursed under such section, such retained amounts to remain available until expended.
National Park Service funds may be transferred to the Federal Highway Administration (FHWA), Department of Transportation, for purposes authorized under 23 U.S.C. 204. Transfers may include a reasonable amount for FHWA administrative support costs.

UNITED STATES GEOLOGICAL SURVEY
SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the United States Geological Survey to perform surveys, investigations, and research covering topography, geology, hydrology, biology, and the mineral and water resources of the United States, its territories and possessions, and other areas as authorized by 43 U.S.C. 31, 1332, and 1340; classify lands as to their mineral and water resources; give engineering supervision to power permittees and Federal Energy Regulatory Commission licensees; administer the minerals exploration program (30 U.S.C. 641); conduct inquiries into the economic conditions affecting mining and materials processing industries (30 U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(1)) and related purposes as authorized by law; and to publish and disseminate data relative to the foregoing activities; $1,167,291,000 (reduced by $250,000) (increased by $250,000) (reduced by $100,000) (increased by $100,000) (increased by $4,798,500) (increased by $1,000,000), to remain available until September 30,
2020; of which $84,337,000 shall remain available until expired for satellite operations; and of which $15,164,000 shall be available until expended for deferred maintenance and capital improvement projects that exceed $100,000 in cost: Provided, That none of the funds provided for the ecosystem research activity shall be used to conduct new surveys on private property, unless specifically authorized in writing by the property owner: Provided further, That no part of this appropriation shall be used to pay more than one-half the cost of topographic mapping or water resources data collection and investigations carried on in cooperation with States and municipalities.

ADMINISTRATIVE PROVISIONS

From within the amount appropriated for activities of the United States Geological Survey such sums as are necessary shall be available for contracting for the furnishing of topographic maps and for the making of geophysical or other specialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of lands for gauging stations, observation wells, and seismic equipment; expenses of the United States National Committee for Geological Sciences; and payment of compensation and
expenses of persons employed by the Survey duly ap-
pointed to represent the United States in the negotiation
and administration of interstate compacts: *Provided*, That
activities funded by appropriations herein made may be
accomplished through the use of contracts, grants, or co-
operative agreements as defined in section 6302 of title
31, United States Code: *Provided further*, That the United
States Geological Survey may enter into contracts or coop-
erative agreements directly with individuals or indirectly
with institutions or nonprofit organizations, without re-
gard to 41 U.S.C. 6101, for the temporary or intermittent
services of students or recent graduates, who shall be con-
sidered employees for the purpose of chapters 57 and 81
of title 5, United States Code, relating to compensation
for travel and work injuries, and chapter 171 of title 28,
United States Code, relating to tort claims, but shall not
be considered to be Federal employees for any other pur-
poses.

**BUREAU OF OCEAN ENERGY MANAGEMENT**

**OCEAN ENERGY MANAGEMENT**

For expenses necessary for granting and admin-
istering leases, easements, rights-of-way and agreements
for use for oil and gas, other minerals, energy, and ma-
rine-related purposes on the Outer Continental Shelf and
approving operations related thereto, as authorized by law;
for environmental studies, as authorized by law; for imple-
menting other laws and to the extent provided by Presi-
dential or Secretarial delegation; and for matching grants
or cooperative agreements, $180,222,000, of which
$130,406,000 is to remain available until September 30,
2020, and of which $49,816,000 is to remain available
until expended: Provided, That this total appropriation
shall be reduced by amounts collected by the Secretary
and credited to this appropriation from additions to re-
cipts resulting from increases to lease rental rates in ef-
fect on August 5, 1993, and from cost recovery fees from
activities conducted by the Bureau of Ocean Energy Man-
agement pursuant to the Outer Continental Shelf Lands
Act, including studies, assessments, analysis, and miscella-
neous administrative activities: Provided further, That the
sum herein appropriated shall be reduced as such collec-
tions are received during the fiscal year, so as to result
in a final fiscal year 2019 appropriation estimated at not
more than $130,406,000: Provided further, That not to
exceed $3,000 shall be available for reasonable expenses
related to promoting volunteer beach and marine cleanup
activities.
BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT

OFFSHORE SAFETY AND ENVIRONMENTAL ENFORCEMENT

For expenses necessary for the regulation of operations related to leases, easements, rights-of-way and agreements for use for oil and gas, other minerals, energy, and marine-related purposes on the Outer Continental Shelf, as authorized by law; for enforcing and implementing laws and regulations as authorized by law and to the extent provided by Presidential or Secretarial delegation; and for matching grants or cooperative agreements, $144,867,000, of which $120,743,000 is to remain available until September 30, 2020, and of which $24,124,000 is to remain available until expended: Provided, That this total appropriation shall be reduced by amounts collected by the Secretary and credited to this appropriation from additions to receipts resulting from increases to lease rental rates in effect on August 5, 1993, and from cost recovery fees from activities conducted by the Bureau of Safety and Environmental Enforcement pursuant to the Outer Continental Shelf Lands Act, including studies, assessments, analysis, and miscellaneous administrative activities: Provided further, That the sum herein appropriated shall be reduced as such collections are received during the fiscal year, so as to result in a
final fiscal year 2019 appropriation estimated at not more than $120,743,000.

For an additional amount, $41,765,000, to remain available until expended, to be reduced by amounts collected by the Secretary and credited to this appropriation, which shall be derived from non-refundable inspection fees collected in fiscal year 2019, as provided in this Act: Provided, That to the extent that amounts realized from such inspection fees exceed $41,765,000, the amounts realized in excess of $41,765,000 shall be credited to this appropriation and remain available until expended: Provided further, That for fiscal year 2019, not less than 50 percent of the inspection fees expended by the Bureau of Safety and Environmental Enforcement will be used to fund personnel and mission-related costs to expand capacity and expedite the orderly development, subject to environmental safeguards, of the Outer Continental Shelf pursuant to the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.), including the review of applications for permits to drill.

OIL SPILL RESEARCH

For necessary expenses to carry out title I, section 1016, title IV, sections 4202 and 4303, title VII, and title VIII, section 8201 of the Oil Pollution Act of 1990,
$14,899,000, which shall be derived from the Oil Spill Liability Trust Fund, to remain available until expended.

Office of Surface Mining Reclamation and Enforcement

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, $113,969,000, to remain available until September 30, 2020: Provided, That appropriations for the Office of Surface Mining Reclamation and Enforcement may provide for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training: Provided further, That of the amounts made available under this heading and notwithstanding the Federal share limits contained in section 705 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1295), not to exceed $2,300,000 shall be for the Secretary of the Interior to make grants to any State with active coal mine operations within its borders that does not have an approved State regulatory program under section 503 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1253) for the purpose of developing a State program under such Act.
In addition, for costs to review, administer, and enforce permits issued by the Office pursuant to section 507 of Public Law 95–87 (30 U.S.C. 1257), $40,000, to remain available until expended: *Provided*, That fees assessed and collected by the Office pursuant to such section 507 shall be credited to this account as discretionary offsetting collections, to remain available until expended: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as collections are received during the fiscal year, so as to result in a fiscal year 2019 appropriation estimated at not more than $113,969,000.

**ABANDONED MINE RECLAMATION FUND**

For necessary expenses to carry out title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, $24,546,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended: *Provided*, That pursuant to Public Law 97–365, the Department of the Interior is authorized to use up to 20 percent from the recovery of the delinquent debt owed to the United States Government to pay for contracts to collect these debts: *Provided further*, That funds made available under title IV of Public Law 95–87 may be used for any required non-Federal share of the cost of projects funded by the Federal Gov-
ernment for the purpose of environmental restoration related to treatment or abatement of acid mine drainage from abandoned mines: Provided further, That such projects must be consistent with the purposes and priorities of the Surface Mining Control and Reclamation Act: Provided further, That amounts provided under this heading may be used for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training. In addition, $90,000,000 (increased by $30,000,000), to remain available until expended, for grants to States for reclamation of abandoned mine lands and other related activities in accordance with the terms and conditions in the report accompanying this Act: Provided, That such additional amount shall be used for economic and community development in conjunction with the priorities in section 403(a) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1233(a)): Provided further, That such additional amount shall be distributed in equal amounts to the 6 Appalachian States with the greatest amount of unfunded needs to meet the priorities described in paragraphs (1) and (2) of such section: Provided further, That such additional amount shall be allocated to States within 60 days after the date of enactment of this Act.
For expenses necessary for the operation of Indian programs, as authorized by law, including the Snyder Act of November 2, 1921 (25 U.S.C. 13), the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 5301 et seq.), the Education Amendments of 1978 (25 U.S.C. 2001–2019), and the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.), $2,436,821,000, to remain available until September 30, 2020, except as otherwise provided herein; of which not to exceed $8,500 may be for official reception and representation expenses; of which not to exceed $76,000,000 shall be for welfare assistance payments: Provided, That in cases of designated Federal disasters, the Secretary may exceed such cap, from the amounts provided herein, to provide for disaster relief to Indian communities affected by the disaster: Provided further, That federally recognized Indian tribes and tribal organizations of federally recognized Indian tribes may use their tribal priority allocations for unmet welfare assistance costs: Provided further, That not to exceed $689,558,000 for school operations costs of Bureau-funded schools and other education
programs shall become available on July 1, 2019, and shall remain available until September 30, 2020: Provided further, That not to exceed $54,174,000 shall remain available until expended for housing improvement, road maintenance, attorney fees, litigation support, land records improvement, and the Navajo-Hopi Settlement Program: Provided further, That notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975 (25 U.S.C. 5301 et seq.) and section 1128 of the Education Amendments of 1978 (25 U.S.C. 2008), not to exceed $82,223,000 within and only from such amounts made available for school operations shall be available for administrative cost grants associated with grants approved prior to July 1, 2019: Provided further, That any forestry funds allocated to a federally recognized tribe which remain unobligated as of September 30, 2020, may be transferred during fiscal year 2021 to an Indian forest land assistance account established for the benefit of the holder of the funds within the holder’s trust fund account: Provided further, That any such unobligated balances not so transferred shall expire on September 30, 2021: Provided further, That in order to enhance the safety of Bureau field employees, the Bureau may use funds to purchase uniforms or other identifying articles of clothing for personnel: Provided further,
That the Bureau of Indian Affairs may accept transfers of funds from U.S. Customs and Border Protection to supplement any other funding available for reconstruction or repair of roads owned by the Bureau of Indian Affairs as identified on the National Tribal Transportation Facility Inventory, 23 U.S.C. 202(b)(1): Provided further, That of the funds provided, not to exceed $2,000,000 is authorized for a demonstration project to pilot a lease agreement with a federally recognized Indian tribe agreeing to replace and own a Bureau of Indian Education funded school facility operated under Public Law 93–638 or Public Law 100–297: Provided further, That of the funds provided, $2,000,000 shall be to implement section 7(b) of Public Law 102–495 (106 Stat. 3173).

CONTRACT SUPPORT COSTS

For payments to tribes and tribal organizations for contract support costs associated with Indian Self-Determination and Education Assistance Act agreements with the Bureau of Indian Affairs for fiscal year 2019, such sums as may be necessary, which shall be available for obligation through September 30, 2020: Provided, That notwithstanding any other provision of law, no amounts made available under this heading shall be available for transfer to another budget account.
CONSTRUCTION

(INCLUDING TRANSFER OF FUNDS)

For construction, repair, improvement, and maintenance of irrigation and power systems, buildings, utilities, and other facilities, including architectural and engineering services by contract; acquisition of lands, and interests in lands; and preparation of lands for farming, and for construction of the Navajo Indian Irrigation Project pursuant to Public Law 87–483; $354,485,000 (reduced by $36,000,000) (increased by $36,000,000), to remain available until expended: Provided, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation: Provided further, That not to exceed 6 percent of contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund may be used to cover the road program management costs of the Bureau: Provided further, That any funds provided for the Safety of Dams program pursuant to the Act of November 2, 1921 (25 U.S.C. 13), shall be made available on a non-reimbursable basis: Provided further, That for fiscal year 2019, in implementing new construction, replacement facilities construction, or facilities improvement and repair project grants in excess of $100,000 that are provided to grant schools under Public Law 100–297, the Secretary
of the Interior shall use the Administrative and Audit Re-
quirements and Cost Principles for Assistance Programs
contained in part 12 of title 43, Code of Federal Regu-
tions, as the regulatory requirements: Provided further,
That such grants shall not be subject to section 12.61 of
title 43, Code of Federal Regulations; the Secretary and
the grantee shall negotiate and determine a schedule of
payments for the work to be performed: Provided further,
That in considering grant applications, the Secretary shall
consider whether such grantee would be deficient in assur-
ing that the construction projects conform to applicable
building standards and codes and Federal, tribal, or State
health and safety standards as required by section
1125(b) of title XI of Public Law 95–561 (25 U.S.C.
2005(b)), with respect to organizational and financial
management capabilities: Provided further, That if the
Secretary declines a grant application, the Secretary shall
follow the requirements contained in section 5206(f) of
Public Law 100–297 (25 U.S.C. 2504(f)): Provided fur-
ther, That any disputes between the Secretary and any
grantee concerning a grant shall be subject to the disputes
 provision in section 5208(e) of Public Law 107–110 (25
U.S.C. 2507(e)): Provided further, That in order to ensure
timely completion of construction projects, the Secretary
may assume control of a project and all funds related to
the project, if, within 18 months of the date of enactment of this Act, any grantee receiving funds appropriated in this Act or in any prior Act, has not completed the planning and design phase of the project and commenced construction: Provided further, That this appropriation may be reimbursed from the Office of the Special Trustee for American Indians appropriation for the appropriate share of construction costs for space expansion needed in agency offices to meet trust reform implementation.

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

For payments and necessary administrative expenses for implementation of Indian land and water claim settlements pursuant to Public Laws 99–264, 100–580, 101–618, 111–11, 111–291, and 114–322, and for implementation of other land and water rights settlements, $50,057,000, to remain available until expended.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

For the cost of guaranteed loans and insured loans, $19,279,000, to remain available until September 30, 2020, of which $1,702,000 is for administrative expenses, as authorized by the Indian Financing Act of 1974: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That
these funds are available to subsidize total loan principal, any part of which is to be guaranteed or insured, not to exceed $329,260,000.

ADMINISTRATIVE PROVISIONS

(INCLUDING RESCISSION OF FUNDS)

The Bureau of Indian Affairs may carry out the operation of Indian programs by direct expenditure, contracts, cooperative agreements, compacts, and grants, either directly or in cooperation with States and other organizations.

Notwithstanding Public Law 87–279 (25 U.S.C. 15), the Bureau of Indian Affairs may contract for services in support of the management, operation, and maintenance of the Power Division of the San Carlos Irrigation Project.

Notwithstanding any other provision of law, no funds available to the Bureau of Indian Affairs for central office oversight and Executive Direction and Administrative Services (except executive direction and administrative services funding for Tribal Priority Allocations, regional offices, and facilities operations and maintenance) shall be available for contracts, grants, compacts, or cooperative agreements with the Bureau of Indian Affairs under the provisions of the Indian Self-Determination Act or the Tribal Self-Governance Act of 1994 (Public Law 103–413).
In the event any tribe returns appropriations made available by this Act to the Bureau of Indian Affairs, this action shall not diminish the Federal Government’s trust responsibility to that tribe, or the government-to-government relationship between the United States and that tribe, or that tribe’s ability to access future appropriations.

Notwithstanding any other provision of law, no funds available to the Bureau of Indian Education, other than the amounts provided herein for assistance to public schools under 25 U.S.C. 452 et seq., shall be available to support the operation of any elementary or secondary school in the State of Alaska.

No funds available to the Bureau of Indian Education shall be used to support expanded grades for any school or dormitory beyond the grade structure in place or approved by the Secretary of the Interior at each school in the Bureau of Indian Education school system as of October 1, 1995, except that the Secretary of the Interior may waive this prohibition to support expansion of up to one additional grade when the Secretary determines such waiver is needed to support accomplishment of the mission of the Bureau of Indian Education, or more than one grade to expand the elementary grade structure for Bureau-funded schools with a K-2 grade structure on Octo-
ber 1, 1996. Appropriations made available in this or any
prior Act for schools funded by the Bureau shall be avail-
able, in accordance with the Bureau’s funding formula,
only to the schools in the Bureau school system as of Sep-
tember 1, 1996, and to any school or school program that
was reinstated in fiscal year 2012. Funds made available
under this Act may not be used to establish a charter
school at a Bureau-funded school (as that term is defined
in section 1141 of the Education Amendments of 1978
(25 U.S.C. 2021)), except that a charter school that is
in existence on the date of the enactment of this Act and
that has operated at a Bureau-funded school before Sep-
tember 1, 1999, may continue to operate during that pe-
riod, but only if the charter school pays to the Bureau
a pro rata share of funds to reimburse the Bureau for
the use of the real and personal property (including buses
and vans), the funds of the charter school are kept sepa-
rate and apart from Bureau funds, and the Bureau does
not assume any obligation for charter school programs of
the State in which the school is located if the charter
school loses such funding. Employees of Bureau-funded
schools sharing a campus with a charter school and per-
forming functions related to the charter school’s operation
and employees of a charter school shall not be treated as
Federal employees for purposes of chapter 171 of title 28, United States Code.

Notwithstanding any other provision of law, including section 113 of title I of appendix C of Public Law 106–113, if in fiscal year 2003 or 2004 a grantee received indirect and administrative costs pursuant to a distribution formula based on section 5(f) of Public Law 101–301, the Secretary shall continue to distribute indirect and administrative cost funds to such grantee using the section 5(f) distribution formula.

Funds available under this Act may not be used to establish satellite locations of schools in the Bureau school system as of September 1, 1996, except that the Secretary may waive this prohibition in order for an Indian tribe to provide language and cultural immersion educational programs for non-public schools located within the jurisdictional area of the tribal government which exclusively serve tribal members, do not include grades beyond those currently served at the existing Bureau-funded school, provide an educational environment with educator presence and academic facilities comparable to the Bureau-funded school, comply with all applicable Tribal, Federal, or State health and safety standards, and the Americans with Disabilities Act, and demonstrate the benefits of establishing operations at a satellite location in lieu of incur-
ring extraordinary costs, such as for transportation or other impacts to students such as those caused by busing students extended distances: Provided, That no funds available under this Act may be used to fund operations, maintenance, rehabilitation, construction or other facilities-related costs for such assets that are not owned by the Bureau: Provided further, That the term “satellite school” means a school location physically separated from the existing Bureau school by more than 50 miles but that forms part of the existing school in all other respects.

Of the unobligated balances available from appropriations made under the heading “Bureau of Indian Affairs and Bureau of Indian Education” prior to fiscal year 2014, $4,000,000 are permanently rescinded.

**DEPARTMENTAL OFFICES**

**OFFICE OF THE SECRETARY**

**DEPARTMENTAL OPERATIONS**

**(INCLUDING TRANSFER OF FUNDS)**

For necessary expenses for management of the Department of the Interior and for grants and cooperative agreements, as authorized by law, $134,673,000 (reduced by $5,000,000) (reduced by $2,500,000) (reduced by $2,000,000) (reduced by $4,908,000) (reduced by $3,818,000) (reduced by $500,000) (reduced by $4,000,000) (reduced by
$7,000,000) (reduced by $2,000,000), to remain available until September 30, 2020; of which not to exceed $15,000 may be for official reception and representation expenses; and of which up to $1,000,000 shall be available for workers compensation payments and unemployment compensation payments associated with the orderly closure of the United States Bureau of Mines; and of which $9,000,000 for the Appraisal and Valuation Services Office is to be derived from the Land and Water Conservation Fund and shall remain available until expended; and of which $9,704,000 for Indian land, mineral, and resource valuation activities shall remain available until expended: Provided further, That funds for Indian land, mineral, and resource valuation activities may, as needed, be transferred to and merged with the Bureau of Indian Affairs and Bureau of Indian Education “Operation of Indian Programs” account and the Office of the Special Trustee for American Indians “Federal Trust Programs” account: Provided further, That funds made available through contracts or grants obligated during fiscal year 2019, as authorized by the Indian Self-Determination Act of 1975 (25 U.S.C. 5301 et seq.), shall remain available until expended by the contractor or grantee.
For fiscal year 2019, up to $400,000 of the payments authorized by chapter 69 of title 31, United States Code, may be retained for administrative expenses of the Payments in Lieu of Taxes Program: Provided, That the amounts provided under this Act specifically for the Payments in Lieu of Taxes program are the only amounts available for payments authorized under chapter 69 of title 31, United States Code: Provided further, That in the event the sums appropriated for any fiscal year for payments pursuant to this chapter are insufficient to make the full payments authorized by that chapter to all units of local government, then the payment to each local government shall be made proportionally: Provided further, That the Secretary may make adjustments to payment to individual units of local government to correct for prior overpayments or underpayments: Provided further, That no payment shall be made pursuant to that chapter to otherwise eligible units of local government if the computed amount of the payment is less than $100.

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

For expenses necessary for assistance to territories under the jurisdiction of the Department of the Interior and other jurisdictions identified in section 104(e) of Pub-
lic Law 108–188, $96,870,000 (increased by $3,818,000), of which: (1) $87,440,000 (increased by $3,800,000) shall remain available until expended for territorial assistance, including general technical assistance, maintenance assistance, disaster assistance, coral reef initiative activities, and brown tree snake control and research; grants to the judiciary in American Samoa for compensation and expenses, as authorized by law (48 U.S.C. 1661(c)); grants to the Government of American Samoa, in addition to current local revenues, for construction and support of governmental functions; grants to the Government of the Virgin Islands, as authorized by law; grants to the Government of Guam, as authorized by law; and grants to the Government of the Northern Mariana Islands, as authorized by law (Public Law 94–241; 90 Stat. 272); and (2) $9,430,000 (increased by $18,000) shall be available until September 30, 2020, for salaries and expenses of the Office of Insular Affairs: Provided, That all financial transactions of the territorial and local governments herein provided for, including such transactions of all agencies or instrumentalities established or used by such governments, may be audited by the Government Accountability Office, at its discretion, in accordance with chapter 35 of title 31, United States Code: Provided further, That Northern Mariana Islands Covenant grant funding shall be provided
according to those terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands approved by Public Law 104–134: Provided further, That the funds for the program of operations and maintenance improvement are appropriated to institutionalize routine operations and maintenance improvement of capital infrastructure with territorial participation and cost sharing to be determined by the Secretary based on the grantee’s commitment to timely maintenance of its capital assets: Provided further, That any appropriation for disaster assistance under this heading in this Act or previous appropriations Acts may be used as non–Federal matching funds for the purpose of hazard mitigation grants provided pursuant to section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170e).

COMPACT OF FREE ASSOCIATION

For grants and necessary expenses, $3,363,000, to remain available until expended, as provided for in sections 221(a)(2) and 233 of the Compact of Free Association for the Republic of Palau; and section 221(a)(2) of the Compacts of Free Association for the Government of the Republic of the Marshall Islands and the Federated States of Micronesia, as authorized by Public Law 99–658 and Public Law 108–188.
ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

At the request of the Governor of Guam, the Secretary may transfer discretionary funds or mandatory funds provided under section 104(e) of Public Law 108–188 and Public Law 104–134, that are allocated for Guam, to the Secretary of Agriculture for the subsidy cost of direct or guaranteed loans, plus not to exceed three percent of the amount of the subsidy transferred for the cost of loan administration, for the purposes authorized by the Rural Electrification Act of 1936 and section 306(a)(1) of the Consolidated Farm and Rural Development Act for construction and repair projects in Guam, and such funds shall remain available until expended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That such loans or loan guarantees may be made without regard to the population of the area, credit elsewhere requirements, and restrictions on the types of eligible entities under the Rural Electrification Act of 1936 and section 306(a)(1) of the Consolidated Farm and Rural Development Act: Provided further, That any funds transferred to the Secretary of Agriculture shall be in addition to funds otherwise made available to make or guarantee loans under such authorities.
Office of the Solicitor

Salaries and Expenses

For necessary expenses of the Office of the Solicitor, $65,674,000.

Office of Inspector General

Salaries and Expenses

For necessary expenses of the Office of Inspector General, $52,486,000.

Office of the Special Trustee for American Indians

Federal Trust Programs

(Including Transfer of Funds)

For the operation of trust programs for Indians by direct expenditure, contracts, cooperative agreements, compacts, and grants, $110,692,000, to remain available until expended, of which not to exceed $19,016,000 from this or any other Act, may be available for historical accounting: Provided, That funds for trust management improvements and litigation support may, as needed, be transferred to or merged with the Bureau of Indian Affairs and Bureau of Indian Education, “Operation of Indian Programs” account; the Office of the Solicitor, “Salaries and Expenses” account; and the Office of the Secretary, “Departmental Operations” account: Provided further, That funds made available through contracts or
grants obligated during fiscal year 2019, as authorized by the Indian Self-Determination Act of 1975 (25 U.S.C. 5301 et seq.), shall remain available until expended by the contractor or grantee: Provided further, That notwithstanding any other provision of law, the Secretary shall not be required to provide a quarterly statement of performance for any Indian trust account that has not had activity for at least 15 months and has a balance of $15 or less: Provided further, That the Secretary shall issue an annual account statement and maintain a record of any such accounts and shall permit the balance in each such account to be withdrawn upon the express written request of the account holder: Provided further, That not to exceed $50,000 is available for the Secretary to make payments to correct administrative errors of either disbursements from or deposits to Individual Indian Money or Tribal accounts after September 30, 2002: Provided further, That erroneous payments that are recovered shall be credited to and remain available in this account for this purpose: Provided further, That the Secretary shall not be required to reconcile Special Deposit Accounts with a balance of less than $500 unless the Office of the Special Trustee receives proof of ownership from a Special Deposit Accounts claimant: Provided further, That notwithstanding section 102 of the American Indian Trust Fund Manage-
ment Reform Act of 1994 (Public Law 103–412) or any other provision of law, the Secretary may aggregate the trust accounts of individuals whose whereabouts are unknown for a continuous period of at least five years and shall not be required to generate periodic statements of performance for the individual accounts: Provided further, That with respect to the eighth proviso, the Secretary shall continue to maintain sufficient records to determine the balance of the individual accounts, including any accrued interest and income, and such funds shall remain available to the individual account holders.

NAVAJO AND HOPI INDIAN RELOCATION

For necessary expenses of the Office of the Special Trustee for American Indians to carry out the activities authorized by subsection 11(h) of Public Law 93–531, as most recently amended by Public Law 104–301, through direct expenditure, contracts, cooperative agreements, compacts, and grants, $3,000,000 (reduced by $3,000,000), to remain available until expended: Provided, That the Office of the Special Trustee is further authorized to expend funds provided under this heading for the purpose of planning for an orderly closeout of the Office of Navajo and Hopi Indian Relocation.
Department-Wide Programs

Wildland Fire Management

(including transfers of funds)

For necessary expenses for fire preparedness, fire suppression operations, fire science and research, emergency rehabilitation, fuels management activities, and rural fire assistance by the Department of the Interior, $939,660,000, to remain available until expended: Provided, That such funds are also available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: Provided further, That of the funds provided $194,000,000 is for fuels management activities: Provided further, That of the funds provided $20,470,000 is for burned area rehabilitation: Provided further, That persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation: Provided further, That notwithstanding 42 U.S.C. 1856d, sums received by a bureau or office of the Department of the Interior for fire protection rendered pursuant to 42 U.S.C. 1856 et seq., protection of United States property, may be credited to the appropriation from which funds were expended to provide that protection, and are available without fiscal year limitation: Provided further, That using the amounts designated under this title
of this Act, the Secretary of the Interior may enter into procurement contracts, grants, or cooperative agreements, for fuels management activities, and for training and monitoring associated with such fuels management activities on Federal land, or on adjacent non-Federal land for activities that benefit resources on Federal land: *Provided further*, That the costs of implementing any cooperative agreement between the Federal Government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: *Provided further*, That notwithstanding requirements of the Competition in Contracting Act, the Secretary, for purposes of fuels management activities, may obtain maximum practicable competition among: (1) local private, nonprofit, or cooperative entities; (2) Youth Conservation Corps crews, Public Lands Corps (Public Law 109–154), or related partnerships with State, local, or nonprofit youth groups; (3) small or micro-businesses; or (4) other entities that will hire or train locally a significant percentage, defined as 50 percent or more, of the project workforce to complete such contracts: *Provided further*, That in implementing this section, the Secretary shall develop written guidance to field units to ensure accountability and consistent application of the authorities provided herein: *Provided further*, That funds appropriated under this heading may be used to reimburse
the United States Fish and Wildlife Service and the Na-
tional Marine Fisheries Service for the costs of carrying
out their responsibilities under the Endangered Species
Act of 1973 (16 U.S.C. 1531 et seq.) to consult and con-
ference, as required by section 7 of such Act, in connection
with wildland fire management activities: Provided further,
That the Secretary of the Interior may use wildland fire
appropriations to enter into leases of real property with
local governments, at or below fair market value, to con-
struct capitalized improvements for fire facilities on such
leased properties, including but not limited to fire guard
stations, retardant stations, and other initial attack and
fire support facilities, and to make advance payments for
any such lease or for construction activity associated with
the lease: Provided further, That the Secretary of the Inte-
rior and the Secretary of Agriculture may authorize the
transfer of funds appropriated for wildland fire manage-
ment, in an aggregate amount not to exceed $50,000,000,
between the Departments when such transfers would fa-
cilitate and expedite wildland fire management programs
and projects: Provided further projects: Provided, That
funds provided for wildfire suppression shall be available
for support of Federal emergency response actions: Pro-
vided further, That funds appropriated under this heading
shall be available for assistance to or through the Depart-
ment of State in connection with forest and rangeland re-
search, technical information, and assistance in foreign
countries, and, with the concurrence of the Secretary of
State, shall be available to support forestry, wildland fire
management, and related natural resource activities out-
side the United States and its territories and possessions,
including technical assistance, education and training, and
cooperation with United States and international organi-
zations.

CENTRAL HAZARDOUS MATERIALS FUND

For necessary expenses of the Department of the In-
terior and any of its component offices and bureaus for
the response action, including associated activities, per-
formed pursuant to the Comprehensive Environmental Re-
response, Compensation, and Liability Act (42 U.S.C. 9601
et seq.), $10,010,000, to remain available until expended.

NATURAL RESOURCE DAMAGE ASSESSMENT AND

RESTORATION

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

To conduct natural resource damage assessment, res-

toration activities, and onshore oil spill preparedness by
the Department of the Interior necessary to carry out the
provisions of the Comprehensive Environmental Response,
Compensation, and Liability Act (42 U.S.C. 9601 et seq.),
the Federal Water Pollution Control Act (33 U.S.C. 1251
et seq.), the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.), and 54 U.S.C. 100721 et seq., $7,767,000, to remain available until expended.

WORKING CAPITAL FUND

For the operation and maintenance of a departmental financial and business management system, information technology improvements of general benefit to the Department, cybersecurity, and the consolidation of facilities and operations throughout the Department, $58,778,000, to remain available until expended: Provided, That none of the funds appropriated in this Act or any other Act may be used to establish reserves in the Working Capital Fund account other than for accrued annual leave and depreciation of equipment without prior approval of the Committees on Appropriations of the House of Representatives and the Senate: Provided further, That the Secretary may assess reasonable charges to State, local and tribal government employees for training services provided by the National Indian Program Training Center, other than training related to Public Law 93–638: Provided further, That the Secretary may lease or otherwise provide space and related facilities, equipment or professional services of the National Indian Program Training Center to State, local and tribal government employees or persons or organizations engaged in cultural, educational, or recreational ac-
tivities (as defined in section 3306(a) of title 40, United States Code) at the prevailing rate for similar space, facilities, equipment, or services in the vicinity of the National Indian Program Training Center: Provided further, That all funds received pursuant to the two preceding provisos shall be credited to this account, shall be available until expended, and shall be used by the Secretary for necessary expenses of the National Indian Program Training Center: Provided further, That the Secretary may enter into grants and cooperative agreements to support the Office of Natural Resource Revenue’s collection and disbursement of royalties, fees, and other mineral revenue proceeds, as authorized by law.

ADMINISTRATIVE PROVISION

There is hereby authorized for acquisition from available resources within the Working Capital Fund, aircraft which may be obtained by donation, purchase or through available excess surplus property: Provided, That existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft.

OFFICE OF NATURAL RESOURCES REVENUE

For necessary expenses for management of the collection and disbursement of royalties, fees, and other mineral revenue proceeds, and for grants and cooperative agree-
ments, as authorized by law, $137,505,000, to remain available until September 30, 2020; of which $41,727,000 shall remain available until expended for the purpose of mineral revenue management activities: Provided, That notwithstanding any other provision of law, $15,000 shall be available for refunds of overpayments in connection with certain Indian leases in which the Secretary concurred with the claimed refund due, to pay amounts owed to Indian allottees or tribes, or to correct prior unrecoverable erroneous payments.

PAYMENTS IN LIEU OF TAXES
For necessary expenses for payments authorized by chapter 69 of title 31, United States Code, $500,000,000 shall be available for fiscal year 2019.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR (INCLUDING TRANSFERS OF FUNDS)

EMERGENCY TRANSFER AUTHORITY—INTRA-BUREAU
Sec. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: Provided, That no funds shall be made available under this authority until funds specifically made
available to the Department of the Interior for emergencies shall have been exhausted: Provided further, That all funds used pursuant to this section must be replenished by a supplemental appropriation, which must be requested as promptly as possible.

EMERGENCY TRANSFER AUTHORITY—DEPARTMENT-WIDE

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of wildland fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oil spills; for response and natural resource damage assessment activities related to actual oil spills or releases of hazardous substances into the environment; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 417(b) of Public Law 106–224 (7 U.S.C. 7717(b)); for emergency reclamation projects under section 410 of Public Law 95–87; and shall trans-
fer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: Provided, That appropriations made in this title for wildland fire operations shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for wildland fire operations, with such reimbursement to be credited to appropriations currently available at the time of receipt thereof: Provided further, That for wildland fire operations, no funds shall be made available under this authority until the Secretary determines that funds appropriated for “wildland fire suppression” shall be exhausted within 30 days: Provided further, That all funds used pursuant to this section must be replenished by a supplemental appropriation, which must be requested as promptly as possible: Provided further, That such replenishment funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.
AUTHORIZED USE OF FUNDS

Sec. 103. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by section 3109 of title 5, United States Code, when authorized by the Secretary, in total amount not to exceed $500,000; purchase and replacement of motor vehicles, including specially equipped law enforcement vehicles; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

AUTHORIZED USE OF FUNDS, INDIAN TRUST MANAGEMENT

Sec. 104. Appropriations made in this Act under the headings Bureau of Indian Affairs and Bureau of Indian Education, and Office of the Special Trustee for American Indians and any unobligated balances from prior appropriations Acts made under the same headings shall be available for expenditure or transfer for Indian trust management and reform activities. Total funding for historical
accounting activities shall not exceed amounts specifically
designated in this Act for such purpose.

REDISTRIBUTION OF FUNDS, BUREAU OF INDIAN
AFFAIRS

Sec. 105. Notwithstanding any other provision of
law, the Secretary of the Interior is authorized to redis-
tribute any Tribal Priority Allocation funds, including
tribal base funds, to alleviate tribal funding inequities by
transferring funds to address identified, unmet needs,
dual enrollment, overlapping service areas or inaccurate
distribution methodologies. No tribe shall receive a reduc-
tion in Tribal Priority Allocation funds of more than 10
percent in fiscal year 2019. Under circumstances of dual
enrollment, overlapping service areas or inaccurate dis-
tribution methodologies, the 10 percent limitation does not
apply.

ELLIS, GOVERNORS, AND LIBERTY ISLANDS

Sec. 106. Notwithstanding any other provision of
law, the Secretary of the Interior is authorized to acquire
lands, waters, or interests therein including the use of all
or part of any pier, dock, or landing within the State of
New York and the State of New Jersey, for the purpose
of operating and maintaining facilities in the support of
transportation and accommodation of visitors to Ellis,
Governors, and Liberty Islands, and of other program and
administrative activities, by donation or with appropriated funds, including franchise fees (and other monetary consideration), or by exchange; and the Secretary is authorized to negotiate and enter into leases, subleases, concession contracts or other agreements for the use of such facilities on such terms and conditions as the Secretary may determine reasonable.

OUTER CONTINENTAL SHELF INSPECTION FEES

Sec. 107. (a) In fiscal year 2019, the Secretary shall collect a nonrefundable inspection fee, which shall be deposited in the “Offshore Safety and Environmental Enforcement” account, from the designated operator for facilities subject to inspection under 43 U.S.C. 1348(c).

(b) Annual fees shall be collected for facilities that are above the waterline, excluding drilling rigs, and are in place at the start of the fiscal year. Fees for fiscal year 2019 shall be:

1. $10,500 for facilities with no wells, but with processing equipment or gathering lines;
2. $17,000 for facilities with 1 to 10 wells, with any combination of active or inactive wells; and
3. $31,500 for facilities with more than 10 wells, with any combination of active or inactive wells.
(c) Fees for drilling rigs shall be assessed for all inspections completed in fiscal year 2019. Fees for fiscal year 2019 shall be:

(1) $30,500 per inspection for rigs operating in water depths of 500 feet or more; and

(2) $16,700 per inspection for rigs operating in water depths of less than 500 feet.

(d) The Secretary shall bill designated operators under subsection (b) within 60 days, with payment required within 30 days of billing. The Secretary shall bill designated operators under subsection (c) within 30 days of the end of the month in which the inspection occurred, with payment required within 30 days of billing.

SEC. 108. The Secretary of the Interior, in order to implement a reorganization of the Bureau of Ocean Energy Management, Regulation and Enforcement, may transfer funds among and between the successor offices and bureaus affected by the reorganization only in conformance with the reprogramming guidelines described in the report accompanying this Act.
CONTRACTS AND AGREEMENTS FOR WILD HORSE AND
BURRO HOLDING FACILITIES

SEC. 109. Notwithstanding any other provision of
this Act, the Secretary of the Interior may enter into
multiyear cooperative agreements with nonprofit organiza-
tions and other appropriate entities, and may enter into
multiyear contracts in accordance with the provisions of
section 3903 of title 41, United States Code (except that
the 5-year term restriction in subsection (a) shall not
apply), for the long-term care and maintenance of excess
wild free roaming horses and burros by such organizations
or entities on private land. Such cooperative agreements
and contracts may not exceed 10 years, subject to renewal
at the discretion of the Secretary.

MASS MARKING OF SALMONIDS

SEC. 110. The United States Fish and Wildlife Serv-
ice shall, in carrying out its responsibilities to protect
threatened and endangered species of salmon, implement
a system of mass marking of salmonid stocks, intended
for harvest, that are released from federally operated or
federally financed hatcheries including but not limited to
fish releases of coho, chinook, and steelhead species.
Marked fish must have a visible mark that can be readily
identified by commercial and recreational fishers.
EXHAUSTION OF ADMINISTRATIVE REVIEW

Sec. 111. Paragraph (1) of section 122(a) of division E of Public Law 112–74 (125 Stat. 1013) is amended by striking “fiscal years 2012 through 2022,” in the first sentence and inserting “fiscal year 2012 and each fiscal year thereafter,”.

CONTRACTS AND AGREEMENTS WITH INDIAN AFFAIRS

Sec. 112. Notwithstanding any other provision of law, during fiscal year 2019, in carrying out work involving cooperation with State, local, and tribal governments or any political subdivision thereof, Indian Affairs may record obligations against accounts receivable from any such entities, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available at the end of the fiscal year.

HUMANE TRANSFER OF EXCESS ANIMALS

Sec. 113. Notwithstanding any other provision of law, the Secretary of the Interior may transfer excess wild horses or burros that have been removed from the public lands to other Federal, State, and local government agencies for use as work animals: Provided, That the Secretary may make any such transfer immediately upon request of such Federal, State, or local government agency: Provided further, That any excess animal transferred under this provision shall lose its status as a wild free-roaming horse.
or burro as defined in the Wild Free-Roaming Horses and Burros Act: Provided further, That any Federal, State, or local government agency receiving excess wild horses or burros as authorized in this section shall not: destroy the horses or burros in a way that results in their destruction into commercial products; sell or otherwise transfer the horses or burros in a way that results in their destruction for processing into commercial products; or euthanize the horses or burros except upon the recommendation of a licensed veterinarian, in cases of severe injury, illness, or advanced age.

DEPARTMENT OF THE INTERIOR EXPERIENCED SERVICES PROGRAM

Sec. 114. (a) Notwithstanding any other provision of law relating to Federal grants and cooperative agreements, the Secretary of the Interior is authorized to make grants to, or enter into cooperative agreements with, private nonprofit organizations designated by the Secretary of Labor under title V of the Older Americans Act of 1965 to utilize the talents of older Americans in programs authorized by other provisions of law administered by the Secretary and consistent with such provisions of law.

(b) Prior to awarding any grant or agreement under subsection (a), the Secretary shall ensure that the agreement would not—
(1) result in the displacement of individuals currently employed by the Department, including partial displacement through reduction of non-overtime hours, wages, or employment benefits;

(2) result in the use of an individual under the Department of the Interior Experienced Services Program for a job or function in a case in which a Federal employee is in a layoff status from the same or substantially equivalent job within the Department; or

(3) affect existing contracts for services.

SAGE-GROUSE

Sec. 115. None of the funds made available by this or any other Act may be used by the Secretary of the Interior to write or issue pursuant to section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533)—

(1) a proposed rule for greater sage-grouse (Centrocercus urophasianus);

(2) a proposed rule for the Columbia basin distinct population segment of greater sage-grouse; or

(3) a final rule for the Bi-State distinct population segment of greater sage-grouse.

REISSUANCE OF FINAL RULES

Sec. 116. (a) The final rule published on September 10, 2012 (77 Fed. Reg. 55530) that was reinstated on
March 3, 2017, by the decision of the U.S. Court of Appeals for the District of Columbia (No. 14-5300) and further republished on May 1, 2017 (82 Fed. Reg. 20284) that reinstates the removal of Federal protections for the gray wolf in Wyoming under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), and this subsection, shall not be subject to judicial review.

(b) Before the end of the 60-day period beginning on the date of enactment of this Act, the Secretary of the Interior shall reissue the final rule published on December 28, 2011 (76 Fed. Reg. 81666), without regard to any other provision of statute or regulation that applies to issuance of such rule. Such reissuance (including this subsection) shall not be subject to judicial review.

GRAY WOLVES RANGE-WIDE

Sec. 117. (a) Not later than the end of fiscal year 2019, and except as provided in subsection (b), the Secretary of the Interior shall issue a rule to remove the gray wolf (Canis lupus) in each of the 48 contiguous States of the United States and the District of Columbia from the List of Endangered and Threatened Wildlife in section 17.11 of title 50, Code of Federal Regulations, without regard to any other provision of statute or regulation that applies to issuance of such rule.

(b) Such issuance (including this section)—
(1) shall not be subject to judicial review; and

(2) shall not affect the inclusion of the sub-
species classified as the Mexican gray wolf (Canis
lupus baileyi) of the species gray wolf (Canis lupus)
in such list.

TRIBAL SOVEREIGNTY

Sec. 118. None of the funds made available by this
or any other Act may be used to enforce, refer for enforce-
ment, or to assist any other agency in enforcing section
251 of title 25, United States Code.

CONTRIBUTION AUTHORITY

Sec. 119. Section 113 of Division G of Public Law
113–76 is amended by striking “2019,” and inserting
“2024,”.

PROHIBITION ON USE OF FUNDS FOR CERTAIN HISTORIC
DESIGNATION

Sec. 120. None of the funds made available by this
Act may be used to make a determination of eligibility
or to list the Trestles Historic District, San Diego County,
California, on the National Register of Historic Places.

INDIANA DUNES NATIONAL LAKE
SHORE RETITLED; PAUL
H. DOUGLAS TRAIL REDESIGNATION

Sec. 121. (a) INDIANA DUNES NATIONAL LAKE
SHORE RETITLED.—
(1) IN GENERAL.—Public Law 89–761 (16 U.S.C. 460u et seq.) is amended—

(A) by striking “National Lakeshore” and “national lakeshore” each place it appears and inserting “National Park”; and

(B) by striking “lakeshore” each place it appears and inserting “Park”.

(2) NONAPPLICATION.—The amendment made by subsection (a)(1) shall not apply to—

(A) the title of the map referred to in the first section of Public Law 89–761 (16 U.S.C. 460u); and

(B) the title of the maps referred to in section 4 of Public Law 89–761 (16 U.S.C. 460u–3).

(b) PAUL H. DOUGLAS TRAIL REDESIGNATION.—

The 1.6 mile trail within the Indiana Dunes National Park designated the “Miller-Woods Trail” is hereby redesignated as the “Paul H. Douglas Trail”.

RESTRICTION ON USE OF FUNDS RELATED TO WATER RIGHTS

Sec. 122. None of the funds made available in this or any other Act may be used—

(1) to condition the issuance, renewal, amendment, or extension of any permit, approval, license,
lease, allotment, easement, right-of-way, or other
land use or occupancy agreement on the transfer of
any water right, including sole and joint ownership,
directly to the United States, or any impairment of
title, in whole or in part, granted or otherwise recog-
ized under State law, by Federal or State adjudica-
tion, decree, or other judgment, or pursuant to any
interstate water compact; or

(2) to require any water user to apply for or ac-
quire a water right in the name of the United States
under State law as a condition of the issuance, re-
newal, amendment, or extension of any permit, ap-
proval, license, lease, allotment, easement, right-of-
way, or other land use or occupancy agreement.

TITLE II

ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

(INCLUDING RESSION OF FUNDS)

For science and technology, including research and
development activities, which shall include research and
development activities under the Comprehensive Environ-
mental Response, Compensation, and Liability Act of
1980; necessary expenses for personnel and related costs
and travel expenses; procurement of laboratory equipment
and supplies; and other operating expenses in support of
research and development, $651,113,000 (reduced by $500,000) (increased by $500,000), to remain available until September 30, 2020: Provided, That of the funds included under this heading, $4,100,000 shall be for Research: National Priorities as specified in the report accompanying this Act: Provided further, That of unobligated balances from appropriations made available under this heading, $7,350,000 are permanently rescinded.

ENVIRONMENTAL PROGRAMS AND MANAGEMENT
(INCLUDING RESCISSION OF FUNDS)

For environmental programs and management, including necessary expenses, not otherwise provided for, for personnel and related costs and travel expenses; hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; administrative costs of the brownfields program under the Small Business Liability Relief and Brownfields Revitalization Act of 2002; implementation of a coal combustion residual permit program under section 2301 of the Water and Waste Act of 2016; and not to exceed $19,000 for official reception and representation expenses, $2,473,282,000 (reduced by $30,000,000) (increased by $4,000,000) (reduced by
$468,000) (increased by $468,000), to remain available until September 30, 2020: Provided, That of the amounts provided under this heading, the Chemical Risk Review and Reduction program project shall be allocated for this fiscal year, excluding the amount of any fees made available, not less than the amount of appropriations for that program project for fiscal year 2014: Provided further, That of the funds included under this heading, $12,700,000 shall be for Environmental Protection: National Priorities as specified in the report accompanying this Act: Provided further, That of the funds included under this heading, $434,857,000 (increased by $4,000,000) shall be for Geographic Programs specified in the report accompanying this Act: Provided further, That of the unobligated balances from appropriations made available under this heading, $40,000,000 are permanently rescinded.

Office of Inspector General


Buildings and Facilities

For construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of,
or for use by, the Environmental Protection Agency, $39,553,000, to remain available until expended.

**HAZARDOUS SUBSTANCE SUPERFUND**

*(INCLUDING TRANSFERS OF FUNDS)*

For necessary expenses to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), including sections 111(c)(3), (c)(5), (e)(6), and (e)(4) (42 U.S.C. 9611) $1,127,090,000, to remain available until expended, consisting of such sums as are available in the Trust Fund on September 30, 2018, as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA) and up to $1,127,090,000 as a payment from general revenues to the Hazardous Substance Superfund for purposes as authorized by section 517(b) of SARA: Provided, That funds appropriated under this heading may be allocated to other Federal agencies in accordance with section 111(a) of CERCLA: Provided further, That of the funds appropriated under this heading, $8,778,000 shall be paid to the “Office of Inspector General” appropriation to remain available until September 30, 2020, and $15,496,000 shall be paid to the “Science and Technology” appropriation to remain available until September 30, 2020.
Leaking Underground Storage Tank Trust Fund Program

For necessary expenses to carry out leaking underground storage tank cleanup activities authorized by subtitle I of the Solid Waste Disposal Act, $91,941,000, to remain available until expended, of which $66,572,000 shall be for carrying out leaking underground storage tank cleanup activities authorized by section 9003(h) of the Solid Waste Disposal Act; $25,369,000 shall be for carrying out the other provisions of the Solid Waste Disposal Act specified in section 9508(c) of the Internal Revenue Code: Provided, That the Administrator is authorized to use appropriations made available under this heading to implement section 9013 of the Solid Waste Disposal Act to provide financial assistance to federally recognized Indian tribes for the development and implementation of programs to manage underground storage tanks.

Inland Oil Spill Programs

For expenses necessary to carry out the Environmental Protection Agency's responsibilities under the Oil Pollution Act of 1990, $18,209,000, to be derived from the Oil Spill Liability trust fund, to remain available until expended.
STATE AND TRIBAL ASSISTANCE GRANTS

For environmental programs and infrastructure assistance, including capitalization grants for State revolving funds and performance partnership grants, $3,588,161,000 (increased by $7,000,000), to remain available until expended, of which—

(1) $1,393,887,000 shall be for making capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act; and of which $863,233,000 shall be for making capitalization grants for the Drinking Water State Revolving Funds under section 1452 of the Safe Drinking Water Act: Provided, That for fiscal year 2019, funds made available under this title to each State for Clean Water State Revolving Fund capitalization grants and for Drinking Water State Revolving Fund capitalization grants may, at the discretion of each State, be used for projects to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities: Provided further, That notwithstanding section 603(d)(7) of the Federal Water Pollution Control Act, the limitation on the amounts in a State water pollution control revolving fund that may be used by a State to administer the fund shall
not apply to amounts included as principal in loans
made by such fund in fiscal year 2019 and prior
years where such amounts represent costs of admin-
istering the fund to the extent that such amounts
are or were deemed reasonable by the Administrator,
accounted for separately from other assets in the
fund, and used for eligible purposes of the fund, in-
cluding administration: Provided further, That for
fiscal year 2019, notwithstanding the provisions of
subsections (g)(1), (h), and (l) of section 201 of the
Federal Water Pollution Control Act, grants made
under title II of such Act for American Samoa,
Guam, the commonwealth of the Northern Marianas,
the United States Virgin Islands, and the District of
Columbia may also be made for the purpose of pro-
viding assistance: (1) solely for facility plans, design
activities, or plans, specifications, and estimates for
any proposed project for the construction of treat-
ment works; and (2) for the construction, repair, or
replacement of privately owned treatment works
serving one or more principal residences or small
commercial establishments: Provided further, That
for fiscal year 2019, notwithstanding the provisions
of such subsections (g)(1), (h), and (l) of section
201 and section 518(e) of the Federal Water Pollu-
tion Control Act, funds reserved by the Administrator for grants under section 518(c) of the Federal Water Pollution Control Act may also be used to provide assistance: (1) solely for facility plans, design activities, or plans, specifications, and estimates for any proposed project for the construction of treatment works; and (2) for the construction, repair, or replacement of privately owned treatment works serving one or more principal residences or small commercial establishments: Provided further, That for fiscal year 2019, notwithstanding any provision of the Federal Water Pollution Control Act and regulations issued pursuant thereof, up to a total of $2,000,000 of the funds reserved by the Administrator for grants under section 518(c) of such Act may also be used for grants for training, technical assistance, and educational programs relating to the operation and management of the treatment works specified in section 518(c) of such Act: Provided further, That for fiscal year 2019, funds reserved under section 518(c) of such Act shall be available for grants only to Indian tribes, as defined in section 518(h) of such Act and former Indian reservations in Oklahoma (as determined by the Secretary of the Interior) and Native Villages as defined.
in Public Law 92–203: Provided further, That for fiscal year 2019, notwithstanding the limitation on amounts in section 518(c) of the Federal Water Pollution Control Act, up to a total of 2 percent of the funds appropriated, or $30,000,000, whichever is greater, and notwithstanding the limitation on amounts in section 1452(i) of the Safe Drinking Water Act, up to a total of 2 percent of the funds appropriated, or $20,000,000, whichever is greater, for State Revolving Funds under such Acts may be reserved by the Administrator for grants under section 518(c) and section 1452(i) of such Acts: Provided further, That for fiscal year 2019, notwithstanding the amounts specified in section 205(c) of the Federal Water Pollution Control Act, up to 1.5 percent of the aggregate funds appropriated for the Clean Water State Revolving Fund program under the Act less any sums reserved under section 518(c) of the Act, may be reserved by the Administrator for grants made under title II of the Federal Water Pollution Control Act for American Samoa, Guam, the Commonwealth of the Northern Marianas, and United States Virgin Islands: Provided further, That for fiscal year 2019, notwithstanding the limitations on amounts specified in section 1452(j) of the Safe
Drinking Water Act, up to 1.5 percent of the funds appropriated for the Drinking Water State Revolving Fund programs under the Safe Drinking Water Act may be reserved by the Administrator for grants made under section 1452(j) of the Safe Drinking Water Act: Provided further, That 10 percent of the funds made available under this title to each State for Clean Water State Revolving Fund capitalization grants and 20 percent of the funds made available under this title to each State for Drinking Water State Revolving Fund capitalization grants shall be used by the State to provide additional subsidy to eligible recipients in the form of forgiveness of principal, negative interest loans, or grants (or any combination of these), and shall be so used by the State only where such funds are provided as initial financing for an eligible recipient or to buy, refinance, or restructure the debt obligations of eligible recipients only where such debt was incurred on or after the date of enactment of this Act;

(2) $10,000,000 shall be for architectural, engineering, planning, design, construction and related activities in connection with the construction of high priority water and wastewater facilities in the area of the United States-Mexico Border, after consulta-
tion with the appropriate border commission: *Provided*, That no funds provided by this appropriations Act to address the water, wastewater and other critical infrastructure needs of the colonias in the United States along the United States-Mexico border shall be made available to a county or municipal government unless that government has established an enforceable local ordinance, or other zoning rule, which prevents in that jurisdiction the development or construction of any additional colonia areas, or the development within an existing colonia the construction of any new home, business, or other structure which lacks water, wastewater, or other necessary infrastructure;

(3) $20,000,000 shall be for grants to the State of Alaska to address drinking water and wastewater infrastructure needs of rural and Alaska Native Villages: *Provided*, That of these funds: (A) the State of Alaska shall provide a match of 25 percent; (B) no more than 5 percent of the funds may be used for administrative and overhead expenses; and (C) the State of Alaska shall make awards consistent with the Statewide priority list established in conjunction with the Agency and the U.S. Department of Agriculture for all water, sewer, waste disposal,
and similar projects carried out by the State of Alaska that are funded under section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1301) or the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) which shall allocate not less than 25 percent of the funds provided for projects in regional hub communities;

(4) $80,000,000 (increased by $7,000,000) shall be to carry out section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), including grants, interagency agreements, and associated program support costs: Provided, That not more than 25 percent of the amount appropriated to carry out section 104(k) of CERCLA shall be used for site characterization, assessment, and remediation of facilities described in section 101(39)(D)(ii)(II) of CERCLA: Provided further, That at least 10 percent shall be allocated for assistance in persistent poverty counties: Provided further That for purposes of this section, the term “persistent poverty counties” means any county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1990 and 2000 decennial
censuses and the most recent Small Area Income
and Poverty Estimates;

(5) $100,000,000 shall be for grants under title

(6) $55,000,000 shall be for targeted airshed
grants in accordance with the terms and conditions
in the explanatory statement described in section 4
(in the matter preceding division A of this consoli-
dated Act);

(7) $1,066,041,000 shall be for grants, includ-
ing associated program support costs, to States, fed-
erally recognized tribes, interstate agencies, tribal
consortia, and air pollution control agencies for
multi-media or single media pollution prevention,
control and abatement and related activities, includ-
ing activities pursuant to the provisions set forth
under this heading in Public Law 104–134, and for
making grants under section 103 of the Clean Air
Act for particulate matter monitoring and data col-
lection activities subject to terms and conditions
specified by the Administrator, of which:
$47,745,000 shall be for carrying out section 128 of
CERCLA; $9,646,000 shall be for Environmental
Information Exchange Network grants, including as-
associated program support costs; $1,498,000 shall be
for grants to States under section 2007(f)(2) of the Solid Waste Disposal Act, which shall be in addition to funds appropriated under the heading “Leaking Underground Storage Tank Trust Fund Program” to carry out the provisions of the Solid Waste Disposal Act specified in section 9508(c) of the Internal Revenue Code other than section 9003(h) of the Solid Waste Disposal Act; $17,848,000 of the funds available for grants under section 106 of the Federal Water Pollution Control Act shall be for State participation in national- and State-level statistical surveys of water resources and enhancements to State monitoring programs.

**WATER INFRASTRUCTURE FINANCE AND INNOVATION PROGRAM ACCOUNT**

For the cost of direct loans and for the cost of guaranteed loans, as authorized by the Water Infrastructure Finance and Innovation Act of 2014, $45,000,000, to remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans, including capitalized interest, and total loan
principal, including capitalized interest, any part of which
is to be guaranteed, not to exceed $5,488,000,000.

In addition, fees authorized to be collected pursuant
to sections 5029 and 5030 of the Water Infrastructure
Finance and Innovation Act of 2014 shall be deposited
in this account, to remain available until expended, for the
purposes provided in such sections.

In addition, for administrative expenses to carry out
the direct and guaranteed loan programs, notwithstanding
section 5033 of the Water Infrastructure Finance and In-
novation Act of 2014, $5,000,000 (increased by
$2,000,000), to remain available until September 30,
2020.

Administrative Provisions—Environmental
Protection Agency
(Including Transfers and Rescission of Funds)

For fiscal year 2019, notwithstanding 31 U.S.C.
6303(1) and 6305(1), the Administrator of the Environ-
mental Protection Agency, in carrying out the Agency’s
function to implement directly Federal environmental pro-
grams required or authorized by law in the absence of an
acceptable tribal program, may award cooperative agree-
ments to federally recognized Indian tribes or Intertribal
consortia, if authorized by their member tribes, to assist
the Administrator in implementing Federal environmental
programs for Indian tribes required or authorized by law, except that no such cooperative agreements may be awarded from funds designated for State financial assistance agreements.

The Administrator of the Environmental Protection Agency is authorized to collect and obligate pesticide registration service fees in accordance with section 33 of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended by Public Law 112–177, the Pesticide Registration Improvement Extension Act of 2012.


Notwithstanding any other provision of law, in addition to the activities specified in section 33 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136w–8), fees collected in this and prior fiscal years under such section shall be available for the following activities as they relate to pesticide licensing: processing and review of data submitted in association with a registration, information submitted pursuant to section 6(a)(2) of FIFRA, supplemental distributor labels, transfers of registrations and data compensation rights, addi-
tional uses registered by States under section 24(c) of
FIFRA, data compensation petitions, review of minor
amendments, and notifications; laboratory support and
audits; administrative support; development of policy and
guidance; rulemaking support; information collection ac-
tivities; and the portions of salaries related to work in
these areas.

The Administrator is authorized to transfer up to
$300,000,000 of the funds appropriated for the Great
Lakes Restoration Initiative under the heading “Environ-
mental Programs and Management” to the head of any
Federal department or agency, with the concurrence of
such head, to carry out activities that would support the
Great Lakes Restoration Initiative and Great Lakes
Water Quality Agreement programs, projects, or activities;
to enter into an interagency agreement with the head of
such Federal department or agency to carry out these ac-
tivities; and to make grants to governmental entities, non-
profit organizations, institutions, and individuals for plan-
ning, research, monitoring, outreach, and implementation
in furtherance of the Great Lakes Restoration Initiative
and the Great Lakes Water Quality Agreement.

The Administrator of the Environmental Protection
Agency is authorized to collect and obligate fees in accord-
ance with section 26(b) of the Toxic Substances Control Act (15 U.S.C. 2625(b)) for fiscal year 2019.

The Administrator of the Environmental Protection Agency is authorized to collect and obligate fees in accordance with section 3204 of the Solid Waste Disposal Act (42 U.S.C. 6939g) for fiscal year 2019.

The Science and Technology, Environmental Programs and Management, Office of Inspector General, Hazardous Substance Superfund, and Leaking Underground Storage Tank Trust Fund Program Accounts, are available for the construction, alteration, repair, rehabilitation, and renovation of facilities, provided that the cost does not exceed $150,000 per project.

For fiscal year 2019, and notwithstanding section 518(f) of the Federal Water Pollution Control Act (33 U.S.C. 1377(f)), the Administrator is authorized to use the amounts appropriated for any fiscal year under section 319 of the Act to make grants to Indian tribes pursuant to sections 319(h) and 518(e) of that Act.

Of the unobligated balances available for the “State and Tribal Assistance Grants” account, $75,000,000 are hereby permanently rescinded: Provided, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to
the Concurrent Resolution on the Budget or the Balanced

Notwithstanding the limitations on amounts in sec-
tion 320(i)(2)(B) of the Federal Water Pollution Control
Act, not less than $1,500,000 of the funds made available
under this title for the National Estuary Program shall
be for making competitive awards described in section
320(g)(4).

The Administrator of the Environmental Protection
Agency is not authorized to obligate or expend more than
$50 of the funds made available under this title for the
purchase of any individual fountain pen.

TITLE III
RELATED AGENCIES
DEPARTMENT OF AGRICULTURE
OFFICE OF THE UNDER SECRETARY FOR NATURAL
RESOURCES AND ENVIRONMENT
For necessary expenses of the Office of the Under
Secretary for Natural Resources and Environment,
$875,000: Provided, That funds made available by this
Act to any agency in the Natural Resources and Environ-
ment mission area for salaries and expenses are available
to fund up to one administrative support staff for the of-
fer.
FOREST SERVICE

FOREST AND RANGELAND RESEARCH

For necessary expenses of forest and rangeland research as authorized by law, $297,000,000 (reduced by $5,000,000), to remain available through September 30, 2020: Provided, That of the funds provided, $77,000,000 is for the forest inventory and analysis program.

STATE AND PRIVATE FORESTRY

For necessary expenses of cooperating with and providing technical and financial assistance to States, territories, possessions, and others, and for forest health management, and conducting an international program as authorized, $334,945,000 (increased by $5,000,000) (reduced by $5,000,000) (increased by $2,000,000), to remain available through September 30, 2020, as authorized by law; of which $48,445,000 is to be derived from the Land and Water Conservation Fund to be used for the Forest Legacy Program, to remain available until expended.

NATIONAL FOREST SYSTEM

For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, and for hazardous fuels management on or adjacent to such lands, $1,972,000,000 (increased by $4,500,000), to
remain available through September 30, 2020: Provided,
That of the funds provided, $40,000,000 shall be deposited in the Collaborative Forest Landscape Restoration Fund for ecological restoration treatments as authorized by 16 U.S.C. 7303(f): Provided further, That of the funds provided, $380,000,000 shall be for forest products: Provided further, That of the funds provided, $450,000,000 shall be for hazardous fuels management activities, of which not to exceed $15,000,000 may be used to make grants, using any authorities available to the Forest Service under the “State and Private Forestry” appropriation, for the purpose of creating incentives for increased use of biomass from National Forest System lands: Provided further, That $15,000,000 may be used by the Secretary of Agriculture to enter into procurement contracts or cooperative agreements or to issue grants for hazardous fuels management activities, and for training or monitoring associated with such hazardous fuels management activities on Federal land, or on non-Federal land if the Secretary determines such activities benefit resources on Federal land: Provided further, That funds made available to implement the Community Forestry Restoration Act, Public Law 106–393, title VI, shall be available for use on non-Federal lands in accordance with authorities made
available to the Forest Service under the “State and Private Forestry” appropriations.

CAPITAL IMPROVEMENT AND MAINTENANCE
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Forest Service, not otherwise provided for, $499,000,000, to remain available through September 30, 2020, for construction, capital improvement, maintenance and acquisition of buildings and other facilities and infrastructure; and for construction, reconstruction, decommissioning of roads that are no longer needed, including unauthorized roads that are not part of the transportation system, and maintenance of forest roads and trails by the Forest Service as authorized by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205: Provided, That funds becoming available in fiscal year 2019 under the Act of March 4, 1913 (16 U.S.C. 501) shall be transferred to the General Fund of the Treasury and shall not be available for transfer or obligation for any other purpose unless the funds are appropriated.

LAND ACQUISITION

For expenses necessary to carry out the provisions of chapter 2003 of title 54, United States Code, including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the Forest Service, $34,761,000,
to be derived from the Land and Water Conservation Fund and to remain available until expended.

ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

For acquisition of lands within the exterior boundaries of the Cache, Uinta, and Wasatch National Forests, Utah; the Toiyabe National Forest, Nevada; and the Angeles, San Bernardino, Sequoia, and Cleveland National Forests, California; and the Ozark-St. Francis and Ouachita National Forests, Arkansas; as authorized by law, $700,000, to be derived from forest receipts.

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

For acquisition of lands, such sums, to be derived from funds deposited by State, county, or municipal governments, public school districts, or other public school authorities, and for authorized expenditures from funds deposited by non-Federal parties pursuant to Land Sale and Exchange Acts, pursuant to the Act of December 4, 1967 (16 U.S.C. 484a), to remain available through September 30, 2020, (16 U.S.C. 516–617a, 555a; Public Law 96–586; Public Law 76–589, 76–591; and Public Law 78–310).

RANGE BETTERMENT FUND

For necessary expenses of range rehabilitation, protection, and improvement, 50 percent of all moneys re-
received during the prior fiscal year, as fees for grazing domestic livestock on lands in National Forests in the Western States, pursuant to section 401(b)(1) of Public Law 94–579, to remain available through September 30, 2020, of which not to exceed 6 percent shall be available for administrative expenses associated with on-the-ground range rehabilitation, protection, and improvements.

GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND RANGELAND RESEARCH

For expenses authorized by 16 U.S.C. 1643(b), $45,000, to remain available through September 30, 2020, to be derived from the fund established pursuant to the above Act.

MANAGEMENT OF NATIONAL FOREST LANDS FOR SUBSISTENCE USES


WILDLAND FIRE MANAGEMENT (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for forest fire presuppression activities on National Forest System lands, for emergency wildland fire suppression on or adjacent to such lands or
other lands under fire protection agreement, and for emer-
gency rehabilitation of burned-over National Forest Sys-
tem lands and water, $3,004,986,000 (reduced by
$2,000,000), to remain available through September 30,
2020: Provided, That such funds including unobligated
balances under this heading, are available for repayment
of advances from other appropriations accounts previously
transferred for such purposes: Provided further, That any
unobligated funds appropriated in a previous fiscal year
for hazardous fuels management may be transferred to the
“National Forest System” account: Provided further, That
such funds shall be available to reimburse State and other
cooperating entities for services provided in response to
wildfire and other emergencies or disasters to the extent
such reimbursements by the Forest Service for non-fire
emergencies are fully repaid by the responsible emergency
management agency: Provided further, That funds pro-
vided shall be available for support to Federal emergency
response: Provided further, That the costs of implementing
any cooperative agreement between the Federal Govern-
ment and any non-Federal entity may be shared, as mutu-
ally agreed on by the affected parties: Provided further,
That funds designated for wildfire suppression shall be as-
sessed for cost pools on the same basis as such assess-
ments are calculated against other agency programs.
Appropriations to the Forest Service for the current fiscal year shall be available for: (1) purchase of passenger motor vehicles; acquisition of passenger motor vehicles from excess sources, and hire of such vehicles; purchase, lease, operation, maintenance, and acquisition of aircraft to maintain the operable fleet for use in Forest Service wildland fire programs and other Forest Service programs; notwithstanding other provisions of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft; (2) services pursuant to 7 U.S.C. 2225, and not to exceed $100,000 for employment under 5 U.S.C. 3109; (3) purchase, erection, and alteration of buildings and other public improvements (7 U.S.C. 2250); (4) acquisition of land, waters, and interests therein pursuant to 7 U.S.C. 428a; (5) for expenses pursuant to the Volunteers in the National Forest Act of 1972 (16 U.S.C. 558a, 558d, and 558a note); (6) the cost of uniforms as authorized by 5 U.S.C. 5901–5902; and (7) for debt collection contracts in accordance with 31 U.S.C. 3718(c).

Any appropriations or funds available to the Forest Service may be transferred to the Wildland Fire Management appropriation for forest firefighting, emergency re-
habilitation of burned-over or damaged lands or waters
under its jurisdiction, and fire preparedness due to severe
burning conditions upon the Secretary’s notification of the
House and Senate Committees on Appropriations that all
fire suppression funds appropriated under the heading
“Wildland Fire Management” will be obligated within 30
days: Provided, That all funds used pursuant to this para-
graph must be replenished by a supplemental appropria-
tion which must be requested as promptly as possible.

Not more than $50,000,000 of funds appropriated to
the Forest Service shall be available for expenditure or
transfer to the Department of the Interior for wildland
fire management, hazardous fuels management, and State
fire assistance when such transfers would facilitate and
expedite wildland fire management programs and projects.

Notwithstanding any other provision of this Act, the
Forest Service may transfer unobligated balances of dis-
cretionary funds appropriated to the Forest Service by
this Act to or within the National Forest System Account,
or reprogram funds to be used for the purposes of haz-
ardous fuels management and urgent rehabilitation of
burned-over National Forest System lands and water,
such transferred funds shall remain available through Sep-
tember 30, 2020: Provided, That none of the funds trans-
ferred pursuant to this section shall be available for obli-
gation without written notification to and the prior ap-
proval of the Committees on Appropriations of both
Houses of Congress: Provided further, That this section
does not apply to funds derived from the Land and Water
Conservation Fund.

Funds appropriated to the Forest Service shall be
available for assistance to or through the Agency for In-
ternational Development in connection with forest and range-
land research, technical information, and assistance in for-
eign countries, and shall be available to support forestry
and related natural resource activities outside the United
States and its territories and possessions, including tech-
nical assistance, education and training, and cooperation
with U.S., private, and international organizations. The
Forest Service, acting for the International Program, may
sign direct funding agreements with foreign governments
and institutions as well as other domestic agencies (includ-
ing the U.S. Agency for International Development, the
Department of State, and the Millennium Challenge Cor-
poration), U.S. private sector firms, institutions and orga-
nizations to provide technical assistance and training pro-
grams overseas on forestry and rangeland management.

Funds appropriated to the Forest Service shall be
available for expenditure or transfer to the Department
of the Interior, Bureau of Land Management, for removal,
preparation, and adoption of excess wild horses and burros from National Forest System lands, and for the performance of cadastral surveys to designate the boundaries of such lands.

None of the funds made available to the Forest Service in this Act or any other Act with respect to any fiscal year shall be subject to transfer under the provisions of section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257), section 442 of Public Law 106–224 (7 U.S.C. 7772), or section 10417(b) of Public Law 107–171 (7 U.S.C. 8316(b)).

None of the funds available to the Forest Service may be reprogrammed without the advance approval of the House and Senate Committees on Appropriations in accordance with the reprogramming procedures contained in the report accompanying this Act.

Not more than $82,000,000 of funds available to the Forest Service shall be transferred to the Working Capital Fund of the Department of Agriculture and not more than $14,500,000 of funds available to the Forest Service shall be transferred to the Department of Agriculture for Department Reimbursable Programs, commonly referred to as Greenbook charges. Nothing in this paragraph shall prohibit or limit the use of reimbursable agreements requested by the Forest Service in order to obtain services

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from the Department of Agriculture’s National Information Technology Center and the Department of Agriculture’s International Technology Service.

Of the funds available to the Forest Service, up to $5,000,000 shall be available for priority projects within the scope of the approved budget, which shall be carried out by the Youth Conservation Corps and shall be carried out under the authority of the Public Lands Corps Act of 1993 (16 U.S.C. 1721 et seq.).

Of the funds available to the Forest Service, $4,000 is available to the Chief of the Forest Service for official reception and representation expenses.

Pursuant to sections 405(b) and 410(b) of Public Law 101–593, of the funds available to the Forest Service, up to $3,000,000 may be advanced in a lump sum to the National Forest Foundation to aid conservation partnership projects in support of the Forest Service mission, without regard to when the Foundation incurs expenses, for projects on or benefitting National Forest System lands or related to Forest Service programs: Provided, That of the Federal funds made available to the Foundation, no more than $300,000 shall be available for administrative expenses: Provided further, That the Foundation shall obtain, by the end of the period of Federal financial assistance, private contributions to match funds made

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available by the Forest Service on at least a one-for-one basis: Provided further, That the Foundation may transfer Federal funds to a Federal or a non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds.

Funds appropriated to the Forest Service shall be available for interactions with and providing technical assistance to rural communities and natural resource-based businesses for sustainable rural development purposes.

Funds appropriated to the Forest Service shall be available for payments to counties within the Columbia River Gorge National Scenic Area, pursuant to section 14(c)(1) and (2), and section 16(a)(2) of Public Law 99–663.

Any funds appropriated to the Forest Service may be used to meet the non-Federal share requirement in section 502(c) of the Older Americans Act of 1965 (42 U.S.C. 3056(c)(2)).

The Forest Service shall not assess funds for the purpose of performing fire, administrative, and other facilities maintenance and decommissioning.

Notwithstanding any other provision of law, of any appropriations or funds available to the Forest Service, not to exceed $500,000 may be used to reimburse the Office of the General Counsel (OGC), Department of Agri-
culture, for travel and related expenses incurred as a result of OGC assistance or participation requested by the Forest Service at meetings, training sessions, management reviews, land purchase negotiations and similar matters unrelated to civil litigation. Future budget justifications for both the Forest Service and the Department of Agriculture should clearly display the sums previously transferred and the sums requested for transfer.

An eligible individual who is employed in any project funded under title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.) and administered by the Forest Service shall be considered to be a Federal employee for purposes of chapter 171 of title 28, United States Code.

Notwithstanding any other provision of this Act, through the Office of Budget and Program Analysis, the Forest Service shall report no later than 30 business days following the close of each fiscal quarter all current and prior year unobligated balances, by fiscal year, budget line item and account, to the House and Senate Committees on Appropriations.
DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination and Education Assistance Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act with respect to the Indian Health Service, $4,202,639,000, to remain available until September 30, 2020, except as otherwise provided herein, together with payments received during the fiscal year pursuant to sections 231(b) and 233 of the Public Health Service Act (42 U.S.C. 238(b), 238b), for services furnished by the Indian Health Service: Provided, That funds made available to tribes and tribal organizations through contracts, grant agreements, or any other agreements or compacts authorized by the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), shall be deemed to be obligated at the time of the grant or contract award and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: Provided further, That $2,000,000 shall be available for grants or contracts with public or private institutions to provide alcohol or drug treatment services to Indians, in-
cluding alcohol detoxification services: Provided further,

That $964,819,000 for Purchased/Referred Care, includ-
ing $53,000,000 for the Indian Catastrophic Health
Emergency Fund, shall remain available until expended:

Provided further, That of the funds provided, up to
$55,700,000 shall remain available until expended for im-
plementation of the loan repayment program under section
108 of the Indian Health Care Improvement Act: Provided
further, That of the funds provided, $18,000,000 shall re-
main available until expended to supplement funds avail-
able for operational costs at tribal clinics operated under
an Indian Self-Determination and Education Assistance
Act compact or contract where health care is delivered in
space acquired through a full service lease, which is not
eligible for maintenance and improvement and equipment
funds from the Indian Health Service, and $58,000,000
shall be for costs related to or resulting from accreditation
emergencies, of which up to $4,000,000 may be used to
supplement amounts otherwise available for Purchased/
Referred Care: Provided further, That the amounts col-
lected by the Federal Government as authorized by sec-
tions 104 and 108 of the Indian Health Care Improvement
Act (25 U.S.C. 1613a and 1616a) during the preceding
fiscal year for breach of contracts shall be deposited to
the Fund authorized by section 108A of that Act (25
and shall remain available until expended and, notwithstanding section 108A(c) of that Act (25 U.S.C. 1616a–1(c)), funds shall be available to make new awards under the loan repayment and scholarship programs under sections 104 and 108 of that Act (25 U.S.C. 1613a and 1616a): *Provided further,* That the amounts made available within this account for the Substance Abuse and Suicide Prevention Program, for the Domestic Violence Prevention Program, for the Zero Suicide Initiative, for the housing subsidy authority for civilian employees, for aftercare pilot programs at Youth Regional Treatment Centers, to improve collections from public and private insurance at Indian Health Service and tribally operated facilities, and for accreditation emergencies shall be allocated at the discretion of the Director of the Indian Health Service and shall remain available until expended: *Provided further,* That funds provided in this Act may be used for annual contracts and grants for which the performance period falls within 2 fiscal years, provided the total obligation is recorded in the year the funds are appropriated: *Provided further,* That the amounts collected by the Secretary of Health and Human Services under the authority of title IV of the Indian Health Care Improvement Act shall remain available until expended for the purpose of achieving compliance with the
applicable conditions and requirements of titles XVIII and XIX of the Social Security Act, except for those related to the planning, design, or construction of new facilities: Provided further, That funding contained herein for scholarship programs under the Indian Health Care Improvement Act shall remain available until expended: Provided further, That amounts received by tribes and tribal organizations under title IV of the Indian Health Care Improvement Act shall be reported and accounted for and available to the receiving tribes and tribal organizations until expended: Provided further, That the Bureau of Indian Affairs may collect from the Indian Health Service, and from tribes and tribal organizations operating health facilities pursuant to Public Law 93–638, such individually identifiable health information relating to disabled children as may be necessary for the purpose of carrying out its functions under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.): Provided further, That of the funds provided, $125,666,000 is for the Indian Health Care Improvement Fund and may be used, as needed, to carry out activities typically funded under the Indian Health Facilities account: Provided further, That the accreditation emergency funds may be used, as needed, to carry out activities typically funded under the Indian Health Facilities account.
CONTRACT SUPPORT COSTS

For payments to tribes and tribal organizations for contract support costs associated with Indian Self-Determination and Education Assistance Act agreements with the Indian Health Service for fiscal year 2019, such sums as may be necessary, which shall be available for obligation through September 30, 2020: Provided, That notwithstanding any other provision of law, no amounts made available under this heading shall be available for transfer to another budget account.

INDIAN HEALTH FACILITIES

For construction, repair, maintenance, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites, purchase and erection of modular buildings, and purchases of trailers; and for provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Determination Act, and the Indian Health Care Improvement Act, and for expenses necessary to carry out such Acts and titles II and III of the Public Health Service Act with respect to environmental health and facilities support activities of the Indian Health Service, $882,748,000, to remain available until expended: Pro-
vided, That notwithstanding any other provision of law, funds appropriated for the planning, design, construction, renovation or expansion of health facilities for the benefit of an Indian tribe or tribes may be used to purchase land on which such facilities will be located: Provided further, That not to exceed $500,000 may be used by the Indian Health Service to purchase TRANSAM equipment from the Department of Defense for distribution to the Indian Health Service and tribal facilities: Provided further, That none of the funds appropriated to the Indian Health Service may be used for sanitation facilities construction for new homes funded with grants by the housing programs of the United States Department of Housing and Urban Development: Provided further, That not to exceed $2,700,000 from this account and the “Indian Health Services” account may be used by the Indian Health Service to obtain ambulances for the Indian Health Service and tribal facilities in conjunction with an existing inter-agency agreement between the Indian Health Service and the General Services Administration: Provided further, That not to exceed $500,000 may be placed in a Demolition Fund, to remain available until expended, and be used by the Indian Health Service for the demolition of Federal buildings.
Appropriations provided in this Act to the Indian Health Service shall be available for services as authorized by 5 U.S.C. 3109 at rates not to exceed the per diem rate equivalent to the maximum rate payable for senior-level positions under 5 U.S.C. 5376; hire of passenger motor vehicles and aircraft; purchase of medical equipment; purchase of reprints; purchase, renovation and erection of modular buildings and renovation of existing facilities; payments for telephone service in private residences in the field, when authorized under regulations approved by the Secretary of Health and Human Services; uniforms or allowances therefor as authorized by 5 U.S.C. 5901–5902; and for expenses of attendance at meetings that relate to the functions or activities of the Indian Health Service: Provided, That in accordance with the provisions of the Indian Health Care Improvement Act, non-Indian patients may be extended health care at all tribally administered or Indian Health Service facilities, subject to charges, and the proceeds along with funds recovered under the Federal Medical Care Recovery Act (42 U.S.C. 2651–2653) shall be credited to the account of the facility providing the service and shall be available without fiscal year limitation: Provided further, That notwithstanding any other law or regulation, funds transferred from the Department of
Housing and Urban Development to the Indian Health Service shall be administered under Public Law 86–121, the Indian Sanitation Facilities Act and Public Law 93–638: **Provided further**, That funds appropriated to the Indian Health Service in this Act, except those used for administrative and program direction purposes, shall not be subject to limitations directed at curtailing Federal travel and transportation: **Provided further**, That none of the funds made available to the Indian Health Service in this Act shall be used for any assessments or charges by the Department of Health and Human Services unless identified in the budget justification and provided in this Act, or approved by the House and Senate Committees on Appropriations through the reprogramming process: **Provided further**, That notwithstanding any other provision of law, funds previously or herein made available to a tribe or tribal organization through a contract, grant, or agreement authorized by title I or title V of the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 5321 et seq. (title I), 5381 et seq. (title V)), may be deobligated and reobligated to a self-determination contract under title I, or a self-governance agreement under title V of such Act and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: **Provided further**, That none of the funds made
available to the Indian Health Service in this Act shall be used to implement the final rule published in the Federal Register on September 16, 1987, by the Department of Health and Human Services, relating to the eligibility for the health care services of the Indian Health Service until the Indian Health Service has submitted a budget request reflecting the increased costs associated with the proposed final rule, and such request has been included in an appropriations Act and enacted into law: Provided further, That with respect to functions transferred by the Indian Health Service to tribes or tribal organizations, the Indian Health Service is authorized to provide goods and services to those entities on a reimbursable basis, including payments in advance with subsequent adjustment, and the reimbursements received therefrom, along with the funds received from those entities pursuant to the Indian Self-Determination Act, may be credited to the same or subsequent appropriation account from which the funds were originally derived, with such amounts to remain available until expended: Provided further, That reimbursements for training, technical assistance, or services provided by the Indian Health Service will contain total costs, including direct, administrative, and overhead costs associated with the provision of goods, services, or technical assistance: Provided further, That the Indian Health
Service may provide to civilian medical personnel serving in hospitals operated by the Indian Health Service housing allowances equivalent to those that would be provided to members of the Commissioned Corps of the United States Public Health Service serving in similar positions at such hospitals: Provided further, That the appropriation structure for the Indian Health Service may not be altered without advance notification to the House and Senate Committees on Appropriations.

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For necessary expenses for the National Institute of Environmental Health Sciences in carrying out activities set forth in section 311(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9660(a)) and section 126(g) of the Superfund Amendments and Reauthorization Act of 1986, $80,000,000.

AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY

TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH

For necessary expenses for the Agency for Toxic Substances and Disease Registry (ATSDR) in carrying out
activities set forth in sections 104(i) and 111(c)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) and section 3019 of the Solid Waste Disposal Act, $62,000,000: Provided, That notwithstanding any other provision of law, in lieu of performing a health assessment under section 104(i)(6) of CERCLA, the Administrator of ATSDR may conduct other appropriate health studies, evaluations, or activities, including, without limitation, biomedical testing, clinical evaluations, medical monitoring, and referral to accredited healthcare providers: Provided further, That in performing any such health assessment or health study, evaluation, or activity, the Administrator of ATSDR shall not be bound by the deadlines in section 104(i)(6)(A) of CERCLA: Provided further, That none of the funds appropriated under this heading shall be available for ATSDR to issue in excess of 40 toxicological profiles pursuant to section 104(i) of CERCLA during fiscal year 2019, and existing profiles may be updated as necessary.

OTHER RELATED AGENCIES

Executive Office of the President

Council on Environmental Quality and Office of Environmental Quality

For necessary expenses to continue functions assigned to the Council on Environmental Quality and Office
of Environmental Quality pursuant to the National Environ-
nmental Policy Act of 1969, the Environmental Quality
Improvement Act of 1970, and Reorganization Plan No.
1 of 1977, and not to exceed $750 for official reception
and representation expenses, $2,994,000: Provided, That
notwithstanding section 202 of the National Environ-
mental Policy Act of 1970, the Council shall consist of
one member, appointed by the President, by and with the
advice and consent of the Senate, serving as chairman and
exercising all powers, functions, and duties of the Council.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

SALARIES AND EXPENSES

For necessary expenses in carrying out activities pur-
suant to section 112(r)(6) of the Clean Air Act, including
hire of passenger vehicles, uniforms or allowances there-
for, as authorized by 5 U.S.C. 5901–5902, and for serv-
ices authorized by 5 U.S.C. 3109 but at rates for individ-
uals not to exceed the per diem equivalent to the maximum
rate payable for senior level positions under 5 U.S.C.
5376, $12,000,000: Provided, That the Chemical Safety
and Hazard Investigation Board (Board) shall have not
more than three career Senior Executive Service positions:
Provided further, That notwithstanding any other provi-
sion of law, the individual appointed to the position of In-
spector General of the Environmental Protection Agency
(EPA) shall, by virtue of such appointment, also hold the position of Inspector General of the Board: Provided further, That notwithstanding any other provision of law, the Inspector General of the Board shall utilize personnel of the Office of Inspector General of EPA in performing the duties of the Inspector General of the Board, and shall not appoint any individuals to positions within the Board.

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Navajo and Hopi Indian Relocation as authorized by Public Law 93–531, $4,750,000 (increased by $3,000,000), to remain available until expended: Provided, That funds provided in this or any other appropriations Act are to be used to relocate eligible individuals and groups including evictees from District 6, Hopi-partitioned lands residents, those in significantly substandard housing, and all others certified as eligible and not included in the preceding categories: Provided further, That none of the funds contained in this or any other Act may be used by the Office of Navajo and Hopi Indian Relocation to evict any single Navajo or Navajo family who, as of November 30, 1985, was physically domiciled on the lands partitioned to the Hopi Tribe unless a new or replacement home is provided for such household: Provided further, That no relocatee will be pro-
vided with more than one new or replacement home: Provided further, That the Office shall relocate any certified eligible relocatees who have selected and received an approved homesite on the Navajo reservation or selected a replacement residence off the Navajo reservation or on the land acquired pursuant to section 11 of Public Law 93-531 (88 Stat. 1716).

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

For payment to the Institute of American Indian and Alaska Native Culture and Arts Development, as authorized by part A of title XV of Public Law 99-498 (20 U.S.C. 4411 et seq.), $9,960,000, which shall become available on July 1, 2019, and shall remain available until September 30, 2020.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

For necessary expenses of the Smithsonian Institution, as authorized by law, including research in the fields of art, science, and history; development, preservation, and documentation of the National Collections; presentation of public exhibits and performances; collection, preparation, dissemination, and exchange of information and publications; conduct of education, training, and museum assist-
ance programs; maintenance, alteration, operation, lease agreements of no more than 30 years, and protection of buildings, facilities, and approaches; not to exceed $100,000 for services as authorized by 5 U.S.C. 3109; and purchase, rental, repair, and cleaning of uniforms for employees, $737,944,000 (increased by $500,000), to remain available until September 30, 2020, except as otherwise provided herein; of which not to exceed $6,908,000 for the instrumentation program, collections acquisition, exhibition reinstallation, the National Museum of African American History and Culture, and the repatriation of skeletal remains program shall remain available until expended; and including such funds as may be necessary to support American overseas research centers: Provided, That funds appropriated herein are available for advance payments to independent contractors performing research services or participating in official Smithsonian presentations.

FACILITIES CAPITAL

For necessary expenses of repair, revitalization, and alteration of facilities owned or occupied by the Smithsonian Institution, by contract or otherwise, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), and for construction, including necessary personnel, $317,500,000, to remain available until expended, of
which not to exceed $10,000 shall be for services as au-
thorized by 5 U.S.C. 3109.

NATIONAL GALLERY OF ART

SALARIES AND EXPENSES

For the upkeep and operations of the National Gal-

tery of Art, the protection and care of the works of art

therein, and administrative expenses incident thereto, as

authorized by the Act of March 24, 1937 (50 Stat. 51),

as amended by the public resolution of April 13, 1939

(Public Resolution 9, Seventy-sixth Congress), including

services as authorized by 5 U.S.C. 3109; payment in ad-

vance when authorized by the treasurer of the Gallery for

membership in library, museum, and art associations or

societies whose publications or services are available to

members only, or to members at a price lower than to the

general public; purchase, repair, and cleaning of uniforms

for guards, and uniforms, or allowances therefor, for other

employees as authorized by law (5 U.S.C. 5901–5902);

purchase or rental of devices and services for protecting

buildings and contents thereof, and maintenance, alter-

ation, improvement, and repair of buildings, approaches,

and grounds; and purchase of services for restoration and

repair of works of art for the National Gallery of Art by

contracts made, without advertising, with individuals,

firms, or organizations at such rates or prices and under
such terms and conditions as the Gallery may deem prop-
er, $141,790,000, to remain available until September 30,
2020, of which not to exceed $3,640,000 for the special
exhibition program shall remain available until expended.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

For necessary expenses of repair, restoration and
renovation of buildings, grounds and facilities owned or
occupied by the National Gallery of Art, by contract or
otherwise, for operating lease agreements of no more than
10 years, with no extensions or renewals beyond the 10
years, that address space needs created by the ongoing
renovations in the Master Facilities Plan, as authorized,
$26,564,000, to remain available until expended: Pro-
vided, That contracts awarded for environmental systems,
protection systems, and exterior repair or renovation of
buildings of the National Gallery of Art may be negotiated
with selected contractors and awarded on the basis of con-
tractor qualifications as well as price.

JOHN F. KENNEDY CENTER FOR THE PERFORMING

ARTS

OPERATIONS AND MAINTENANCE

For necessary expenses for the operation, mainte-
nance and security of the John F. Kennedy Center for
the Performing Arts, $24,490,000.
CAPITAL REPAIR AND RESTORATION

For necessary expenses for capital repair and restoration of the existing features of the building and site of the John F. Kennedy Center for the Performing Arts, $16,025,000, to remain available until expended.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

SALARIES AND EXPENSES

For expenses necessary in carrying out the provisions of the Woodrow Wilson Memorial Act of 1968 (82 Stat. 1356) including hire of passenger vehicles and services as authorized by 5 U.S.C. 3109, $12,000,000, to remain available until September 30, 2020.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, $155,000,000 shall be available to the National Endowment for the Arts for the support of projects and productions in the arts, including arts education and public outreach activities, through assistance to organizations and individuals pursuant to section 5 of the Act, for program
support, and for administering the functions of the Act,
to remain available until expended.

NATIONAL ENDOWMENT FOR THE HUMANITIES

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National
Foundation on the Arts and the Humanities Act of 1965,
$155,000,000 to remain available until expended, of which
$143,700,000 shall be available for support of activities
in the humanities, pursuant to section 7(e) of the Act and
for administering the functions of the Act; and
$11,300,000 shall be available to carry out the matching
grants program pursuant to section 10(a)(2) of the Act,
including $9,100,000 for the purposes of section 7(h):
Provided, That appropriations for carrying out section
10(a)(2) shall be available for obligation only in such
amounts as may be equal to the total amounts of gifts,
bequests, devises of money, and other property accepted
by the chairman or by grantees of the National Endow-
ment for the Humanities under the provisions of sections
11(a)(2)(B) and 11(a)(3)(B) during the current and pre-
ceding fiscal years for which equal amounts have not pre-
viously been appropriated.

ADMINISTRATIVE PROVISIONS

None of the funds appropriated to the National
Foundation on the Arts and the Humanities may be used
to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: Provided, That none of the funds appropriated to the National Foundation on the Arts and the Humanities may be used for official reception and representation expenses: Provided further, That funds from nonappropriated sources may be used as necessary for official reception and representation expenses: Provided further, That the Chairperson of the National Endowment for the Arts may approve grants of up to $10,000, if in the aggregate the amount of such grants does not exceed 5 percent of the sums appropriated for grantmaking purposes per year: Provided further, That such small grant actions are taken pursuant to the terms of an expressed and direct delegation of authority from the National Council on the Arts to the Chairperson.

COMMISSION OF FINE ARTS

SALARIES AND EXPENSES

For expenses of the Commission of Fine Arts under chapter 91 of title 40, United States Code, $2,771,000: Provided, That the Commission is authorized to charge fees to cover the full costs of its publications, and such fees shall be credited to this account as an offsetting collection, to remain available until expended without further appropriation: Provided further, That the Commission is authorized to accept gifts, including objects, papers, art-
work, drawings and artifacts, that pertain to the history and design of the Nation’s Capital or the history and activities of the Commission of Fine Arts, for the purpose of artistic display, study, or education: **Provided further,** That one-tenth of one percent of the funds provided under this heading may be used for official reception and representation expenses.

**NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS**

For necessary expenses as authorized by Public Law 99–190 (20 U.S.C. 956a), $2,750,000.

**ADVISORY COUNCIL ON HISTORIC PRESERVATION**

**SALARIES AND EXPENSES**

For necessary expenses of the Advisory Council on Historic Preservation (Public Law 89–665), $6,440,000.

**NATIONAL CAPITAL PLANNING COMMISSION**

**SALARIES AND EXPENSES**

For necessary expenses of the National Capital Planning Commission under chapter 87 of title 40, United States Code, including services as authorized by 5 U.S.C. 3109, $8,099,000: **Provided,** That one-quarter of 1 percent of the funds provided under this heading may be used for official reception and representational expenses associated with hosting international visitors engaged in the planning and physical development of world capitals.
UNITED STATES HOLOCAUST MEMORIAL MUSEUM

For expenses of the Holocaust Memorial Museum, as authorized by Public Law 106–292 (36 U.S.C. 2301–2310), $58,000,000, of which $1,715,000 shall remain available until September 30, 2021, for the Museum’s equipment replacement program; and of which $4,000,000 for the Museum’s repair and rehabilitation program and $1,264,000 for the Museum’s outreach initiatives program shall remain available until expended.

Dwight D. Eisenhower Memorial Commission

For necessary expenses of the Dwight D. Eisenhower Memorial Commission, $1,800,000, to remain available until expended.

Women’s Suffrage Centennial Commission

For necessary expenses for the Women’s Suffrage Centennial Commission, as authorized by the Women’s Suffrage Centennial Commission Act (section 431(a)(3) of division G of Public Law 115–31), $500,000, to remain available until expended.
WORLD WAR I CENTENNIAL COMMISSION

SALARIES AND EXPENSES

Notwithstanding section 9 of the World War I Centennial Commission Act, as authorized by the World War I Centennial Commission Act (Public Law 112–272) and the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291), for necessary expenses of the World War I Centennial Commission, $3,000,000, to remain available until expended: Provided, That in addition to the authority provided by section 6(g) of such Act, the World War I Commission may accept money, in-kind personnel services, contractual support, or any appropriate support from any executive branch agency for activities of the Commission.

TITLE IV

GENERAL PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

RESTRICTION ON USE OF FUNDS

Sec. 401. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which Congressional action is not complete other than to communicate to Members of Congress as described in 18 U.S.C. 1913.
OBLIGATION OF APPROPRIATIONS

Sec. 402. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

DISCLOSURE OF ADMINISTRATIVE EXPENSES

Sec. 403. The amount and basis of estimated overhead charges, deductions, reserves or holdbacks, including working capital fund and cost pool charges, from programs, projects, activities and subactivities to support government-wide, departmental, agency, or bureau administrative functions or headquarters, regional, or central operations shall be presented in annual budget justifications and subject to approval by the Committees on Appropriations of the House of Representatives and the Senate. Changes to such estimates shall be presented to the Committees on Appropriations for approval.

MINING APPLICATIONS

Sec. 404. (a) Limitation of Funds.—None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to accept or process applications for a patent for any mining or mill site claim located under the general mining laws.

(b) Exceptions.—Subsection (a) shall not apply if the Secretary of the Interior determines that, for the claim concerned (1) a patent application was filed with the Sec-
retary on or before September 30, 1994; and (2) all re-
quirements established under sections 2325 and 2326 of
the Revised Statutes (30 U.S.C. 29 and 30) for vein or
lode claims, sections 2329, 2330, 2331, and 2333 of the
Revised Statutes (30 U.S.C. 35, 36, and 37) for placer
claims, and section 2337 of the Revised Statutes (30
U.S.C. 42) for mill site claims, as the case may be, were
fully complied with by the applicant by that date.

(c) REPORT.—On September 30, 2020, the Secretary
of the Interior shall file with the House and Senate Com-
mittees on Appropriations and the Committee on Natural
Resources of the House and the Committee on Energy and
Natural Resources of the Senate a report on actions taken
by the Department under the plan submitted pursuant to
section 314(c) of the Department of the Interior and Re-
lated Agencies Appropriations Act, 1997 (Public Law
104–208).

(d) MINERAL EXAMINATIONS.—In order to process
patent applications in a timely and responsible manner,
upon the request of a patent applicant, the Secretary of
the Interior shall allow the applicant to fund a qualified
third-party contractor to be selected by the Director of the
Bureau of Land Management to conduct a mineral exam-
ination of the mining claims or mill sites contained in a
patent application as set forth in subsection (b). The Bu-
reau of Land Management shall have the sole responsibility to choose and pay the third-party contractor in accordance with the standard procedures employed by the Bureau of Land Management in the retention of third-party contractors.

**CONTRACT SUPPORT COSTS, PRIOR YEAR LIMITATION**


**CONTRACT SUPPORT COSTS, FISCAL YEAR 2019 LIMITATION**

Sec. 406. Amounts provided by this Act for fiscal year 2019 under the headings “Department of Health and Human Services, Indian Health Service, Contract Support Costs” and “Department of the Interior, Bureau of Indian Affairs and Bureau of Indian Education, Contract Support Costs” are the only amounts available for contract support costs arising out of self-determination or self-governance contracts, grants, compacts, or annual funding agreements for fiscal year 2019 with the Bureau of Indian Affairs or the Indian Health Service: Provided, That such amounts provided by this Act are not available for payment of claims for contract support costs for prior years,
or for repayments of payments for settlements or judgments awarding contract support costs for prior years.

FOREST MANAGEMENT PLANS

SEC. 407. The Secretary of Agriculture shall not be considered to be in violation of subparagraph 6(f)(5)(A) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604(f)(5)(A)) solely because more than 15 years have passed without revision of the plan for a unit of the National Forest System. Nothing in this section exempts the Secretary from any other requirement of the Forest and Rangeland Renewable Resources Planning Act (16 U.S.C. 1600 et seq.) or any other law: Provided, That if the Secretary is not acting expeditiously and in good faith, within the funding available, to revise a plan for a unit of the National Forest System, this section shall be void with respect to such plan and a court of proper jurisdiction may order completion of the plan on an accelerated basis.

PROHIBITION WITHIN NATIONAL MONUMENTS

SEC. 408. No funds provided in this Act may be expended to conduct preleasing, leasing and related activities under either the Mineral Leasing Act (30 U.S.C. 181 et seq.) or the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) within the boundaries of a National Monument established pursuant to the Act of June 8, 1906 (16
U.S.C. 431 et seq.) as such boundary existed on January 20, 2001, except where such activities are allowed under the Presidential proclamation establishing such monument.

LIMITATION ON TAKINGS

SEC. 409. Unless otherwise provided herein, no funds appropriated in this Act for the acquisition of lands or interests in lands may be expended for the filing of declarations of taking or complaints in condemnation without the approval of the House and Senate Committees on Appropriations: Provided, That this provision shall not apply to funds appropriated to implement the Everglades National Park Protection and Expansion Act of 1989, or to funds appropriated for Federal assistance to the State of Florida to acquire lands for Everglades restoration purposes.

TIMBER SALE REQUIREMENTS

SEC. 410. No timber sale in Alaska’s Region 10 shall be advertised if the indicated rate is deficit (defined as the value of the timber is not sufficient to cover all logging and stumpage costs and provide a normal profit and risk allowance under the Forest Service’s appraisal process) when appraised using a residual value appraisal. The western red cedar timber from those sales which is surplus to the needs of the domestic processors in Alaska, shall
be made available to domestic processors in the contiguous 48 United States at prevailing domestic prices. All additional western red cedar volume not sold to Alaska or contiguous 48 United States domestic processors may be exported to foreign markets at the election of the timber sale holder. All Alaska yellow cedar may be sold at prevailing export prices at the election of the timber sale holder.

PROHIBITION ON NO-BID CONTRACTS

SEC. 411. None of the funds appropriated or otherwise made available by this Act to executive branch agencies may be used to enter into any Federal contract unless such contract is entered into in accordance with the requirements of Chapter 33 of title 41, United States Code, or Chapter 137 of title 10, United States Code, and the Federal Acquisition Regulation, unless—

(1) Federal law specifically authorizes a contract to be entered into without regard for these requirements, including formula grants for States, or federally recognized Indian tribes;

(2) such contract is authorized by the Indian Self-Determination and Education Assistance Act (Public Law 93–638, 25 U.S.C. 450 et seq.) or by any other Federal laws that specifically authorize a contract within an Indian tribe as defined in section 4(e) of that Act (25 U.S.C. 450b(e)); or
(3) such contract was awarded prior to the date of enactment of this Act.

POSTING OF REPORTS

Sec. 412. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

(e) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

NATIONAL ENDOWMENT FOR THE ARTS GRANT

GUIDELINES

Sec. 413. Of the funds provided to the National Endowment for the Arts—

(1) The Chairperson shall only award a grant to an individual if such grant is awarded to such individual for a literature fellowship, National Herit-
age Fellowship, or American Jazz Masters Fellowship.

(2) The Chairperson shall establish procedures to ensure that no funding provided through a grant, except a grant made to a State or local arts agency, or regional group, may be used to make a grant to any other organization or individual to conduct activity independent of the direct grant recipient. Nothing in this subsection shall prohibit payments made in exchange for goods and services.

(3) No grant shall be used for seasonal support to a group, unless the application is specific to the contents of the season, including identified programs or projects.

NATIONAL ENDOWMENT FOR THE ARTS PROGRAM PRIORITIES

Sec. 414. (a) In providing services or awarding financial assistance under the National Foundation on the Arts and the Humanities Act of 1965 from funds appropriated under this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that serve underserved populations.

(b) In this section:
(1) The term “underserved population” means a population of individuals, including urban minori-
ties, who have historically been outside the purview of arts and humanities programs due to factors such as a high incidence of income below the poverty line or to geographic isolation.

(2) The term “poverty line” means the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved.

(c) In providing services and awarding financial as-
sistance under the National Foundation on the Arts and Humanities Act of 1965 with funds appropriated by this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing ser-
ices or awarding financial assistance for projects, produc-
tions, workshops, or programs that will encourage public knowledge, education, understanding, and appreciation of the arts.

(d) With funds appropriated by this Act to carry out section 5 of the National Foundation on the Arts and Hu-
nanities Act of 1965—
(1) the Chairperson shall establish a grant category for projects, productions, workshops, or programs that are of national impact or availability or are able to tour several States;

(2) the Chairperson shall not make grants exceeding 15 percent, in the aggregate, of such funds to any single State, excluding grants made under the authority of paragraph (1);

(3) the Chairperson shall report to the Congress annually and by State, on grants awarded by the Chairperson in each grant category under section 5 of such Act; and

(4) the Chairperson shall encourage the use of grants to improve and support community-based music performance and education.

STATUS OF BALANCES OF APPROPRIATIONS

Sec. 415. The Department of the Interior, the Environmental Protection Agency, the Forest Service, and the Indian Health Service shall provide the Committees on Appropriations of the House of Representatives and Senate quarterly reports on the status of balances of appropriations including all uncommitted, committed, and unobligated funds in each program and activity.
PROHIBITION ON USE OF FUNDS

Sec. 416. Notwithstanding any other provision of law, none of the funds made available in this Act or any other Act may be used to promulgate or implement any regulation requiring the issuance of permits under title V of the Clean Air Act (42 U.S.C. 7661 et seq.) for carbon dioxide, nitrous oxide, water vapor, or methane emissions resulting from biological processes associated with livestock production.

GREENHOUSE GAS REPORTING RESTRICTIONS

Sec. 417. Notwithstanding any other provision of law, none of the funds made available in this or any other Act may be used to implement any provision in a rule, if that provision requires mandatory reporting of greenhouse gas emissions from manure management systems.

FUNDING PROHIBITION

Sec. 418. None of the funds made available by this or any other Act may be used to regulate the lead content of ammunition, ammunition components, or fishing tackle under the Toxic Substances Control Act (15 U.S.C. 2601 et seq.) or any other law.

CONTRACTING AUTHORITIES

Sec. 419. Section 412 of Division E of Public Law 112–74 is amended by striking “fiscal year 2019” and inserting “fiscal year 2020”.

•HR 6147 EH
CHESAPEAKE BAY INITIATIVE

SEC. 420. Section 502(c) of the Chesapeake Bay Initiative Act of 1998 (Public Law 105–312; 16 U.S.C. 461 note) is amended by striking “2019” and inserting “2020”.

EXTENSION OF GRAZING PERMITS


FUNDING PROHIBITION

SEC. 422. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network is designed to block access to pornography websites.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

FOREST SERVICE FACILITY REALIGNMENT AND ENHANCEMENT ACT

580d note; Public Law 109–54) is amended by striking “2018” and inserting “2019”.

USE OF AMERICAN IRON AND STEEL

Sec. 424. (a)(1) None of the funds made available by a State water pollution control revolving fund as authorized by section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12) shall be used for a project for the construction, alteration, maintenance, or repair of a public water system or treatment works unless all of the iron and steel products used in the project are produced in the United States.

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

(b) Subsection (a) shall not apply in any case or category of cases in which the Administrator of the Environmental Protection Agency (in this section referred to as the “Administrator”) finds that—

(1) applying subsection (a) would be inconsistent with the public interest;
(2) iron and steel products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or (3) inclusion of iron and steel products produced in the United States will increase the cost of the overall project by more than 25 percent.

(e) If the Administrator receives a request for a waiver under this section, the Administrator shall make available to the public on an informal basis a copy of the request and information available to the Administrator concerning the request, and shall allow for informal public input on the request for at least 15 days prior to making a finding based on the request. The Administrator shall make the request and accompanying information available by electronic means, including on the official public Internet Web site of the Environmental Protection Agency.

(d) This section shall be applied in a manner consistent with United States obligations under international agreements.

(e) The Administrator may retain up to 0.25 percent of the funds appropriated in this Act for the Clean and Drinking Water State Revolving Funds for carrying out the provisions described in subsection (a)(1) for management and oversight of the requirements of this section.
MIDWAY ISLAND

SEC. 425. None of the funds made available by this Act may be used to destroy any buildings or structures on Midway Island that have been recommended by the United States Navy for inclusion in the National Register of Historic Places (54 U.S.C. 302101).

JOHN F. KENNEDY CENTER REAUTHORIZATION

SEC. 426. Section 13 of the John F. Kennedy Center Act (20 U.S.C. 76r) is amended by striking subsections (a) and (b) and inserting the following:

“(a) MAINTENANCE, REPAIR, AND SECURITY.—There is authorized to be appropriated to the Board to carry out section 4(a)(1)(H), $24,490,000 for fiscal year 2019.

“(b) CAPITAL PROJECTS.—There is authorized to be appropriated to the Board to carry out subparagraphs (F) and (G) of section 4(a)(1), $16,025,000 for fiscal year 2019.”.

LOCAL COOPERATOR TRAINING AGREEMENTS AND TRANSFERS OF EXCESS EQUIPMENT AND SUPPLIES FOR WILDFIRES

SEC. 427. The Secretary of the Interior is authorized to enter into grants and cooperative agreements with volunteer fire departments, rural fire departments, rangeland fire protection associations, and similar organizations to
provide for wildland fire training and equipment, including
supplies and communication devices. Notwithstanding
121(c) of title 40, United States Code, or section 521 of
title 40, United States Code, the Secretary is further au-
thorized to transfer title to excess Department of the Inte-
rior firefighting equipment no longer needed to carry out
the functions of the Department’s wildland fire manage-
ment program to such organizations.

RECREATION FEE

SEC. 428. Section 810 of the Federal Lands Recre-
ation Enhancement Act (16 U.S.C. 6809) is amended by
striking “September 30, 2019” and inserting “September
30, 2021”.

POLICIES RELATING TO BIOMASS ENERGY

SEC. 429. For fiscal year 2019 and each fiscal year
thereafter, to support the key role that forests in the
United States can play in addressing the energy needs of
the United States, the Secretary of Energy, the Secretary
of Agriculture, and the Administrator of the Environ-
mental Protection Agency shall, consistent with their mis-
sions, jointly—

(1) ensure that Federal policy relating to forest
bioenergy—

(A) is consistent across all Federal depart-
ments and agencies; and
(B) recognizes the full benefits of the use of forest biomass for energy, conservation, and responsible forest management; and

(2) establish clear and simple policies for the use of forest biomass as an energy solution, including policies that—

(A) reflect the carbon-neutrality of forest bioenergy and recognize biomass as a renewable energy source, provided the use of forest biomass for energy production does not cause conversion of forests to non-forest use.

(B) encourage private investment throughout the forest biomass supply chain, including in—

(i) working forests;
(ii) harvesting operations;
(iii) forest improvement operations;
(iv) forest bioenergy production;
(v) wood products manufacturing; or
(vi) paper manufacturing;

(C) encourage forest management to improve forest health; and

(D) recognize State initiatives to produce and use forest biomass.
CLARIFICATION OF EXEMPTIONS

SEC. 430. Notwithstanding section 404(f)(2) of the Federal Water Pollution Control Act (33 U.S.C. 1344(f)(2)), none of the funds made available by this Act may be used to require a permit for the discharge of dredged or fill material under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) for the activities identified in subparagraphs (A) and (C) of section 404(f)(1) of the Act (33 U.S.C. 1344(f)(1)(A), (C)).

WATERS OF THE UNITED STATES

SEC. 431. The final rule issued by the Administrator of the Environmental Protection Agency and the Secretary of the Army entitled “Clean Water Rule: ‘Definition of Waters of the United States’” (80 Fed. Reg. 37053 (June 29, 2015)) is repealed, and, until such time as the Administrator and the Secretary issue a final rule after the date of enactment of this Act defining the scope of waters protected under the Federal Water Pollution Control Act and such new final rule goes into effect, any regulation or policy revised under, or otherwise affected as a result of, the rule repealed by this section shall be applied as if that repealed rule had not been issued.

AGRICULTURAL NUTRIENTS

SEC. 432. None of the funds made available by this Act may be used by the Administrator of the Environ-
mental Protection Agency to issue any regulation under the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.) that applies to an animal feeding operation, including a concentrated animal feeding operation and a large concentrated animal feeding operation, as such terms are defined in section 122.23 of title 40, Code of Federal Regulations.

HUNTING, FISHING, AND RECREATIONAL SHOOTING ON FEDERAL LAND

SEC. 433. (a) LIMITATION ON USE OF FUNDS.—

None of the funds made available by this or any other Act for any fiscal year may be used to prohibit the use of or access to Federal land (as such term is defined in section 3 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6502)) for hunting, fishing, or recreational shooting if such use or access—

(1) was not prohibited on such Federal land as of January 1, 2013; and

(2) was conducted in compliance with the resource management plan (as defined in section 101 of such Act (16 U.S.C. 6511)) applicable to such Federal land as of January 1, 2013.

(b) TEMPORARY CLOSURES ALLOWED.—Notwithstanding subsection (a), the Secretary of the Interior or the Secretary of Agriculture may temporarily close, for a
period not to exceed 30 days, Federal land managed by 
the Secretary to hunting, fishing, or recreational shooting 
if the Secretary determines that the temporary closure is 
necessary to accommodate a special event or for public 
safety reasons. The Secretary may extend a temporary clo-
sure for one additional 90-day period only if the Secretary 
determines the extension is necessary because of extraor-
dinary weather conditions or for public safety reasons. 

(e) Authority of States.—Nothing in this section 
shall be construed as affecting the authority, jurisdiction, 
or responsibility of the several States to manage, control, 
or regulate fish and resident wildlife under State law or 

Availability of Vacant Grazing Allotments 

Sec. 434. The Secretary of the Interior, with respect 
to public lands administered by the Bureau of Land Man-
agement, and the Secretary of Agriculture, with respect 
to the National Forest System lands, shall make vacant 
grazing allotments available to a holder of a grazing per-
mitt or lease issued by either Secretary if the lands covered 
by the permit or lease or other grazing lands used by the 
holder of the permit or lease are unusable because of 
drought or wildfire, as determined by the Secretary con-
cerned. The terms and conditions contained in a permit 
or lease made available pursuant to this section shall be
the same as the terms and conditions of the most recent 
permit or lease that was applicable to the vacant grazing 
allotment made available. Section 102 of the National En-
vironmental Policy Act of 1969 (42 U.S.C. 4332) shall 
not apply with respect to any Federal agency action under 
this section.

INFRASTRUCTURE

SEC. 435. (a) For an additional amount for “Envi-
ronmental Protection Agency—Hazardous Substance 
Superfund”, $40,000,000, which shall be for the Super-
fund Remedial program, to remain available until ex-
pended, consisting of such sums as are available in the 
Trust Fund on September 30, 2018, as authorized by sec-
tion 517(a) of the Superfund Amendments and Reauthor-
ization Act of 1986 (SARA) and up to $40,000,000 as 
a payment from general revenues to the Hazardous Sub-
stance Superfund for purposes as authorized by section 
517(b) of SARA.

(b) For an additional amount for “Environmental 
Protection Agency—State and Tribal Assistance Grants,” 
$300,000,000 to remain available until expended, of 
which—

(1) $150,000,000 shall be for making capital-
ization grants for the Clean Water State Revolving
Funds under title VI of the Federal Water Pollution Control Act; and

(2) $150,000,000 shall be for making capitalization grants for the Drinking Water State Revolving Funds under section 1452 of the Safe Drinking Water Act.

(e) For an additional amount for “Environmental Protection Agency—Water Infrastructure Finance and Innovation Program Account”, $25,000,000, to remain available until expended, for the cost of direct loans, for the cost of guaranteed loans, and for administrative expenses to carry out the direct and guaranteed loan programs, of which $3,000,000, to remain available until September 30, 2020, may be used for such administrative expenses: Provided, That these additional funds are available to subsidize gross obligations for the principal amount of direct loans, including capitalized interest, and total loan principal, including capitalized interest, any part of which is to be guaranteed, not to exceed $2,683,000,000.

DIRECT HIRE AUTHORITY

Sec. 436. (a) For fiscal year 2019, the Secretary of Agriculture may appoint, without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code, other than sections 3303 and 3328 of such title, a qualified candidate described in subsection (b) directly
to a position with the United States Department of Agriculture, Forest Service for which the candidate meets Office of Personnel Management qualification standards.

(b) Subsection (a) applies to a former resource assistant (as defined in section 203 of the Public Land Corps Act (16 U.S.C. 1722)) who completed a rigorous undergraduate or graduate summer internship with a land managing agency, such as the Forest Service Resource Assistant Program; successfully fulfilled the requirements of the internship program; and subsequently earned an undergraduate or graduate degree from an accredited institution of higher education.

(c) The direct hire authority under this section may not be exercised with respect to a specific qualified candidate after the end of the two-year period beginning on the date on which the candidate completed the undergraduate or graduate degree, as the case may be.

CALIFORNIA WATER INFRASTRUCTURE

Sec. 437. Notwithstanding any other provision of law, the Final Environmental Impact Report/Final Environmental Impact Statement for the Bay Delta Conservation Plan/California Water Fix (81 Fed. Reg. 96485 (Dec. 30, 2016)) and any resulting agency decision, record of decision, or similar determination shall hereafter not be subject to judicial review under any Federal or State law.
LIMITATION ON USE OF FUNDS FOR TRANSPLANTATION OR INTRODUCTION OF GRIZZLY BEARS INTO NORTH CASCADES ECOSYSTEM

SEC. 438. None of the funds made available by this Act may be used for the transplantation or introduction of grizzly bears into the North Cascades Ecosystem.

MANAGEMENT OF WILD HORSES OR BURROS

SEC. 439. Notwithstanding the first section and section 2(d) of Public Law 92–195 (16 U.S.C. 1331 and 1332(d)), the Secretary of the Interior may hereafter manage any group of wild horses or burros as a non-reproducing or single-sex herd, in whole or in part, including through chemical or surgical sterilization.

MARBLED MURRELET LONG TERM CONSERVATION STRATEGY

SEC. 440. None of the funds made available by this Act may be used to approve, or require the development or implementation of, a Marbled Murrelet Long Term Conservation Strategy for the 1997 Washington State Trust Lands Habitat Conservation Plan that sets aside forested acres in excess of those identified as occupied habitat, existing old growth stands, stands that will become old growth within 70 years, and associated buffers.
LIMITATION ON JUDICIAL REVIEW OF CALIFORNIA WATER PROJECTS

SEC. 441. Notwithstanding any other provision of law, the Calfed Bay-Delta Authorization Act (title I of Public Law 108–361; 118 Stat. 1681), the water project described in chapter 5 of part 3 of division 6 of the California Water Code (sections 11550 et seq.) as in effect on the date of enactment of this Act and operated by the California Department of Water Resources, and all projects authorized by section 2 of the Act of August 26, 1937 (chapter 832; 50 Stat. 850) and all Acts amendatory or supplemental thereto, shall hereafter not be subject to judicial review.

OIL AND GAS ROYALTIES FROM ALASKA COASTAL PLAIN

SEC. 442. Section 20001(b) of Public Law 115–97 is amended—

(1) in paragraph (5)(A)—

(A) by striking “50” and inserting “47”; and

(B) by inserting before the semicolon “and

3 percent shall be deposited into the Fund established in section 6 of Public Law 92–203 to be divided and distributed in the same manner as ‘revenues’ pursuant to section 7 of such Act”; and

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(2) by adding at the end the following:

“(6) USE OF DISTRIBUTIONS.—Notwithstanding any other provision of law, amounts received as a distribution under paragraph (5)(A) shall be used for the purpose of providing for the social and economic needs of Natives (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602)).”.

REFERENCES TO ACT

Sec. 443. Except as expressly provided otherwise, any reference to “this Act” contained in this division shall be treated as referring only to the provisions of this division.

REFERENCES TO REPORT

Sec. 444. Any reference to a “report accompanying this Act” contained in this division shall be treated as a reference to House Report 115–765. The effect of such Report shall be limited to this division and shall apply for purposes of determining the allocation of funds provided by, and the implementation of, this division.

SPENDING REDUCTION ACCOUNT

Sec. 445. The amount by which the applicable allocation of new budget authority made by the Committee on Appropriations of the House of Representatives under sec-
tion 302(b) of the Congressional Budget Act of 1974 exceeds the amount of proposed new budget authority is $0.

Sec. 446. None of the funds made available by this Act may be used to terminate or restructure the Great Lakes Advisory Board, a Federal advisory committee chartered under the Federal Advisory Committee Act.

Sec. 447. There is appropriated for grants for lead reduction projects under section 1459B of the Safe Drinking Water Act (42 U.S.C. 300j–19b) $10,000,000, to be derived from a reduction of $10,000,000 in the amount provided in this Act under the heading “Environmental Protection Agency—Environmental Programs and Management”.

Sec. 448. None of the funds made available by this Act may be used to enforce the final rule entitled “Greenhouse Gas Emissions and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles—Phase 2” published in the Federal Register on October 25, 2016 (81 Fed. Reg. 73478 et seq.), with respect to trailers.

Sec. 449. None of the funds made available by this Act may be used to repeal section 105(a)(2) or section 105(b) of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note).

Sec. 450. None of the funds made available by this Act may be used by the Environmental Protection Agency
to hire or pay the salary of any officer or employee of
the Environmental Protection Agency under subsection (f)
or (g) of section 207 of the Public Health Service Act (42
U.S.C. 209) who is not already receiving pay under either
such subsection on the date of enactment of this Act.

LIMITATION

SEC. 451. None of the funds made available by this
Act may be used to require changes to an existing placer
mining plan of operations with regard to reclamation ac-
tivities, including revegetation, or to modify the bond re-
quirements for the mining operation.

SEC. 452. None of the funds made available by this
Act may be used to give formal notification under, or pre-
pare, propose, implement, administer, or enforce any rule
or recommendation pursuant to, section 115 of the Clean
Air Act (42 U.S.C. 7415).

SEC. 453. None of the funds made available by this
Act may be used in contravention of Federal Acquisition
Regulation 6.101(a) with respect to aviation helmets.

SEC. 454. None of the funds made available by this
act may be used by the Secretary to modify operations
of the New Melones reservoir authorized in section 10 of
the Flood Control Act of 1944 (58 Stat. 887, 901) for
the purposes of executing any component of the State
Water Resources Control Board of California’s Bay-Delta Water Quality Control Plan.

LIMITATION ON USE OF FUNDS TO RESTRICT CERTAIN USE OF GENETICALLY MODIFIED CROPS IN NATIONAL WILDLIFE REFUGES

Sec. 455. None of the funds made available by this Act may be used to enforce any prohibition or limitation of any kind in a cooperative agreement referred to in section 29.2 of title 50, Code of Federal Regulations, on the planting of genetically modified crops in a national wildlife refuge.

Sec. 456. None of the funds made available in this Act may be used to eliminate the Urban Wildlife Refuge Partnership.

Sec. 457. None of the funds made available in this Act may be used to limit outreach programs administered by the Smithsonian Institution.

Sec. 458. None of the funds made available by this Act may be used to enforce the final rule entitled “Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources” published by the Environmental Protection Agency in the Federal Register on June 3, 2016 (81 Fed. Reg. 35824).

Sec. 459. None of the funds made available by this Act may be used to prepare, propose, or promulgate any
regulation or guidance that references or relies on the analysis contained in—


Group on Social Cost of Carbon, United States Government, in July 2015;


SEC. 460. None of the funds made available by this Act may be used by the Administrator of the Environmental Protection Agency to implement, or to require the State of Washington to implement, the final rule entitled “Revision of Certain Federal Water Quality Criteria Applicable to Washington” published on November 28, 2016 (81 Fed. Reg. 85417).
LIMITATION ON USE OF FUNDS

Sec. 461. None of the funds made available by this Act may be used to implement or enforce the threatened species listing of the Preble’s meadow jumping mouse under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

LIMITATION ON USE OF FUNDS

Sec. 462. None of the funds made available by this Act may be used to implement or enforce the threatened species or endangered species listing of any plant or wildlife that has not undergone a review as required by section 4(c)(2) of the Endangered Species Act of 1973 (16 U.S.C. 1533(c)(2)).

Sec. 463. None of the funds made available by this Act may be used by the Environmental Protection Agency to take any of the actions described as a “backstop” in the December 29, 2009, letter from EPA’s Regional Administrator to the States in the Watershed and the District of Columbia in response to the development or implementation of a State’s watershed implementation and referred to in enclosure B of such letter.

LIMITATION ON USE OF FUNDS

Sec. 464. None of the funds made available by this Act shall be used to draft, propose, finalize, implement, enforce, or carry out any rulemaking on the lesser prairie-

Sec. 465. None of the funds made available by this Act may be used to pay attorney’s fees pursuant to a settlement in any case, in which the Federal Government is a party, that arises under—

(1) the Clean Air Act (42 U.S.C. 7401 et seq.);

(2) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); or

(3) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

This division may be cited as the “Department of the Interior, Environment, and Related Agencies Appropriations Act, 2019”.

**DIVISION B—FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2019**

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2019, and for other purposes, namely:
TITLE I

DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

For necessary expenses of the Departmental Offices including operation and maintenance of the Treasury Building and Freedman’s Bank Building; hire of passenger motor vehicles; maintenance, repairs, and improvements of, and purchase of commercial insurance policies for, real properties leased or owned overseas, when necessary for the performance of official business; executive direction program activities; international affairs and economic policy activities; domestic finance and tax policy activities, including technical assistance to Puerto Rico; and Treasury-wide management policies and programs activities, $208,751,000 (reduced by $100,000) (increased by $100,000): Provided, That of the amount appropriated under this heading—

(1) not to exceed $700,000 is for official reception and representation expenses, of which necessary amounts shall be available for expenses to support activities of the Financial Action Task Force, and not to exceed $350,000 shall be available for other official reception and representation expenses;
(2) not to exceed $258,000 is for unforeseen emergencies of a confidential nature to be allocated and expended under the direction of the Secretary of the Treasury and to be accounted for solely on the Secretary’s certificate; and

(3) not to exceed $24,000,000 shall remain available until September 30, 2020, for—

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

(B) information technology modernization requirements;

(C) the audit, oversight, and administration of the Gulf Coast Restoration Trust Fund;

(D) the development and implementation of programs within the Office of Critical Infrastructure Protection and Compliance Policy, including entering into cooperative agreements;

(E) operations and maintenance of facilities; and

(F) international operations.

OFFICE OF TERRORISM AND FINANCIAL INTELLIGENCE

SALARIES AND EXPENSES

For the necessary expenses of the Office of Terrorism and Financial Intelligence to safeguard the financial system against illicit use and to combat rogue nations, ter-
rorist facilitators, weapons of mass destruction, proliferators, money launderers, drug kingpins, and other national security threats, $161,000,000: Provided, That of the amounts appropriated under this heading, up to $10,000,000 shall remain available until September 30, 2020.

CYBERSECURITY ENHANCEMENT ACCOUNT

For salaries and expenses for enhanced cybersecurity for systems operated by the Department of the Treasury, $25,208,000, to remain available until September 30, 2021: Provided, That such funds shall supplement and not supplant any other amounts made available to the Treasury offices and bureaus for cybersecurity: Provided further, That the Chief Information Officer of the individual offices and bureaus shall submit a spend plan for each investment to the Treasury Chief Information Officer for approval: Provided further, That the submitted spend plan shall be reviewed and approved by the Treasury Chief Information Officer prior to the obligation of funds under this heading: Provided further, That of the total amount made available under this heading $1,000,000 shall be available for administrative expenses for the Treasury Chief Information Officer to provide oversight of the investments made under this heading: Provided further, That such funds shall supplement and not supplant any
other amounts made available to the Treasury Chief Information Officer.

DEPARTMENT-WIDE SYSTEMS AND CAPITAL INVESTMENTS PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For development and acquisition of automatic data processing equipment, software, and services and for repairs and renovations to buildings owned by the Department of the Treasury, $8,000,000, to remain available until September 30, 2021: Provided, That these funds shall be transferred to accounts and in amounts as necessary to satisfy the requirements of the Department’s offices, bureaus, and other organizations: Provided further, That this transfer authority shall be in addition to any other transfer authority provided in this Act: Provided further, That none of the funds appropriated under this heading shall be used to support or supplement “Internal Revenue Service, Operations Support” or “Internal Revenue Service, Business Systems Modernization”.

FUND FOR AMERICA’S KIDS AND GRANDKIDS

There is established in the Treasury a fund to be known as the “Fund for America’s Kids and Grandkids” (the “Fund”): Provided, That in addition to amounts otherwise made available by this Act, there is appropriated to the Fund $585,000,000 for the sole purpose of govern-
ment efficiencies: Provided further, That amounts in the
Fund may not be obligated until after the date that the
Secretary of the Treasury certifies in the annual Financial
Report of the United States Government that the Federal
budget deficit equals $0 or that there is a budget surplus:
Provided further, That no amounts may be transferred
from the Fund.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector
General in carrying out the provisions of the Inspector
General Act of 1978, $37,044,000, including hire of pas-
senger motor vehicles; of which not to exceed $100,000
shall be available for unforeseen emergencies of a con-
fidential nature, to be allocated and expended under the
direction of the Inspector General of the Treasury; of
which up to $2,800,000 to remain available until Sep-
tember 30, 2020, shall be for audits and investigations
conducted pursuant to section 1608 of the Resources and
Ecosystems Sustainability, Tourist Opportunities, and Re-
vived Economies of the Gulf Coast States Act of 2012 (33
U.S.C. 1321 note); and of which not to exceed $1,000
shall be available for official reception and representation
expenses.
TREASURY INSPECTOR GENERAL FOR TAX
ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Treasury Inspector General for Tax Administration in carrying out the Inspector General Act of 1978, as amended, including purchase and hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services authorized by 5 U.S.C. 3109, at such rates as may be determined by the Inspector General for Tax Administration; $170,834,000, of which $5,000,000 shall remain available until September 30, 2020; of which not to exceed $6,000,000 shall be available for official travel expenses; of which not to exceed $500,000 shall be available for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General for Tax Administration; and of which not to exceed $1,500 shall be available for official reception and representation expenses.

SPECIAL INSPECTOR GENERAL FOR THE TROUBLED ASSET RELIEF PROGRAM

SALARIES AND EXPENSES

FINANCIAL CRIMES ENFORCEMENT NETWORK

For necessary expenses of the Financial Crimes Enforcement Network, including hire of passenger motor vehicles; travel and training expenses of non-Federal and foreign government personnel to attend meetings and training concerned with domestic and foreign financial intelligence activities, law enforcement, and financial regulation; services authorized by 5 U.S.C. 3109; not to exceed $12,000 for official reception and representation expenses; and for assistance to Federal law enforcement agencies, with or without reimbursement, $117,800,000, of which not to exceed $34,335,000 shall remain available until September 30, 2021.

BUREAU OF THE FISCAL SERVICE

For necessary expenses of operations of the Bureau of the Fiscal Service, $338,280,000; of which not to exceed $4,210,000, to remain available until September 30, 2021, is for information systems modernization initiatives; and of which $5,000 shall be available for official reception and representation expenses.

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

**Alcohol and Tobacco Tax and Trade Bureau**

**Salaries and Expenses**

For necessary expenses of carrying out section 1111 of the Homeland Security Act of 2002, including hire of passenger motor vehicles, $123,527,000; of which not to exceed $6,000 for official reception and representation expenses; and of which not to exceed $50,000 shall be available for cooperative research and development programs for laboratory services; and provision of laboratory assistance to State and local agencies with or without reimbursement: Provided, That of the amount appropriated under this heading, $5,000,000 shall be for the costs of accelerating the processing of formula and label applications: Provided further, That of the amount appropriated under this heading, $5,000,000, to remain available until September 30, 2020, shall be for the costs associated with enforcement of the trade practice provisions of the Federal Alcohol Administration Act (27 U.S.C. 201 et seq.).

**United States Mint**

**United States Mint Public Enterprise Fund**

Pursuant to section 5136 of title 31, United States Code, the United States Mint is provided funding through the United States Mint Public Enterprise Fund for costs
associated with the production of circulating coins, numismatic coins, and protective services, including both operating expenses and capital investments: Provided, That the aggregate amount of new liabilities and obligations incurred during fiscal year 2019 under such section 5136 for circulating coinage and protective service capital investments of the United States Mint shall not exceed $30,000,000.

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS

FUND PROGRAM ACCOUNT

To carry out the Riegle Community Development and Regulatory Improvements Act of 1994 (subtitle A of title I of Public Law 103–325), including services authorized by section 3109 of title 5, United States Code, but at rates for individuals not to exceed the per diem rate equivalent to the rate for EX–3, $216,000,000 (increased by $2,000,000) (increased by $5,000,000). Of the amount appropriated under this heading—

(1) not less than $121,000,000 (increased by $17,000,000), notwithstanding section 108(e) of Public Law 103–325 (12 U.S.C. 4707(e)) with regard to Small and/or Emerging Community Development Financial Institutions Assistance awards, is available until September 30, 2019, for financial assistance, technical assistance, training, and outreach...
under subparagraphs (A) and (B) of section 108(a)(1), respectively, of Public Law 103–325 (12 U.S.C. 4707(a)(1)(A) and (B)), of which up to $2,527,250 may be used for the cost of direct loans, and of which up to $3,000,000, notwithstanding subsection (d) of section 108 of Public Law 103–325 (12 U.S.C. 4707 (d)), may be available to provide financial assistance, technical assistance, training, and outreach to community development financial institutions to expand investments that benefit individuals with disabilities: Provided, That the cost of direct and guaranteed loans, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $25,000,000; Provided further, That with regard to financial assistance awards made pursuant to this paragraph, excluding those made to community development financial institutions to expand investments that benefit individuals with disabilities, priority shall be placed on providing assistance to community development financial institutions that have provided no less than 15 percent of their total financial products to recipients.
in persistent poverty counties, as measured by a three year average of their activity;

(2) not less than $13,000,000 (increased by $2,000,000) (increased by $1,000,000), notwithstanding section 108(e) of Public Law 103–325 (12 U.S.C. 4707(e)), is available until September 30, 2019, for financial assistance, technical assistance, training, and outreach programs designed to benefit Native American, Native Hawaiian, and Alaska Native communities and provided primarily through qualified community development lender organizations with experience and expertise in community development banking and lending in Indian country, Native American organizations, tribes and tribal organizations, and other suitable providers;

(3) not less than $19,000,000 (increased by $4,000,000) is available until September 30, 2020, for the Bank Enterprise Award program;

(4) not less than $15,000,000 (increased by $3,000,000), notwithstanding subsections (d) and (e) of section 108 of Public Law 103–325 (12 U.S.C. 4707(d) and (e)), is available until September 30, 2019, for a Healthy Food Financing Initiative to provide financial assistance, technical assistance, training, and outreach to community develop-
opment financial institutions for the purpose of offering affordable financing and technical assistance to expand the availability of healthy food options in distressed communities;

(5) up to $23,000,000 is available until September 30, 2019, for administrative expenses, including administration of CDFI fund programs and the New Markets Tax Credit Program, of which not less than $1,000,000 is for development of tools to better assess and inform CDFI investment performance, and up to $300,000 is for administrative expenses to carry out the direct loan program; and

(6) during fiscal year 2019, none of the funds available under this heading are available for the cost, as defined in section 502 of the Congressional Budget Act of 1974, of commitments to guarantee bonds and notes under section 114A of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4713a): Provided, That commitments to guarantee bonds and notes under such section 114A shall not exceed $500,000,000: Provided further, That such section 114A shall remain in effect until December 31, 2019: Provided further, That of the funds awarded under this heading, not less than 10 percent shall be
used for awards that support investments that serve populations living in persistent poverty counties:

Provided further, That for the purposes of this paragraph and paragraph (1) above, the term “persistent poverty counties” means any county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1990 and 2000 decennial censuses and the 2011–2015 5-year data series available from the American Community Survey of the Census Bureau.

INTERNAL REVENUE SERVICE

TAXPAYER SERVICES

For necessary expenses of the Internal Revenue Service to provide taxpayer services, including pre-filing assistance and education, filing and account services, taxpayer advocacy services, and other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $2,491,554,000, of which not less than $8,890,000 (increased by $1,000,000) shall be for the Tax Counseling for the Elderly Program, of which not less than $12,000,000 shall be available for low-income taxpayer clinic grants, and of which not less than $15,000,000, to remain available until September 30, 2020, shall be available for a Community Volunteer Income Tax Assistance matching grants program for tax re-
turn preparation assistance; of which not less than
$207,000,000 shall be available for operating expenses of
the Taxpayer Advocate Service: Provided, That of the
amounts made available for the Taxpayer Advocate Serv-
ice, not less than $5,000,000 (increased by $500,000)
shall be for identity theft and refund fraud casework.

ENFORCEMENT

For necessary expenses for tax enforcement activities
of the Internal Revenue Service to determine and collect
owed taxes, to provide legal and litigation support, to con-
duct criminal investigations, to enforce criminal statutes
related to violations of internal revenue laws and other fi-
nancial crimes, to purchase and hire passenger motor vehi-
cles (31 U.S.C. 1343(b)), and to provide other services
as authorized by 5 U.S.C. 3109, at such rates as may be
determined by the Commissioner, $4,860,000,000, of
which not to exceed $50,000,000 shall remain available
until September 30, 2020, and of which not less than
$60,257,000 shall be for the Interagency Crime and Drug
Enforcement program.

OPERATIONS SUPPORT

For necessary expenses of the Internal Revenue Serv-
ice to support taxpayer services and enforcement pro-
grams, including rent payments; facilities services; print-
ing; postage; physical security; headquarters and other
IRS-wide administration activities; research and statistics of income; telecommunications; information technology development, enhancement, operations, maintenance, and security; the hire of passenger motor vehicles (31 U.S.C. 1343(b)); the operations of the Internal Revenue Service Oversight Board; and other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner; $3,988,000,000, of which not to exceed $50,000,000 shall remain available until September 30, 2020; of which not to exceed $10,000,000 shall remain available until expended for acquisition of equipment and construction, repair and renovation of facilities; of which not to exceed $1,000,000 shall remain available until September 30, 2020, for research; of which not to exceed $20,000 shall be for official reception and representation expenses: Provided, That not later than 30 days after the end of each quarter, the Internal Revenue Service shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate and the Comptroller General of the United States detailing the cost and schedule performance for its major information technology investments, including the purpose and life-cycle stages of the investments; the reasons for any cost and schedule variances; the risks of such investments and strategies the Internal Revenue Service is using to miti-
gate such risks; and the expected developmental mile-
stones to be achieved and costs to be incurred in the next
quarter: Provided further, That the Internal Revenue Serv-
ice shall include, in its budget justification for fiscal year
2020, a summary of cost and schedule performance infor-
mation for its major information technology systems.

BUSINESS SYSTEMS MODERNIZATION

For necessary expenses of the Internal Revenue Serv-
ice’s business systems modernization program,
$200,000,000, to remain available until September 30,
2021, for the capital asset acquisition of information tech-
nology systems, including management and related con-
tractual costs of said acquisitions, including related Intern-
al Revenue Service labor costs, and contractual costs as-
associated with operations authorized by 5 U.S.C. 3109:
Provided, That not later than 30 days after the end of
each quarter, the Internal Revenue Service shall submit
a report to the Committees on Appropriations of the
House of Representatives and the Senate and the Com-
troller General of the United States detailing the cost and
schedule performance for major information technology in-
vestments, including the purposes and life-cycle stages of
the investments; the reasons for any cost and schedule
variances; the risks of such investments and the strategies
the Internal Revenue Service is using to mitigate such
risks; and the expected developmental milestones to be achieved and costs to be incurred in the next quarter.

ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE

(INCLUDING TRANSFERS OF FUNDS)

Sec. 101. Not to exceed 5 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to any other Internal Revenue Service appropriation upon the advance approval of the Committees on Appropriations.

Sec. 102. The Internal Revenue Service shall maintain an employee training program, which shall include the following topics: taxpayers’ rights, dealing courteously with taxpayers, cross-cultural relations, ethics, and the impartial application of tax law.

Sec. 103. The Internal Revenue Service shall institute and enforce policies and procedures that will safeguard the confidentiality of taxpayer information and protect taxpayers against identity theft.

Sec. 104. Funds made available by this or any other Act to the Internal Revenue Service shall be available for improved facilities and increased staffing to provide sufficient and effective 1–800 help line service for taxpayers. The Commissioner shall continue to make improvements to the Internal Revenue Service 1–800 help line service
a priority and allocate resources necessary to enhance the
response time to taxpayer communications, particularly
with regard to victims of tax-related crimes.

Sec. 105. The Internal Revenue Service shall issue
a notice of confirmation of any address change relating
to an employer making employment tax payments, and
such notice shall be sent to both the employer’s former
and new address and an officer or employee of the Internal
Revenue Service shall give special consideration to an
offer-in-compromise from a taxpayer who has been the vic-
tim of fraud by a third party payroll tax preparer.

Sec. 106. None of the funds made available under
this Act may be used by the Internal Revenue Service to
target citizens of the United States for exercising any
right guaranteed under the First Amendment to the Con-
stitution of the United States.

Sec. 107. None of the funds made available in this
Act may be used by the Internal Revenue Service to target
groups for regulatory scrutiny based on their ideological
beliefs.

Sec. 108. None of funds made available by this Act
to the Internal Revenue Service shall be obligated or ex-
pended on conferences that do not adhere to the proce-
dures, verification processes, documentation requirements,
and policies issued by the Chief Financial Officer, Human

Sec. 109. None of the funds made available in this Act to the Internal Revenue Service may be obligated or expended—

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

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

Sec. 110. None of the funds made available by this Act may be used in contravention of section 6103 of the Internal Revenue Code of 1986 (relating to confidentiality and disclosure of returns and return information).

Sec. 111. Except to the extent provided in section 6014, 6020, or 6201(d) of the Internal Revenue Code of 1986, no funds in this or any other Act shall be available to the Secretary of the Treasury to provide to any person a proposed final return or statement for use by such per-
son to satisfy a filing or reporting requirement under such Code.

SEC. 112. None of the funds made available by this Act may be used by the Internal Revenue Service to deny tax exemption under section 501(a) of the Internal Revenue Code of 1986 with respect to a church, an integrated auxiliary of a church, or a convention or association of churches for participating in, or intervening in, any political campaign on behalf of (or in opposition to) any candidate for public office unless—

(1) the Commissioner of Internal Revenue determines that the exemption should be denied;

(2) not later than 30 days after such determination, the Commissioner notifies the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate of such determination; and

(3) such denial is effective not earlier than 90 days after the date of the notification under paragraph (2).

SEC. 113. In addition to the amounts otherwise made available in this Act for the Internal Revenue Service, $77,000,000, to be available until September 30, 2020, shall be transferred by the Commissioner to the “Taxpayer Services”, “Enforcement”, or “Operations Support”
accounts of the Internal Revenue Service for an additional amount to be used solely for carrying out Public Law 115–97: Provided, That such funds shall not be available until the Commissioner submits to the Committees on Appropriations of the House of Representatives and the Senate a spending plan for such funds.

ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE TREASURY

(INCLUDING TRANSFERS OF FUNDS)

SEC. 114. Appropriations to the Department of the Treasury in this Act shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning; purchase of insurance for official motor vehicles operated in foreign countries; purchase of motor vehicles without regard to the general purchase price limitations for vehicles purchased and used overseas for the current fiscal year; entering into contracts with the Department of State for the furnishing of health and medical services to employees and their dependents serving in foreign countries; and services authorized by 5 U.S.C. 3109.

SEC. 115. Not to exceed 2 percent of any appropriations in this title made available under the headings “Departmental Offices—Salaries and Expenses”, “Office of Inspector General”, “Special Inspector General for the
Troubled Asset Relief Program”, “Financial Crimes Enforcement Network”, “Bureau of the Fiscal Service”, and “Alcohol and Tobacco Tax and Trade Bureau” may be transferred between such appropriations upon the advance approval of the Committees on Appropriations of the House of Representatives and the Senate: Provided, That no transfer under this section may increase or decrease any such appropriation by more than 2 percent.

SEC. 116. Not to exceed 2 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to the Treasury Inspector General for Tax Administration’s appropriation upon the advance approval of the Committees on Appropriations of the House of Representatives and the Senate: Provided, That no transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 117. None of the funds appropriated in this Act or otherwise available to the Department of the Treasury or the Bureau of Engraving and Printing may be used to redesign the $1 Federal Reserve note.

SEC. 118. The Secretary of the Treasury may transfer funds from the “Bureau of the Fiscal Service-Salaries and Expenses” to the Debt Collection Fund as necessary to cover the costs of debt collection: Provided, That such amounts shall be reimbursed to such salaries and expenses.
account from debt collections received in the Debt Collection Fund.

SEC. 119. None of the funds appropriated or otherwise made available by this or any other Act may be used by the United States Mint to construct or operate any museum without the explicit approval of the Committees on Appropriations of the House of Representatives and the Senate, the House Committee on Financial Services, and the Senate Committee on Banking, Housing, and Urban Affairs.

SEC. 120. None of the funds appropriated or otherwise made available by this or any other Act or source to the Department of the Treasury, the Bureau of Engraving and Printing, and the United States Mint, individually or collectively, may be used to consolidate any or all functions of the Bureau of Engraving and Printing and the United States Mint without the explicit approval of the House Committee on Financial Services; the Senate Committee on Banking, Housing, and Urban Affairs; and the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 121. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for the Department of the Treasury’s intelligence or intelligence related activities are deemed to be specifically authorized by
the Congress for purposes of section 504 of the National
Security Act of 1947 (50 U.S.C. 414) during fiscal year
2019 until the enactment of the Intelligence Authorization
Act for Fiscal Year 2019.

SEC. 122. Not to exceed $5,000 shall be made avail-
able from the Bureau of Engraving and Printing’s Indus-
trial Revolving Fund for necessary official reception and
representation expenses.

SEC. 123. The Secretary of the Treasury shall submit
a Capital Investment Plan to the Committees on Approp-
riations of the Senate and the House of Representatives
not later than 30 days following the submission of the an-
nual budget submitted by the President: Provided, That
such Capital Investment Plan shall include capital invest-
ment spending from all accounts within the Department
of the Treasury, including but not limited to the Depart-
ment-wide Systems and Capital Investment Programs ac-
count, Treasury Franchise Fund account, and the Treas-
ury Forfeiture Fund account: Provided further, That such
Capital Investment Plan shall include expenditures occur-
ing in previous fiscal years for each capital investment
project that has not been fully completed.

SEC. 124. Within 45 days after the date of enactment
of this Act, the Secretary of the Treasury shall submit
an itemized report to the Committees on Appropriations
of the House of Representatives and the Senate on the amount of total funds charged to each office by the Franchise Fund including the amount charged for each service provided by the Franchise Fund to each office, a detailed description of the services, a detailed explanation of how each charge for each service is calculated, and a description of the role customers have in governing in the Franchise Fund.

Sec. 125. During fiscal year 2019—

(1) none of the funds made available in this or any other Act may be used by the Department of the Treasury, including the Internal Revenue Service, to issue, revise, or finalize any regulation, revenue ruling, or other guidance not limited to a particular taxpayer relating to the standard which is used to determine whether an organization is operated exclusively for the promotion of social welfare for purposes of section 501(c)(4) of the Internal Revenue Code of 1986 (including the proposed regulations published at 78 Fed. Reg. 71535 (November 29, 2013)); and

(2) the standard and definitions as in effect on January 1, 2010, which are used to make such determinations shall apply after the date of the enactment of this Act for purposes of determining status
under section 501(c)(4) of such Code of organizations created on, before, or after such date.

SEC. 126. (a) Not later than 60 days after the end of each quarter, the Office of Financial Stability and the Office of Financial Research shall submit reports on their activities to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Financial Services of the House of Representatives and the Senate Committee on Banking, Housing, and Urban Affairs.

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

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

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

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

(4) the estimated number of full-time equivalents within each office for the remainder of the fiscal year; and

(5) actions taken to achieve the goals, objectives, and performance measures of each office.

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

SEC. 127. Amounts made available under the heading “Office of Terrorism and Financial Intelligence” shall be available to reimburse the “Departmental Offices—Salaries and Expenses” account for expenses incurred in such account for reception and representation expenses to support activities of the Financial Action Task Force.

SEC. 128. (a) None of the funds made available by this Act may be used to approve, license, facilitate, authorize, or otherwise allow the use, purchase, trafficking, or import of property confiscated by the Cuban Government.

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

SEC. 129. (a) None of the funds made available in this Act may be used to authorize a general license or approve a specific license under section 501.801 or 515.527 of title 31, Code of Federal Regulations, with respect to a mark, trade name, or commercial name that is the same as or substantially similar to a mark, trade name, or com-
mercials that were used in connection with a business or assets that were confiscated unless the original owner of the mark, trade name, or commercial name, or the bona-fide successor-in-interest has expressly consented.

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

SEC. 130. None of the funds appropriated or otherwise made available in this Act may be obligated or expended to provide for the enforcement of any rule, regulation, policy, or guideline implemented pursuant to the Department of the Treasury “Guidance for United States Positions on MDBs Engaging with Developing Countries on Coal-Fired Power Generation” dated October 29, 2013, when enforcement of such rule, regulation, policy, or guideline would prohibit or have the effect of prohibiting, the carrying out of any coal-fired or other power generation project the purpose of which is to increase exports of goods and services from the United States or prevent the loss of jobs from the United States.

SEC. 131. (a) Not later than 60 days after the end of each quarter, the Office of Financial Stability and the Office of Financial Research shall submit reports on their activities to the Committees on Appropriations of the
House of Representatives and the Senate, the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate.

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

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

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

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

(4) the estimated number of full-time equivalents within each office for the remainder of the fiscal year; and

(5) actions taken to achieve the goals, objectives, and performance measures of each office.

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

Sec. 132. During fiscal year 2019, the Office of Financial Research shall provide for a public notice period
of not less than 90 days before issuing any proposed report, rule, or regulation.

SEC. 133. (a) Section 155 of Public Law 111–203 is amended as follows:

(1) In subsection (b)—

(A) in paragraph (1)—

(i) by striking “immediately”; and

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

(B) by striking paragraph (2); and

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

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

(b) The amendments made by subsection (a) shall take effect on October 1, 2019.

This title may be cited as the “Department of the Treasury Appropriations Act, 2019”.

TITLE II

EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

THE WHITE HOUSE

SALARIES AND EXPENSES

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

**EXECUTIVE RESIDENCE AT THE WHITE HOUSE**

**OPERATING EXPENSES**

For necessary expenses of the Executive Residence
at the White House, $13,081,000, to be expended and ac-
counted for as provided by 3 U.S.C. 105, 109, 110, and
112–114.

**REIMBURSABLE EXPENSES**

For the reimbursable expenses of the Executive Resi-
dence at the White House, such sums as may be nec-
essary: *Provided*, That all reimbursable operating expenses
of the Executive Residence shall be made in accordance
with the provisions of this paragraph: *Provided further,*
That, notwithstanding any other provision of law, such
amount for reimbursable operating expenses shall be the
exclusive authority of the Executive Residence to incur ob-
ligations and to receive offsetting collections, for such ex-
penses: Provided further, That the Executive Residence
shall require each person sponsoring a reimbursable polit-
ical event to pay in advance an amount equal to the esti-
mated cost of the event, and all such advance payments
shall be credited to this account and remain available until
expended: Provided further, That the Executive Residence
shall require the national committee of the political party
of the President to maintain on deposit $25,000, to be
separately accounted for and available for expenses relat-
ing to reimbursable political events sponsored by such
committee during such fiscal year: Provided further, That
the Executive Residence shall ensure that a written notice
of any amount owed for a reimbursable operating expense
under this paragraph is submitted to the person owing
such amount within 60 days after such expense is in-
curred, and that such amount is collected within 30 days
after the submission of such notice: Provided further, That
the Executive Residence shall charge interest and assess
penalties and other charges on any such amount that is
not reimbursed within such 30 days, in accordance with
the interest and penalty provisions applicable to an out-
standing debt on a United States Government claim under
31 U.S.C. 3717: Provided further, That each such amount
that is reimbursed, and any accompanying interest and charges, shall be deposited in the Treasury as miscellaneous receipts: *Provided further*, That the Executive Residence shall prepare and submit to the Committees on Appropriations, by not later than 90 days after the end of the fiscal year covered by this Act, a report setting forth the reimbursable operating expenses of the Executive Residence during the preceding fiscal year, including the total amount of such expenses, the amount of such total that consists of reimbursable official and ceremonial events, the amount of such total that consists of reimbursable political events, and the portion of each such amount that has been reimbursed as of the date of the report: *Provided further*, That the Executive Residence shall maintain a system for the tracking of expenses related to reimbursable events within the Executive Residence that includes a standard for the classification of any such expense as political or nonpolitical: *Provided further*, That no provision of this paragraph may be construed to exempt the Executive Residence from any other applicable requirement of subchapter I or II of chapter 37 of title 31, United States Code.

**WHITE HOUSE REPAIR AND RESTORATION**

For the repair, alteration, and improvement of the Executive Residence at the White House pursuant to 3
U.S.C. 105(d), $750,000, to remain available until expended, for required maintenance, resolution of safety and health issues, and continued preventative maintenance.

**COUNCIL OF ECONOMIC ADVISERS**

**SALARIES AND EXPENSES**


**NATIONAL SECURITY COUNCIL AND HOMELAND SECURITY COUNCIL**

**SALARIES AND EXPENSES**

For necessary expenses of the National Security Council and the Homeland Security Council, including services as authorized by 5 U.S.C. 3109, $13,000,000.

**OFFICE OF ADMINISTRATION**

**SALARIES AND EXPENSES**

For necessary expenses of the Office of Administration, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, and hire of passenger motor vehicles, $100,000,000, of which not to exceed $12,800,000 shall remain available until expended for continued modernization of information resources within the Executive Office of the President.
For necessary expenses of the Office of Management and Budget, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, to carry out the provisions of chapter 35 of title 44, United States Code, and to prepare and submit the budget of the United States Government, in accordance with section 1105(a) of title 31, United States Code, $103,000,000, of which not to exceed $3,000 shall be available for official representation expenses: Provided, That none of the funds appropriated in this Act for the Office of Management and Budget may be used for the purpose of reviewing any agricultural marketing orders or any activities or regulations under the provisions of the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601 et seq.): Provided further, That none of the funds made available for the Office of Management and Budget by this Act may be expended for the altering of the transcript of actual testimony of witnesses, except for testimony of officials of the Office of Management and Budget, before the Committees on Appropriations or their subcommittees: Provided further, That none of the funds made available for the Office of Management and Budget by this Act may be expended for the altering of the annual work plan developed by the
Corps of Engineers for submission to the Committees on Appropriations: *Provided further*, That of the funds made available for the Office of Management and Budget by this Act, no less than three full-time equivalent senior staff position shall be dedicated solely to the Office of the Intellectual Property Enforcement Coordinator: *Provided further*, That none of the funds provided in this or prior Acts shall be used, directly or indirectly, by the Office of Management and Budget, for evaluating or determining if water resource project or study reports submitted by the Chief of Engineers acting through the Secretary of the Army are in compliance with all applicable laws, regulations, and requirements relevant to the Civil Works water resource planning process: *Provided further*, That the Office of Management and Budget shall have not more than 60 days in which to perform budgetary policy reviews of water resource matters on which the Chief of Engineers has reported: *Provided further*, That the Director of the Office of Management and Budget shall notify the appropriate authorizing and appropriating committees when the 60-day review is initiated: *Provided further*, That if water resource reports have not been transmitted to the appropriate authorizing and appropriating committees within 15 days after the end of the Office of Management and Budget review period based on the notification from the
Director, Congress shall assume Office of Management and Budget concurrence with the report and act accordingly.

OFFICE OF NATIONAL DRUG CONTROL POLICY

SALARIES AND EXPENSES

For necessary expenses of the Office of National Drug Control Policy; for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109–469); not to exceed $10,000 for official reception and representation expenses; and for participation in joint projects or in the provision of services on matters of mutual interest with nonprofit, research, or public organizations or agencies, with or without reimbursement, $17,400,000: Provided, That the Office is authorized to accept, hold, administer, and utilize gifts, both real and personal, public and private, without fiscal year limitation, for the purpose of aiding or facilitating the work of the Office.

FEDERAL DRUG CONTROL PROGRAMS

HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of National Drug Control Policy’s High Intensity Drug Trafficking Areas Program, $280,000,000 (increased by $5,000,000), to remain available until September 30, 2020, for drug
control activities consistent with the approved strategy for each of the designated High Intensity Drug Trafficking Areas ("HIDTAs"), of which not less than 51 percent shall be transferred to State and local entities for drug control activities and shall be obligated not later than 120 days after enactment of this Act: Provided, That up to 49 percent may be transferred to Federal agencies and departments in amounts determined by the Director of the Office of National Drug Control Policy, of which up to $2,700,000 may be used for auditing services and associated activities: Provided further, That, notwithstanding the requirements of Public Law 106–58, any unexpended funds obligated prior to fiscal year 2017 may be used for any other approved activities of that HIDTA, subject to reprogramming requirements: Provided further, That each HIDTA designated as of September 30, 2018, shall be funded at not less than the fiscal year 2018 base level, unless the Director submits to the Committees on Appropriations of the House of Representatives and the Senate justification for changes to those levels based on clearly articulated priorities and published Office of National Drug Control Policy performance measures of effectiveness: Provided further, That the Director shall notify the Committees on Appropriations of the initial allocation of fiscal year 2019 funding among HIDTAs not later than
45 days after enactment of this Act, and shall notify the Committees of planned uses of discretionary HIDTA funding, as determined in consultation with the HIDTA Directors, not later than 90 days after enactment of this Act: Provided further, That upon a determination that all or part of the funds so transferred from this appropriation are not necessary for the purposes provided herein and upon notification to the Committees on Appropriations of the House of Representatives and the Senate, such amounts may be transferred back to this appropriation.

OTHER FEDERAL DRUG CONTROL PROGRAMS
(INCLUDING TRANSFERS OF FUNDS)

For other drug control activities authorized by the Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109–469), $118,327,000, to remain available until expended, which shall be available as follows: $100,000,000 for the Drug-Free Communities Program, of which $2,000,000 shall be made available as directed by section 4 of Public Law 107–82, as amended by Public Law 109–469 (21 U.S.C. 1521 note); $2,000,000 for drug court training and technical assistance; $9,500,000 for anti-doping activities; $2,577,000 for the United States membership dues to the World Anti-Doping Agency; and $1,250,000 shall be made available as directed by section 1105 of Public Law 109–469; and
$3,000,000, to remain available until expended, shall be for activities authorized by section 103 of Public Law 114–198: Provided, That amounts made available under this heading may be transferred to other Federal departments and agencies to carry out such activities.

UNANTICIPATED NEEDS

For expenses necessary to enable the President to meet unanticipated needs, in furtherance of the national interest, security, or defense which may arise at home or abroad during the current fiscal year, as authorized by 3 U.S.C. 108, $1,000,000, to remain available until September 30, 2019.

INFORMATION TECHNOLOGY OVERSIGHT AND REFORM (INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the furtherance of integrated, efficient, secure, and effective uses of information technology in the Federal Government, $15,000,000, to remain available until expended: Provided, That the Director of the Office of Management and Budget may transfer these funds to one or more other agencies to carry out projects to meet these purposes.

SPECIAL ASSISTANCE TO THE PRESIDENT

SALARIES AND EXPENSES

For necessary expenses to enable the Vice President to provide assistance to the President in connection with
specially assigned functions; services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 106, including subsistence expenses as authorized by 3 U.S.C. 106, which shall be expended and accounted for as provided in that section; and hire of passenger motor vehicles, $4,288,000.

**Official Residence of the Vice President**

**Operating Expenses**

**(Including Transfer of Funds)**

For the care, operation, refurnishing, improvement, and to the extent not otherwise provided for, heating and lighting, including electric power and fixtures, of the official residence of the Vice President; the hire of passenger motor vehicles; and not to exceed $90,000 pursuant to 3 U.S.C. 106(b)(2), $302,000: Provided, That advances, repayments, or transfers from this appropriation may be made to any department or agency for expenses of carrying out such activities.

**Administrative Provisions—Executive Office of the President and Funds Appropriated to the President**

**(Including Transfer of Funds)**

Sec. 201. From funds made available in this Act under the headings “The White House”, “Executive Residence at the White House”, “White House Repair and Restoration”, “Council of Economic Advisers”, “National
Security Council and Homeland Security Council”, “Office of Administration”, “Special Assistance to the President”, and “Official Residence of the Vice President”, the Director of the Office of Management and Budget (or such other officer as the President may designate in writing), may, with advance approval of the Committees on Appropriations of the House of Representatives and the Senate, transfer not to exceed 10 percent of any such appropriation to any other such appropriation, to be merged with and available for the same time and for the same purposes as the appropriation to which transferred: Provided, That the amount of an appropriation shall not be increased by more than 50 percent by such transfers: Provided further, That no amount shall be transferred from “Special Assistance to the President” or “Official Residence of the Vice President” without the approval of the Vice President.

Sec. 202. (a) During fiscal year 2019, any Executive order or Presidential memorandum issued or revoked by the President shall be accompanied by a written statement from the Director of the Office of Management and Budget on the budgetary impact, including costs, benefits, and revenues, of such order or memorandum.

(b) Any such statement shall include—
(1) a narrative summary of the budgetary impact of such order or memorandum on the Federal Government;

(2) the impact on mandatory and discretionary obligations and outlays as the result of such order or memorandum, listed by Federal agency, for each year in the 5-fiscal year period beginning in fiscal year 2019; and

(3) the impact on revenues of the Federal Government as the result of such order or memorandum over the 5-fiscal-year period beginning in fiscal year 2019.

c) If an Executive order or Presidential memorandum is issued during fiscal year 2019 due to a national emergency, the Director of the Office of Management and Budget may issue the statement required by subsection (a) not later than 15 days after the date that such order or memorandum is issued.

d) The requirement for cost estimates for Presidential memoranda shall only apply for Presidential memoranda estimated to have a regulatory cost in excess of $100,000,000.

This title may be cited as the “Executive Office of the President Appropriations Act, 2019”.
TITLE III

THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

For expenses necessary for the operation of the Supreme Court, as required by law, excluding care of the building and grounds, including hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; not to exceed $10,000 for official reception and representation expenses; and for miscellaneous expenses, to be expended as the Chief Justice may approve, $84,703,000, of which $1,500,000 shall remain available until expended.

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

CARE OF THE BUILDING AND GROUNDS

For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon the Architect by 40 U.S.C. 6111 and 6112, $15,999,000, to remain available until expended.
SALARIES AND EXPENSES

For salaries of officers and employees, and for necessary expenses of the court, as authorized by law, $32,016,000.

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

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

For salaries of officers and employees of the court, services, and necessary expenses of the court, as authorized by law, $19,450,000.

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

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

For the salaries of judges of the United States Court of Federal Claims, magistrate judges, and all other officers and employees of the Federal Judiciary not otherwise specifically provided for, necessary expenses of the courts, and the purchase, rental, repair, and cleaning of uniforms
for Probation and Pretrial Services Office staff, as authorized by law, $5,167,961,000 (including the purchase of firearms and ammunition); of which not to exceed $27,817,000 shall remain available until expended for space alteration projects and for furniture and furnishings related to new space alteration and construction projects.

In addition, there are appropriated such sums as may be necessary under current law for the salaries of circuit and district judges (including judges of the territorial courts of the United States), bankruptcy judges, and justices and judges retired from office or from regular active service.

In addition, for expenses of the United States Court of Federal Claims associated with processing cases under the National Childhood Vaccine Injury Act of 1986 (Public Law 99–660), not to exceed $8,475,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

DEFENDER SERVICES

For the operation of Federal Defender organizations; the compensation and reimbursement of expenses of attorneys appointed to represent persons under 18 U.S.C. 3006A and 3599, and for the compensation and reimbursement of expenses of persons furnishing investigative, expert, and other services for such representations as au-
authorized by law; the compensation (in accordance with the maximums under 18 U.S.C. 3006A) and reimbursement of expenses of attorneys appointed to assist the court in criminal cases where the defendant has waived representation by counsel; the compensation and reimbursement of expenses of attorneys appointed to represent jurors in civil actions for the protection of their employment, as authorized by 28 U.S.C. 1875(d)(1); the compensation and reimbursement of expenses of attorneys appointed under 18 U.S.C. 983(b)(1) in connection with certain judicial civil forfeiture proceedings; the compensation and reimbursement of travel expenses of guardians ad litem appointed under 18 U.S.C. 4100(b); and for necessary training and general administrative expenses, $1,142,427,000 to remain available until expended.

FEES OF JURORS AND COMMISSIONERS

For fees and expenses of jurors as authorized by 28 U.S.C. 1871 and 1876; compensation of jury commissioners as authorized by 28 U.S.C. 1863; and compensation of commissioners appointed in condemnation cases pursuant to rule 71.1(h) of the Federal Rules of Civil Procedure (28 U.S.C. Appendix Rule 71.1(h)), $49,750,000, to remain available until expended: Provided, That the compensation of land commissioners shall not exceed the
daily equivalent of the highest rate payable under 5 U.S.C. 5332.

COURT SECURITY

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses, not otherwise provided for, incident to the provision of protective guard services for United States courthouses and other facilities housing Federal court operations, and the procurement, installation, and maintenance of security systems and equipment for United States courthouses and other facilities housing Federal court operations, including building ingress-egress control, inspection of mail and packages, directed security patrols, perimeter security, basic security services provided by the Federal Protective Service, and other similar activities as authorized by section 1010 of the Judicial Improvement and Access to Justice Act (Public Law 100–702), $604,460,000, of which not to exceed $20,000,000 shall remain available until expended, to be expended directly or transferred to the United States Marshals Service, which shall be responsible for administering the Judicial Facility Security Program consistent with standards or guidelines agreed to by the Director of the Administrative Office of the United States Courts and the Attorney General.
Administrative Office of the United States Courts

Salaries and Expenses

For necessary expenses of the Administrative Office of the United States Courts as authorized by law, including travel as authorized by 31 U.S.C. 1345, hire of a passenger motor vehicle as authorized by 31 U.S.C. 1343(b), advertising and rent in the District of Columbia and elsewhere, $92,413,000, of which not to exceed $8,500 is authorized for official reception and representation expenses.

Federal Judicial Center

Salaries and Expenses

For necessary expenses of the Federal Judicial Center, as authorized by Public Law 90–219, $29,819,000; of which $1,800,000 shall remain available through September 30, 2020, to provide education and training to Federal court personnel; and of which not to exceed $1,500 is authorized for official reception and representation expenses.

United States Sentencing Commission

Salaries and Expenses

For the salaries and expenses necessary to carry out the provisions of chapter 58 of title 28, United States Code, $18,548,000, of which not to exceed $1,000 is authorized for official reception and representation expenses.
Administrative Provisions—The Judiciary

(INCLUDING TRANSFER OF FUNDS)

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

Sec. 302. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Judiciary in this Act may be transferred between such appropriations, but no such appropriation, except “Courts of Appeals, District Courts, and Other Judicial Services, Defender Services” and “Courts of Appeals, District Courts, and Other Judicial Services, Fees of Jurors and Commissioners”, shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under sections 604 and 608 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in section 608.

Sec. 303. Notwithstanding any other provision of law, the salaries and expenses appropriation for “Courts of Appeals, District Courts, and Other Judicial Services” shall be available for official reception and representation expenses of the Judicial Conference of the United States: Provided, That such available funds shall not exceed $11,000 and shall be administered by the Director of the
Administrative Office of the United States Courts in the capacity as Secretary of the Judicial Conference.

SEC. 304. Section 3315(a) of title 40, United States Code, shall be applied by substituting “Federal” for “executive” each place it appears.

SEC. 305. In accordance with 28 U.S.C. 561–569, and notwithstanding any other provision of law, the United States Marshals Service shall provide, for such courthouses as its Director may designate in consultation with the Director of the Administrative Office of the United States Courts, for purposes of a pilot program, the security services that 40 U.S.C. 1315 authorizes the Department of Homeland Security to provide, except for the services specified in 40 U.S.C. 1315(b)(2)(E). For building-specific security services at these courthouses, the Director of the Administrative Office of the United States Courts shall reimburse the United States Marshals Service rather than the Department of Homeland Security.

SEC. 306. (a) Section 203(c) of the Judicial Improvements Act of 1990 (Public Law 101–650; 28 U.S.C. 133 note), is amended in the second sentence (relating to the District of Kansas) following paragraph (12), by striking “27 years and 6 months” and inserting “28 years and 6 months”.

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(b) Section 406 of the Transportation, Treasury,
Housing and Urban Development, the Judiciary, the Dis-
trict of Columbia, and Independent Agencies Appropria-
tions Act, 2006 (Public Law 109–115; 119 Stat. 2470;
28 U.S.C. 133 note) is amended in the second sentence
(relating to the Eastern District of Missouri) by striking
“25 years and 6 months” and inserting “26 years and
6 months”.

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

(1) in the first sentence by inserting after “ex-
cept in the case of” the following: “the northern dis-
trict of Alabama,”;

(2) in the first sentence by inserting after “the
central district of California” the following: “,”;

(3) in the first sentence by striking “16 years”
and inserting “17 years”;

(4) by adding at the end of the first sentence
the following: “The first vacancy in the office of dis-
trict judge in the northern district of Alabama oc-
curring 16 years or more after the confirmation date
of the judge named to fill the temporary district
judgeship created in that district by this subsection,
shall not be filled.”;
(5) in the third sentence (relating to the central District of California), by striking “15 years and 6 months” and inserting “16 years and 6 months”; and

(6) in the fourth sentence (relating to the western district of North Carolina), by striking “14 years” and inserting “15 years”.

This title may be cited as the “Judiciary Appropriations Act, 2019”.

TITLE IV

DISTRICT OF COLUMBIA

FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

For a Federal payment to the District of Columbia, to be deposited into a dedicated account, for a nationwide program to be administered by the Mayor, for District of Columbia resident tuition support, $30,000,000, to remain available until expended: Provided, That such funds, including any interest accrued thereon, may be used on behalf of eligible District of Columbia residents to pay an amount based upon the difference between in-State and out-of-State tuition at public institutions of higher education, or to pay up to $2,500 each year at eligible private institutions of higher education: Provided further, That the awarding of such funds may be prioritized on the basis
of a resident’s academic merit, the income and need of eligible students and such other factors as may be authorized: Provided further, That the District of Columbia government shall maintain a dedicated account for the Resident Tuition Support Program that shall consist of the Federal funds appropriated to the Program in this Act and any subsequent appropriations, any unobligated balances from prior fiscal years, and any interest earned in this or any fiscal year: Provided further, That the account shall be under the control of the District of Columbia Chief Financial Officer, who shall use those funds solely for the purposes of carrying out the Resident Tuition Support Program: Provided further, That the Office of the Chief Financial Officer shall provide a quarterly financial report to the Committees on Appropriations of the House of Representatives and the Senate for these funds showing, by object class, the expenditures made and the purpose therefor.

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

For a Federal payment of necessary expenses, as determined by the Mayor of the District of Columbia in written consultation with the elected county or city officials of surrounding jurisdictions, $13,000,000, to remain available until expended, for the costs of providing public
safety at events related to the presence of the National Capital in the District of Columbia, including support requested by the Director of the United States Secret Service in carrying out protective duties under the direction of the Secretary of Homeland Security, and for the costs of providing support to respond to immediate and specific terrorist threats or attacks in the District of Columbia or surrounding jurisdictions.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

For salaries and expenses for the District of Columbia Courts, $288,280,000 to be allocated as follows: for the District of Columbia Court of Appeals, $14,670,000, of which not to exceed $2,500 is for official reception and representation expenses; for the Superior Court of the District of Columbia, $122,770,000, of which not to exceed $2,500 is for official reception and representation expenses; for the District of Columbia Court System, $77,016,000, of which not to exceed $2,500 is for official reception and representation expenses; and $73,824,000, to remain available until September 30, 2020, for capital improvements for District of Columbia courthouse facilities: Provided, That funds made available for capital improvements shall be expended consistent with the District of Columbia Courts master plan study and facilities condi-
tion assessment: Provided further, That, in addition to the amounts appropriated herein, fees received by the District of Columbia Courts for administering bar examinations and processing District of Columbia bar admissions may be retained and credited to this appropriation, to remain available until expended, for salaries and expenses associated with such activities, notwithstanding section 450 of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1–204.50): Provided further, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: Provided further, That 30 days after providing written notice to the Committees on Appropriations of the House of Representatives and the Senate, the District of Columbia Courts may reallocate not more than $9,000,000 of the funds provided under this heading among the items and entities funded under this heading: Provided further, That the Joint Committee on Judicial Administration in the District of Columbia may, by regulation, establish a program substantially similar to the program set forth in subchapter II of chapter 35 of title 5, United States Code, for employees of the District of Columbia Courts.
FEDERAL PAYMENT FOR DEFENDER SERVICES IN

DISTRICT OF COLUMBIA COURTS

(INCLUDING TRANSFER OF FUNDS)

For payments authorized under section 11–2604 and
section 11–2605, D.C. Official Code (relating to represen-
tation provided under the District of Columbia Criminal
Justice Act), payments for counsel appointed in pro-
ceedings in the Family Court of the Superior Court of the
District of Columbia under chapter 23 of title 16, D.C.
Official Code, or pursuant to contractual agreements to
provide guardian ad litem representation, training, tech-
nical assistance, and such other services as are necessary
to improve the quality of guardian ad litem representation,
payments for counsel appointed in adoption proceedings
under chapter 3 of title 16, D.C. Official Code, and pay-
ments authorized under section 21–2060, D.C. Official
Code (relating to services provided under the District of
Columbia Guardianship, Protective Proceedings, and Du-
rable Power of Attorney Act of 1986), $49,890,000, to
remain available until expended: Provided, That not more
than $20,000,000 in unobligated funds provided in this
account may be transferred to and merged with funds
made available under the heading “Federal Payment to
the District of Columbia Courts,” to be available for the
same period and purposes as funds made available under
that heading for capital improvements to District of Columbia courthouse facilities: "Provided further, That funds provided under this heading shall be administered by the Joint Committee on Judicial Administration in the District of Columbia: "Provided further, That, notwithstanding any other provision of law, this appropriation shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for expenses of other Federal agencies.

FEDERAL PAYMENT TO THE COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DISTRICT OF COLUMBIA

For salaries and expenses, including the transfer and hire of motor vehicles, of the Court Services and Offender Supervision Agency for the District of Columbia, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, $256,724,000, of which not to exceed $2,000 is for official reception and representation expenses related to Community Supervision and Pretrial Services Agency programs, and of which not to exceed $25,000 is for dues and assessments relating to the implementation of the Court Services and Offender Supervision Agency Interstate Supervision Act of 2002: "Provided, That, of the funds appropriated under this head-
ing, $183,166,000 shall be for necessary expenses of Com-
munity Supervision and Sex Offender Registration, to in-
clude expenses relating to the supervision of adults subject
to protection orders or the provision of services for or re-
lated to such persons, of which $5,919,000 shall remain
available until September 30, 2021 for costs associated
with relocation under a replacement lease for headquarters
offices, field offices, and related facilities: Provided further,
That, of the funds appropriated under this heading,
$73,558,000 shall be available to the Pretrial Services
Agency, of which $7,304,000 shall remain available until
September 30, 2021 for costs associated with relocation
under a replacement lease for headquarters offices, field
offices, and related facilities: Provided further, That not-
withstanding any other provision of law, all amounts
under this heading shall be apportioned quarterly by the
Office of Management and Budget and obligated and ex-
pended in the same manner as funds appropriated for sal-
aries and expenses of other Federal agencies: Provided fur-
ther, That amounts under this heading may be used for
programmatic incentives for defendants to successfully
complete their terms of supervision.
FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

PUBLIC DEFENDER SERVICE

For salaries and expenses, including the transfer and hire of motor vehicles, of the District of Columbia Public Defender Service, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, $45,858,000, of which $4,471,000 shall remain available until September 30, 2021 for costs associated with relocation under a replacement lease for headquarters offices, field offices, and related facilities: Provided, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of Federal agencies.

FEDERAL PAYMENT TO THE CRIMINAL JUSTICE COORDINATING COUNCIL

For a Federal payment to the Criminal Justice Coordinating Council, $2,000,000, to remain available until expended, to support initiatives related to the coordination of Federal and local criminal justice resources in the District of Columbia.

FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS

For a Federal payment, to remain available until September 30, 2020, to the Commission on Judicial Dis-
abilities and Tenure, $295,000, and for the Judicial Nomination Commission, $270,000.

**FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT**

For a Federal payment for a school improvement program in the District of Columbia, $45,000,000, to remain available until expended, for payments authorized under the Scholarship for Opportunity and Results Act (division C of Public Law 112–10): **Provided,** That, to the extent that funds are available for opportunity scholarships and following the priorities included in section 3006 of such Act, the Secretary of Education shall make scholarships available to students eligible under section 3013(3) of such Act (Public Law 112–10; 125 Stat. 211) including students who were not offered a scholarship during any previous school year: **Provided further,** That within funds provided for opportunity scholarships up to $3,200,000 shall be for the activities specified in sections 3007(b) through 3007(d) and 3009 of such Act.

**FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA NATIONAL GUARD**

For a Federal payment to the District of Columbia National Guard, $435,000, to remain available until expended for the Major General David F. Wherley, Jr. District of Columbia National Guard Retention and College Access Program.
FEDERAL PAYMENT FOR TESTING AND TREATMENT OF HIV/AIDS

For a Federal payment to the District of Columbia for the testing of individuals for, and the treatment of individuals with, human immunodeficiency virus and acquired immunodeficiency syndrome in the District of Columbia, $5,000,000.

DISTRICT OF COLUMBIA FUNDS

Local funds are appropriated for the District of Columbia for the current fiscal year out of the General Fund of the District of Columbia ("General Fund") for programs and activities set forth under the heading "PART A—SUMMARY OF EXPENSES" and at the rate set forth under such heading, as included in the Fiscal Year 2019 Budget Request Act of 2018 submitted to Congress by the District of Columbia, as amended as of the date of enactment of this Act: Provided, That notwithstanding any other provision of law, except as provided in section 450A of the District of Columbia Home Rule Act (section 1–204.50a, D.C. Official Code), sections 816 and 817 of the Financial Services and General Government Appropriations Act, 2009 (secs. 47–369.01 and 47–369.02, D.C. Official Code), and provisions of this Act, the total amount appropriated in this Act for operating expenses for the District of Columbia for fiscal year 2019 under this head-
ing shall not exceed the estimates included in the Fiscal Year 2019 Budget Request Act of 2018 submitted to Congress by the District of Columbia, as amended as of the date of enactment of this Act or the sum of the total revenues of the District of Columbia for such fiscal year: Provided further, That the amount appropriated may be increased by proceeds of one-time transactions, which are expended for emergency or unanticipated operating or capital needs: Provided further, That such increases shall be approved by enactment of local District law and shall comply with all reserve requirements contained in the District of Columbia Home Rule Act: Provided further, That the Chief Financial Officer of the District of Columbia shall take such steps as are necessary to assure that the District of Columbia meets these requirements, including the apportioning by the Chief Financial Officer of the appropriations and funds made available to the District during fiscal year 2019, except that the Chief Financial Officer may not reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

This title may be cited as the “District of Columbia Appropriations Act, 2019”.

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TITLE V

INDEPENDENT AGENCIES

Administrative Conference of the United States

Salaries and Expenses

For necessary expenses of the Administrative Conference of the United States, authorized by 5 U.S.C. 591 et seq., $3,100,000, to remain available until September 30, 2019, of which not to exceed $1,000 is for official reception and representation expenses.

Consumer Product Safety Commission

Salaries and Expenses

For necessary expenses of the Consumer Product Safety Commission, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable under 5 U.S.C. 5376, purchase of nominal awards to recognize non-Federal officials’ contributions to Commission activities, and not to exceed $8,000 for official reception and representation expenses, $127,000,000.

Administrative Provision—Consumer Product Safety Commission

Sec. 501. During fiscal year 2019, none of the amounts made available by this Act may be used to finalize or implement the Safety Standard for Recreational

(1) the National Academy of Sciences, in consultation with the National Highway Traffic Safety Administration and the Department of Defense, completes a study to determine—

(A) the technical validity of the lateral stability and vehicle handling requirements proposed by such standard for purposes of reducing the risk of Recreational Off-Highway Vehicle (referred to in this section as “ROV”) rollovers in the off-road environment, including the repeatability and reproducibility of testing for compliance with such requirements;

(B) the number of ROV rollovers that would be prevented if the proposed requirements were adopted;

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

(D) the effect on the utility of ROVs used by the United States military if the proposed requirements were adopted; and
(2) a report containing the results of the study completed under paragraph (1) is delivered to—
(A) the Committee on Commerce, Science, and Transportation of the Senate;
(B) the Committee on Energy and Commerce of the House of Representatives;
(C) the Committee on Appropriations of the Senate; and
(D) the Committee on Appropriations of the House of Representatives.

ELECTION ASSISTANCE COMMISSION

SALARIES AND EXPENSES
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the Help America Vote Act of 2002 (Public Law 107–252), $10,100,000, of which $1,500,000 shall be transferred to the National Institute of Standards and Technology for election reform activities authorized under the Help America Vote Act of 2002.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Communications Commission, as authorized by law, including uniforms and allowances therefor, as authorized by 5 U.S.C. 5901–5902; not to exceed $4,000 for official reception and
representation expenses; purchase and hire of motor vehicles; special counsel fees; and services as authorized by 5 U.S.C. 3109, $335,118,000, to remain available until expended: Provided, That $335,118,000 of offsetting collections shall be assessed and collected pursuant to section 9 of title I of the Communications Act of 1934, shall be retained and used for necessary expenses and shall remain available until expended: Provided further, That the sum herein appropriated shall be reduced as such offsetting collections are received during fiscal year 2019 so as to result in a final fiscal year 2019 appropriation estimated at $0: Provided further, That any offsetting collections received in excess of $335,118,000 in fiscal year 2019 shall not be available for obligation: Provided further, That remaining offsetting collections from prior years collected in excess of the amount specified for collection in each such year and otherwise becoming available on October 1, 2018, shall not be available for obligation: Provided further, That, notwithstanding 47 U.S.C. 309(j)(8)(B), proceeds from the use of a competitive bidding system that may be retained and made available for obligation shall not exceed $130,284,000 for fiscal year 2019: Provided further, That, of the amount appropriated under this heading, not less than $11,064,000 shall be for the salaries and expenses of the Office of Inspector General.
ADMINISTRATIVE PROVISION—FEDERAL

COMMUNICATIONS COMMISSION

SEC. 510. None of the funds appropriated by this Act may be used by the Federal Communications Commission to modify, amend, or change its rules or regulations for universal service support payments to implement the February 27, 2004 recommendations of the Federal-State Joint Board on Universal Service regarding single connection or primary line restrictions on universal service support payments.

FEDERAL DEPOSIT INSURANCE CORPORATION

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $42,982,000, to be derived from the Deposit Insurance Fund or, only when appropriate, the FSLIC Resolution Fund.

FEDERAL ELECTION COMMISSION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the Federal Election Campaign Act of 1971, $71,250,000, of which not to exceed $5,000 shall be available for reception and representation expenses.
FEDERAL LABOR RELATIONS AUTHORITY

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Federal Labor Relations Authority, pursuant to Reorganization Plan Numbered 2 of 1978, and the Civil Service Reform Act of 1978, including services authorized by 5 U.S.C. 3109, and including hire of experts and consultants, hire of passenger motor vehicles, and including official reception and representation expenses (not to exceed $1,500) and rental of conference rooms in the District of Columbia and elsewhere, $26,200,000: Provided, That public members of the Federal Service Impasses Panel may be paid travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons employed intermittently in the Government service, and compensation as authorized by 5 U.S.C. 3109: Provided further, That, notwithstanding 31 U.S.C. 3302, funds received from fees charged to non-Federal participants at labor-management relations conferences shall be credited to and merged with this account, to be available without further appropriation for the costs of carrying out these conferences.
For necessary expenses of the Federal Trade Commission, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; and not to exceed $2,000 for official reception and representation expenses, $311,700,000, to remain available until expended: Provided, That not to exceed $300,000 shall be available for use to contract with a person or persons for collection services in accordance with the terms of 31 U.S.C. 3718: Provided further, That, notwithstanding any other provision of law, not to exceed $136,000,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection, shall be retained and used for necessary expenses in this appropriation: Provided further, That, notwithstanding any other provision of law, not to exceed $17,000,000 in offsetting collections derived from fees sufficient to implement and enforce the Telemarketing Sales Rule, promulgated under the Telemarketing and Consumer Fraud and Abuse Prevention Act (15 U.S.C. 6101 et seq.), shall be credited to this account, and be retained and used for necessary expenses...
in this appropriation: *Provided further,* That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2019, so as to result in a final fiscal year 2019 appropriation from the general fund estimated at not more than $158,700,000: *Provided further,* That none of the funds made available to the Federal Trade Commission may be used to implement subsection (c)(2)(B) of section 43 of the Federal Deposit Insurance Act (12 U.S.C. 1831t).

**GENERAL SERVICES ADMINISTRATION**

**REAL PROPERTY ACTIVITIES**

**FEDERAL BUILDINGS FUND**

**LIMITATIONS ON AVAILABILITY OF REVENUE**

**(INCLUDING TRANSFERS OF FUNDS)**

Amounts in the Fund, including revenues and collections deposited into the Fund, shall be available for necessary expenses of real property management and related activities not otherwise provided for, including operation, maintenance, and protection of federally owned and leased buildings; rental of buildings in the District of Columbia; restoration of leased premises; moving governmental agencies (including space adjustments and telecommunications relocation expenses) in connection with the assignment, allocation, and transfer of space; contractual services incident to cleaning or servicing buildings, and moving; repair...
and alteration of federally owned buildings, including grounds, approaches, and appurtenances; care and safeguarding of sites; maintenance, preservation, demolition, and equipment; acquisition of buildings and sites by purchase, condemnation, or as otherwise authorized by law; acquisition of options to purchase buildings and sites; conversion and extension of federally owned buildings; preliminary planning and design of projects by contract or otherwise; construction of new buildings (including equipment for such buildings); and payment of principal, interest, and any other obligations for public buildings acquired by installment purchase and purchase contract; in the aggregate amount of $8,634,574,000 (reduced by $2,000,000) (reduced by $5,000,000) (reduced by $5,000,000), of which—

(1) $275,900,000 shall remain available until expended for construction and acquisition (including funds for sites and expenses, and associated design and construction services) as follows:

(A) $275,900,000 shall be for the Calexico, California, Calexico West Land Port of Entry; 

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

(2) $679,934,000 shall remain available until
expended for repairs and alterations, including asso-
ciated design and construction services, of which—

(A) $286,344,000 is for Major Repairs and
Alterations;

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

(C) $81,500,000 is for Special Emphasis
Programs, of which—

(i) $30,000,000 is for Fire and Life
Safety;

(ii) $11,500,000 is for Judiciary Cap-
ital Security; and

(iii) $40,000,000 is for Consolidation
Activities: Provided, That consolidation
projects result in reduced annual rent paid
by the tenant agency: Provided further,
That no consolidation project exceed
$10,000,000 in costs: Provided further,
That consolidation projects are approved
by each of the committees specified in sec-
tion 3307(a) of title 40, United States Code: Provided further, That preference is given to consolidation projects that achieve a utilization rate of 130 usable square feet or less per person for office space: Provided further, That the obligation of funds under this paragraph for consolidation activities may not be made until 10 days after a proposed spending plan and explanation for each project to be undertaken, including estimated savings, has been submitted to the Committees on Appropriations of the House of Representatives and the Senate:

Provided, That funds made available in this or any previous Act in the Federal Buildings Fund for Repairs and Alterations shall, for prospectus projects, be limited to the amount identified for each project, except each project in this or any previous Act may be increased by an amount not to exceed 10 percent unless advance approval is obtained from the Committees on Appropriations of a greater amount: Provided further, That additional projects for which prospectuses have been fully approved may be funded under this category only if advance approval is
obtained from the Committees on Appropriations:

*Provided further,* That the amounts provided in this
or any prior Act for “Repairs and Alterations” may
be used to fund costs associated with implementing
security improvements to buildings necessary to
meet the minimum standards for security in accord-
ance with current law and in compliance with the re-
programming guidelines of the appropriate Commit-
tees of the House and Senate: *Provided further,* That
the difference between the funds appropriated and
expended on any projects in this or any prior Act,
under the heading “Repairs and Alterations”, may
be transferred to Basic Repairs and Alterations or
used to fund authorized increases in prospectus
projects: *Provided further,* That the amount provided
in this or any prior Act for Basic Repairs and Alter-
ations may be used to pay claims against the Gov-
ernment arising from any projects under the heading
“Repairs and Alterations” or used to fund author-
ized increases in prospectus projects;

(3) $5,430,345,000 (reduced by $2,000,000)
(reduced by $5,000,000) (reduced by $5,000,000)
for rental of space to remain available until ex-
pended; and
(4) $2,248,395,000 for building operations to remain available until expended, of which $1,126,014,000 is for building services, and $1,122,381,000 is for salaries and expenses: Provided, That not to exceed 5 percent of any appropriation made available under this paragraph for building operations may be transferred between and merged with such appropriations upon notification to the Committees on Appropriations of the House of Representatives and the Senate, but no such appropriation shall be increased by more than 5 percent by any such transfers: Provided further, That section 521 of this title shall not apply with respect to funds made available under this heading for building operations: Provided further, That the total amount of funds made available from this Fund to the General Services Administration shall not be available for expenses of any construction, repair, alteration and acquisition project for which a prospectus, if required by 40 U.S.C. 3307(a), has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus: Provided further, That funds available in the Federal Buildings Fund may be expended for emergency repairs
when advance approval is obtained from the Committees on Appropriations: Provided further, That
amounts necessary to provide reimbursable special services to other agencies under 40 U.S.C. 592(b)(2)
and amounts to provide such reimbursable fencing, lighting, guard booths, and other facilities on private
or other property not in Government ownership or control as may be appropriate to enable the United States Secret Service to perform its protective functions pursuant to 18 U.S.C. 3056, shall be available from such revenues and collections: Provided further, That revenues and collections and any other sums accruing to this Fund during fiscal year 2019, excluding reimbursements under 40 U.S.C. 592(b)(2), in excess of the aggregate new obligational authority authorized for Real Property Activities of the Federal Buildings Fund in this Act shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.

GENERAL ACTIVITIES

GOVERNMENT-WIDE POLICY

For expenses authorized by law, not otherwise provided for, for Government-wide policy and evaluation activities associated with the management of real and personal property assets and certain administrative services;
Government-wide policy support responsibilities relating to acquisition, travel, motor vehicles, information technology management, and related technology activities; and services as authorized by 5 U.S.C. 3109; $60,000,000.

OPERATING EXPENSES

For expenses authorized by law, not otherwise provided for, for Government-wide activities associated with utilization and donation of surplus personal property; disposal of real property; agency-wide policy direction, management, and communications; and services as authorized by 5 U.S.C. 3109; $49,440,000, of which $26,890,000 is for Real and Personal Property Management and Disposal; $22,550,000 is for the Office of the Administrator, of which not to exceed $7,500 is for official reception and representation expenses.

CIVILIAN BOARD OF CONTRACT APPEALS

For expenses authorized by law, not otherwise provided for, for the activities associated with the Civilian Board of Contract Appeals, $9,301,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General and service authorized by 5 U.S.C. 3109, $67,000,000: Provided, That not to exceed $50,000 shall be available for payment for information and detection of fraud against the Government, including payment for re-
covery of stolen Government property: Provided further,
That not to exceed $2,500 shall be available for awards
to employees of other Federal agencies and private citizens
in recognition of efforts and initiatives resulting in en-
hanced Office of Inspector General effectiveness.

ALLOWANCES AND OFFICE STAFF FOR FORMER
PRESIDENTS

For carrying out the provisions of the Act of August
25, 1958 (3 U.S.C. 102 note), and Public Law 95–138,
$4,796,000.

FEDERAL CITIZEN SERVICES FUND
(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of Products and
Programs, including services authorized by 40 U.S.C. 323
and 44 U.S.C. 3604; and for necessary expenses in sup-
port of interagency projects that enable the Federal Gov-
ernment to enhance its ability to conduct activities elec-
tronically, through the development and implementation of
innovative uses of information technology; $55,000,000, to
be deposited into the Federal Citizen Services Fund: Pro-
vided, That the previous amount may be transferred to
Federal agencies to carry out the purpose of the Federal
Citizen Services Fund: Provided further, That the appro-
priations, revenues, reimbursements, and collections de-
posited into the Fund shall be available until expended for
necessary expenses of Federal Citizen Services and other activities that enable the Federal Government to enhance its ability to conduct activities electronically in the aggregate amount not to exceed $100,000,000: Provided further, That appropriations, revenues, reimbursements, and collections accruing to this Fund during fiscal year 2019 in excess of such amount shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts: Provided further, That any appropriations provided to the Electronic Government Fund that remain unobligated may be transferred to the Federal Citizen Services Fund: Provided further, That the transfer authorities provided herein shall be in addition to any other transfer authority provided in this Act.

TECHNOLOGY MODERNIZATION FUND

For the Technology Modernization Fund, $150,000,000, to remain available until expended, for technology-related modernization activities.

ASSET PROCEEDS AND SPACE MANAGEMENT FUND

For carrying out the purposes of the Federal Assets Sale and Transfer Act of 2016 (Public Law 114–287), $31,000,000, to be deposited into the Asset Proceeds and Space Management Fund, to remain available until expended.
ENVIRONMENTAL REVIEW IMPROVEMENT FUND

For necessary expenses of the Environmental Review Improvement Fund established pursuant to 42 U.S.C. 4370m-8(d), $6,070,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS—GENERAL SERVICES ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

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

SEC. 521. Funds in the Federal Buildings Fund made available for fiscal year 2019 for Federal Buildings Fund activities may be transferred between such activities only to the extent necessary to meet program requirements: Provided, That any proposed transfers shall be approved in advance by the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 522. Except as otherwise provided in this title, funds made available by this Act shall be used to transmit a fiscal year 2019 request for United States Courthouse construction only if the request: (1) meets the design guide standards for construction as established and approved by the General Services Administration, the Judicial Conference of the United States, and the Office of Manage-
ment and Budget; (2) reflects the priorities of the Judicial
Conference of the United States as set out in its approved
Courthouse Project Priorities plan; and (3) includes a
standardized courtroom utilization study of each facility
to be constructed, replaced, or expanded.

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

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

SEC. 525. In any case in which the Committee on
Transportation and Infrastructure of the House of Rep-
resentatives and the Committee on Environment and Pub-
lic Works of the Senate adopt a resolution granting lease
authority pursuant to a prospectus transmitted to Con-
gress by the Administrator of the General Services Admin-
istration under 40 U.S.C. 3307, the Administrator shall
ensure that the delineated area of procurement is identical
to the delineated area included in the prospectus for all
lease agreements, except that, if the Administrator deter-
mines that the delineated area of the procurement should
not be identical to the delineated area included in the pro-
spectus, the Administrator shall provide an explanatory
statement to each of such committees and the Committees
on Appropriations of the House of Representatives and the
Senate prior to exercising any lease authority provided in
the resolution.

Sec. 526. With respect to each project funded under
the heading “Major Repairs and Alterations” or “Judici-
ary Capital Security Program”, and with respect to E-
Government projects funded under the heading “Federal
Citizen Services Fund”, the Administrator of General
Services shall submit a spending plan and explanation for
each project to be undertaken to the Committees on Ap-
propriations of the House of Representatives and the Sen-
ate not later than 60 days after the date of enactment
of this Act.
SEC. 527. The Administrator of General Services shall submit a report to the Committees on Appropriations of the Senate and House of Representatives not later than 30 days following implementation of the initiative established under (c)(2) of Section 846 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 41 U.S.C. 1901 note) containing a market analysis and an implementation strategy related to the requirements under subparagraph (h) of Section 846. The report shall address strategies and processes for proper government safeguards to data management and privacy for incorporation into the implementation of Section 846 to ensure a competitive environment.

HARRY S TRUMAN SCHOLARSHIP FOUNDATION

SALARIES AND EXPENSES

For payment to the Harry S Truman Scholarship Foundation Trust Fund, established by section 10 of Public Law 93–642, $1,000,000, to remain available until expended.

MERIT SYSTEMS PROTECTION BOARD

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out functions of the Merit Systems Protection Board pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform
Act of 1978, and the Whistleblower Protection Act of
1989 (5 U.S.C. 5509 note), including services as author-
ized by 5 U.S.C. 3109, rental of conference rooms in the
District of Columbia and elsewhere, hire of passenger
motor vehicles, direct procurement of survey printing, and
not to exceed $2,000 for official reception and representa-
tion expenses, $44,490,000, to remain available until Sep-
tember 30, 2020, and in addition not to exceed
$2,345,000, to remain available until September 30, 2020,
for administrative expenses to adjudicate retirement ap-
peals to be transferred from the Civil Service Retirement
and Disability Fund in amounts determined by the Merit
Systems Protection Board.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

OPERATING EXPENSES

For necessary expenses in connection with the admin-
istration of the National Archives and Records Adminis-
tration and archived Federal records and related activities,
as provided by law, and for expenses necessary for the re-
view and declassification of documents, the activities of
the Public Interest Declassification Board, the operations
and maintenance of the electronic records archives, the
hire of passenger motor vehicles, and for uniforms or al-
lowances therefor, as authorized by law (5 U.S.C. 5901),
including maintenance, repairs, and cleaning, $372,400,000.

OFFICE OF INSPECTOR GENERAL


REPAIRS AND RESTORATION

For the repair, alteration, and improvement of archives facilities, and to provide adequate storage for holdings, $7,500,000, to remain available until expended.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

GRANTS PROGRAM

For necessary expenses for allocations and grants for historical publications and records as authorized by 44 U.S.C. 2504, $6,000,000, to remain available until expended.

NATIONAL CREDIT UNION ADMINISTRATION

COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

For the Community Development Revolving Loan Fund program as authorized by 42 U.S.C. 9812, 9822 and 9910, $2,000,000 shall be available until September

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30, 2020, for technical assistance to low-income designated credit unions.

**Office of Government Ethics**

**Salaries and Expenses**

For necessary expenses to carry out functions of the Office of Government Ethics pursuant to the Ethics in Government Act of 1978, the Ethics Reform Act of 1989, and the Stop Trading on Congressional Knowledge Act of 2012, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and not to exceed $1,500 for official reception and representation expenses, $17,019,000.

**Office of Personnel Management**

**Salaries and Expenses**

**(Including Transfer of Trust Funds)**

For necessary expenses to carry out functions of the Office of Personnel Management (OPM) pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109; medical examinations performed for veterans by private physicians on a fee basis; rental of conference rooms in the District of Columbia and elsewhere; hire of passenger motor vehicles; not to exceed $2,500 for official reception and representation expenses; advances
for reimbursements to applicable funds of OPM and the Federal Bureau of Investigation for expenses incurred under Executive Order No. 10422 of January 9, 1953, as amended; and payment of per diem and/or subsistence allowances to employees where Voting Rights Act activities require an employee to remain overnight at his or her post of duty, $132,172,000: Provided, That of the total amount made available under this heading, not to exceed $14,000,000 shall remain available until September 30, 2020, for information technology infrastructure modernization and Trust Fund Federal Financial System migration or modernization, and shall be in addition to funds otherwise made available for such purposes upon submitting to the Committees on Appropriations of the Senate and House of Representatives the plan of expenditure as required by the “Consolidated Appropriations Act, 2017”: Provided further, That the amount made available by the previous proviso may not be obligated until the Director of the Office of Personnel Management submits to the Committees on Appropriations of the Senate and the House of Representatives within 90 days of enactment a plan for expenditure of such amount, prepared in consultation with the Director of the Office of Management and Budget, the Administrator of the United States Dig-
that—

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

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

(3) includes a Major IT Business Case under the requirements established by the Office of Management and Budget Exhibit 300;

(4) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Government;

(5) complies with all Office of Management and Budget, Department of Homeland Security and National Institute of Standards and Technology requirements related to securing the agency’s information system as described in 44 U.S.C. 3554; and

(6) is reviewed and commented upon within 60 days of plan development by the Inspector General of the Office of Personnel Management, and such comments are submitted to the Director of the Office of Personnel Management before the date of such submission:
Provided further, That of the total amount made available under this heading, $639,018 may be made available for strengthening the capacity and capabilities of the acquisition workforce (as defined by the Office of Federal Procurement Policy Act, as amended (41 U.S.C. 4001 et seq.), including the recruitment, hiring, training, and retention of such workforce and information technology in support of acquisition workforce effectiveness or for management solutions to improve acquisition management; and in addition $133,483,000 for administrative expenses, to be transferred from the appropriate trust funds of OPM without regard to other statutes, including direct procurement of printed materials, for the retirement and insurance programs: Provided further, That the provisions of this appropriation shall not affect the authority to use applicable trust funds as provided by sections 8348(a)(1)(B), 8958(f)(2)(A), 8988(f)(2)(A), and 9004(f)(2)(A) of title 5, United States Code: Provided further, That no part of this appropriation shall be available for salaries and expenses of the Legal Examining Unit of OPM established pursuant to Executive Order No. 9358 of July 1, 1943, or any successor unit of like purpose: Provided further, That the President’s Commission on White House Fellows, established by Executive Order No. 11183 of October 3, 1964, may, during fiscal year 2019, accept dona-
tions of money, property, and personal services: *Provided

*Further*, That such donations, including those from prior

years, may be used for the development of publicity mate-

rials to provide information about the White House Fel-

lows, except that no such donations shall be accepted for

travel or reimbursement of travel expenses, or for the sala-

ries of employees of such Commission.

**OFFICE OF INSPECTOR GENERAL**

**SALARIES AND EXPENSES**

**(INCLUDING TRANSFER OF TRUST FUNDS)**

For necessary expenses of the Office of Inspector

General in carrying out the provisions of the Inspector

General Act of 1978, including services as authorized by

5 U.S.C. 3109, hire of passenger motor vehicles,

$5,000,000, and in addition, not to exceed $25,265,000

for administrative expenses to audit, investigate, and pro-

vide other oversight of the Office of Personnel Manage-

ment’s retirement and insurance programs, to be trans-

ferred from the appropriate trust funds of the Office of

Personnel Management, as determined by the Inspector

General: *Provided*, That the Inspector General is author-

ized to rent conference rooms in the District of Columbia

and elsewhere.
OFFICE OF SPECIAL COUNSEL

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Special Counsel pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978 (Public Law 95–454), the Whistleblower Protection Act of 1989 (Public Law 101–12) as amended by Public Law 107–304, the Whistleblower Protection Enhancement Act of 2012 (Public Law 112–199), and the Uniformed Services Employment and Reemployment Rights Act of 1994 (Public Law 103–353), including services as authorized by 5 U.S.C. 3109, payment of fees and expenses for witnesses, rental of conference rooms in the District of Columbia and elsewhere, and hire of passenger motor vehicles; $26,252,000.

POSTAL REGULATORY COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Postal Regulatory Commission in carrying out the provisions of the Postal Accountability and Enhancement Act (Public Law 109–335), $15,200,000, to be derived by transfer from the Postal Service Fund and expended as authorized by section 603(a) of such Act.
PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

SALARIES AND EXPENSES

For necessary expenses of the Privacy and Civil Liberties Oversight Board, as authorized by section 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee), $5,000,000, to remain available until September 30, 2020.

PUBLIC BUILDINGS REFORM BOARD

SALARIES AND EXPENSES

For salaries and expenses of the Public Buildings Reform Board in carrying out the Federal Assets Sale and Transfer Act of 2016 (Public Law 114–287), $2,000,000, to remain available until expended.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

For necessary expenses for the Securities and Exchange Commission, including services as authorized by 5 U.S.C. 3109, the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, and not to exceed $3,500 for official reception and representation expenses, $1,658,302,000, to remain available until expended; of which not less than $15,206,000 shall be for the Office of Inspector General; of which not to exceed $75,000 shall be available for a permanent secretariat for the International Organization of Securities Commissions;
and of which not to exceed $100,000 shall be available for expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, members of their delegations and staffs to exchange views concerning securities matters, such expenses to include necessary logistic and administrative expenses and the expenses of Commission staff and foreign invitees in attendance including: (1) incidental expenses such as meals; (2) travel and transportation; and (3) related lodging or subsistence.

In addition to the foregoing appropriation, for costs associated with relocation under a replacement lease for the Commission’s New York regional office facilities, not to exceed $37,189,000, to remain available until expended: Provided, That for purposes of calculating the fee rate under section 31(j) of the Securities Exchange Act of 1934 (15 U.S.C. 78ee(j)) for fiscal year 2019, all amounts appropriated under this heading shall be deemed to be the regular appropriation to the Commission for fiscal year 2019: Provided further, That fees and charges authorized by section 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78ee) shall be credited to this account as offsetting collections: Provided further, That not to exceed $1,658,302,000 of such offsetting collections shall be available until expended for necessary expenses of this ac-
count and not to exceed $37,189,000 of such offsetting collections shall be available until expended for costs under this heading associated with relocation under a replacement lease for the Commission’s New York regional office facilities: Provided further, That the total amount appropriated under this heading from the general fund for fiscal year 2019 shall be reduced as such offsetting fees are received so as to result in a final total fiscal year 2019 appropriation from the general fund estimated at not more than $0: Provided further, That if any amount of the appropriation for costs associated with relocation under a replacement lease for the Commission’s New York regional office facilities is subsequently de-obligated by the Commission, such amount that was derived from the general fund shall be returned to the general fund, and such amounts that were derived from fees or assessments collected for such purpose shall be paid to each national securities exchange and national securities association, respectively, in proportion to any fees or assessments paid by such national securities exchange or national securities association under section 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78ee) in fiscal year 2019.
SELECTIVE SERVICE SYSTEM

SALARIES AND EXPENSES

For necessary expenses of the Selective Service System, including expenses of attendance at meetings and of training for uniformed personnel assigned to the Selective Service System, as authorized by 5 U.S.C. 4101–4118 for civilian employees; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; and not to exceed $750 for official reception and representation expenses; $26,000,000: Provided, That during the current fiscal year, the President may exempt this appropriation from the provisions of 31 U.S.C. 1341, whenever the President deems such action to be necessary in the interest of national defense: Provided further, That none of the funds appropriated by this Act may be expended for or in connection with the induction of any person into the Armed Forces of the United States.

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the Small Business Administration, including hire of passenger motor vehicles as authorized by sections 1343 and 1344 of title 31, United States Code, and not to exceed $3,500 for official reception and representation expenses, $268,500,000, of which not less than $12,000,000
shall be available for examinations, reviews, and other lender oversight activities: *Provided*, That the Administrator is authorized to charge fees to cover the cost of publications developed by the Small Business Administration, and certain loan program activities, including fees authorized by section 5(b) of the Small Business Act: *Provided further*, That, notwithstanding 31 U.S.C. 3302, revenues received from all such activities shall be credited to this account, to remain available until expended, for carrying out these purposes without further appropriations: *Provided further*, That the Small Business Administration may accept gifts in an amount not to exceed $4,000,000 and may co-sponsor activities, each in accordance with section 132(a) of division K of Public Law 108–447, during fiscal year 2019: *Provided further*, That $6,100,000 shall be available for the Loan Modernization and Accounting System, to be available until September 30, 2020: *Provided further*, That $3,000,000 shall be for the Federal and State Technology Partnership Program under section 34 of the Small Business Act (15 U.S.C. 657d).

**ENTREPRENEURIAL DEVELOPMENT PROGRAMS**

For necessary expenses of programs supporting entrepreneurial and small business development, $251,900,000 (reduced by $1,000,000) (increased by $1,000,000), to remain available until September 30,
Provided, That $132,600,000 shall be available to fund grants for performance in fiscal year 2019 or fiscal year 2020 as authorized by section 21 of the Small Business Act: Provided further, That $31,600,000 shall be for marketing, management, and technical assistance under section 7(m) of the Small Business Act (15 U.S.C. 636(m)(4)) by intermediaries that make microloans under the microloan program: Provided further, That $18,000,000 shall be available for grants to States to carry out export programs that assist small business concerns authorized under section 22(l) of the Small Business Act (15 U.S.C. 649(l)).

OFFICE OF INSPECTOR GENERAL


OFFICE OF ADVOCACY

BUSINESS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $4,000,000, to remain available until expended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2019 commitments to guarantee loans under section 503 of the Small Business Investment Act of 1958 shall not exceed $7,500,000,000: Provided further, That during fiscal year 2019 commitments for general business loans authorized under section 7(a) of the Small Business Act shall not exceed $30,000,000,000 for a combination of amortizing term loans and the aggregated maximum line of credit provided by revolving loans: Provided further, That during fiscal year 2019 commitments for loans authorized under subparagraph (C) of section 502(7) of The Small Business Investment Act of 1958 (15 U.S.C. 696(7)) shall not exceed $7,500,000,000: Provided further, That during fiscal year 2019 commitments to guarantee loans for debentures under section 303(b) of the Small Business Investment Act of 1958 shall not exceed $4,000,000,000: Provided further, That during fiscal year 2019, guarantees of trust certificates authorized by sec-

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tion 5(g) of the Small Business Act shall not exceed a principal amount of $12,000,000,000. In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $155,150,000 (reduced by $1,000,000) (increased by $1,000,000), which may be transferred to and merged with the appropriations for Salaries and Expenses.

DISASTER LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the direct loan program authorized by section 7(b) of the Small Business Act, $31,308,000, to be available until expended, of which $1,000,000 is for the Office of Inspector General of the Small Business Administration for audits and reviews of disaster loans and the disaster loan programs and shall be transferred to and merged with the appropriations for the Office of Inspector General; of which $22,308,000 is for direct administrative expenses of loan making and servicing to carry out the direct loan program, which may be transferred to and merged with the appropriations for Salaries and Expenses; and of which $9,000,000 is for indirect administrative expenses for the direct loan program, which may be transferred to and merged with the appropriations for Salaries and Expenses.
ADMINISTRATIVE PROVISIONS—SMALL BUSINESS

ADMINISTRATION

(INCLUDING RESCISSION AND TRANSFER OF FUNDS)

SEC. 530. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Small Business Administration in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this paragraph shall be treated as a reprogramming of funds under section 608 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 531. Of the unobligated balances from prior year appropriations available under the “Business Loans Program Account” heading for the Certified Development Company Program, $50,000,000 are hereby permanently rescinded: Provided, That no amounts may be rescinded under this section from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 532. Section 12085 of Public Law 110–246 is repealed.
UNITED STATES POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

For payment to the Postal Service Fund for revenue forgone on free and reduced rate mail, pursuant to subsections (c) and (d) of section 2401 of title 39, United States Code, $58,118,000: Provided, That mail for overseas voting and mail for the blind shall continue to be free: Provided further, That 6-day delivery and rural delivery of mail shall continue at not less than the 1983 level: Provided further, That none of the funds made available to the Postal Service by this Act shall be used to implement any rule, regulation, or policy of charging any officer or employee of any State or local child support enforcement agency, or any individual participating in a State or local program of child support enforcement, a fee for information requested or provided concerning an address of a postal customer: Provided further, That none of the funds provided in this Act shall be used to consolidate or close small rural and other small post offices: Provided further, That the Postal Service shall maintain and comply with service standards for First Class Mail and periodicals effective on July 1, 2012.
OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $250,000,000, to be derived by transfer from the Postal Service Fund and expended as authorized by section 603(b)(3) of the Postal Accountability and Enhancement Act (Public Law 109–435).

UNITED STATES TAX COURT

SALARIES AND EXPENSES

For necessary expenses, including contract reporting and other services as authorized by 5 U.S.C. 3109, $51,515,000, of which $500,000 shall remain available until expended: Provided, That travel expenses of the judges shall be paid upon the written certificate of the judge.

TITLE VI

GENERAL PROVISIONS—THIS ACT

Sec. 601. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.
Sec. 602. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

Sec. 603. The expenditure of any appropriation under this Act for any consulting service through procurement contract pursuant to 5 U.S.C. 3109, 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. 604. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

Sec. 605. None of the funds made available by this Act shall be available for any activity or for paying the salary of any Government employee where funding an activity or paying a salary to a Government employee would result in a decision, determination, rule, regulation, or policy that would prohibit the enforcement of section 307 of the Tariff Act of 1930 (19 U.S.C. 1307).

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

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

Sec. 608. Except as otherwise provided in this Act,
none of the funds provided in this Act, provided by pre-
vious appropriations Acts to the agencies or entities fund-
ed in this Act that remain available for obligation or ex-
penditure in fiscal year 2019, or provided from any ac-
counts in the Treasury derived by the collection of fees
and available to the agencies funded by this Act, shall be
available for obligation or expenditure through a re-
programming of funds that: (1) creates a new program;
(2) eliminates a program, project, or activity; (3) increases
funds or personnel for any program, project, or activity
for which funds have been denied or restricted by the Con-
gress; (4) proposes to use funds directed for a specific ac-
tivity by the Committee on Appropriations of either the
House of Representatives or the Senate for a different
purpose; (5) augments existing programs, projects, or ac-
tivities in excess of $5,000,000 or 10 percent, whichever
is less; (6) reduces existing programs, projects, or activi-
ties by $5,000,000 or 10 percent, whichever is less; or (7)
creates or reorganizes offices, programs, or activities unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate: Provided, That prior to any significant reorganization or restructuring of offices, programs, or activities, each agency or entity funded in this Act shall consult with the Committees on Appropriations of the House of Representatives and the Senate: Provided further, That not later than 60 days after the date of enactment of this Act, each agency funded by this Act shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: Provided further, That at a minimum the report shall include: (1) a table for each appropriation with a separate column to display the President’s budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level; (2) a delineation in the table for each appropriation both by object class and program, project, and activity as detailed in the budget appendix for the respective appropriation; and (3) an identification of items of special congressional interest: Provided further, That the amount appropriated or limited for salaries and expenses for an agency shall be reduced by $100,000 per day for
each day after the required date that the report has not been submitted to the Congress.

SEC. 609. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2019 from appropriations made available for salaries and expenses for fiscal year 2019 in this Act, shall remain available through September 30, 2020, for each such account for the purposes authorized: Provided, That a request shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate for approval prior to the expenditure of such funds: Provided further, That these requests shall be made in compliance with reprogramming guidelines.

SEC. 610. (a) None of the funds made available in this Act may be used by the Executive Office of the President to request—

(1) any official background investigation report on any individual from the Federal Bureau of Investigation; or

(2) a determination with respect to the treatment of an organization as described in section 501(e) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such
Code from the Department of the Treasury or the Internal Revenue Service.

(b) Subsection (a) shall not apply—

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

(2) if such request is required due to extraordinary circumstances involving national security.

Sec. 611. The cost accounting standards promulgated under chapter 15 of title 41, United States Code shall not apply with respect to a contract under the Federal Employees Health Benefits Program established under chapter 89 of title 5, United States Code.

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

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

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

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

SEC. 616. Notwithstanding section 1353 of title 31,
United States Code, no officer or employee of any regu-
latory agency or commission funded by this Act may ac-
cept on behalf of that agency, nor may such agency or
commission accept, payment or reimbursement from a
non-Federal entity for travel, subsistence, or related ex-
penses for the purpose of enabling an officer or employee
to attend and participate in any meeting or similar func-
tion relating to the official duties of the officer or em-

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ployee when the entity offering payment or reimbursement
is a person or entity subject to regulation by such agency
or commission, or represents a person or entity subject
to regulation by such agency or commission, unless the
person or entity is an organization described in section
501(c)(3) of the Internal Revenue Code of 1986 and ex-
empt from tax under section 501(a) of such Code.

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

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

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

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

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

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

(2) Payments to—

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

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

(C) the United States Court of Federal
Claims Judges’ Retirement Fund (28 U.S.C.
178(l)).

(3) Payment of Government contributions—

(A) with respect to the health benefits of
retired employees, as authorized by chapter 89
of title 5, United States Code, and the Retired
Federal Employees Health Benefits Act (74
Stat. 849); and
(B) with respect to the life insurance benefits for employees retiring after December 31, 1989 (5 U.S.C. ch. 87).

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

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

(b) Nothing in this section may be construed to exempt any amount appropriated by this section from any otherwise applicable limitation on the use of funds contained in this Act.

Sec. 620. None of the funds made available in this Act may be used by the Federal Trade Commission to complete the draft report entitled “Interagency Working Group on Food Marketed to Children: Preliminary Proposed Nutrition Principles to Guide Industry Self-Regulatory Efforts” unless the Interagency Working Group on Food Marketed to Children complies with Executive Order No. 13563.
SEC. 621. None of the funds in this Act may be used for the Director of the Office of Personnel Management to award a contract, enter an extension of, or exercise an option on a contract to a contractor conducting the final quality review processes for background investigation fieldwork services or background investigation support services that, as of the date of the award of the contract, are being conducted by that contractor.

SEC. 622. (a) The head of each executive branch agency funded by this Act shall ensure that the Chief Information Officer of the agency has the authority to participate in decisions regarding the budget planning process related to information technology.

(b) Amounts appropriated for any executive branch agency funded by this Act that are available for information technology shall be allocated within the agency, consistent with the provisions of appropriations Acts and budget guidelines and recommendations from the Director of the Office of Management and Budget, in such manner as specified by, or approved by, the Chief Information Officer of the agency in consultation with the Chief Financial Officer of the agency and budget officials.

SEC. 623. None of the funds made available in this Act may be used in contravention of chapter 29, 31, or 33 of title 44, United States Code.
SEC. 624. None of the funds made available in this Act may be used by a governmental entity to require the disclosure by a provider of electronic communication service to the public or remote computing service of the contents of a wire or electronic communication that is in electronic storage with the provider (as such terms are defined in sections 2510 and 2711 of title 18, United States Code) in a manner that violates the Fourth Amendment to the Constitution of the United States.

SEC. 625. None of the funds appropriated by this Act may be used by the Federal Communications Commission to modify, amend, or change the rules or regulations of the Commission for universal service high-cost support for competitive eligible telecommunications carriers in a way that is inconsistent with paragraph (e)(5) or (e)(6) of section 54.307 of title 47, Code of Federal Regulations, as in effect on July 15, 2015: Provided, That this section shall not prohibit the Commission from considering, developing, or adopting other support mechanisms as an alternative to Mobility Fund Phase II.

SEC. 626. No funds provided in this Act shall be used to deny an Inspector General funded under this Act timely access to any records, documents, or other materials available to the department or agency over which that Inspector General has responsibilities under the Inspector Gen-
eral Act of 1978, or to prevent or impede that Inspector General’s access to such records, documents, or other materials, under any provision of law, except a provision of law that expressly refers to the Inspector General and expressly limits the Inspector General’s right of access. A department or agency covered by this section shall provide its Inspector General with access to all such records, documents, and other materials in a timely manner. Each Inspector General shall ensure compliance with statutory limitations on disclosure relevant to the information provided by the establishment over which that Inspector General has responsibilities under the Inspector General Act of 1978. Each Inspector General covered by this section shall report to the Committees on Appropriations of the House of Representatives and the Senate within 5 calendar days any failures to comply with this requirement.

SEC. 627. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, adjudication activities, or
other law enforcement- or victim assistance-related activ-
ity.

Sec. 628. None of the funds made available by this Act shall be used by the Securities and Exchange Commis-
sion to finalize, issue, or implement any rule, regulation,
or order regarding the disclosure of political contributions,
contributions to tax exempt organizations, or dues paid
to trade associations.

Sec. 629. Title 44, United States Code, is amended as follows:

(1) In subsection (a)(2) of section 2107, by striking “the head of such agency has certified in writing to the Archivist” and inserting “the Archivist determines, after consulting with the head of such agency,.”.

(2) In subsection (d) of section 2904, by striking the first instance of “digital or electronic”.

(3) In subsection (e) of section 3303a, by striking “the written consent of” and inserting “advance notice to”.

(4) In section 3308, by striking “empower” and inserting “direct”.

Sec. 630. None of the funds made available by this Act may be used to enforce the requirements in section 316(b)(4)(D) of the Federal Election Campaign Act of
that the solicitation of contributions from member corporations stockholders and executive or administrative personnel, and the families of such stockholders or personnel, by trade associations must be separately and specifically approved by the member corporation involved prior to such solicitation, and that such member corporation does not approve any such solicitation by more than one such trade association in any calendar year.

SEC. 631. (1) None of the funds appropriated by this Act shall be available to pay for an abortion or the administrative expenses in connection with a multi-State qualified health plan offered under a contract under section 1334 of the Patient Protection and Affordable Care Act (42 U.S.C. 18054) which provides any benefits or coverage for abortions.

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

SEC. 632. None of the funds made available by this Act may be used by the Securities and Exchange Commission to propose, issue, implement, administer, or enforce any requirement that a solicitation of a proxy, consent, or authorization to vote a security of an issuer in an elec-
tion of members of the board of directors of the issuer
be made using a single ballot or card that lists both indi-
viduals nominated by (or on behalf of) the issuer and indi-
viduals nominated by (or on behalf of) other proponents
and permits the person granting the proxy, consent, or
authorization to select from individuals in both groups.

TITLE VII

GENERAL PROVISIONS—GOVERNMENT-WIDE

DEPARTMENTS, AGENCIES, AND CORPORATIONS

(INCLUDING TRANSFER OF FUNDS)

Sec. 701. No department, agency, or instrumentality
of the United States receiving appropriated funds under
this or any other Act for fiscal year 2019 shall obligate
or expend any such funds, unless such department, agen-
cy, or instrumentality has in place, and will continue to
administer in good faith, a written policy designed to en-
sure that all of its workplaces are free from the illegal
use, possession, or distribution of controlled substances
(as defined in the Controlled Substances Act (21 U.S.C.
802)) by the officers and employees of such department,
agency, or instrumentality.

Sec. 702. Unless otherwise specifically provided, the
maximum amount allowable during the current fiscal year
in accordance with subsection 1343(c) of title 31, United
States Code, for the purchase of any passenger motor ve-
vehicle (exclusive of buses, ambulances, law enforcement vehicles, protective vehicles, and undercover surveillance vehicles), is hereby fixed at $19,947 except station wagons for which the maximum shall be $19,997: Provided, That these limits may be exceeded by not to exceed $7,250 for police-type vehicles: Provided further, That the limits set forth in this section may not be exceeded by more than 5 percent for electric or hybrid vehicles purchased for demonstration under the provisions of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976: Provided further, That the limits set forth in this section may be exceeded by the incremental cost of clean alternative fuels vehicles acquired pursuant to Public Law 101–549 over the cost of comparable conventionally fueled vehicles: Provided further, That the limits set forth in this section shall not apply to any vehicle that is a commercial item and which operates on alternative fuel, including but not limited to electric, plug-in hybrid electric, and hydrogen fuel cell vehicles.

SEC. 703. Appropriations of the executive departments and independent establishments for the current fiscal year available for expenses of travel, or for the expenses of the activity concerned, are hereby made available for quarters allowances and cost-of-living allowances, in accordance with 5 U.S.C. 5922–5924.
SEC. 704. Unless otherwise specified in law during the current fiscal year, no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in the continental United States unless such person: (1) is a citizen of the United States; (2) is a person who is lawfully admitted for permanent residence and is seeking citizenship as outlined in 8 U.S.C. 1324b(a)(3)(B); (3) is a person who is admitted as a refugee under 8 U.S.C. 1157 or is granted asylum under 8 U.S.C. 1158 and has filed a declaration of intention to become a lawful permanent resident and then a citizen when eligible; or (4) is a person who owes allegiance to the United States: Provided, That for purposes of this section, affidavits signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his or her status are being complied with: Provided further, That for purposes of subsections (2) and (3) such affidavits shall be submitted prior to employment and updated thereafter as necessary: Provided further, That any person making a false affidavit shall be guilty of a felony, and upon conviction, shall be fined no more than $4,000 or imprisoned for not
more than 1 year, or both: Provided further, That the
above penal clause shall be in addition to, and not in sub-
stitution for, any other provisions of existing law: Provided
further, That any payment made to any officer or em-
ployee contrary to the provisions of this section shall be
recoverable in action by the Federal Government: Provided
further, That this section shall not apply to any person
who is an officer or employee of the Government of the
United States on the date of enactment of this Act, or
to international broadcasters employed by the Broad-
casting Board of Governors, or to temporary employment
of translators, or to temporary employment in the field
service (not to exceed 60 days) as a result of emergencies:
Provided further, That this section does not apply to the
employment as Wildland firefighters for not more than
120 days of nonresident aliens employed by the Depart-
ment of the Interior or the USDA Forest Service pursuant
to an agreement with another country.

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

SEC. 706. In addition to funds provided in this or any other Act, all Federal agencies are authorized to receive and use funds resulting from the sale of materials, including Federal records disposed of pursuant to a records schedule recovered through recycling or waste prevention programs. Such funds shall be available until expended for the following purposes:

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

(2) Other Federal agency environmental management programs, including, but not limited to, the development and implementation of hazardous waste management and pollution prevention programs.

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

SEC. 707. Funds made available by this or any other Act for administrative expenses in the current fiscal year of the corporations and agencies subject to chapter 91 of
title 31, United States Code, shall be available, in addition to objects for which such funds are otherwise available, for rent in the District of Columbia; services in accordance with 5 U.S.C. 3109; and the objects specified under this head, all the provisions of which shall be applicable to the expenditure of such funds unless otherwise specified in the Act by which they are made available: Provided, That in the event any functions budgeted as administrative expenses are subsequently transferred to or paid from other funds, the limitations on administrative expenses shall be correspondingly reduced.

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

SEC. 709. None of the funds made available pursuant to the provisions of this or any other Act shall be used to implement, administer, or enforce any regulation which has been disapproved pursuant to a joint resolution duly adopted in accordance with the applicable law of the United States.
SEC. 710. During the period in which the head of any department or agency, or any other officer or civilian employee of the Federal Government appointed by the President of the United States, holds office, no funds may be obligated or expended in excess of $5,000 to furnish or redecorate the office of such department head, agency head, officer, or employee, or to purchase furniture or make improvements for any such office, unless advance notice of such furnishing or redecoration is transmitted to the Committees on Appropriations of the House of Representatives and the Senate. For the purposes of this section, the term “office” shall include the entire suite of offices assigned to the individual, as well as any other space used primarily by the individual or the use of which is directly controlled by the individual.

SEC. 711. Notwithstanding 31 U.S.C. 1346, or section 708 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of national security and emergency preparedness telecommunications initiatives which benefit multiple Federal departments, agencies, or entities, as provided by Executive Order No. 13618 (July 6, 2012).

SEC. 712. (a) None of the funds made available by this or any other Act may be obligated or expended by
any department, agency, or other instrumentality of the Federal Government to pay the salaries or expenses of any individual appointed to a position of a confidential or policy-determining character that is excepted from the competitive service under section 3302 of title 5, United States Code, (pursuant to schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations) unless the head of the applicable department, agency, or other instrumentality employing such schedule C individual certifies to the Director of the Office of Personnel Management that the schedule C position occupied by the individual was not created solely or primarily in order to detail the individual to the White House.

(b) The provisions of this section shall not apply to Federal employees or members of the armed forces detailed to or from an element of the intelligence community (as that term is defined under section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4))).

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

(1) prohibits or prevents, or attempts or threatens to prohibit or prevent, any other officer or employee of the Federal Government from having any
direct oral or written communication or contact with
any Member, committee, or subcommittee of the
Congress in connection with any matter pertaining
to the employment of such other officer or employee
or pertaining to the department or agency of such
other officer or employee in any way, irrespective of
whether such communication or contact is at the ini-
tiative of such other officer or employee or in re-
response to the request or inquiry of such Member,
committee, or subcommittee; or

(2) removes, suspends from duty without pay,
demotes, reduces in rank, seniority, status, pay, or
performance or efficiency rating, denies promotion
to, relocates, reassigns, transfers, disciplines, or dis-
criminates in regard to any employment right, enti-
tlement, or benefit, or any term or condition of em-
ployment of, any other officer or employee of the
Federal Government, or attempts or threatens to
commit any of the foregoing actions with respect to
such other officer or employee, by reason of any
communication or contact of such other officer or
employee with any Member, committee, or sub-
committee of the Congress as described in paragraph
(1).
SEC. 714. (a) None of the funds made available in this or any other Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or “new age” belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants’ personal values or lifestyle outside the workplace.

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

SEC. 715. No part of any funds appropriated in this or any other Act shall be used by an agency of the execu-
tive branch, other than for normal and recognized execu-
tive-legislative relationships, for publicity or propaganda
purposes, and for the preparation, distribution or use of
any kit, pamphlet, booklet, publication, radio, television,
or film presentation designed to support or defeat legisla-
tion pending before the Congress, except in presentation
to the Congress itself.

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

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

Sec. 718. No part of any appropriation contained in
this or any other Act shall be used directly or indirectly,
including by private contractor, for publicity or propa-
ganda purposes within the United States not heretofore
authorized by Congress.
Sec. 719. (a) In this section, the term “agency”—

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

(2) includes a military department, as defined under section 102 of such title, the United States Postal Service, and the Postal Regulatory Commission.

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

Sec. 720. Notwithstanding 31 U.S.C. 1346 and section 708 of this Act, funds made available for the current fiscal year by this or any other Act to any department or agency, which is a member of the Federal Accounting Standards Advisory Board (FASAB), shall be available to finance an appropriate share of FASAB administrative costs.

Sec. 721. Notwithstanding 31 U.S.C. 1346 and section 708 of this Act, the head of each Executive department and agency is hereby authorized to transfer to or
reimburse “General Services Administration, Government-
wide Policy” with the approval of the Director of the Of-
office of Management and Budget, funds made available for
the current fiscal year by this or any other Act, including
rebates from charge card and other contracts: **Provided,**
That these funds shall be administered by the Adminis-
trator of General Services to support Government-wide
and other multi-agency financial, information technology,
procurement, and other management innovations, initia-
tives, and activities, including improving coordination and
reducing duplication, as approved by the Director of the
Office of Management and Budget, in consultation with
the appropriate interagency and multi-agency groups des-
ignated by the Director (including the President’s Man-
agement Council for overall management improvement ini-
tiatives, the Chief Financial Officers Council for financial
management initiatives, the Chief Information Officers
Council for information technology initiatives, the Chief
Human Capital Officers Council for human capital initia-
tives, the Chief Acquisition Officers Council for procure-
ment initiatives, and the Performance Improvement Coun-
cil for performance improvement initiatives): **Provided fur-
ther,** That the total funds transferred or reimbursed shall
not exceed $15,000,000 to improve coordination, reduce
duplication, and for other activities related to Federal
Government Priority Goals established by 31 U.S.C. 1120, and not to exceed $17,000,000 for Government-Wide innovations, initiatives, and activities: Provided further, That the funds transferred to or for reimbursement of “General Services Administration, Government-wide Policy” during fiscal year 2019 shall remain available for obligation through September 30, 2020: Provided further, That such transfers or reimbursements may only be made after 15 days following notification of the Committees on Appropriations of the House of Representatives and the Senate by the Director of the Office of Management and Budget.

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

Sec. 723. Notwithstanding 31 U.S.C. 1346, or section 708 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of specific projects, workshops, studies, and similar efforts to carry out the purposes of the National Science and Technology Council (authorized by Executive Order No. 12881), which benefit multiple Federal departments, agencies, or entities: Provided, That the Office of Management and Budget shall provide a re-
port describing the budget of and resources connected with
the National Science and Technology Council to the Com-
mittees on Appropriations, the House Committee on
Science and Technology, and the Senate Committee on
Commerce, Science, and Transportation 90 days after en-
actment of this Act.

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

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

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

(2) to enter into any agreement with a third
party (including another government agency) to col-
lect, review, or obtain any aggregation of data, derived from any means, that includes any personally identifiable information relating to an individual’s access to or use of any nongovernmental Internet site.

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

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

(2) any voluntary submission of personally identifiable information;

(3) any action taken for law enforcement, regulatory, or supervisory purposes, in accordance with applicable law; or

(4) any action described in subsection (a)(1) that is a system security action taken by the operator of an Internet site and is necessarily incident to providing the Internet site services or to protecting the rights or property of the provider of the Internet site.

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

(1) The term “regulatory” means agency actions to implement, interpret or enforce authorities provided in law.
(2) The term “supervisory” means examinations of the agency’s supervised institutions, including assessing safety and soundness, overall financial condition, management practices and policies and compliance with applicable standards as provided in law.

Sec. 726. (a) None of the funds appropriated by this Act may be used to enter into or renew a contract which includes a provision providing prescription drug coverage, except where the contract also includes a provision for contraceptive coverage.

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

(1) any of the following religious plans:
   (A) Personal Care’s HMO; and
   (B) OSF HealthPlans, Inc.; and

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

(c) In implementing this section, any plan that enters into or renews a contract under this section may not subject any individual to discrimination on the basis that the individual refuses to prescribe or otherwise provide for contraceptives because such activities would be contrary to the individual’s religious beliefs or moral convictions.
(d) Nothing in this section shall be construed to require coverage of abortion or abortion-related services.

SEC. 727. The United States is committed to ensuring the health of its Olympic, Pan American, and Paralympic athletes, and supports the strict adherence to anti-doping in sport through testing, adjudication, education, and research as performed by nationally recognized oversight authorities.

SEC. 728. Notwithstanding any other provision of law, funds appropriated for official travel to Federal departments and agencies may be used by such departments and agencies, if consistent with Office of Management and Budget Circular A–126 regarding official travel for Government personnel, to participate in the fractional aircraft ownership pilot program.

SEC. 729. Notwithstanding any other provision of law, no executive branch agency shall purchase, construct, or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations of the House of Representatives and the Senate, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities.
by lease, contract, or other agreement for training which
cannot be accommodated in existing Center facilities.

SEC. 730. Unless otherwise authorized by existing
law, none of the funds provided in this or any other Act
may be used by an executive branch agency to produce
any prepackaged news story intended for broadcast or dis-
tribution in the United States, unless the story includes
a clear notification within the text or audio of the pre-
packaged news story that the prepackaged news story was
prepared or funded by that executive branch agency.

SEC. 731. None of the funds made available in this
Act may be used in contravention of section 552a of title
5, United States Code (popularly known as the Privacy
Act), and regulations implementing that section.

SEC. 732. (a) In General.—None of the funds ap-
propriated or otherwise made available by this or any
other Act may be used for any Federal Government con-
tract with any foreign incorporated entity which is treated
as an inverted domestic corporation under section 835(b)
or any subsidiary of such an entity.

(b) Waivers.—

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

(2) Report to Congress.—Any Secretary
issuing a waiver under paragraph (1) shall report
such issuance to Congress.

(e) Exception.—This section shall not apply to any
Federal Government contract entered into before the date
of the enactment of this Act, or to any task order issued
pursuant to such contract.

Sec. 733. During fiscal year 2019, for each employee
who—

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

(2) retires under any other provision of sub-
chapter III of chapter 83 or chapter 84 of such title
5 and receives a payment as an incentive to sepa-
rate, the separating agency shall remit to the Civil
Service Retirement and Disability Fund an amount
equal to the Office of Personnel Management’s aver-
age unit cost of processing a retirement claim for
the preceding fiscal year. Such amounts shall be
available until expended to the Office of Personnel
Management and shall be deemed to be an adminis-
trative expense under section 8348(a)(1)(B) of title
5, United States Code.
SEC. 734. (a) None of the funds made available in this or any other Act may be used to recommend or require any entity submitting an offer for a Federal contract to disclose any of the following information as a condition of submitting the offer:

(1) Any payment consisting of a contribution, expenditure, independent expenditure, or disbursement for an electioneering communication that is made by the entity, its officers or directors, or any of its affiliates or subsidiaries to a candidate for election for Federal office or to a political committee, or that is otherwise made with respect to any election for Federal office.

(2) Any disbursement of funds (other than a payment described in paragraph (1)) made by the entity, its officers or directors, or any of its affiliates or subsidiaries to any person with the intent or the reasonable expectation that the person will use the funds to make a payment described in paragraph (1).

(b) In this section, each of the terms “contribution”, “expenditure”, “independent expenditure”, “electioneering communication”, “candidate”, “election”, and “Federal office” has the meaning given such term in the

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SEC. 735. None of the funds made available in this or any other Act may be used to pay for the painting of a portrait of an officer or employee of the Federal government, including the President, the Vice President, a member of Congress (including a Delegate or a Resident Commissioner to Congress), the head of an executive branch agency (as defined in section 133 of title 41, United States Code), or the head of an office of the legislative branch.

SEC. 736. (a)(1) Notwithstanding any other provision of law, and except as otherwise provided in this section, no part of any of the funds appropriated for fiscal year 2019, by this or any other Act, may be used to pay any prevailing rate employee described in section 5342(a)(2)(A) of title 5, United States Code—

(A) during the period from the date of expiration of the limitation imposed by the comparable section for the previous fiscal years until the normal effective date of the applicable wage survey adjustment that is to take effect in fiscal year 2019, in an amount that exceeds the rate payable for the applicable grade and step of the applicable wage schedule in accordance with such section; and
(B) during the period consisting of the remainder of fiscal year 2019, in an amount that exceeds, as a result of a wage survey adjustment, the rate payable under subparagraph (A) by more than the sum of—

(i) the percentage adjustment taking effect in fiscal year 2019 under section 5303 of title 5, United States Code, in the rates of pay under the General Schedule; and

(ii) the difference between the overall average percentage of the locality-based comparability payments taking effect in fiscal year 2019 under section 5304 of such title (whether by adjustment or otherwise), and the overall average percentage of such payments which was effective in the previous fiscal year under such section.

(2) Notwithstanding any other provision of law, no prevailing rate employee described in subparagraph (B) or (C) of section 5342(a)(2) of title 5, United States Code, and no employee covered by section 5348 of such title, may be paid during the periods for which paragraph (1) is in effect at a rate that exceeds the rates that would be payable under paragraph (1) were paragraph (1) applicable to such employee.
(3) For the purposes of this subsection, the rates payable to an employee who is covered by this subsection and who is paid from a schedule not in existence on September 30, 2018, shall be determined under regulations prescribed by the Office of Personnel Management.

(4) Notwithstanding any other provision of law, rates of premium pay for employees subject to this subsection may not be changed from the rates in effect on September 30, 2018, except to the extent determined by the Office of Personnel Management to be consistent with the purpose of this subsection.

(5) This subsection shall apply with respect to pay for service performed after September 30, 2017.

(6) For the purpose of administering any provision of law (including any rule or regulation that provides premium pay, retirement, life insurance, or any other employee benefit) that requires any deduction or contribution, or that imposes any requirement or limitation on the basis of a rate of salary or basic pay, the rate of salary or basic pay payable after the application of this subsection shall be treated as the rate of salary or basic pay.

(7) Nothing in this subsection shall be considered to permit or require the payment to any employee covered by this subsection at a rate in excess of the rate that would be payable were this subsection not in effect.
(8) The Office of Personnel Management may provide for exceptions to the limitations imposed by this subsection if the Office determines that such exceptions are necessary to ensure the recruitment or retention of qualified employees.

(b) Notwithstanding subsection (a), the adjustment in rates of basic pay for the statutory pay systems that take place in fiscal year 2019 under sections 5344 and 5348 of title 5, United States Code, shall be—

(1) not less than the percentage received by employees in the same location whose rates of basic pay are adjusted pursuant to the statutory pay systems under sections 5303 and 5304 of title 5, United States Code: Provided, That prevailing rate employees at locations where there are no employees whose pay is increased pursuant to sections 5303 and 5304 of title 5, United States Code, and prevailing rate employees described in section 5343(a)(5) of title 5, United States Code, shall be considered to be located in the pay locality designated as “Rest of United States” pursuant to section 5304 of title 5, United States Code, for purposes of this subsection; and

(2) effective as of the first day of the first applicable pay period beginning after September 30, 2018.
Sec. 737. (a) The head of any Executive branch department, agency, board, commission, or office funded by this or any other appropriations Act shall submit annual reports to the Inspector General or senior ethics official for any entity without an Inspector General, regarding the costs and contracting procedures related to each conference held by any such department, agency, board, commission, or office during fiscal year 2019 for which the cost to the United States Government was more than $100,000.

(b) Each report submitted shall include, for each conference described in subsection (a) held during the applicable period—

(1) a description of its purpose;
(2) the number of participants attending;
(3) a detailed statement of the costs to the United States Government, including—

(A) the cost of any food or beverages;
(B) the cost of any audio-visual services;
(C) the cost of employee or contractor travel to and from the conference; and
(D) a discussion of the methodology used to determine which costs relate to the conference; and
(4) a description of the contracting procedures used including—

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

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

(e) Within 15 days after the end of a quarter, the head of any such department, agency, board, commission, or office shall notify the Inspector General or senior ethics official for any entity without an Inspector General, of the date, location, and number of employees attending a conference held by any Executive branch department, agency, board, commission, or office funded by this or any other appropriations Act during fiscal year 2019 for which the cost to the United States Government was more than $20,000.

(d) A grant or contract funded by amounts appropriated by this or any other appropriations Act may not be used for the purpose of defraying the costs of a conference described in subsection (c) that is not directly and programmatically related to the purpose for which the grant or contract was awarded, such as a conference held in connection with planning, training, assessment, review,
or other routine purposes related to a project funded by the grant or contract.

(c) None of the funds made available in this or any other appropriations Act may be used for travel and conference activities that are not in compliance with Office of Management and Budget Memorandum M–12–12 dated May 11, 2012 or any subsequent revisions to that memorandum.

SEC. 738. None of the funds made available in this or any other appropriations Act may be used to increase, eliminate, or reduce funding for a program, project, or activity as proposed in the President’s budget request for a fiscal year until such proposed change is subsequently enacted in an appropriation Act, or unless such change is made pursuant to the reprogramming or transfer provisions of this or any other appropriations Act.

SEC. 739. None of the funds made available by this or any other Act may be used to implement, administer, enforce, or apply the rule entitled “Competitive Area” published by the Office of Personnel Management in the Federal Register on April 15, 2008 (73 Fed. Reg. 2019 0 et seq.).

SEC. 740. (a) None of the funds appropriated or otherwise made available by this or any other Act may be available for a contract, grant, or cooperative agreement
with an entity that requires employees or contractors of
such entity seeking to report fraud, waste, or abuse to sign
internal confidentiality agreements or statements prohib-
ing or otherwise restricting such employees or contrac-
tors from lawfully reporting such waste, fraud, or abuse
to a designated investigative or law enforcement represent-
ative of a Federal department or agency authorized to re-
ceive such information.

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

Sec. 741. (a) No funds appropriated in this or any
other Act may be used to implement or enforce the agree-
ments in Standard Forms 312 and 4414 of the Govern-
ment or any other nondisclosure policy, form, or agree-
ment if such policy, form, or agreement does not contain
the following provisions: “These provisions are consistent
with and do not supersede, conflict with, or otherwise alter
the employee obligations, rights, or liabilities created by
existing statute or Executive order relating to: (1) classi-
ified information; (2) communications to Congress; (3) the
reporting to an Inspector General of a violation of any
law, rule, or regulation, or mismanagement, a gross waste
of funds, an abuse of authority, or a substantial and specific danger to public health or safety; or (4) any other whistleblower protection. The definitions, requirements, obligations, rights, sanctions, and liabilities created by controlling Executive orders and statutory provisions are incorporated into this agreement and are controlling.’’:

Provided, That notwithstanding the preceding provision of this section, a nondisclosure policy form or agreement that is to be executed by a person connected with the conduct of an intelligence or intelligence-related activity, other than an employee or officer of the United States Government, may contain provisions appropriate to the particular activity for which such document is to be used. Such form or agreement shall, at a minimum, require that the person will not disclose any classified information received in the course of such activity unless specifically authorized to do so by the United States Government. Such nondisclosure forms shall also make it clear that they do not bar disclosures to Congress, or to an authorized official of an executive agency or the Department of Justice, that are essential to reporting a substantial violation of law.

(b) A nondisclosure agreement may continue to be implemented and enforced notwithstanding subsection (a) if it complies with the requirements for such agreement that were in effect when the agreement was entered into.
(c) No funds appropriated in this or any other Act may be used to implement or enforce any agreement entered into during fiscal year 2014 which does not contain substantially similar language to that required in subsection (a).

Sec. 742. None of the funds made available by this or any other Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless a Federal agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

Sec. 743. None of the funds made available by this or any other Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24
months, where the awarding agency is aware of the conviction, unless a Federal agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

Sec. 744. (a) During fiscal year 2019, on the date on which a request is made for a transfer of funds in accordance with section 1017 of Public Law 111–203, the Bureau of Consumer Financial Protection shall notify the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Financial Services of the House of Representatives, and the Committee on Banking, Housing, and Urban Affairs of the Senate of such request.

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

Sec. 745. If, for fiscal year 2019, new budget authority provided in appropriations Acts exceeds the discretionary spending limit for any category set forth in section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 due to estimating differences with the Congressional Budget Office, an adjustment to the discretionary spending limit in such category for fiscal year 2019 shall be made by the Director of the Office of Management and Budget in the amount of the excess but the
total of all such adjustments shall not exceed 0.2 percent of the sum of the adjusted discretionary spending limits for all categories for that fiscal year.

Sec. 746. None of the funds made available under this or any other Act may be used to implement or enforce Executive Order No. 13690, Establishing a Federal Flood Risk Management Standard and a Process for Further Soliciting and Considering Stakeholder Input, including any related rules, interim final rules, or guidance.

Sec. 747. None of the funds made available by this Act may be used to implement, administer, or enforce a rule issued pursuant to section 13(p) of the Securities Exchange Act of 1934.

Sec. 748. None of the funds made available by this Act may be used to plan for, begin, continue, complete, process, or approve a public-private competition under the Office of Management and Budget Circular A–76.

Sec. 749. Except as expressly provided otherwise, any reference to “this Act” contained in any title other than title IV or VIII shall not apply to such title IV or VIII.
TITLE VIII
GENERAL PROVISIONS—DISTRICT OF COLUMBIA

(INCLUDING TRANSFERS OF FUNDS)

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

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

SEC. 803. (a) None of the Federal funds provided under this Act to the agencies funded by this Act, both Federal and District government agencies, that remain available for obligation or expenditure in fiscal year 2019, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditures for an agency through a re-programming of funds which—

(1) creates new programs;
(2) eliminates a program, project, or responsibility center;

(3) establishes or changes allocations specifically denied, limited or increased under this Act;

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

(5) re-establishes any program or project previously deferred through reprogramming;

(6) augments any existing program, project, or responsibility center through a reprogramming of funds in excess of $3,000,000 or 10 percent, whichever is less; or

(7) increases by 20 percent or more personnel assigned to a specific program, project or responsibility center,

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

(b) The District of Columbia government is authorized to approve and execute reprogramming and transfer requests of local funds under this title through November 7, 2019.

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

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

(1) an officer or employee of the Metropolitan Police Department who resides in the District of Columbia or is otherwise designated by the Chief of the Department;

(2) at the discretion of the Fire Chief, an officer or employee of the District of Columbia Fire and Emergency Medical Services Department who resides in the District of Columbia and is on call 24 hours a day;

(3) at the discretion of the Director of the Department of Corrections, an officer or employee of
the District of Columbia Department of Corrections
who resides in the District of Columbia and is on
call 24 hours a day;

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

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

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

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

Sec. 806. (a) None of the Federal funds contained
in this Act may be used by the District of Columbia Attorney
General or any other officer or entity of the District
government to provide assistance for any petition drive or
civil action which seeks to require Congress to provide for
voting representation in Congress for the District of Co-
lumbia.

(b) Nothing in this section bars the District of Co-
lumbia Attorney General from reviewing or commenting
on briefs in private lawsuits, or from consulting with officials of the District government regarding such lawsuits.

SEC. 807. None of the Federal funds contained in this Act may be used to distribute any needle or syringe for the purpose of preventing the spread of blood borne pathogens in any location that has been determined by the local public health or local law enforcement authorities to be inappropriate for such distribution, or used for the operation of a supervised drug consumption facility that permits the consumption of any substance listed in Schedule I of section 202 of the Controlled Substances Act (21 U.S.C. 812) onsite.

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

SEC. 809. (a) None of the Federal funds contained in this Act may be used to enact or carry out any law, rule, or regulation to legalize or otherwise reduce penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substances Act
(b) No funds available for obligation or expenditure by the District of Columbia government under any authority may be used to enact any law, rule, or regulation to legalize or otherwise reduce penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substances Act (21 U.S.C. 801 et seq.) or any tetrahydrocannabinols derivative for recreational purposes.

Sec. 810. No funds available for obligation or expenditure by the District of Columbia government under any authority shall be expended for any abortion except where the life of the mother would be endangered if the fetus were carried to term or where the pregnancy is the result of an act of rape or incest.

Sec. 811. (a) No later than 30 calendar days after the date of the enactment of this Act, the Chief Financial Officer for the District of Columbia shall submit to the appropriate committees of Congress, the Mayor, and the Council of the District of Columbia, a revised appropriated funds operating budget in the format of the budget that the District of Columbia government submitted pursuant to section 442 of the District of Columbia Home Rule Act (D.C. Official Code, see. 1–204.42), for all agencies of the
District of Columbia government for fiscal year 2019 that is in the total amount of the approved appropriation and that realigns all budgeted data for personal services and other-than-personal services, respectively, with anticipated actual expenditures.

(b) This section shall apply only to an agency for which the Chief Financial Officer for the District of Columbia certifies that a reallocation is required to address unanticipated changes in program requirements.

Sec. 812. No later than 30 calendar days after the date of the enactment of this Act, the Chief Financial Officer for the District of Columbia shall submit to the appropriate committees of Congress, the Mayor, and the Council for the District of Columbia, a revised appropriated funds operating budget for the District of Columbia Public Schools that aligns schools budgets to actual enrollment. The revised appropriated funds budget shall be in the format of the budget that the District of Columbia government submitted pursuant to section 442 of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1–204.42).

Sec. 813. (a) Amounts appropriated in this Act as operating funds may be transferred to the District of Columbia’s enterprise and capital funds and such amounts,
once transferred, shall retain appropriation authority consistent with the provisions of this Act.

(b) The District of Columbia government is authorized to reprogram or transfer for operating expenses any local funds transferred or reprogrammed in this or the four prior fiscal years from operating funds to capital funds, and such amounts, once transferred or reprogrammed, shall retain appropriation authority consistent with the provisions of this Act.

c) The District of Columbia government may not transfer or reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

SEC. 814. None of the Federal funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 815. Except as otherwise specifically provided by law or under this Act, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2019 from appropriations of Federal funds made available for salaries and expenses for fiscal year 2019 in this Act, shall remain available through September 30, 2020, for each such account for the purposes authorized: Provided, That a request shall be submitted to the Com-
mittees on Appropriations of the House of Representatives and the Senate for approval prior to the expenditure of such funds: Provided further, That these requests shall be made in compliance with reprogramming guidelines outlined in section 803 of this Act.

SEC. 816. (a)(1) During fiscal year 2020, during a period in which neither a District of Columbia continuing resolution or a regular District of Columbia appropriation bill is in effect, local funds are appropriated in the amount provided for any project or activity for which local funds are provided in the Act referred to in paragraph (2) (subject to any modifications enacted by the District of Columbia as of the beginning of the period during which this subsection is in effect) at the rate set forth by such Act.

(2) The Act referred to in this paragraph is the Act of the Council of the District of Columbia pursuant to which a proposed budget is approved for fiscal year 2020 which (subject to the requirements of the District of Columbia Home Rule Act) will constitute the local portion of the annual budget for the District of Columbia government for fiscal year 2020 for purposes of section 446 of the District of Columbia Home Rule Act (sec. 1–204.46, D.C. Official Code).

(b) Appropriations made by subsection (a) shall cease to be available—
(1) during any period in which a District of Columbia continuing resolution for fiscal year 2020 is in effect; or

(2) upon the enactment into law of the regular District of Columbia appropriation bill for fiscal year 2020.

(e) An appropriation made by subsection (a) is provided under the authority and conditions as provided under this Act and shall be available to the extent and in the manner that would be provided by this Act.

(d) An appropriation made by subsection (a) shall cover all obligations or expenditures incurred for such project or activity during the portion of fiscal year 2020 for which this section applies to such project or activity.

(e) This section shall not apply to a project or activity during any period of fiscal year 2020 if any other provision of law (other than an authorization of appropriations)—

(1) makes an appropriation, makes funds available, or grants authority for such project or activity to continue for such period; or

(2) specifically provides that no appropriation shall be made, no funds shall be made available, or no authority shall be granted for such project or activity to continue for such period.
(f) Nothing in this section shall be construed to affect obligations of the government of the District of Columbia mandated by other law.

SEC. 817. (a) No funds available for obligation or expenditure by the District of Columbia government under any authority may be used to enact any act, resolution, rule, regulation, guidance, or other law to permit any person to carry out any activity, or to reduce the penalties imposed with respect to any activity, to which subsection (a) of section 3 of the Assisted Suicide Funding Restriction Act of 1997 (42 U.S.C. 14402) applies (taking into consideration subsection (b) of such section).

(b) Effective February 18, 2017, the Death With Dignity Act of 2016 (D.C. Law 21–182) is hereby repealed.

SEC. 818. None of the funds made available by this Act may be used to carry out the Reproductive Health Non-Discrimination Amendment Act of 2014 (D.C. Law 20–261) or to implement any rule or regulation promulgated to carry out such Act.

SEC. 819. (a) Effective with respect to fiscal year 2013 and each succeeding fiscal year, the Local Budget Autonomy Amendment Act of 2012 (D.C. Law 19–321) is hereby repealed, and any provision of law amended or
repealed by such Act shall be restored or revived as if such Act had not been enacted into law.

(b)(1) Section 450 of the District of Columbia Home Rule Act (sec. 1–204.50, D.C. Official Code) is amended—

(A) in the first sentence, by striking “The General Fund” and inserting “(a) IN GENERAL.—The General Fund”; and

(B) by adding at the end the following new subsection:

“(b) Application of Federal Appropriations Process.—Nothing in this Act shall be construed as creating a continuing appropriation of the General Fund described in subsection (a). All funds provided for the District of Columbia shall be appropriated on an annual fiscal year basis through the Federal appropriations process. For each fiscal year, the District shall be subject to all applicable requirements of subchapter III of chapter 13 and subchapter II of chapter 15 of title 31, United States Code (commonly known as the ‘Anti-Deficiency Act’), the Budget and Accounting Act of 1921, and all other requirements and restrictions applicable to appropriations for such fiscal year.”.

(2) Section 603(a) of such Act (sec. 1–206.03(a), D.C. Official Code) is amended—
(A) by striking “existing”; and

(B) by striking the period at the end and inserting the following: “, or as authorizing the District of Columbia to make any such change.”.

(3) The amendments made by this subsection shall take effect as if included in the enactment of the District of Columbia Home Rule Act.

SEC. 820. Except as expressly provided otherwise, any reference to “this Act” contained in this title or in title IV shall be treated as referring only to the provisions of this title or of title IV.

TITLE IX—FINANCIAL REFORM

Subtitle A—Helping Angels Lead Our Startups Act

Sec. 901. Definition of angel investor group.
Sec. 902. Clarification of general solicitation.

Subtitle B—Credit Access and Inclusion Act

Sec. 903. Positive credit reporting permitted.

Subtitle C—Small Business Mergers, Acquisitions, Sales and Brokerage Simplification Act

Sec. 904. Registration exemption for merger and acquisition brokers.
Sec. 905. Effective date.

Subtitle D—Mortgage Choice Act

Sec. 906. Definition of points and fees.
Sec. 907. Rulemaking.

Subtitle E—Fair Investment Opportunities for Professional Experts Act

Sec. 908. Definition of accredited investor.

Subtitle F—Fostering Innovation Act

Sec. 909. Temporary exemption for low-revenue issuers.

Subtitle G—End Banking for Human Traffickers Act

Sec. 910. Increasing the role of the financial industry in combating human trafficking.
Sec. 911. Coordination of human trafficking issues by the Office of Terrorism and Financial Intelligence.
Sec. 912. Additional reporting requirement under the Trafficking Victims Protection Act of 2000.
Sec. 913. Minimum standards for the elimination of trafficking.

Subtitle H—Investing in Main Street Act
Sec. 914. Investment in small business investment companies.

Subtitle I—Privacy Notification Technical Clarification Act
Sec. 915. Exception to annual notice requirement.

Subtitle J—Financial Institution Customer Protection Act
Sec. 916. Requirements for deposit account termination requests and orders.

Subtitle K—Encouraging Public Offerings Act
Sec. 917. Expanding testing the waters and confidential submissions.

Subtitle L—Risk-Based Credit Examination Act
Sec. 918. Risk-Based Examinations of Nationally Recognized Statistical Rating Organizations.

Subtitle M—Protection of Source Code Act
Sec. 919. Procedure for obtaining certain intellectual property.

Subtitle N—Family Office Technical Correction Act
Sec. 920. Accredited investor clarification.

Subtitle O—Market Data Protection Act
Sec. 921. Internal risk controls.

Subtitle P—Financial Stability Oversight Council Improvement Act
Sec. 922. SIFI designation process.
Sec. 923. Rule of construction.

Subtitle Q—Expanding Access to Capital for Rural Job Creators Act
Sec. 925. Access to capital for rural-area small businesses.

Subtitle R—Volcker Rule Regulatory Harmonization Act
Sec. 926. Rulemaking authority under the Volcker rule.
Sec. 927. Enforcement; anti-evasion.
Sec. 928. Exclusion of community banks from Volcker rule.

Subtitle S—Financial Institution Living Will Improvement Act
Sec. 929. Living will reforms.

Subtitle T—Financial Institutions Examination Fairness and Reform Act
Sec. 930. Amendment to definition of financial institution.
Sec. 931. Timeliness of examination reports.
Sec. 932. Independent Examination Review Director.
Sec. 933. Right to independent review of material supervisory determinations.
Sec. 934. Additional amendments.

Subtitle U—TRID Improvement Act

Sec. 936. Amendments to mortgage disclosure requirements.

Subtitle V—Common Sense Credit Union Capital Relief Act

Sec. 938. Delay in effective date.

Subtitle W—Bureau of Consumer Financial Protection–Inspector General
Reform Act

Sec. 939. Appointment of Inspector General.
Sec. 940. Requirements for the Inspector General for the Bureau of Consumer
Financial Protection.
Sec. 941. Effective date.
Sec. 942. Transition period.

Subtitle X—BCFP on Appropriations

Sec. 943. Bureau appropriations.

Subtitle Y—Stress Test Relief for Nonbanks

Sec. 944. Stress test relief for nonbanks.

Subtitle Z—Interaffiliate Language

Sec. 945. Interaffiliate treatment with respect to initial margin requirements.

Subtitle AA—Tailored Application of Prudential Standards

Sec. 946. Tailored application of prudential standards.

Subtitle BB—Authority to Remove Bureau Director

Sec. 947. Authority to remove Bureau Director.

Subtitle CC—Congressional Review of Bureau Rulemaking

Sec. 948. Congressional review of Bureau rulemaking.
Sec. 949. Budgetary effects of rules subject to section 802 of title 5, United
States Code.
Sec. 951. Effective date.

Subtitle A—Helping Angels Lead
Our Startups Act

SEC. 901. DEFINITION OF ANGEL INVESTOR GROUP.

As used in this subtitle, the term “angel investor
group” means any group that—
(1) is composed of accredited investors interested in investing personal capital in early-stage companies;

(2) holds regular meetings and has defined processes and procedures for making investment decisions, either individually or among the membership of the group as a whole; and

(3) is neither associated nor affiliated with brokers, dealers, or investment advisers.

SEC. 902. CLARIFICATION OF GENERAL SOLICITATION.

(a) In General.—Not later than 6 months after the date of enactment of this Act, the Securities and Exchange Commission shall revise Regulation D of its rules (17 CFR 230.500 et seq.) to require that in carrying out the prohibition against general solicitation or general advertising contained in section 230.502(c) of title 17, Code of Federal Regulations, the prohibition shall not apply to a presentation or other communication made by or on behalf of an issuer which is made at an event—

(1) sponsored by—

(A) the United States or any territory thereof, by the District of Columbia, by any State, by a political subdivision of any State or territory, or by any agency or public instrumentality of any of the foregoing;
(B) a college, university, or other institution of higher education;

(C) a nonprofit organization;

(D) an angel investor group;

(E) a venture forum, venture capital association, or trade association; or

(F) any other group, person or entity as the Securities and Exchange Commission may determine by rule;

(2) where any advertising for the event does not reference any specific offering of securities by the issuer;

(3) the sponsor of which—

(A) does not make investment recommendations or provide investment advice to event attendees;

(B) does not engage in an active role in any investment negotiations between the issuer and investors attending the event;

(C) does not charge event attendees any fees other than administrative fees; and

(D) does not receive any compensation with respect to such event that would require registration of the sponsor as a broker or a dealer under the Securities Exchange Act of
1934, or as an investment advisor under the Investment Advisers Act of 1940; and

(4) where no specific information regarding an offering of securities by the issuer is communicated or distributed by or on behalf of the issuer, other than—

(A) that the issuer is in the process of offering securities or planning to offer securities;

(B) the type and amount of securities being offered;

(C) the amount of securities being offered that have already been subscribed for; and

(D) the intended use of proceeds of the offering.

(b) Rule of Construction.—Subsection (a) may only be construed as requiring the Securities and Exchange Commission to amend the requirements of Regulation D with respect to presentations and communications, and not with respect to purchases or sales.

Subtitle B—Credit Access and Inclusion Act

SEC. 903. POSITIVE CREDIT REPORTING PERMITTED.

(a) In General.—Section 623 of the Fair Credit Reporting Act (15 U.S.C. 1681s–2) is amended by adding at the end the following new subsection:
“(f) Full-File Credit Reporting.—

“(1) In general.—Subject to the limitation in paragraph (2) and notwithstanding any other provision of law, a person or the Secretary of Housing and Urban Development may furnish to a consumer reporting agency information relating to the performance of a consumer in making payments—

“(A) under a lease agreement with respect to a dwelling, including such a lease in which the Department of Housing and Urban Development provides subsidized payments for occupancy in a dwelling; or

“(B) pursuant to a contract for a utility or telecommunications service.

“(2) Limitation.—Information about a consumer’s usage of any utility services provided by a utility or telecommunication firm may be furnished to a consumer reporting agency only to the extent that such information relates to payment by the consumer for the services of such utility or telecommunication service or other terms of the provision of the services to the consumer, including any deposit, discount, or conditions for interruption or termination of the services.
“(3) PAYMENT PLAN.—An energy utility firm may not report payment information to a consumer reporting agency with respect to an outstanding balance of a consumer as late if—

“(A) the energy utility firm and the consumer have entered into a payment plan (including a deferred payment agreement, an arrearage management program, or a debt forgiveness program) with respect to such outstanding balance; and

“(B) the consumer is meeting the obligations of the payment plan, as determined by the energy utility firm.

“(4) DEFINITIONS.—In this subsection, the following definitions shall apply:

“(A) ENERGY UTILITY FIRM.—The term ‘energy utility firm’ means an entity that provides gas or electric utility services to the public.

“(B) UTILITY OR TELECOMMUNICATION FIRM.—The term ‘utility or telecommunication firm’ means an entity that provides utility services to the public through pipe, wire, landline, wireless, cable, or other connected facilities, or
radio, electronic, or similar transmission (in-
cluding the extension of such facilities).”.

(b) LIMITATION ON LIABILITY.—Section 623(c) of
the Consumer Credit Protection Act (15 U.S.C. 1681s–
2(c)) is amended—

(1) in paragraph (2), by striking “or” at the
end;

(2) by redesignating paragraph (3) as para-
graph (4); and

(3) by inserting after paragraph (2) the fol-
lowing new paragraph:

“(3) subsection (f) of this section, including any
regulations issued thereunder; or”.

(c) GAO STUDY AND REPORT.—Not later than 2
years after the date of the enactment of this Act, the
Comptroller General of the United States shall submit to
Congress a report on the impact of furnishing information
pursuant to subsection (f) of section 623 of the Fair Cred-
it Reporting Act (15 U.S.C. 1681s–2) (as added by this
subtitle) on consumers.
Subtitle C—Small Business Mergers, Acquisitions, Sales and Brokerage Simplification Act

SEC. 904. REGISTRATION EXEMPTION FOR MERGER AND ACQUISITION BROKERS.

Section 15(b) of the Securities Exchange Act of 1934 (15 U.S.C. 78o(b)) is amended by adding at the end the following:

“(13) Registration exemption for merger and acquisition brokers.—

“(A) In general.—Except as provided in subparagraph (B), an M&A broker shall be exempt from registration under this section.

“(B) Excluded activities.—An M&A broker is not exempt from registration under this paragraph if such broker does any of the following:

“(i) Directly or indirectly, in connection with the transfer of ownership of an eligible privately held company, receives, holds, transmits, or has custody of the funds or securities to be exchanged by the parties to the transaction.

“(ii) Engages on behalf of an issuer in a public offering of any class of securities
that is registered, or is required to be reg-
istered, with the Commission under section
12 or with respect to which the issuer files,
or is required to file, periodic information,
documents, and reports under subsection
(d).

“(iii) Engages on behalf of any party
in a transaction involving a shell company,
other than a business combination related
shell company.

“(iv) Directly, or indirectly through
any of its affiliates, provides financing re-
lated to the transfer of ownership of an eli-
gible privately held company.

“(v) Assists any party to obtain fi-
nancing from an unaffiliated third party
without—

“(I) complying with all other ap-
plicable laws in connection with such
assistance, including, if applicable,
Regulation T (12 CFR 220 et seq.); and

“(II) disclosing any compensation
in writing to the party.
“(vi) Represents both the buyer and the seller in the same transaction without providing clear written disclosure as to the parties the broker represents and obtaining written consent from both parties to the joint representation.

“(vii) Facilitates a transaction with a group of buyers formed with the assistance of the M&A broker to acquire the eligible privately held company.

“(viii) Engages in a transaction involving the transfer of ownership of an eligible privately held company to a passive buyer or group of passive buyers. For purposes of the preceding sentence, a buyer that is actively involved in managing the acquired company is not a passive buyer, regardless of whether such buyer is itself owned by passive beneficial owners.

“(ix) Binds a party to a transfer of ownership of an eligible privately held company.

“(C) DISQUALIFICATIONS.—An M&A broker is not exempt from registration under this paragraph if such broker is subject to—
“(i) suspension or revocation of registration under paragraph (4);
“(ii) a statutory disqualification described in section 3(a)(39);
“(iii) a disqualification under the rules adopted by the Commission under section 926 of the Investor Protection and Securities Reform Act of 2010 (15 U.S.C. 77d note); or
“(iv) a final order described in paragraph (4)(H).
“(D) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to limit any other authority of the Commission to exempt any person, or any class of persons, from any provision of this title, or from any provision of any rule or regulation thereunder.
“(E) DEFINITIONS.—In this paragraph:
“(i) BUSINESS COMBINATION RELATED SHELL COMPANY.—The term ‘business combination related shell company’ means a shell company that is formed by an entity that is not a shell company—
“(I) solely for the purpose of changing the corporate domicile of
that entity solely within the United States; or

“(II) solely for the purpose of completing a business combination transaction (as defined under section 230.165(f) of title 17, Code of Federal Regulations) among one or more entities other than the company itself, none of which is a shell company.

“(ii) CONTROL.—The term ‘control’ means the power, directly or indirectly, to direct the management or policies of a company, whether through ownership of securities, by contract, or otherwise. There is a presumption of control for any person who—

“(I) is a director, general partner, member or manager of a limited liability company, or corporate officer of a corporation or limited liability company, and exercises executive responsibility (or has similar status or functions);

“(II) has the right to vote 25 percent or more of a class of voting
securities or the power to sell or direct
the sale of 25 percent or more of a
class of voting securities; or

“(III) in the case of a partner-
ship or limited liability company, has
the right to receive upon dissolution,
or has contributed, 25 percent or
more of the capital.

“(iii) Eligible privately held
company.—The term ‘eligible privately
held company’ means a privately held com-
pany that meets both of the following con-
ditions:

“(I) The company does not have
any class of securities registered, or
required to be registered, with the
Commission under section 12 or with
respect to which the company files, or
is required to file, periodic informa-
tion, documents, and reports under
subsection (d).

“(II) In the fiscal year ending
immediately before the fiscal year in
which the services of the M&A broker
are initially engaged with respect to
the securities transaction, the company meets either or both of the following conditions (determined in accordance with the historical financial accounting records of the company):

“(aa) The earnings of the company before interest, taxes, depreciation, and amortization are less than $25,000,000.

“(bb) The gross revenues of the company are less than $250,000,000.

For purposes of this subclause, the Commission may by rule modify the dollar figures if the Commission determines that such a modification is necessary or appropriate in the public interest or for the protection of investors.

“(iv) M&A BROKER.—The term ‘M&A broker’ means a broker, and any person associated with a broker, engaged in the business of effecting securities transactions solely in connection with the transfer of ownership of an eligible privately held com-
pany, regardless of whether the broker acts
on behalf of a seller or buyer, through the
purchase, sale, exchange, issuance, repur-
chase, or redemption of, or a business com-
bination involving, securities or assets of
the eligible privately held company, if the
broker reasonably believes that—

“(I) upon consummation of the
transaction, any person acquiring se-
curities or assets of the eligible pri-
vately held company, acting alone or
in concert, will control and, directly or
indirectly, will be active in the man-
agement of the eligible privately held
company or the business conducted
with the assets of the eligible privately
held company; and

“(II) if any person is offered se-
curities in exchange for securities or
assets of the eligible privately held
company, such person will, prior to
becoming legally bound to consum-
mate the transaction, receive or have
reasonable access to the most recent
fiscal year-end financial statements of
the issuer of the securities as custom-
arily prepared by the management of
the issuer in the normal course of op-
erations and, if the financial state-
ments of the issuer are audited, re-
viewed, or compiled, any related state-
ment by the independent accountant,
a balance sheet dated not more than
120 days before the date of the offer,
and information pertaining to the
management, business, results of op-
erations for the period covered by the
foregoing financial statements, and
material loss contingencies of the
issuer.

“(v) SHELL COMPANY.—The term
‘shell company’ means a company that at
the time of a transaction with an eligible
privately held company—

“(I) has no or nominal oper-
ations; and

“(II) has—

“(aa) no or nominal assets;

“(bb) assets consisting solely
of cash and cash equivalents; or
“(cc) assets consisting of any amount of cash and cash equivalents and nominal other assets.

“(F) INFLATION ADJUSTMENT.—

“(i) IN GENERAL.—On the date that is 5 years after the date of the enactment of the Small Business Mergers, Acquisitions, Sales, and Brokerage Simplification Act of 2018, and every 5 years thereafter, each dollar amount in subparagraph (E)(ii)(II) shall be adjusted by—

“(I) dividing the annual value of the Employment Cost Index For Wages and Salaries, Private Industry Workers (or any successor index), as published by the Bureau of Labor Statistics, for the calendar year preceding the calendar year in which the adjustment is being made by the annual value of such index (or successor) for the calendar year ending December 31, 2012; and
“(II) multiplying such dollar amount by the quotient obtained under subclause (I).

“(ii) Rounding.—Each dollar amount determined under clause (i) shall be rounded to the nearest multiple of $100,000.”.

SEC. 905. EFFECTIVE DATE.

This subtitle and any amendment made by this subtitle shall take effect on the date that is 90 days after the date of the enactment of this Act.

Subtitle D—Mortgage Choice Act

SEC. 906. DEFINITION OF POINTS AND FEES.

(a) Amendment to Section 103 of TILA.—Section 103(bb)(4) of the Truth in Lending Act (15 U.S.C. 1602(bb)(4)) is amended—

(1) by striking “paragraph (1)(B)” and inserting “paragraph (1)(A) and section 129C”;

(2) in subparagraph (C)—

(A) by inserting “and insurance” after “taxes”;

(B) in clause (ii), by inserting “, except as retained by a creditor or its affiliate as a result of their participation in an affiliated business arrangement (as defined in section 2(7) of the
Real Estate Settlement Procedures Act of 1974

(12 U.S.C. 2602(7))’’ after ‘‘compensation’’;
and

(C) by striking clause (iii) and inserting
the following:

‘‘(iii) the charge is—

‘‘(I) a bona fide third-party charge
not retained by the mortgage originator,
creditor, or an affiliate of the creditor or
mortgage originator; or

‘‘(II) a charge set forth in section
106(c)(1);’’; and

(3) in subparagraph (D)—

(A) by striking ‘‘accident,’’; and

(B) by striking ‘‘or any payments’’ and in-
serting ‘‘and any payments’’.

(b) AMENDMENT TO SECTION 129C OF TILA.—Sec-
tion 129C of the Truth in Lending Act (15 U.S.C. 1639c)
is amended—

(1) in subsection (a)(5)(C), by striking ‘‘103’’
and all that follows through ‘‘or mortgage origi-
nator’’ and inserting ‘‘103(bb)(4)’’; and

(2) in subsection (b)(2)(C)(i), by striking ‘‘103’’
and all that follows through ‘‘or mortgage origi-
nator’’ and inserting ‘‘103(bb)(4)’’.
SEC. 907. RULEMAKING.

Not later than the end of the 90-day period beginning on the date of the enactment of this Act, the Bureau of Consumer Financial Protection shall issue final regulations to carry out the amendments made by this subtitle, and such regulations shall be effective upon issuance.

Subtitle E—Fair Investment Opportunities for Professional Experts Act

SEC. 908. DEFINITION OF ACCREDITED INVESTOR.

(a) In General.—Section 2(a)(15) of the Securities Act of 1933 (15 U.S.C. 77b(a)(15) is amended—

(1) by redesignating clauses (i) and (ii) as subparagraphs (A) and (F), respectively; and

(2) in subparagraph (A) (as so redesignated), by striking “; or” and inserting a semicolon, and inserting after such subparagraph the following:

“(B) any natural person whose individual net worth, or joint net worth with that person’s spouse, exceeds $1,000,000 (which amount, along with the amounts set forth in subparagraph (C), shall be adjusted for inflation by the Commission every 5 years to the nearest $10,000 to reflect the change in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics) where, for

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purposes of calculating net worth under this subparagraph—

“(i) the person’s primary residence shall not be included as an asset;

“(ii) indebtedness that is secured by the person’s primary residence, up to the estimated fair market value of the primary residence at the time of the sale of securities, shall not be included as a liability (except that if the amount of such indebtedness outstanding at the time of sale of securities exceeds the amount outstanding 60 days before such time, other than as a result of the acquisition of the primary residence, the amount of such excess shall be included as a liability); and

“(iii) indebtedness that is secured by the person’s primary residence in excess of the estimated fair market value of the primary residence at the time of the sale of securities shall be included as a liability;

“(C) any natural person who had an individual income in excess of $200,000 in each of the 2 most recent years or joint income with that person’s spouse in excess of $300,000 in
each of those years and has a reasonable expectation of reaching the same income level in the current year;

“(D) any natural person who is currently licensed or registered as a broker or investment adviser by the Commission, the Financial Industry Regulatory Authority, or an equivalent self-regulatory organization (as defined in section 3(a)(26) of the Securities Exchange Act of 1934), or the securities division of a State or the equivalent State division responsible for licensing or registration of individuals in connection with securities activities;

“(E) any natural person the Commission determines, by regulation, to have demonstrable education or job experience to qualify such person as having professional knowledge of a subject related to a particular investment, and whose education or job experience is verified by the Financial Industry Regulatory Authority or an equivalent self-regulatory organization (as defined in section 3(a)(26) of the Securities Exchange Act of 1934); or”.

(b) RULEMAKING.—The Commission shall revise the definition of accredited investor under Regulation D (17
CFR 230.501 et seq.) to conform with the amendments made by subsection (a).

Subtitle F—Fostering Innovation Act

SEC. 909. TEMPORARY EXEMPTION FOR LOW-REVENUE ISSUERS.

Section 404 of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7262) is amended by adding at the end the following:

“(d) TEMPORARY EXEMPTION FOR LOW-REVENUE ISSUERS.—

“(1) LOW-REVENUE EXEMPTION.—Subsection (b) shall not apply with respect to an audit report prepared for an issuer that—

“(A) ceased to be an emerging growth company on the last day of the fiscal year of the issuer following the fifth anniversary of the date of the first sale of common equity securities of the issuer pursuant to an effective registration statement under the Securities Act of 1933;

“(B) had average annual gross revenues of less than $50,000,000 as of its most recently completed fiscal year; and

“(C) is not a large accelerated filer.
“(2) Expiration of temporary exemption.—An issuer ceases to be eligible for the exemption described under paragraph (1) at the earliest of—

“(A) the last day of the fiscal year of the issuer following the tenth anniversary of the date of the first sale of common equity securities of the issuer pursuant to an effective registration statement under the Securities Act of 1933;

“(B) the last day of the fiscal year of the issuer during which the average annual gross revenues of the issuer exceed $50,000,000; or

“(C) the date on which the issuer becomes a large accelerated filer.

“(3) Definitions.—For purposes of this subsection:

“(A) Average annual gross revenues.—The term ‘average annual gross revenues’ means the total gross revenues of an issuer over its most recently completed three fiscal years divided by three.

“(B) Emerging growth company.—The term ‘emerging growth company’ has the mean-

“(C) LARGE ACCELERATED FILER.—The term ‘large accelerated filer’ has the meaning given that term under section 240.12b–2 of title 17, Code of Federal Regulations, or any successor thereto.”.

Subtitle G—End Banking for Human Traffickers Act

SEC. 910. INCREASING THE ROLE OF THE FINANCIAL INDUSTRY IN COMBATING HUMAN TRAFFICKING.

(a) Treasury as a Member of the President’s Interagency Task Force to Monitor and Combat Trafficking.—Section 105(b) of the Victims of Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7103(b)) is amended by inserting “the Secretary of the Treasury,” after “the Secretary of Education,”.

(b) Required Review of Procedures.—Not later than 180 days after the date of the enactment of this Act, the Financial Institutions Examination Council, in consultation with the Secretary of the Treasury, the private sector, and appropriate law enforcement agencies, shall—

(1) review and enhance training and examinations procedures to improve the capabilities of anti-
money laundering and countering the financing of terrorism programs to detect financial transactions relating to severe forms of trafficking in persons;

(2) review and enhance procedures for referring potential cases relating to severe forms of trafficking in persons to the appropriate law enforcement agency; and

(3) determine, as appropriate, whether requirements for financial institutions are sufficient to detect and deter money laundering relating to severe forms of trafficking in persons.

(c) INTERAGENCY TASK FORCE RECOMMENDATIONS TARGETING MONEY LAUNDERING RELATED TO HUMAN TRAFFICKING.—

(1) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Interagency Task Force to Monitor and Combat Trafficking shall submit to the Committee on Financial Services and the Committee on the Judiciary of the House of Representatives, the Committee on Banking, Housing, and Urban Affairs and the Committee on the Judiciary of the Senate, and the head of each appropriate Federal banking agency—

(A) an analysis of anti-money laundering efforts of the United States Government and
United States financial institutions relating to severe forms of trafficking in persons; and

(B) appropriate legislative, administrative, and other recommendations to strengthen efforts against money laundering relating to severe forms of trafficking in persons.

(2) REQUIRED RECOMMENDATIONS.—The recommendations under paragraph (1) shall include—

(A) feedback from financial institutions on best practices of successful programs to combat severe forms of trafficking in persons currently in place that may be suitable for broader adoption by similarly situated financial institutions;

(B) feedback from stakeholders, including victims of severe forms of trafficking in persons and financial institutions, on policy proposals derived from the analysis conducted by the task force referred to in paragraph (1) that would enhance the efforts and programs of financial institutions to detect and deter money laundering relating to severe forms of trafficking in persons, including any recommended changes to internal policies, procedures, and controls relating to severe forms of trafficking in persons;
(C) any recommended changes to training programs at financial institutions to better equip employees to deter and detect money laundering relating to severe forms of trafficking in persons;

(D) any recommended changes to expand information sharing relating to severe forms of trafficking in persons among financial institutions and between such financial institutions, appropriate law enforcement agencies, and appropriate Federal agencies; and

(E) recommended changes, if necessary, to existing statutory law to more effectively detect and deter money laundering relating to severe forms of trafficking in persons, where such money laundering involves the use of emerging technologies and virtual currencies.

(d) LIMITATION.—Nothing in this subtitle shall be construed to grant rulemaking authority to the Inter-agency Task Force to Monitor and Combat Trafficking.

(e) DEFINITIONS.—As used in this section—

(1) the term “appropriate Federal banking agency” has the meaning given the term in section 3(q) of the Federal Deposit Insurance Act (12 U.S.C. 1813(q));
the term “severe forms of trafficking in persons” has the meaning given such term in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102);

(3) the term “Interagency Task Force to Monitor and Combat Trafficking” means the Interagency Task Force to Monitor and Combat Trafficking established by the President pursuant to section 105 of the Victims of Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7103); and

(4) the term “law enforcement agency” means an agency of the United States, a State, or a political subdivision of a State, authorized by law or by a government agency to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of criminal or civil law.

SEC. 911. COORDINATION OF HUMAN TRAFFICKING ISSUES BY THE OFFICE OF TERRORISM AND FINANCIAL INTELLIGENCE.

(a) Functions.—Section 312(a)(4) of title 31, United States Code, is amended—

(1) by redesignating subparagraphs (E), (F), and (G) as subparagraphs (F), (G), and (H), respectively; and
(2) by inserting after subparagraph (D) the following:

“(E) combating illicit financing relating to severe forms of trafficking in persons;”.

(b) INTERAGENCY COORDINATION.—Section 312(a) of title 31, United States Code, is amended by adding at the end the following:

“(8) INTERAGENCY COORDINATION.—The Secretary of the Treasury, after consultation with the Undersecretary for Terrorism and Financial Crimes, shall designate an office within the OTFI that shall coordinate efforts to combat the illicit financing of severe forms of trafficking in persons with—

“(A) other offices of the Department of the Treasury;

“(B) other Federal agencies, including—

“(i) the Office to Monitor and Combat Trafficking in Persons of the Department of State; and

“(ii) the Interagency Task Force to Monitor and Combat Trafficking;

“(C) State and local law enforcement agencies; and

“(D) foreign governments.”.
(c) DEFINITION.—Section 312(a) of title 31, United States Code, as amended by this section, is further amended by adding at the end the following:

“(9) DEFINITION.—In this subsection, the term ‘severe forms of trafficking in persons’ has the meaning given such term in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).”.


Section 105(d)(7) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(d)(7)) is amended—

(1) in the matter preceding subparagraph (A)—

(A) by inserting “the Committee on Financial Services,” after “the Committee on Foreign Affairs,”; and

(B) by inserting “the Committee on Banking, Housing, and Urban Affairs,” after “the Committee on Foreign Relations,”;

(2) in subparagraph (Q)(vii), by striking “;” and inserting a semicolon;

(3) in subparagraph (R), by striking the period at the end and inserting “; and”; and

(4) by adding at the end the following:
“(S) the efforts of the United States to eliminate money laundering relating to severe forms of trafficking in persons and the number of investigations, arrests, indictments, and convictions in money laundering cases with a nexus to severe forms of trafficking in persons.”.

SEC. 913. MINIMUM STANDARDS FOR THE ELIMINATION OF TRAFFICKING.

Section 108(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7106(b)) is amended by adding at the end the following new paragraph:

“(13) Whether the government of the country, consistent with the capacity of the country, has in effect a framework to prevent financial transactions involving the proceeds of severe forms of trafficking in persons, and is taking steps to implement such a framework, including by investigating, prosecuting, convicting, and sentencing individuals who attempt or conduct such transactions.”.

Subtitle H—Investing in Main Street Act

SEC. 914. INVESTMENT IN SMALL BUSINESS INVESTMENT COMPANIES.

Section 302(b) of the Small Business Investment Act of 1958 (15 U.S.C. 682(b)) is amended—
(1) in paragraph (1), by inserting before the pe-
riod the following: “or, subject to the approval of the
appropriate Federal banking agency, 15 percent of
such capital and surplus”; 

(2) in paragraph (2), by inserting before the pe-
riod the following: “or, subject to the approval of the
appropriate Federal banking agency, 15 percent of
such capital and surplus”; and 

(3) by adding at the end the following:

“(3) APPROPRIATE FEDERAL BANKING AGENCY
DEFINED.—For purposes of this subsection, the
term ‘appropriate Federal banking agency’ has the
meaning given that term under section 3 of the Fed-
eral Deposit Insurance Act.”.

Subtitle I—Privacy Notification
Technical Clarification Act

SEC. 915. EXCEPTION TO ANNUAL NOTICE REQUIREMENT.

Section 503 of the Gramm-Leach-Bliley Act (15
U.S.C. 6803) is amended by adding at the end the fol-
lowing:

“(g) ADDITIONAL EXCEPTION TO ANNUAL NOTICE
REQUIREMENT.—

“(1) IN GENERAL.—A vehicle financial com-
pany that has not changed its policies and practices
with regard to disclosing nonpublic personal infor-
mation from the policies and practices that were dis-
closed in the most recent disclosure sent to con-
sumers in accordance with this section shall not be
required to provide an annual disclosure under this
section if—

“(A) the vehicle financial company makes
its current policy available to consumers on its
website and via mail upon written request sent
to a designated address identified for the pur-
pose of requesting the policy or upon telephone
request made using a toll free consumer service
telephone number;

“(B) the vehicle financial company con-
spicuously notifies consumers of the availability
of the current policy, including—

“(i) with respect to consumers who
are entitled to a periodic billing statement,
a message on the front page of each peri-
odic billing statement; and

“(ii) with respect to consumers who
are not entitled to a periodic billing state-
ment, through other reasonable means
such as through a link on the landing page
of the company’s website or with other
written communication, including elec-
tronic communication, sent to the con-
sumer; and
“(C) the vehicle financial company—
“(i) provides consumers with the abil-
ity to opt out, subject to any exemption or
exception provided under subsection (b)(2)
or (e) of section 502 or under regulations
prescribed under section 504(b), of having
the consumer’s nonpublic personal infor-
mation disclosed to a nonaffiliated third
party; and
“(ii) includes a description about
where to locate the procedures for a con-
sumer to select such opt out in each peri-
odic billing statement sent to the con-
sumer.
“(2) TREATMENT OF MULTIPLE POLICIES.—If
a vehicle financial company maintains more than one
set of policies described under paragraph (1) that
vary depending on the consumer’s account status or
State of residence, the vehicle financial company
may comply with the website posting requirement in
paragraph (1)(A) by posting all of such policies to
the public section of the vehicle financial company’s
website, with instructions for choosing the applicable policy.

“(3) VEHICLE FINANCIAL COMPANY DEFINED.—For purposes of this subsection, the term ‘vehicle financial company’ means—

“(A) a financial institution that—

“(i) is regularly engaged in the business of extending credit for the purchase of vehicles;

“(ii) is affiliated with a vehicle manufacturer; and

“(iii) only shares nonpublic personal information of consumers with non-affiliated third parties that are vehicle dealers; or

“(B) a financial institution that—

“(i) regularly engages in the business of extending credit for the purchase or lease of vehicles from vehicle dealers; or

“(ii) purchases vehicle installment sales contracts or leases from vehicle dealers.”.
Subtitle J—Financial Institution
Customer Protection Act

SEC. 916. REQUIREMENTS FOR DEPOSIT ACCOUNT TERMINATION REQUESTS AND ORDERS.

(a) Termination Requests or Orders Must Be Valid.—

(1) In General.—An appropriate Federal banking agency may not formally or informally request or order a depository institution to terminate a specific customer account or group of customer accounts or to otherwise restrict or discourage a depository institution from entering into or maintaining a banking relationship with a specific customer or group of customers unless—

(A) the agency has a valid reason for such request or order; and

(B) such reason is not based solely on reputation risk.

(2) Treatment of National Security Threats.—If an appropriate Federal banking agency believes a specific customer or group of customers is, or is acting as a conduit for, an entity which—

(A) poses a threat to national security;

(B) is involved in terrorist financing;
(C) is an agency of the Government of Iran, North Korea, Syria, or any country listed from time to time on the State Sponsors of Terrorism list;

(D) is located in, or is subject to the jurisdiction of, any country specified in subparagraph (C); or

(E) does business with any entity described in subparagraph (C) or (D), unless the appropriate Federal banking agency determines that the customer or group of customers has used due diligence to avoid doing business with any entity described in subparagraph (C) or (D), such belief shall satisfy the requirement under paragraph (1).

(b) NOTICE REQUIREMENT.—

(1) IN GENERAL.—If an appropriate Federal banking agency formally or informally requests or orders a depository institution to terminate a specific customer account or a group of customer accounts, the agency shall—

(A) provide such request or order to the institution in writing; and

(B) accompany such request or order with a written justification for why such termination
is needed, including any specific laws or regulations the agency believes are being violated by the customer or group of customers, if any.

(2) **JUSTIFICATION REQUIREMENT.**—A justification described under paragraph (1)(B) may not be based solely on the reputation risk to the depository institution.

(c) **CUSTOMER NOTICE.**—

(1) **NOTICE REQUIRED.**—Except as provided under paragraph (2) or as otherwise prohibited from being disclosed by law, if an appropriate Federal banking agency orders a depository institution to terminate a specific customer account or a group of customer accounts, the depository institution shall inform the specific customer or group of customers of the justification for the customer’s account termination described under subsection (b).

(2) **NOTICE PROHIBITED.**—

(A) **NOTICE PROHIBITED IN CASES OF NATIONAL SECURITY.**—If an appropriate Federal banking agency requests or orders a depository institution to terminate a specific customer account or a group of customer accounts based on a belief that the customer or customers pose a threat to national security, or are otherwise de-
scribed under subsection (a)(2), neither the de-
pository institution nor the appropriate Federal
banking agency may inform the customer or
customers of the justification for the customer’s
account termination.

(B) NOTICE PROHIBITED IN OTHER
CASES.—If an appropriate Federal banking
agency determines that the notice required
under paragraph (1) may interfere with an au-
thorized criminal investigation, neither the de-
pository institution nor the appropriate Federal
banking agency may inform the specific cus-
tomer or group of customers of the justification
for the customer’s account termination.

(d) REPORTING REQUIREMENT.—Each appropriate
Federal banking agency shall issue an annual report to
the Congress stating—

(1) the aggregate number of specific customer
accounts that the agency requested or ordered a de-
pository institution to terminate during the previous
year; and

(2) the legal authority on which the agency re-
lied in making such requests and orders and the fre-
quency on which the agency relied on each such au-
thority.
(e) Definitions.—For purposes of this section:

1. **Appropriate Federal Banking Agency.**—The term “appropriate Federal banking agency” means—
   
   (A) the appropriate Federal banking agency, as defined under section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813); and
   
   (B) the National Credit Union Administration, in the case of an insured credit union.

2. **Depository Institution.**—The term “depository institution” means—

   (A) a depository institution, as defined under section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813); and

   (B) an insured credit union.

**Subtitle K—Encouraging Public Offerings Act**

**SEC. 917. EXPANDING TESTING THE WATERS AND CONFIDENTIAL SUBMISSIONS.**

The Securities Act of 1933 (15 U.S.C. 77a et seq.) is amended—

1. in section 5(d)—

   (A) by striking “Notwithstanding” and inserting the following:

   “(1) IN GENERAL.—Notwithstanding’’;
(B) by striking “an emerging growth company or any person authorized to act on behalf of an emerging growth company” and inserting “an issuer or any person authorized to act on behalf of an issuer”; and

(C) by adding at the end the following:

“(2) ADDITIONAL REQUIREMENTS.—

“(A) IN GENERAL.—The Commission may issue regulations, subject to public notice and comment, to impose such other terms, conditions, or requirements on the engaging in oral or written communications described under paragraph (1) by an issuer other than an emerging growth company as the Commission determines appropriate.

“(B) REPORT TO CONGRESS.—Prior to any rulemaking described under subparagraph (A), the Commission shall issue a report to the Congress containing a list of the findings supporting the basis of such rulemaking.”; and

(2) in section 6(e)—

(A) in the heading, by striking “EMERGING GROWTH COMPANIES” and inserting “DRAFT REGISTRATION STATEMENTS”;
(B) by redesignating paragraph (2) as paragraph (4); and

(C) by striking paragraph (1) and inserting the following:

“(1) Prior to initial public offering.—Any issuer, prior to its initial public offering date, may confidentially submit to the Commission a draft registration statement, for confidential nonpublic review by the staff of the Commission prior to public filing, provided that the initial confidential submission and all amendments thereto shall be publicly filed with the Commission not later than 15 days before the date on which the issuer conducts a road show (as defined under section 230.433(h)(4) of title 17, Code of Federal Regulations) or, in the absence of a road show, at least 15 days prior to the requested effective date of the registration statement.

“(2) Within 1 year after initial public offering or exchange registration.—Any issuer, within the 1-year period following its initial public offering or its registration of a security under section 12(b) of the Securities Exchange Act of 1934, may confidentially submit to the Commission a draft registration statement, for confidential nonpublic review by the staff of the Commission prior
to public filing, provided that the initial confidential submission and all amendments thereto shall be publicly filed with the Commission not later than 15 days before the date on which the issuer conducts a road show (as defined under section 230.433(h)(4) of title 17, Code of Federal Regulations) or, in the absence of a road show, at least 15 days prior to the requested effective date of the registration statement.

“(3) ADDITIONAL REQUIREMENTS.—

“(A) IN GENERAL.—The Commission may issue regulations, subject to public notice and comment, to impose such other terms, conditions, or requirements on the submission of draft registration statements described under this subsection by an issuer other than an emerging growth company as the Commission determines appropriate.

“(B) REPORT TO CONGRESS.—Prior to any rulemaking described under subparagraph (A), the Commission shall issue a report to the Congress containing a list of the findings supporting the basis of such rulemaking.”.
Subtitle L—Risk-Based Credit Examination Act

SEC. 918. RISK-BASED EXAMINATIONS OF NATIONALLY RECOGNIZED STATISTICAL RATING ORGANIZATIONS.

Section 15E(p)(3)(B) of the Securities Exchange Act of 1934 (15 U.S.C. 78o–7(p)(3)(B)) is amended in the matter preceding clause (i), by inserting “, as appropriate,” after “Each examination under subparagraph (A) shall include”.

Subtitle M—Protection of Source Code Act

SEC. 919. PROCEDURE FOR OBTAINING CERTAIN INTELLECTUAL PROPERTY.

(a) Persons Under Securities Act of 1933.—

Section 8 of the Securities Act of 1933 (15 U.S.C. 77h) is amended by adding at the end the following:

“(g) Procedure for Obtaining Certain Intellectual Property.—The Commission is not authorized to compel under this title a person to produce or furnish source code, including algorithmic trading source code or similar intellectual property that forms the basis for design of the source code, to the Commission unless the Commission first issues a subpoena.”.
(b) PERSONS UNDER THE SECURITIES EXCHANGE ACT OF 1934.—Section 23 of the Securities Exchange Act of 1934 (15 U.S.C. 78w) is amended by adding at the end the following:

“(e) PROCEDURE FOR OBTAINING CERTAIN INTELLECTUAL PROPERTY.—The Commission is not authorized to compel under this title a person to produce or furnish source code, including algorithmic trading source code or similar intellectual property that forms the basis for design of the source code, to the Commission unless the Commission first issues a subpoena.”.

(c) INVESTMENT COMPANIES.—Section 31 of the Investment Company Act of 1940 (15 U.S.C. 80a–30) is amended by adding at the end the following:

“(e) PROCEDURE FOR OBTAINING CERTAIN INTELLECTUAL PROPERTY.—The Commission is not authorized to compel under this title an investment company to produce or furnish source code, including algorithmic trading source code or similar intellectual property that forms the basis for design of the source code, to the Commission unless the Commission first issues a subpoena.”.

(d) INVESTMENT ADVISERS.—Section 204 of the Investment Advisers Act of 1940 (15 U.S.C. 80b–4) is amended—

(1) by adding at the end the following:
“(f) Procedure for Obtaining Certain Intellectual Property.—The Commission is not authorized to compel under this title an investment adviser to produce or furnish source code, including algorithmic trading source code or similar intellectual property that forms the basis for design of the source code, to the Commission unless the Commission first issues a subpoena.”; and

(2) in the second subsection (d), by striking “(d)” and inserting “(e)”.

Subtitle N—Family Office Technical Correction Act

SEC. 920. ACCREDITED INVESTOR CLARIFICATION.

(a) In General.—Subject to subsection (b), any family office or a family client of a family office, as defined in section 275.202(a)(11)(G)–1 of title 17, Code of Federal Regulations, shall be deemed to be an accredited investor, as defined in Regulation D of the Securities and Exchange Commission (or any successor thereto) under the Securities Act of 1933.

(b) Limitation.—Subsection (a) only applies to a family office with assets under management in excess of $5,000,000, and a family office or a family client not formed for the specific purpose of acquiring the securities offered, and whose purchase is directed by a person who has such knowledge and experience in financial and busi-
ness matters that such person is capable of evaluating the
merits and risks of the prospective investment.

Subtitle O—Market Data
Protection Act

SEC. 921. INTERNAL RISK CONTROLS.

et seq.) is amended—

(1) by inserting after section 4E the following:

“SEC. 4F. INTERNAL RISK CONTROLS.

“(a) IN GENERAL.—Each of the following entities, in
consultation with the Chief Economist, shall develop com-
prehensive internal risk control mechanisms to safeguard
and govern the storage of all market data by such entity,
all market data sharing agreements of such entity, and
all academic research performed at such entity using mar-
ket data:

“(1) The Commission.

“(2) Each national securities association reg-
istered pursuant to section 15A.

“(3) The operator of the consolidated audit
trail created by a national market system plan ap-
proved pursuant to section 242.613 of title 17, Code
of Federal Regulations (or any successor regulation).

“(b) CONSOLIDATED AUDIT TRAIL PROHIBITED
FROM ACCEPTING MARKET DATA UNTIL MECHANISMS
DEVELOPED.—The operator described in paragraph (3) of subsection (a) may not accept market data (or shall cease accepting market data) until the operator has developed the mechanisms required by such subsection. Any requirement for a person to provide market data to the operator shall not apply during any time when the operator is prohibited by this subsection from accepting such data.

“(c) Treatment of Previously Developed Mechanisms.—The development of comprehensive internal risk control mechanisms required by subsection (a) may occur, in whole or in part, before the date of the enactment of this section, if such development and such mechanisms meet the requirements of such subsection (including consultation with the Chief Economist).”; and

(2) in section 3(a)—

(A) by redesignating the second paragraph (80) (relating to funding portals) as paragraph (81); and

(B) by adding at the end the following:

“(82) Chief Economist.—The term ‘Chief Economist’ means the Director of the Division of Economic and Risk Analysis, or an employee of the Commission with comparable authority, as determined by the Commission.”.
Subtitle P—Financial Stability
Oversight Council Improvement Act

SEC. 922. SIFI DESIGNATION PROCESS.

Section 113 of the Financial Stability Act of 2010 (12 U.S.C. 5323) is amended—

(1) in subsection (a)(2)—

(A) in subparagraph (J), by striking “and” at the end;

(B) by redesignating subparagraph (K) as subparagraph (L); and

(C) by inserting after subparagraph (J) the following:

“(K) the appropriateness of the imposition of prudential standards as opposed to other forms of regulation to mitigate the identified risks; and”;

(2) in subsection (b)(2)—

(A) in subparagraph (J), by striking “and” at the end;

(B) by redesignating subparagraph (K) as subparagraph (L);

(C) by inserting after subparagraph (J) the following:
“(K) the appropriateness of the imposition
of prudential standards as opposed to other
forms of regulation to mitigate the identified
risks; and”; and

(3) by amending subsection (d) to read as fol-
lows:

“(d) REEVALUATION AND RESCISSION.—

“(1) ANNUAL REEVALUATION.—Not less fre-
quently than annually, the Council shall reevaluate
each determination made under subsections (a) and
(b) with respect to a nonbank financial company su-
pervised by the Board of Governors and shall—

“(A) provide written notice to the nonbank
financial company being reevaluated and afford
such company an opportunity to submit written
materials, within such time as the Council de-
termines to be appropriate (but which shall be
not less than 30 days after the date of receipt
by the company of such notice), to contest the
determination, including materials concerning
whether, in the company’s view, material finan-
cial distress at the company, or the nature,
scope, size, scale, concentration, interconnected-
ness, or mix of the activities of the company
could pose a threat to the financial stability of
the United States;

“(B) provide an opportunity for the
nonbank financial company to meet with the
Council to present the information described in
subparagraph (A); and

“(C) if the Council does not rescind the de-
termination, provide notice to the nonbank fi-
nancial company, its primary financial regu-
latory agency and the primary financial regu-
latory agency of any of the company’s signifi-
cant subsidiaries of the reasons for the Coun-
cil’s decision, which notice shall address with
specificity how the Council assessed the mate-
rial factors presented by the company under
subparagraphs (A) and (B).

“(2) PERIODIC REEVALUATION.—

“(A) Review.—Every 5 years after the
date of a final determination with respect to a
nonbank financial company under subsection
(a) or (b), as applicable, the nonbank financial
comp company may submit a written request to the
Council for a reevaluation of such determin-
tion. Upon receipt of such a request, the Coun-
cil shall conduct a reevaluation of such deter-
mination and hold a vote on whether to rescind
such determination.

“(B) PROCEDURES.—Upon receipt of a
written request under paragraph (A), the Coun-
cil shall fix a time (not earlier than 30 days
after the date of receipt of the request) and
place at which such company may appear, per-
sonally or through counsel, to—

“(i) submit written materials (which
may include a plan to modify the com-
pany’s business, structure, or operations,
which shall specify the length of the imple-
mentation period); and

“(ii) provide oral testimony and oral
argument before the members of the Coun-
cil.

“(C) TREATMENT OF PLAN.—If the com-
pany submits a plan in accordance with sub-
paragraph (B)(i), the Council shall consider
whether the plan, if implemented, would cause
the company to no longer meet the standards
for a final determination under subsection (a)
or (b), as applicable. The Council shall provide
the nonbank financial company an opportunity
to revise the plan after consultation with the Council.

“(D) EXPLANATION FOR CERTAIN COMPANIES.—With respect to a reevaluation under this paragraph where the determination being reevaluated was made before the date of enactment of this paragraph, the nonbank financial company may require the Council, as part of such reevaluation, to explain with specificity the basis for such determination.

“(3) RESCISSION OF DETERMINATION.—

“(A) IN GENERAL.—If the Council, by a vote of not fewer than 2/3 of the voting members then serving, including an affirmative vote by the Chairperson, determines under this subsection that a nonbank financial company no longer meets the standards for a final determination under subsection (a) or (b), as applicable, the Council shall rescind such determination.

“(B) APPROVAL OF COMPANY PLAN.—Approval by the Council of a plan submitted or revised in accordance with paragraph (2) shall require a vote of not fewer than 2/3 of the voting members then serving, including an affirmative
vote by the Chairperson. If such plan is approved by the Council, the company shall implement the plan during the period identified in the plan, except that the Council, in its sole discretion and upon request from the company, may grant one or more extensions of the implementation period. After the end of the implementation period, including any extensions granted by the Council, the Council shall proceed to a vote as described under subparagraph (A).”;

(4) by amending subsection (e) to read as follows:

“(e) REQUIREMENTS FOR PROPOSED DETERMINATION, NOTICE AND OPPORTUNITY FOR HEARING, AND FINAL DETERMINATION.—

“(1) NOTICE OF IDENTIFICATION FOR INITIAL EVALUATION AND OPPORTUNITY FOR VOLUNTARY SUBMISSION.—Upon identifying a nonbank financial company for comprehensive analysis of the potential for the nonbank company to pose a threat to the financial stability of the United States, the Council shall provide the nonbank financial company with—

“(A) written notice that explains with specificity the basis for so identifying the com-
pany, a copy of which shall be provided to the company’s primary financial regulatory agency;

“(B) an opportunity to submit written materials for consideration by the Council as part of the Council’s initial evaluation of the risk profile and characteristics of the company;

“(C) an opportunity to meet with the Council to discuss the Council’s analysis; and

“(D) a list of the public sources of information being considered by the Council as part of such analysis.

“(2) REQUIREMENTS BEFORE MAKING A PROPOSED DETERMINATION.—Before making a proposed determination with respect to a nonbank financial company under paragraph (3), the Council shall—

“(A) by a vote of not fewer than 2/3 of the voting members then serving, including an affirmative vote by the Chairperson, approve a resolution that identifies with specificity any risks to the financial stability of the United States the Council has identified relating to the nonbank financial company;

“(B) with respect to nonbank financial company with a primary financial regulatory
agency, provide a copy of the resolution described under subparagraph (A) to the primary financial regulatory agency and provide such agency with at least 180 days from the receipt of the resolution to—

“(i) consider the risks identified in the resolution; and

“(ii) provide a written response to the Council that includes its assessment of the risks identified and the degree to which they are or could be addressed by existing regulation and, as appropriate, issue proposed regulations or undertake other regulatory action to mitigate the identified risks;

“(C) provide the nonbank financial company with written notice that the Council—

“(i) is considering whether to make a proposed determination with respect to the nonbank financial company under subsection (a) or (b), as applicable, which notice explains with specificity the basis for the Council’s consideration, including any aspects of the company’s operations or ac-
tivities that are a primary focus for the Council; or

“(ii) has determined not to subject the company to further review, which action shall not preclude the Council from issuing a notice to the company under subparagraph (1)(A) at a future time; and

“(D) in the case of a notice to the nonbank financial company under subparagraph (C)(i), provide the company with—

“(i) an opportunity to meet with the Council to discuss the Council’s analysis;

“(ii) an opportunity to submit written materials, within such time as the Council deems appropriate (but not less than 30 days after the date of receipt by the company of the notice described under clause (i)), to the Council to inform the Council’s consideration of the nonbank financial company for a proposed determination, including materials concerning the company’s views as to whether it satisfies the standard for determination set forth in subsection (a) or (b), as applicable;
“(iii) an explanation of how any request by the Council for information from the nonbank financial company relates to potential risks to the financial stability of the United States and the Council’s analysis of the company;

“(iv) written notice when the Council deems its evidentiary record regarding such nonbank financial company to be complete; and

“(v) an opportunity to meet with the members of the Council.

“(3) PROPOSED DETERMINATION.—

“(A) VOTING.—The Council may, by a vote of not fewer than 2/3 of the voting members then serving, including an affirmative vote by the Chairperson, propose to make a determination in accordance with the provisions of subsection (a) or (b), as applicable, with respect to a nonbank financial company.

“(B) DEADLINE FOR MAKING A PROPOSED DETERMINATION.—With respect to a nonbank financial company provided with a written notice under paragraph (2)(C)(i), if the Council does not provide the company with the written
notice of a proposed determination described
under paragraph (4) within the 180-day period
following the date on which the Council notifies
the company under paragraph (2)(C) that the
evidentiary record is complete, the Council may
not make such a proposed determination with
respect to such company unless the Council re-
peats the procedures described under paragraph
(2).

“(C) Review of actions of primary fi-
nancial regulatory agency.—With respect
to a nonbank financial company with a primary
financial regulatory agency, the Council may
not vote under subparagraph (A) to make a
proposed determination unless—

“(i) the Council first determines that
any proposed regulations or other regu-
latory actions taken by the primary finan-
cial regulatory agency after receipt of the
resolution described under paragraph
(2)(A) are insufficient to mitigate the risks
identified in the resolution;

“(ii) the primary financial regulatory
centency. The Council notifies the Council that the
agency has notified the Council that the
agency has no proposed regulations or
other regulatory actions to mitigate the
risks identified in the resolution; or

“(iii) the period allowed by the Coun-
cil under paragraph (2)(B) has elapsed
and the primary financial regulatory agen-
cy has taken no action in response to the
resolution.

“(4) NOTICE OF PROPOSED DETERMINATION.—
The Council shall—

“(A) provide to a nonbank financial com-
pany written notice of a proposed determination
of the Council, including an explanation of the
basis of the proposed determination of the
Council, that a nonbank financial company shall
be supervised by the Board of Governors and
shall be subject to prudential standards in ac-
cordance with this title, an explanation of the
specific risks to the financial stability of the
United States presented by the nonbank finan-
cial company, and a detailed explanation of why
existing regulations or other regulatory action
by the company’s primary financial regulatory
agency, if any, is insufficient to mitigate such
risk; and
“(B) provide the primary financial regulatory agency of the nonbank financial company a copy of the nonpublic written explanation of the Council’s proposed determination.

“(5) HEARING.—

“(A) IN GENERAL.—Not later than 30 days after the date of receipt of any notice of a proposed determination under paragraph (4), the nonbank financial company may request, in writing, an opportunity for a written or oral hearing before the Council to contest the proposed determination, including the opportunity to present a plan to modify the company’s business, structure, or operations in order to mitigate the risks identified in the notice, and which plan shall also include any steps the company expects to take during the implementation period to mitigate such risks.

“(B) GRANT OF HEARING.—Upon receipt of a timely request, the Council shall fix a time (not earlier than 30 days after the date of receipt of the request) and place at which such company may appear, personally or through counsel, to—
“(i) submit written materials (which may include a plan to modify the company’s business, structure, or operations); or

“(ii) provide oral testimony and oral argument to the members of the Council.

“(6) COUNCIL CONSIDERATION OF COMPANY PLAN.—

“(A) IN GENERAL.—If a nonbank financial company submits a plan in accordance with paragraph (5), the Council shall, prior to making a final determination—

“(i) consider whether the plan, if implemented, would mitigate the risks identified in the notice under paragraph (4); and

“(ii) provide the nonbank financial company an opportunity to revise the plan after consultation with the Council.

“(B) VOTING.—Approval by the Council of a plan submitted under paragraph (5) or revised under subparagraph (A)(ii) shall require a vote of not fewer than 2⁄3 of the voting members then serving, including an affirmative vote by the Chairperson.
“(C) IMPLEMENTATION OF APPROVED PLAN.—With respect to a nonbank financial company's plan approved by the Council under subparagraph (B), the company shall have one year to implement the plan, except that the Council, in its sole discretion and upon request from the nonbank financial company, may grant one or more extensions of the implementation period.

“(D) OVERSIGHT OF IMPLEMENTATION.—

“(i) PERIODIC REPORTS.—The Council, acting through the Office of Financial Research, may require the submission of periodic reports from a nonbank financial company for the purpose of evaluating the company's progress in implementing a plan approved by the Council under subparagraph (B).

“(ii) INSPECTIONS.—The Council may direct the primary financial regulatory agency of a nonbank financial company or its subsidiaries (or, if none, the Board of Governors) to inspect the company or its subsidiaries for the purpose of evaluating the implementation of the company's plan.
“(E) AUTHORITY TO RESCIND APPROVAL.—

“(i) IN GENERAL.—During the implementation period described under subparagraph (C), including any extensions granted by the Council, the Council shall retain the authority to rescind its approval of the plan if the Council finds, by a vote of not fewer than 2/3 of the voting members then serving, including an affirmative vote by the Chairperson, that the company’s implementation of the plan is no longer sufficient to mitigate or prevent the risks identified in the resolution described under paragraph (2)(A).

“(ii) FINAL DETERMINATION VOTE.—
The Council may proceed to a vote on final determination under subsection (a) or (b), as applicable, not earlier than 10 days after providing the nonbank financial company with written notice that the Council has rescinded the approval of the company’s plan pursuant to clause (i).

“(F) ACTIONS AFTER IMPLEMENTATION.—
“(i) Evaluation of Implementation.—After the end of the implementation period described under subparagraph (C), including any extensions granted by the Council, the Council shall consider whether the plan, as implemented by the nonbank financial company, adequately mitigates or prevents the risks identified in the resolution described under paragraph (2)(A).

“(ii) Voting.—If, after performing an evaluation under clause (i), not fewer than 2/3 of the voting members of the Council then serving, including an affirmative vote by the Chairperson, determine that the plan, as implemented, adequately mitigates or prevents the identified risks, the Council shall not make a final determination under subsection (a) or (b), as applicable, with respect to the nonbank financial company and shall notify the company of the Council’s decision to take no further action.

“(7) Final Council Decisions.—
“(A) IN GENERAL.—Not later than 90 days after the date of a hearing under paragraph (5), the Council shall notify the nonbank financial company of—

“(i) a final determination under subsection (a) or (b), as applicable;

“(ii) the Council’s approval of a plan submitted by the nonbank financial company under paragraph (5) or revised under paragraph (6); or

“(iii) the Council’s decision to take no further action with respect to the nonbank financial company.

“(B) EXPLANATORY STATEMENT.—A final determination of the Council, under subsection (a) or (b), shall contain a statement of the basis for the decision of the Council, including the reasons why the Council rejected any plan by the nonbank financial company submitted under paragraph (5) or revised under paragraph (6).

“(C) NOTICE TO PRIMARY FINANCIAL REGULATORY AGENCY.—In the case of a final determination under subsection (a) or (b), the Council shall provide the primary financial regulatory agency of the nonbank financial com-
pany a copy of the nonpublic written explanation of the Council’s final determination.”;

(5) in subsection (g), strike “before the Council makes any final determination” and insert “from the outset of the Council’s consideration of the company, including before the Council makes any proposed or final determination”; and

(6) by adding at the end the following:

“(j) Public Disclosure Requirement.—The Council shall—

“(1) in each case where a nonbank financial company has been notified that it is subject to the Council’s review and the company has publicly disclosed such fact, confirm that the nonbank financial company is subject to the Council’s review, in response to a request from a third party;

“(2) upon making a final determination, publicly provide a written explanation of the basis for its decision with sufficient detail to provide the public with an understanding of the specific bases of the Council’s determination, including any assumptions related thereof, subject to the requirements of section 112(d)(5);

“(3) include, in the annual report required by section 112, the number of nonbank financial com-
panies from the previous year subject to preliminary
analysis, further review, and subject to a proposed
or final determination; and

“(4) within 90 days after the enactment of this
subsection, publish information regarding its meth-
odology for calculating any quantitative thresholds
or other metrics used to identify nonbank financial
companies for analysis by the Council.

“(k) PERIODIC ASSESSMENT OF THE IMPACT OF

DESIGNATIONS.—

“(1) ASSESSMENT.—Every five years after the
date of enactment of this section, the Council
shall—

“(A) conduct a study of the Council’s de-
terminations that nonbank financial companies
shall be supervised by the Board of Governors
and shall be subject to prudential standards;
and

“(B) comprehensively assess the impact of
such determinations on the companies for which
such determinations were made and the wider
economy, including whether such determina-
tions are having the intended result of impro-
ving the financial stability of the United States.
“(2) REPORT.—Not later than 90 days after completing a study required under paragraph (1), the Council shall issue a report to the Congress that—

“(A) describes all findings and conclusions made by the Council in carrying out such study; and

“(B) identifies whether any of the Council’s determinations should be rescinded or whether related regulations or regulatory guidance should be modified, streamlined, expanded, or repealed.”.

SEC. 923. RULE OF CONSTRUCTION.

None of the amendments made by this subtitle may be construed as limiting the Financial Stability Oversight Council’s emergency powers under section 113(f) of the Financial Stability Act of 2010 (12 U.S.C. 5323(f)).

Subtitle Q—Expanding Access to Capital for Rural Job Creators Act

SEC. 925. ACCESS TO CAPITAL FOR RURAL-AREA SMALL BUSINESSES.

(1) in paragraph (4)(C), by inserting “rural-area small businesses,” after “women-owned small businesses,”; and

(2) in paragraph (6)(B)(iii), by inserting “rural-area small businesses,” after “women-owned small businesses,”.

Subtitle R—Volcker Rule

Regulatory Harmonization Act

SEC. 926. RULEMAKING AUTHORITY UNDER THE VOLCKER RULE.

(a) In General.—Paragraph (2) of section 13(b) of the Bank Holding Company Act of 1956 (12 U.S.C. 1851(b)(2)) is amended to read as follows:

“(2) Rulemaking.—

“(A) In General.—The Board may, as appropriate, consult with the Comptroller of the Currency, the Federal Deposit Insurance Corporation, the Securities and Exchange Commission, or the Commodity Futures Trading Commission to adopt rules or guidance to carry out this section, as provided in subparagraph (B).

“(B) Rulemaking Requirements.—In adopting a rule or guidance under subparagraph (A), the Board—
“(i) shall consider the findings of the report required in paragraph (1) and, as appropriate, subsequent reports;

“(ii) shall assure, to the extent possible, that such rule or guidance provide for consistent application and implementation of the applicable provisions of this section to avoid providing advantages or imposing disadvantages to the companies affected by this subsection and to protect the safety and soundness of banking entities and nonbank financial companies supervised by the Board; and

“(iii) shall include requirements to ensure compliance with this section, such as requirements regarding internal controls and recordkeeping.

“(C) AUTHORITY.—The Board shall have sole authority to issue and amend rules under this section after the date of the enactment of this paragraph.

“(D) CONFORMING AUTHORITY.—

“(i) CONTINUITY OF REGULATIONS.—Any rules or guidance issued under this section prior to the date of enactment of
this paragraph shall continue in effect until the Board issues a successor rule or guidance, or amends such rule or guidance, pursuant to subparagraph (C).

“(ii) APPLICABLE GUIDANCE.—In performing examinations or other supervisory duties, the appropriate Federal banking agencies, the Securities and Exchange Commission, and the Commodity Futures Trading Commission, as appropriate, shall update any applicable policies and procedures to ensure that such policies and procedures are consistent (to the extent practicable) with any rules or guidance issued pursuant to subparagraph (C).”.

(b) CONFORMING AMENDMENTS.—Section 13 of the Bank Holding Company Act of 1956 (12 U.S.C. 1851) is amended—

(1) by striking “the appropriate Federal banking agencies, the Securities and Exchange Commission, and the Commodity Futures Trading Commission,” each place it appears and inserting “the Board”;

(2) by striking “appropriate Federal banking agencies, the Securities and Exchange Commission,
and the Commodity Futures Trading Commission’’
each place it appears and inserting “Board’’;
(3) in subsection (c)(5), by striking “Notwith-
standing paragraph (2)” and all that follows
through “provided in subsection (b)(2),” and insert-
ing “The Board shall have the authority”; and
(4) in subsection (d)(1)—
(A) in subparagraph (F)(ii)—
(i) by striking “the appropriate Fed-
eral banking agencies” and inserting “the
Board”; and
(ii) by striking “have not jointly” and
inserting “has not”; and
(B) in subparagraph (G)(viii), by striking
“appropriate Federal banking agencies, the Se-
curities and Exchange Commission, or the Com-
modity Futures Trading Commission,” and in-
serting “Board,”.

SEC. 927. ENFORCEMENT; ANTI-EVASION.
(a) In General.—Subsection (e) of section 13 of the
Bank Holding Company Act of 1956 (12 U.S.C. 1851(e))
is amended to read as follows:
“(e) ENFORCEMENT; ANTI-EVASION.—
“(1) APPROPRIATE FEDERAL BANKING AGEN-
CY.—Notwithstanding any other provision of law ex-
cept for any rules or guidance issued under sub-
section (b)(2), whenever the appropriate Federal
banking agency has reasonable cause to believe that
a banking entity or nonbank financial company su-
pervised by the Board has made an investment or
engaged in an activity in a manner that either vio-
lates the restrictions under this section, or that
functions as an evasion of the requirements of this
section (including through an abuse of any permitted
activity), such appropriate Federal banking agency
shall order, after due notice and opportunity for
hearing, the banking entity or nonbank financial
company supervised by the Board to terminate the
activity and, as relevant, dispose of the investment.

“(2) SECURITIES AND EXCHANGE COMMISSION
AND COMMODITY FUTURES TRADING COMMISSION.—

“(A) IN GENERAL.—Notwithstanding any
other provision of law except for any rules or
guidance issued under subsection (b)(2), when-
ever the Securities and Exchange Commission
or the Commodity Futures Trading Commis-
sion, as appropriate, has reasonable cause to
believe that a covered nonbank financial com-
pany for which the respective agency is the pri-
mary Federal regulator has made an investment
or engaged in an activity in a manner that ei-
ther violates the restrictions under this section,
or that functions as an evasion of the require-
ments of this section (including through an
abuse of any permitted activity), the Securities
and Exchange Commission or the Commodity
Futures Trading Commission, as appropriate,
shall order, after due notice and opportunity for
hearing, the covered nonbank financial company
to terminate the activity and, as relevant, dis-
pose of the investment.

“(B) COVERED NONBANK FINANCIAL COM-
PANY DEFINED.—In this paragraph, the term
‘covered nonbank financial company’ means a
nonbank financial company (as defined in sec-
tion 102 of the Financial Stability Act of 2010)
supervised by the Securities and Exchange
Commission or the Commodity Futures Trading
Commission, as appropriate.”.

(b) RULE OF CONSTRUCTION.—Nothing in this sec-
tion shall be construed to abrogate, reduce, or eliminate
the backup authority of the Federal Deposit Insurance
Corporation authority under the Dodd-Frank Wall Street
Reform and Consumer Protection Act (12 U.S.C. 5301
et seq.), the Federal Deposit Insurance Act (12 U.S.C.
1811), or Federal Deposit Insurance Corporation Improvement Act of 1991.

SEC. 928. EXCLUSION OF COMMUNITY BANKS FROM VOLCKER RULE.

Section 13(h)(1) of the Bank Holding Company Act of 1956 (12 U.S.C. 1851(h)(1)) is amended—

(1) in subparagraph (D), by redesignating clauses (i) and (ii) as subclauses (I) and (II), respectively, and adjusting the margins accordingly;

(2) by redesignating subparagraphs (A), (B), (C), and (D) as clauses (i), (ii), (iii), and (iv), respectively, and adjusting the margins accordingly;

(3) in the matter preceding clause (i), as so redesignated, in the second sentence, by striking “institution that functions solely in a trust or fiduciary capacity, if—” and inserting the following: “institution—

“(A) that functions solely in a trust or fiduciary capacity, if—”;

(4) in clause (iv)(II), as so redesignated, by striking the period at the end and inserting “; or”;

and

(5) by adding at the end the following:

“(B) that does not have and is not controlled by a company that has—
“(i) more than $10,000,000,000 in total consolidated assets; and

“(ii) total trading assets and trading liabilities, as reported on the most recent applicable regulatory filing filed by the institution, that are more than 5 percent of total consolidated assets.”.

Subtitle S—Financial Institution Living Will Improvement Act

SEC. 929. LIVING WILL REFORMS.

(a) IN GENERAL.—Section 165(d) of the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5365(d)) is amended—

(1) in paragraph (1), by striking “periodically” and inserting “every 2 years”; and

(2) in paragraph (3)—

(A) by striking “The Board” and inserting the following:

“(A) IN GENERAL.—The Board”;

(B) by striking “shall review” and inserting the following: “shall—

“(i) review”;

(C) by striking the period and inserting “; and”;

and

(D) by adding at the end the following:
“(ii) not later than the end of the 6-month period beginning on the date the company submits the resolution plan, provide feedback to the company on such plan.

“(B) Disclosure of Assessment Framework.—The Board of Governors and the Corporation shall publicly disclose the assessment framework that is used to review information under this paragraph.”.

(b) Treatment of Other Resolution Plan Requirements.—

(1) In General.—With respect to an appropriate Federal banking agency that requires a banking organization to submit to the agency a resolution plan not described under section 165(d) of the Dodd-Frank Wall Street Reform and Consumer Protection Act—

(A) the respective agency shall ensure that the review of such resolution plan is consistent with the requirements contained in the amendments made by this subtitle;

(B) the agency may not require the submission of such a resolution plan more often than every 2 years; and
(C) paragraphs (6) and (7) of such section 165(d) shall apply to such a resolution plan.

(2) DEFINITIONS.—For purposes of this sub-
section:

(A) APPROPRIATE FEDERAL BANKING
AGENCY.—The term “appropriate Federal
banking agency”—

(i) has the meaning given such term
under section 3 of the Federal Deposit In-
surance Act; and

(ii) means the National Credit Union
Administration, in the case of an insured
credit union.

(B) BANKING ORGANIZATION.—The term
“banking organization” means—

(i) an insured depository institution;

(ii) an insured credit union;

(iii) a depository institution holding
company;

(iv) a company that is treated as a
bank holding company for purposes of sec-
tion 8 of the International Banking Act;
and

(v) a U.S. intermediate holding com-
pany established by a foreign banking or-
ganization pursuant to section 252.153 of
title 12, Code of Federal Regulations.

(C) INSURED CREDIT UNION.—The term
“insured credit union” has the meaning given
that term under section 101 of the Federal
Credit Union Act.

(D) OTHER BANKING TERMS.—The terms
“depository institution holding company” and
“insured depository institution” have the mean-
ing given those terms, respectively, under sec-
tion 3 of the Federal Deposit Insurance Act.

(e) RULE OF CONSTRUCTION.—Nothing in this sub-
title, or any amendment made by this subtitle, shall be
construed as limiting the authority of an appropriate Fed-
eral banking agency (as defined under subsection (b)(2))
to obtain information from an institution in connection
with such agency’s authority to examine or require reports
from the institution.
Subtitle T—Financial Institutions
   Examination Fairness and Reform Act

SEC. 930. AMENDMENT TO DEFINITION OF FINANCIAL INSTITUTION.

Section 1003(3) of the Federal Financial Institutions Examination Council Act of 1978 (12 U.S.C. 3302(3)) is amended to read as follows:

“(3) the term ‘financial institution’—

“(A) means a commercial bank, a savings bank, a trust company, a savings association, a building and loan association, a homestead association, a cooperative bank, or a credit union; and

“(B) for purposes of sections 1012, 1013, and 1014, includes a nondepository covered person subject to supervision by the Bureau of Consumer Financial Protection under section 1024 of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5514).”.

SEC. 931. TIMELINESS OF EXAMINATION REPORTS.

The Federal Financial Institutions Examination Council Act of 1978 (12 U.S.C. 3301 et seq.) is amended by adding at the end the following:
“SEC. 1012. TIMELINESS OF EXAMINATION REPORTS.

“(a) In General.—

“(1) Final examination report.—A Federal financial institutions regulatory agency shall provide a final examination report to a financial institution not later than 60 days after the later of—

“(A) the exit interview for an examination of the institution; or

“(B) the provision of additional information by the institution relating to the examination.

“(2) Exit interview.—If a financial institution is not subject to a resident examiner program, the exit interview shall occur not later than the end of the 9-month period beginning on the commencement of the examination, except that such period may be extended by the Federal financial institutions regulatory agency by providing written notice to the institution and the Independent Examination Review Director describing with particularity the reasons that a longer period is needed to complete the examination.

“(b) Examination materials.—Upon the request of a financial institution, the Federal financial institutions regulatory agency shall include with the final report an appendix listing all examination or other factual informa-
tion relied upon by the agency in support of a material supervisory determination.”.

SEC. 932. INDEPENDENT EXAMINATION REVIEW DIRECTOR.
The Federal Financial Institutions Examination Council Act of 1978 (12 U.S.C. 3301 et seq.), as amended by section 931, is further amended by adding at the end the following:

“SEC. 1013. OFFICE OF INDEPENDENT EXAMINATION REVIEW.

“(a) Establishment.—There is established in the Council an Office of Independent Examination Review (the ‘Office’).

“(b) Head of Office.—There is established the position of the Independent Examination Review Director (the ‘Director’), as the head of the Office. The Director shall be appointed by the Council and shall be independent from any member agency of the Council.

“(c) Term.—The Director shall serve for a term of 5 years, and may be appointed to serve a subsequent 5-year term.

“(d) Staffing.—The Director is authorized to hire staff to support the activities of the Office.

“(e) Duties.—The Director shall—

“(1) receive and, at the Director’s discretion, investigate complaints from financial institutions,
their representatives, or another entity acting on behalf of such institutions, concerning examinations, examination practices, or examination reports;

“(2) hold meetings, at least once every three months and in locations designed to encourage participation from all sections of the United States, with financial institutions, their representatives, or another entity acting on behalf of such institutions, to discuss examination procedures, examination practices, or examination policies;

“(3) in accordance with subsection (f), review examination procedures of the Federal financial institutions regulatory agencies to ensure that the written examination policies of those agencies are being followed in practice and adhere to the standards for consistency established by the Council;

“(4) conduct a continuing and regular review of examination quality assurance for all examination types conducted by the Federal financial institutions regulatory agencies;

“(5) adjudicate any supervisory appeal initiated under section 1014; and

“(6) report annually to the Committee on Financial Services of the House of Representatives, the Committee on Banking, Housing, and Urban Affairs
of the Senate, and the Council, on the reviews carried out pursuant to paragraphs (3) and (4), including compliance with the requirements set forth in section 1012 regarding timeliness of examination reports, and the Council’s recommendations for improvements in examination procedures, practices, and policies.

“(f) STANDARD FOR REVIEWING EXAMINATION PROCEDURES.—In conducting reviews pursuant to subsection (e)(4), the Director shall prioritize factors relating to the safety and soundness of the financial system of the United States.

“(g) REMOVAL.—If the Director is removed from office, the Council shall communicate in writing the reasons for any such removal to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate not later than 30 days before the removal.

“(h) CONFIDENTIALITY.—The Director shall keep confidential all meetings with, discussions with, and information provided by financial institutions.”.

SEC. 933. RIGHT TO INDEPENDENT REVIEW OF MATERIAL SUPERVISORY DETERMINATIONS.

by section 932, is further amended by adding at the end
the following:

“SEC. 1014. RIGHT TO INDEPENDENT REVIEW OF MATERIAL
SUPERVISORY DETERMINATIONS.

“(a) IN GENERAL.—A financial institution shall have
the right to obtain an independent review of a material
supervisory determination contained in a final report of
examination.

“(b) NOTICE.—

“(1) TIMING.—A financial institution seeking
review of a material supervisory determination under
this section shall file a written notice with the Inde-
pendent Examination Review Director (the ‘Direc-
tor’) within 60 days after receiving the final report
of examination that is the subject of such review.

“(2) IDENTIFICATION OF DETERMINATION.—
The written notice shall identify the material super-
visory determination that is the subject of the inde-
pendent examination review, and a statement of the
reasons why the institution believes that the deter-
mation is incorrect or should otherwise be modi-
ified.

“(3) INFORMATION TO BE PROVIDED TO INSTI-
tUTION.—Any information relied upon by the agen-
cy in the final report that is not in the possession
of the financial institution may be requested by the
financial institution and shall be delivered promptly
by the agency to the financial institution.

“(c) RIGHT TO HEARING.—

“(1) IN GENERAL.—The Director shall deter-
mine the merits of the appeal on the record or, at
the financial institution’s election, shall refer the ap-
peal to an Administrative Law Judge to conduct a
confidential hearing pursuant to the procedures set
forth under sections 556 and 557 of title 5, United
States Code, which hearing shall take place not later
than 60 days after the petition for review was re-
ceived by the Director, and to issue a proposed deci-
sion to the Director based upon the record estab-
lished at such hearing.

“(2) STANDARD OF REVIEW.—In rendering a
determination or recommendation under this sub-
section, neither the Administrative Law Judge nor
the Director shall defer to the opinions of the exam-
iner or agency, but shall conduct a de novo review
to independently determine the appropriateness of
the agency’s decision based upon the relevant stat-
utes, regulations, and other appropriate guidance, as
well as evidence adduced at any hearing.
“(d) **Final Decision.**—A decision by the Director on an independent review under this section shall—

“(1) be made not later than 60 days after the record has been closed; and

“(2) subject to subsection (e), be deemed a final agency action and shall bind the agency whose supervisory determination was the subject of the review and the financial institution requesting the review.

“(e) **Limited Review by FFIEC.**—

“(1) **In General.**—If the agency whose supervisory determination was the subject of the review believes that the Director’s decision under subsection (d) would pose an imminent threat to the safety and soundness of the financial institution, such agency may file a written notice seeking review of the Director’s decision with the Council within 10 days of receiving the Director’s decision.

“(2) **Standard of Review.**—In making a determination under this subsection, the Council shall conduct a review to determine whether there is substantial evidence that the Director’s decision would pose an imminent threat to the safety and soundness of the financial institution.
“(3) Final determination.—A determination by the Council shall—

“(A) be made not later than 30 days after the filing of the notice pursuant to paragraph (1); and

“(B) be deemed a final agency action and shall bind the agency whose supervisory determination was the subject of the review and the financial institution requesting the review.

“(f) Right to judicial review.—A financial institution shall have the right to petition for review of final agency action under this section by filing a Petition for Review within 60 days of the Director’s decision or the Council’s decision in the United States Court of Appeals for the District of Columbia Circuit or the Circuit in which the financial institution is located.

“(g) Report.—The Director shall report annually to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate on actions taken under this section, including the types of issues that the Director has reviewed and the results of those reviews. In no case shall such a report contain information about individual financial institutions or any confidential or privileged information shared by financial institutions.
“(h) RETALIATION PROHIBITED.—A Federal financial institutions regulatory agency may not—

“(1) retaliate against a financial institution, including service providers, or any institution-affiliated party (as defined under section 3 of the Federal Deposit Insurance Act), for exercising appellate rights under this section; or

“(2) delay or deny any agency action that would benefit a financial institution or any institution-affiliated party on the basis that an appeal under this section is pending under this section.

“(i) RULE OF CONSTRUCTION.—Nothing in this section may be construed—

“(1) to affect the right of a Federal financial institutions regulatory agency to take enforcement or other supervisory actions related to a material supervisory determination under review under this section; or

“(2) to prohibit the review under this section of a material supervisory determination with respect to which there is an ongoing enforcement or other supervisory action.”.

SEC. 934. ADDITIONAL AMENDMENTS.

(a) RIEGLE COMMUNITY DEVELOPMENT AND REGULATORY IMPROVEMENT ACT OF 1994.—Section 309 of the
Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4806) is amended—

(1) in subsection (a), by inserting after “appropriate Federal banking agency” the following: “, the Bureau of Consumer Financial Protection,”;

(2) in subsection (b)—

(A) in paragraph (2), by striking “the appellant from retaliation by agency examiners” and inserting “the insured depository institution or insured credit union from retaliation by the agencies referred to in subsection (a)”;

(B) by adding at the end the following flush-left text:

“For purposes of this subsection and subsection (e), retaliation includes delaying consideration of, or withholding approval of, any request, notice, or application that otherwise would have been approved, but for the exercise of the institution’s or credit union’s rights under this section.”;

(3) in subsection (e)(2)—

(A) in subparagraph (B), by striking “and” at the end;

(B) in subparagraph (C), by striking the period and inserting “; and”;

(C) by adding at the end the following:
“(D) ensure that appropriate safeguards exist for protecting the insured depository institution or insured credit union from retaliation by any agency referred to in subsection (a) for exercising its rights under this subsection.”;
and
(4) in subsection (f)(1)(A)—

(A) in clause (ii), by striking “and” at the end;

(B) in clause (iii), by striking “and” at the end; and

(C) by adding at the end the following:

“(iv) any issue specifically listed in an exam report as a matter requiring attention by the institution’s management or board of directors; and

“(v) any suspension or removal of an institution’s status as eligible for expedited processing of applications, requests, notices, or filings on the grounds of a supervisory or compliance concern, regardless of whether that concern has been cited as a basis for another material supervisory determination or matter requiring attention in an examination report, provided that the
conduct at issue did not involve violation of
any criminal law; and”.

(b) Federal Credit Union Act.—Section 205(j)
of the Federal Credit Union Act (12 U.S.C. 1785(j)) is
amended by inserting “the Bureau of Consumer Financial
Protection,” before “the Administration” each place such
term appears.

(c) Federal Financial Institutions Examination Council Act of 1978.—The Federal Financial In-
3301 et seq.) is amended—

(1) in section 1003, by amending paragraph (1)
to read as follows:
“(1) the term ‘Federal financial institutions
regulatory agencies’—
“(A) means the Office of the Comptroller
of the Currency, the Board of Governors of the
Federal Reserve System, the Federal Deposit
Insurance Corporation, and the National Credit
Union Administration; and
“(B) for purposes of sections 1012, 1013,
and 1014, includes the Bureau of Consumer Fi-
nancial Protection;”; and

(2) in section 1005, by striking “One-fifth” and
inserting “One-fourth”.

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Subtitle U—TRID Improvement Act

SEC. 936. AMENDMENTS TO MORTGAGE DISCLOSURE REQUIREMENTS.

Section 4(a) of the Real Estate Settlement Procedures Act of 1974 (12 U.S.C. 2603(a)) is amended—

(1) by striking “itemize all charges” and inserting “itemize all actual charges”;

(2) by striking “and all charges imposed upon the seller in connection with the settlement and” and inserting “and the seller in connection with the settlement. Such forms”; and

(3) by inserting after “or both.” the following new sentence: “Charges for any title insurance premium disclosed on such forms shall be equal to the amount charged for each individual title insurance policy, subject to any discounts as required by State regulation or the title company rate filings.”.

Subtitle V—Common Sense Credit Union Capital Relief Act

SEC. 938. DELAY IN EFFECTIVE DATE.

Notwithstanding any effective date set forth in the rule issued by the National Credit Union Administration titled “Risk-Based Capital” (published at 80 Fed. Reg. 66626 (October 29, 2015)), such final rule shall take effect on January 1, 2021.
Subtitle W—Bureau of Consumer Financial Protection–Inspector General Reform Act

SEC. 939. APPOINTMENT OF INSPECTOR GENERAL.


(1) in section 8G—

(A) in subsection (a)(2), by striking “and the Bureau of Consumer Financial Protection”;

(B) in subsection (c), by striking “For purposes of implementing this section” and all that follows through the end of the subsection; and

(C) in subsection (g)(3), by striking “and the Bureau of Consumer Financial Protection”;

and

(2) in section 12—

(A) in paragraph (1), by inserting “the Director of the Bureau of Consumer Financial Protection;” after “the President of the Export-Import Bank;”; and

(B) in paragraph (2), by inserting “the Bureau of Consumer Financial Protection,” after “the Export-Import Bank,”.
SEC. 940. REQUIREMENTS FOR THE INSPECTOR GENERAL FOR THE BUREAU OF CONSUMER FINANCIAL PROTECTION.

(a) Establishment.—Section 1011 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5491) is amended—

(1) in subsection (b)—

(A) in the subsection heading, by striking “AND DEPUTY DIRECTOR” and inserting “, DEPUTY DIRECTOR, AND INSPECTOR GENERAL”; and

(B) by inserting after paragraph (5) the following:

“(6) INSPECTOR GENERAL.—There is established the position of the Inspector General.”; and

(2) in subsection (d), by striking “or Deputy Director” each place it appears and inserting “, Deputy Director, or Inspector General”.

(b) Hearings.—Section 1016 of such Act is amended by inserting after subsection (c) the following:

“(d) ADDITIONAL REQUIREMENT FOR INSPECTOR GENERAL.—On a separate occasion from that described in subsection (a), the Inspector General of the Bureau shall appear, upon invitation, before the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Rep-
resentatives at hearings no less frequently than twice annually, at a date determined by the chairman of the respective committee, regarding the reports required under subsection (b) and the reports required under section 5 of the Inspector General Act of 1978 (5 U.S.C. App.).”.

(c) **Funding for Office of Inspector General.** —Section 1017(a)(2) of such Act is amended—

(1) by redesignating subparagraph (C) as subparagraph (D); and

(2) by inserting after subparagraph (B) the following:

“(C) **Funding for office of inspector general.** —Each fiscal year, the Bureau shall dedicate 2 percent of the funds transferred pursuant to paragraph (1) to the Office of the Inspector General.”.

(d) **Participation in the Council of Inspectors General on Financial Oversight.** —Section 989E(a)(1) of such Act is amended by adding at the end the following:

“(J) The Bureau of Consumer Financial Protection.”.

**SEC. 941. EFFECTIVE DATE.**

The amendments made by this subtitle shall take effect 60 days after the date of the enactment of this Act.
SEC. 942. TRANSITION PERIOD.


Subtitle X—BCFP on Appropriations

SEC. 943. BUREAU APPROPRIATIONS.

(a) Fiscal Year 2019.—The Director of the Bureau of Consumer Financial Protection may not request, under section 1017 of the Consumer Financial Protection Act of 2010, during fiscal year 2019 an amount that would result in the total amount requested by the Director during that fiscal year to exceed $485,000,000.

(b) Fiscal Year 2020 and Thereafter.—Effective as of the first day of fiscal year 2020, section 1017 of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5497) is amended—

(1) in subsection (a)—
(A) by amending the heading of such sub-
section to read as follows: “BUDGET, FINAN-
cIAL MANAGEMENT, AND AUDIT.—”;

(B) by striking paragraphs (1), (2), and
(3);

(C) by redesignating paragraphs (4) and
(5) as paragraphs (1) and (2), respectively; and

(D) by striking subparagraphs (E) and (F)
of paragraph (1), as so redesignated;

(2) by striking subsections (b) and (c);

(3) by redesignating subsections (d) and (e) as
subsections (b) and (c), respectively; and

(4) in subsection (c), as so redesignated—

(A) by striking paragraphs (1), (2), and

(3) and inserting the following:

“(1) AUTHORIZATION OF APPROPRIATION.—

There authorized to be appropriated for fiscal year
2020 to the Bureau from the combined earnings of
the Federal Reserve System $485,000,000.”; and

(B) by redesignating paragraph (4) as
paragraph (2).
Subtitle Y—Stress Test Relief for Nonbanks

SEC. 944. STRESS TEST RELIEF FOR NONBANKS.

Section 165(i)(2) of the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5365(i)(2)) is amended—

(1) in subparagraph (A), by striking “are regulated by a primary Federal financial regulatory agency” and inserting: “whose primary financial regulatory agency is a Federal banking agency or the Federal Housing Finance Agency”;

(2) in subparagraph (C), by striking “Each Federal primary financial regulatory agency” and inserting “Each Federal banking agency and the Federal housing finance agency”; and

(3) by adding at the end the following:

“(D) SEC AND CFTC.—The Securities and Exchange Commission and the Commodity Futures Trading Commission may each issue regulations requiring financial companies with respect to which they are the primary financial regulatory agency to conduct periodic analyses of the financial condition, including available liquidity, of such companies under adverse economic conditions.”.
Subtitle Z—Interaffiliate Language

SEC. 945. INTERAFFILIATE TREATMENT WITH RESPECT TO INITIAL MARGIN REQUIREMENTS.


(1) by striking “The requirements” and inserting the following:

“(A) IN GENERAL.—The requirements”;

and

(2) by adding at the end the following:

“(B) INITIAL MARGIN REQUIREMENT.—The initial margin requirements imposed by rules adopted pursuant to paragraphs (2)(A)(ii) and (2)(B)(ii) shall not apply to any security-based swap in which—

“(i) one counterparty is a person in which the other counterparty, directly or indirectly, holds a majority ownership interest; or

“(ii) a third party, directly or indirectly, holds a majority ownership interest in both counterparties.”.
Subtitle AA—Tailored Application of Prudential Standards

SEC. 946. TAILORED APPLICATION OF PRUDENTIAL STANDARDS.

Section 165(a)(2)(A) of the Financial Stability Act of 2010 (12 U.S.C. 5365(a)(2)(A)) is amended by inserting before the period the following: “to ensure that companies with comparable risk profiles and business models are operating under a similar set of requirements”.

Subtitle BB—Authority to Remove Bureau Director

SEC. 947. AUTHORITY TO REMOVE BUREAU DIRECTOR.

Section 1011(c) of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5491(c)) is amended by striking paragraph (3).

Subtitle CC—Congressional Review of Bureau Rulemaking

SEC. 948. CONGRESSIONAL REVIEW OF BUREAU RULEMAKING.

Chapter 8 of title 5, United States Code, is amended to read as follows:

“CHAPTER 8—CONGRESSIONAL REVIEW OF BUREAU RULEMAKING

Sec.
1801. Congressional review.
1802. Congressional approval procedure for major rules.
1803. Congressional disapproval procedure for nonmajor rules.
§ 801. Congressional review

(a)(1)(A) Before a rule may take effect, the Bureau shall satisfy the requirements of section 808 and shall publish in the Federal Register a list of information on which the rule is based, including data, scientific and economic studies, and cost-benefit analyses, and identify how the public can access such information online, and shall submit to each House of the Congress and to the Comptroller General a report containing—

(i) a copy of the rule;

(ii) a concise general statement relating to the rule;

(iii) a classification of the rule as a major or nonmajor rule, including an explanation of the classification specifically addressing each criteria for a major rule contained within sections 804(2)(A), 804(2)(B), and 804(2)(C);

(iv) a list of any other related regulatory actions intended to implement the same statutory provision or regulatory objective as well as the individual and aggregate economic effects of those actions; and
“(v) the proposed effective date of the rule.

“(B) On the date of the submission of the report under subparagraph (A), the Bureau shall submit to the Comptroller General and make available to each House of Congress—

“(i) a complete copy of the cost-benefit analysis of the rule, if any, including an analysis of any jobs added or lost, differentiating between public and private sector jobs;

“(ii) the Bureau’s actions pursuant to sections 603, 604, 605, 607, and 609 of this title;

“(iii) the Bureau’s actions pursuant to sections 202, 203, 204, and 205 of the Unfunded Mandates Reform Act of 1995; and

“(iv) any other relevant information or requirements under any other Act and any relevant Executive orders.

“(C) Upon receipt of a report submitted under subparagraph (A), each House shall provide copies of the report to the chairman and ranking member of each standing committee with jurisdiction under the rules of the House of Representatives or the Senate to report a bill to amend the provision of law under which the rule is issued.
“(2)(A) The Comptroller General shall provide a report on each major rule to the committees of jurisdiction by the end of 15 calendar days after the submission or publication date. The report of the Comptroller General shall include an assessment of the Bureau’s compliance with procedural steps required by paragraph (1)(B) and an assessment of whether the major rule imposes any new limits or mandates on private-sector activity.

“(B) Federal agencies shall cooperate with the Comptroller General by providing information relevant to the Comptroller General’s report under subparagraph (A).

“(3) A major rule relating to a report submitted under paragraph (1) shall take effect upon enactment of a joint resolution of approval described in section 802 or as provided for in the rule following enactment of a joint resolution of approval described in section 802, whichever is later.

“(4) A nonmajor rule shall take effect as provided by section 803 after submission to Congress under paragraph (1).

“(5) If a joint resolution of approval relating to a major rule is not enacted within the period provided in subsection (b)(2), then a joint resolution of approval relating to the same rule may not be considered under this
chapter in the same Congress by either the House of Rep-
resentatives or the Senate.

“(b)(1) A major rule shall not take effect unless the
Congress enacts a joint resolution of approval described
under section 802.

“(2) If a joint resolution described in subsection (a)
is not enacted into law by the end of 70 session days or
legislative days, as applicable, beginning on the date on
which the report referred to in section 801(a)(1)(A) is re-
ceived by Congress (excluding days either House of Con-
gress is adjourned for more than 3 days during a session
of Congress), then the rule described in that resolution
shall be deemed not to be approved and such rule shall
not take effect.

“(c)(1) Notwithstanding any other provision of this
section (except subject to paragraph (3)), a major rule
may take effect for one 90-calendar-day period if the
President makes a determination under paragraph (2) and
submits written notice of such determination to the Con-
gress.

“(2) Paragraph (1) applies to a determination made
by the President by Executive order that the major rule
should take effect because such rule is—

“(A) necessary because of an imminent threat
to health or safety or other emergency;
“(B) necessary for the enforcement of criminal laws;

“(C) necessary for national security; or

“(D) issued pursuant to any statute implementing an international trade agreement.

“(3) An exercise by the President of the authority under this subsection shall have no effect on the procedures under section 802.

“(d)(1) In addition to the opportunity for review otherwise provided under this chapter, in the case of any rule for which a report was submitted in accordance with subsection (a)(1)(A) during the period beginning on the date occurring—

“(A) in the case of the Senate, 60 session days;

or

“(B) in the case of the House of Representatives, 60 legislative days,

before the date the Congress is scheduled to adjourn a session of Congress through the date on which the same or succeeding Congress first convenes its next session, sections 802 and 803 shall apply to such rule in the succeeding session of Congress.

“(2)(A) In applying sections 802 and 803 for purposes of such additional review, a rule described under paragraph (1) shall be treated as though—
“(i) such rule were published in the Federal Register on—

“(I) in the case of the Senate, the 15th session day; or

“(II) in the case of the House of Representatives, the 15th legislative day,

after the succeeding session of Congress first convenes; and

“(ii) a report on such rule were submitted to Congress under subsection (a)(1) on such date.

“(B) Nothing in this paragraph shall be construed to affect the requirement under subsection (a)(1) that a report shall be submitted to Congress before a rule can take effect.

“(3) A rule described under paragraph (1) shall take effect as otherwise provided by law (including other subsections of this section).

§ 802. Congressional approval procedure for major rules

“(a)(1) For purposes of this section, the term ‘joint resolution’ means only a joint resolution addressing a report classifying a rule as major pursuant to section 801(a)(1)(A)(iii) that—

“(A) bears no preamble;
“(B) bears the following title (with blanks filled as appropriate): ‘Approving the rule submitted by ______ relating to ______.’;

“(C) includes after its resolving clause only the following (with blanks filled as appropriate): ‘That Congress approves the rule submitted by ______ relating to ______.’; and

“(D) is introduced pursuant to paragraph (2).

“(2) After a House of Congress receives a report classifying a rule as major pursuant to section 801(a)(1)(A)(iii), the majority leader of that House (or his or her respective designee) shall introduce (by request, if appropriate) a joint resolution described in paragraph (1)—

“(A) in the case of the House of Representatives, within 3 legislative days; and

“(B) in the case of the Senate, within 3 session days.

“(3) A joint resolution described in paragraph (1) shall not be subject to amendment at any stage of proceeding.

“(b) A joint resolution described in subsection (a) shall be referred in each House of Congress to the committees having jurisdiction over the provision of law under which the rule is issued.
“(c) In the Senate, if the committee or committees to which a joint resolution described in subsection (a) has been referred have not reported it at the end of 15 session days after its introduction, such committee or committees shall be automatically discharged from further consideration of the resolution and it shall be placed on the calendar. A vote on final passage of the resolution shall be taken on or before the close of the 15th session day after the resolution is reported by the committee or committees to which it was referred, or after such committee or committees have been discharged from further consideration of the resolution.

“(d)(1) In the Senate, when the committee or committees to which a joint resolution is referred have reported, or when a committee or committees are discharged (under subsection (c)) from further consideration of a joint resolution described in subsection (a), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which
the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the Senate until disposed of.

“(2) In the Senate, debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 2 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion to further limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

“(3) In the Senate, immediately following the conclusion of the debate on a joint resolution described in subsection (a), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

“(4) Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution described in subsection (a) shall be decided without debate.
“(e) In the House of Representatives, if any committee to which a joint resolution described in subsection (a) has been referred has not reported it to the House at the end of 15 legislative days after its introduction, such committee shall be discharged from further consideration of the joint resolution, and it shall be placed on the appropriate calendar. On the second and fourth Thursdays of each month it shall be in order at any time for the Speaker to recognize a Member who favors passage of a joint resolution that has appeared on the calendar for at least 5 legislative days to call up that joint resolution for immediate consideration in the House without intervention of any point of order. When so called up a joint resolution shall be considered as read and shall be debatable for 1 hour equally divided and controlled by the proponent and an opponent, and the previous question shall be considered as ordered to its passage without intervening motion. It shall not be in order to reconsider the vote on passage. If a vote on final passage of the joint resolution has not been taken by the third Thursday on which the Speaker may recognize a Member under this subsection, such vote shall be taken on that day.

“(f)(1) If, before passing a joint resolution described in subsection (a), one House receives from the other a joint resolution having the same text, then—
“(A) the joint resolution of the other House shall not be referred to a committee; and

“(B) the procedure in the receiving House shall be the same as if no joint resolution had been received from the other House until the vote on passage, when the joint resolution received from the other House shall supplant the joint resolution of the receiving House.

“(2) This subsection shall not apply to the House of Representatives if the joint resolution received from the Senate is a revenue measure.

“(g) If either House has not taken a vote on final passage of the joint resolution by the last day of the period described in section 801(b)(2), then such vote shall be taken on that day.

“(h) This section and section 803 are enacted by Congress—

“(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such is deemed to be part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution described in subsection (a) and superseding other rules only where explicitly so; and
“(2) with full recognition of the Constitutional right of either House to change the rules (so far as they relate to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

“§ 803. Congressional disapproval procedure for nonmajor rules

“(a) For purposes of this section, the term ‘joint resolution’ means only a joint resolution introduced in the period beginning on the date on which the report referred to in section 801(a)(1)(A) is received by Congress and ending 60 days thereafter (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), the matter after the resolving clause of which is as follows: ‘That Congress disapproves the nonmajor rule submitted by the _____ relating to _____, and such rule shall have no force or effect.’ (The blank spaces being appropriately filled in).

“(b) A joint resolution described in subsection (a) shall be referred to the committees in each House of Congress with jurisdiction.

“(c) In the Senate, if the committee to which is referred a joint resolution described in subsection (a) has not reported such joint resolution (or an identical joint resolution) at the end of 15 session days after the date
of introduction of the joint resolution, such committee may
be discharged from further consideration of such joint res-
olution upon a petition supported in writing by 30 Mem-
bers of the Senate, and such joint resolution shall be
placed on the calendar.

“(d)(1) In the Senate, when the committee to which
a joint resolution is referred has reported, or when a com-
mittee is discharged (under subsection (c)) from further
consideration of a joint resolution described in subsection
(a), it is at any time thereafter in order (even though a
previous motion to the same effect has been disagreed to)
for a motion to proceed to the consideration of the joint
resolution, and all points of order against the joint resolu-
tion (and against consideration of the joint resolution) are
waived. The motion is not subject to amendment, or to
a motion to postpone, or to a motion to proceed to the
consideration of other business. A motion to reconsider the
vote by which the motion is agreed to or disagreed to shall
not be in order. If a motion to proceed to the considera-
tion of the joint resolution is agreed to, the joint resolution
shall remain the unfinished business of the Senate until
disposed of.

“(2) In the Senate, debate on the joint resolution,
and on all debatable motions and appeals in connection
therewith, shall be limited to not more than 10 hours,
which shall be divided equally between those favoring and those opposing the joint resolution. A motion to further limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

“(3) In the Senate, immediately following the conclusion of the debate on a joint resolution described in subsection (a), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

“(4) Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution described in subsection (a) shall be decided without debate.

“(e) In the Senate, the procedure specified in subsection (c) or (d) shall not apply to the consideration of a joint resolution respecting a nonmajor rule—

“(1) after the expiration of the 60 session days beginning with the applicable submission or publication date; or

“(2) if the report under section 801(a)(1)(A) was submitted during the period referred to in section 801(d)(1), after the expiration of the 60 session
days beginning on the 15th session day after the succeeding session of Congress first convenes.

“(f) If, before the passage by one House of a joint resolution of that House described in subsection (a), that House receives from the other House a joint resolution described in subsection (a), then the following procedures shall apply:

“(1) The joint resolution of the other House shall not be referred to a committee.

“(2) With respect to a joint resolution described in subsection (a) of the House receiving the joint resolution—

“(A) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

“(B) the vote on final passage shall be on the joint resolution of the other House.

“§804. Definitions

“For purposes of this chapter:

“(1) The term ‘Bureau’ means the Bureau of Consumer Financial Protection.

“(2) The term ‘major rule’ means any rule, including an interim final rule, that the Administrator of the Office of Information and Regulatory Affairs
of the Office of Management and Budget finds has resulted in or is likely to result in—

“(A) an annual cost on the economy of $100,000,000 or more, adjusted annually for inflation;

“(B) a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or

“(C) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets.

“(3) The term ‘nonmajor rule’ means any rule that is not a major rule.

“(4) The term ‘rule’ has the meaning given such term in section 551, except that such term does not include—

“(A) any rule of particular applicability, including a rule that approves or prescribes for the future rates, wages, prices, services, or allowances therefore, corporate or financial structures, reorganizations, mergers, or acquisitions
thereof, or accounting practices or disclosures bearing on any of the foregoing;

“(B) any rule relating to Bureau management or personnel; or

“(C) any rule of Bureau organization, procedure, or practice that does not substantially affect the rights or obligations of non-Bureau parties.

“(5) The term ‘submission date or publication date’, except as otherwise provided in this chapter, means—

“(A) in the case of a major rule, the date on which the Congress receives the report submitted under section 801(a)(1); and

“(B) in the case of a nonmajor rule, the later of—

“(i) the date on which the Congress receives the report submitted under section 801(a)(1); and

“(ii) the date on which the nonmajor rule is published in the Federal Register, if so published.

§ 805. Judicial review

“(a) No determination, finding, action, or omission under this chapter shall be subject to judicial review.
“(b) Notwithstanding subsection (a), a court may determine whether the Bureau has completed the necessary requirements under this chapter for a rule to take effect.

“(c) The enactment of a joint resolution of approval under section 802 shall not be interpreted to serve as a grant or modification of statutory authority by Congress for the promulgation of a rule, shall not extinguish or affect any claim, whether substantive or procedural, against any alleged defect in a rule, and shall not form part of the record before the court in any judicial proceeding concerning a rule except for purposes of determining whether or not the rule is in effect.

“§ 806. Exemption for monetary policy

“Nothing in this chapter shall apply to rules that concern monetary policy proposed or implemented by the Board of Governors of the Federal Reserve System or the Federal Open Market Committee.

“§ 807. Effective date of certain rules

“Notwithstanding section 801—

“(1) any rule that establishes, modifies, opens, closes, or conducts a regulatory program for a commercial, recreational, or subsistence activity related to hunting, fishing, or camping; or

“(2) any rule other than a major rule which the Bureau for good cause finds (and incorporates the
finding and a brief statement of reasons therefore in
the rule issued) that notice and public procedure
thereon are impracticable, unnecessary, or contrary
to the public interest,
shall take effect at such time as the Bureau determines.

“§ 808. Regulatory cut-go requirement
“In making any new rule, the Bureau shall identify
a rule or rules that may be amended or repealed to com-
pletely offset any annual costs of the new rule to the
United States economy. Before the new rule may take ef-
fic, the Bureau shall make each such repeal or amend-
ment. In making such an amendment or repeal, the Bu-
reau shall comply with the requirements of subchapter II
of chapter 5, but the Bureau may consolidate proceedings
under subchapter with proceedings on the new rule.

“§ 809. Review of rules currently in effect
“(a) ANNUAL REVIEW.—Beginning on the date that
is 6 months after the date of enactment of this section
and annually thereafter for the 9 years following, the Bu-
rean shall designate not less than 10 percent of eligible
rules made by the Bureau for review, and shall submit
a report including each such eligible rule in the same man-
ner as a report under section 801(a)(1). Section 801, sec-
tion 802, and section 803 shall apply to each such rule,
subject to subsection (c) of this section. No eligible rule previously designated may be designated again.

“(b) SUNSET FOR ELIGIBLE RULES NOT EXTENDED.—Beginning after the date that is 10 years after the date of enactment of this section, if Congress has not enacted a joint resolution of approval for that eligible rule, that eligible rule shall not continue in effect.

“(c) CONSOLIDATION; SEVERABILITY.—In applying sections 801, 802, and 803 to eligible rules under this section, the following shall apply:

“(1) The words ‘take effect’ shall be read as ‘continue in effect’.

“(2) Except as provided in paragraph (3), a single joint resolution of approval shall apply to all eligible rules in a report designated for a year, and the matter after the resolving clause of that joint resolution is as follows: ‘That Congress approves the rules submitted by the ____ for the year ____.’ (The blank spaces being appropriately filled in).

“(3) It shall be in order to consider any amendment that provides for specific conditions on which the approval of a particular eligible rule included in the joint resolution is contingent.
“(4) A member of either House may move that a separate joint resolution be required for a specified rule.

“(d) DEFINITION.—In this section, the term ‘eligible rule’ means a rule that is in effect as of the date of enactment of this section.”.

SEC. 949. BUDGETARY EFFECTS OF RULES SUBJECT TO SECTION 802 OF TITLE 5, UNITED STATES CODE.

Section 257(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by adding at the end the following new subparagraph:

“(E) BUDGETARY EFFECTS OF RULES SUBJECT TO SECTION 802 OF TITLE 5, UNITED STATES CODE.—Any rules subject to the congressional approval procedure set forth in section 802 of chapter 8 of title 5, United States Code, affecting budget authority, outlays, or receipts shall be assumed to be effective unless it is not approved in accordance with such section.”.
SEC. 950. GOVERNMENT ACCOUNTABILITY OFFICE STUDY OF RULES.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study to determine, as of the date of the enactment of this Act—

(1) how many rules (as such term is defined in section 804 of title 5, United States Code) of the Bureau were in effect;

(2) how many major rules (as such term is defined in section 804 of title 5, United States Code) of the Bureau were in effect; and

(3) the total estimated economic cost imposed by all such rules.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to Congress that contains the findings of the study conducted under subsection (a).

SEC. 951. EFFECTIVE DATE.

Sections 948 and 949, and the amendments made by such sections, shall take effect beginning on the date that is 1 year after the date of enactment of this Act.

TITLE X—EMAIL PRIVACY ACT

SEC. 1001. VOLUNTARY DISCLOSURE CORRECTIONS.

(a) IN GENERAL.—Section 2702 of title 18, United States Code, is amended—
(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “divulge” and inserting “disclose”; and

(ii) by striking “while in electronic storage by that service” and inserting “that is in electronic storage with or otherwise stored, held, or maintained by that service”; 

(B) in paragraph (2)—

(i) by striking “to the public”; 

(ii) by striking “divulge” and inserting “disclose”; and 

(iii) by striking “which is carried or maintained on that service” and inserting “that is stored, held, or maintained by that service”; and

(C) in paragraph (3)—

(i) by striking “divulge” and inserting “disclose”; and

(ii) by striking “a provider of” and inserting “a person or entity providing”; 

(2) in subsection (b)—
(A) in the matter preceding paragraph (1),
by inserting “wire or electronic” before “com-
munication”;

(B) by amending paragraph (1) to read as
follows:
“(1) to an originator, addressee, or intended re-
cipient of such communication, to the subscriber or
customer on whose behalf the provider stores, holds,
or maintains such communication, or to an agent of
such addressee, intended recipient, subscriber, or
customer;”; and

(C) by amending paragraph (3) to read as
follows:
“(3) with the lawful consent of the originator,
addressee, or intended recipient of such communica-
tion, or of the subscriber or customer on whose be-
half the provider stores, holds, or maintains such
communication;”;

(3) in subsection (c) by inserting “wire or elec-
tronic” before “communications”;

(4) in each of subsections (b) and (c), by strik-
ing “divulge” and inserting “disclose”; and

(5) in subsection (c), by amending paragraph
(2) to read as follows:
“(2) with the lawful consent of the subscriber
or customer;”.

SEC. 1002. AMENDMENTS TO REQUIRED DISCLOSURE SECTION.

Section 2703 of title 18, United States Code, is amended—

(1) by striking subsections (a) through (c) and
inserting the following:

“(a) CONTENTS OF WIRE OR ELECTRONIC COMMUNICATIONS IN ELECTRONIC STORAGE.—Except as pro-
vided in subsections (i) and (j), a governmental entity may
require the disclosure by a provider of electronic commu-
nication service of the contents of a wire or electronic com-
munication that is in electronic storage with or otherwise
stored, held, or maintained by that service only if the gov-
ernmental entity obtains a warrant issued using the proce-
dures described in the Federal Rules of Criminal Proce-
dure (or, in the case of a State court, issued using State
warrant procedures) that—

“(1) is issued by a court of competent jurisdic-
tion; and

“(2) may indicate the date by which the pro-
vider must make the disclosure to the governmental
entity.
In the absence of a date on the warrant indicating the date by which the provider must make disclosure to the governmental entity, the provider shall promptly respond to the warrant.

“(b) CONTENTS OF WIRE OR ELECTRONIC COMMUNICATIONS IN A REMOTE COMPUTING SERVICE.—

“(1) In general.—Except as provided in subsections (i) and (j), a governmental entity may require the disclosure by a provider of remote computing service of the contents of a wire or electronic communication that is stored, held, or maintained by that service only if the governmental entity obtains a warrant issued using the procedures described in the Federal Rules of Criminal Procedure (or, in the case of a State court, issued using State warrant procedures) that—

“(A) is issued by a court of competent jurisdiction; and

“(B) may indicate the date by which the provider must make the disclosure to the governmental entity.

In the absence of a date on the warrant indicating the date by which the provider must make disclosure to the governmental entity, the provider shall promptly respond to the warrant.
“(2) APPLICABILITY.—Paragraph (1) is applicable with respect to any wire or electronic communication that is stored, held, or maintained by the provider—

“(A) on behalf of, and received by means of electronic transmission from (or created by means of computer processing of communication received by means of electronic transmission from), a subscriber or customer of such remote computing service; and

“(B) solely for the purpose of providing storage or computer processing services to such subscriber or customer, if the provider is not authorized to access the contents of any such communications for purposes of providing any services other than storage or computer processing.

“(c) RECORDS CONCERNING ELECTRONIC COMMUNICATION SERVICE OR REMOTE COMPUTING SERVICE.—

“(1) IN GENERAL.—Except as provided in subsections (i) and (j), a governmental entity may require the disclosure by a provider of electronic communication service or remote computing service of a record or other information pertaining to a subscriber to or customer of such service (not including
the contents of wire or electronic communications),
only—

“(A) if a governmental entity obtains a warrant issued using the procedures described in the Federal Rules of Criminal Procedure (or, in the case of a State court, issued using State warrant procedures) that—

“(i) is issued by a court of competent jurisdiction directing the disclosure; and

“(ii) may indicate the date by which the provider must make the disclosure to the governmental entity;

“(B) if a governmental entity obtains a court order directing the disclosure under subsection (d);

“(C) with the lawful consent of the subscriber or customer; or

“(D) as otherwise authorized in paragraph (2).

“(2) SUBSCRIBER OR CUSTOMER INFORMATION.—A provider of electronic communication service or remote computing service shall, in response to an administrative subpoena authorized by Federal or State statute, a grand jury, trial, or civil discovery
subpoena, or any means available under paragraph
(1), disclose to a governmental entity the—

“(A) name;
“(B) address;
“(C) local and long distance telephone con-
nection records, or records of session times and
durations;
“(D) length of service (including start
date) and types of service used;
“(E) telephone or instrument number or
other subscriber or customer number or iden-
tity, including any temporarily assigned net-
work address; and
“(F) means and source of payment for
such service (including any credit card or bank
account number),
of a subscriber or customer of such service.
“(3) NOTICE NOT REQUIRED.—A governmental
entity that receives records or information under
this subsection is not required to provide notice to
a subscriber or customer.”;

(2) in subsection (d)—

(A) by striking “(b) or”;

(B) by striking “the contents of a wire or
electronic communication, or”;}
(C) by striking “sought,” and inserting “sought”; and

(D) by striking “section” and inserting “subsection”; and

(3) by adding at the end the following:

“(h) NOTICE.—Except as provided in section 2705, a provider of electronic communication service or remote computing service may notify a subscriber or customer of a receipt of a warrant, court order, subpoena, or request under subsection (a), (b), (c), or (d) of this section.

“(i) RULE OF CONSTRUCTION RELATED TO LEGAL PROCESS.—Nothing in this section or in section 2702 shall limit the authority of a governmental entity to use an administrative subpoena authorized by Federal or State statute, a grand jury, trial, or civil discovery subpoena, or a warrant issued using the procedures described in the Federal Rules of Criminal Procedure (or, in the case of a State court, issued using State warrant procedures) by a court of competent jurisdiction to—

“(1) require an originator, addressee, or intended recipient of a wire or electronic communication to disclose a wire or electronic communication (including the contents of that communication) to the governmental entity;
“(2) require a person or entity that provides an electronic communication service to the officers, directors, employees, or agents of the person or entity (for the purpose of carrying out their duties) to disclose a wire or electronic communication (including the contents of that communication) to or from the person or entity itself or to or from an officer, director, employee, or agent of the entity to a governmental entity, if the wire or electronic communication is stored, held, or maintained on an electronic communications system owned, operated, or controlled by the person or entity; or

“(3) require a person or entity that provides a remote computing service or electronic communication service to disclose a wire or electronic communication (including the contents of that communication) that advertises or promotes a product or service and that has been made readily accessible to the general public.

“(j) RULE OF CONSTRUCTION RELATED TO CONGRESSIONAL SUBPOENAS.—Nothing in this section or in section 2702 shall limit the power of inquiry vested in the Congress by article I of the Constitution of the United States, including the authority to compel the production of a wire or electronic communication (including the con-
tents of a wire or electronic communication) that is stored,
held, or maintained by a person or entity that provides
remote computing service or electronic communication
service.”.

SEC. 1003. DELAYED NOTICE.

Section 2705 of title 18, United States Code, is
amended to read as follows:

“§ 2705. Delayed notice

“(a) IN GENERAL.—A governmental entity acting
under section 2703 may apply to a court for an order di-
recting a provider of electronic communication service or
remote computing service to which a warrant, order, sub-
poena, or other directive under section 2703 is directed
not to notify any other person of the existence of the war-
rant, order, subpoena, or other directive.

“(b) DETERMINATION.—A court shall grant a re-
quest for an order made under subsection (a) for delayed
notification of up to 180 days if the court determines that
there is reason to believe that notification of the existence
of the warrant, order, subpoena, or other directive will
likely result in—

“(1) endangering the life or physical safety of
an individual;

“(2) flight from prosecution;

“(3) destruction of or tampering with evidence;
“(4) intimidation of potential witnesses; or
“(5) otherwise seriously jeopardizing an inves-
tigation or unduly delaying a trial.
“(c) EXTENSION.—Upon request by a governmental
entity, a court may grant one or more extensions, for peri-
ods of up to 180 days each, of an order granted in accord-
ance with subsection (b).”.

SEC. 1004. RULE OF CONSTRUCTION.

Nothing in this Act or an amendment made by this
Act shall be construed to preclude the acquisition by the
United States Government of—

(1) the contents of a wire or electronic commu-
nication pursuant to other lawful authorities, includ-
ing the authorities under chapter 119 of title 18
(commonly known as the “Wiretap Act”), the For-

eign Intelligence Surveillance Act of 1978 (50
U.S.C. 1801 et seq.), or any other provision of Fed-

eral law not specifically amended by this Act; or

(2) records or other information relating to a
subscriber or customer of any electronic communica-
tion service or remote computing service (not includ-
ing the content of such communications) pursuant to
the Foreign Intelligence Surveillance Act of 1978
(50 U.S.C. 1801 et seq.), chapter 119 of title 18
(commonly known as the “Wiretap Act”), or any
other provision of Federal law not specifically amended by this Act.

**TITLE XI—AMATEUR RADIO PARITY ACT**

**SEC. 1101. SHORT TITLE.**

This title may be cited as the “Amateur Radio Parity Act of 2018”.

**SEC. 1102. FINDINGS.**

Congress finds the following:

(1) More than 730,000 radio amateurs in the United States are licensed by the Federal Communications Commission in the amateur radio services.

(2) Amateur radio, at no cost to taxpayers, provides a fertile ground for technical self-training in modern telecommunications, electronics technology, and emergency communications techniques and protocols.

(3) There is a strong Federal interest in the effective performance of amateur stations established at the residences of licensees. Such stations have been shown to be frequently and increasingly precluded by unreasonable private land use restrictions, including restrictive covenants.

(4) Federal Communications Commission regulations have for three decades prohibited the applica-
tion to stations in the amateur service of State and local regulations that preclude or fail to reasonably accommodate amateur service communications, or that do not constitute the minimum practicable regulation to accomplish a legitimate State or local purpose. Commission policy has been and is to require States and localities to permit erection of a station antenna structure at heights and dimensions sufficient to accommodate amateur service communications.

(5) The Commission has sought guidance and direction from Congress with respect to the application of the Commission’s limited preemption policy regarding amateur service communications to private land use restrictions, including restrictive covenants.

(6) There are aesthetic and common property considerations that are uniquely applicable to private land use regulations and the community associations obligated to enforce covenants, conditions, and restrictions in deed-restricted communities. These considerations are dissimilar to those applicable to State law and local ordinances regulating the same residential amateur radio facilities.

(7) In recognition of these considerations, a separate Federal policy than exists at section
97.15(b) of title 47, Code of Federal Regulations, is warranted concerning amateur service communications in deed-restricted communities.

(8) Community associations should fairly administer private land use regulations in the interest of their communities, while nevertheless permitting the installation and maintenance of effective outdoor amateur radio antennas. There exist antenna designs and installations that can be consistent with the aesthetics and physical characteristics of land and structures in community associations while accommodating communications in the amateur radio services.

SEC. 1103. APPLICATION OF PRIVATE LAND USE RESTRICTIONS TO AMATEUR STATIONS.

(a) Amendment of FCC Rules.—Not later than 120 days after the date of the enactment of this Act, the Federal Communications Commission shall amend section 97.15 of title 47, Code of Federal Regulations, by adding a new paragraph that prohibits the application to amateur stations of any private land use restriction, including a restrictive covenant, that—

(1) on its face or as applied, precludes communications in an amateur radio service;
(2) fails to permit a licensee in an amateur radio service to install and maintain an effective outdoor antenna on property under the exclusive use or control of the licensee; or

(3) does not constitute the minimum practicable restriction on such communications to accomplish the lawful purposes of a community association seeking to enforce such restriction.

(b) ADDITIONAL REQUIREMENTS.—In amending its rules as required by subsection (a), the Commission shall—

(1) require any licensee in an amateur radio service to notify and obtain prior approval from a community association concerning installation of an outdoor antenna;

(2) permit a community association to prohibit installation of any antenna or antenna support structure by a licensee in an amateur radio service on common property not under the exclusive use or control of the licensee; and

(3) subject to the standards specified in paragraphs (1) and (2) of subsection (a), permit a community association to establish reasonable written rules concerning height, location, size, and aesthetic impact of, and installation requirements for, outdoor
antennas and support structures for the purpose of
conducting communications in the amateur radio
services.

SEC. 1104. AFFIRMATION OF LIMITED PREEMPTION OF
STATE AND LOCAL LAND USE REGULATION.
The Federal Communications Commission may not
change section 97.15(b) of title 47, Code of Federal Regu-
lations, which shall remain applicable to State and local
land use regulation of amateur service communications.

SEC. 1105. DEFINITIONS.

In this title:

(1) COMMUNITY ASSOCIATION.—The term
“community association” means any non-profit man-
datory membership organization composed of owners
of real estate described in a declaration of covenants
or created pursuant to a covenant or other applica-
table law with respect to which a person, by virtue of
the person’s ownership of or interest in a unit or
parcel, is obligated to pay for a share of real estate
taxes, insurance premiums, maintenance, improve-
ment, services, or other expenses related to common
elements, other units, or any other real estate other
than the unit or parcel described in the declaration.

(2) TERMS DEFINED IN REGULATIONS.—The
terms “amateur radio services”, “amateur service”,

and “amateur station” have the meanings given such terms in section 97.3 of title 47, Code of Federal Regulations.

TITLE XII
ADDITIONAL GENERAL PROVISIONS

REFERENCES TO ACT
Sec. 1201. Except as expressly provided otherwise, any reference to “this Act” contained in this division shall be treated as referring only to the provisions of this division.

REFERENCES TO REPORT
Sec. 1202. Any reference to a “report accompanying this Act” contained in this division shall be treated as a reference to House Report 115–792. The effect of such Report shall be limited to this division and shall apply for purposes of determining the allocation of funds provided by, and the implementation of, this division.

SPENDING REDUCTION ACCOUNT
Sec. 1203. The amount by which the applicable allocation of new budget authority made by the Committee on Appropriations of the House of Representatives under section 302(b) of the Congressional Budget Act of 1974 exceeds the amount of proposed new budget authority is $0.
SEC. 1204. None of the funds appropriated by this Act may be used to enforce section 540 of Public Law 110–329 (122 Stat. 3688) or section 538 of Public Law 112–74 (125 Stat. 976; 6 U.S.C. 190 note).

SEC. 1205. None of the funds made available under title IV or title VIII of this Act may be used by the District of Columbia government to carry out the Health Insurance Requirement Amendment Act of 2018 (subtitle A of title V of the Fiscal Year 2019 Budget Support Act of 2018; D.C. Bill 22–753).

SEC. 1206. None of the funds made available by this Act may be used to carry out section 1334 of the Patient Protection and Affordable Care Act.

SEC. 1207. None of the funds made available under title IV or title VIII of this Act may be used by the District of Columbia government to carry out section 47–4471, D.C. Official Code, with respect to the liability of a taxpayer under section 47–5108, D.C. Official Code (as added by subtitle A of title V of the Fiscal Year 2019 Budget Support Act of 2018; D.C. Bill 22–753).
This division may be cited as the “Financial Services and General Government Appropriations Act, 2019”.

Passed the House of Representatives July 19, 2018.

Attest:

Clerk.
Making appropriations for the Department of the
Interior, environment, and related agencies for the
fiscal year ending September 30, 2019, and for other
purposes.

AN ACT

H. R. 6147