

## Union Calendar No. 667

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

# H. R. 6470

[Report No. 115–862]

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2019, and for other purposes.

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### IN THE HOUSE OF REPRESENTATIVES

JULY 23, 2018

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

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## A BILL

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2019, and for other purposes.

## DEPARTMENT OF LABOR

## TRAINING AND EMPLOYMENT SERVICES

(1) for grants to States for adult employment and training activities, youth activities, and dislocated worker employment and training activities, \$2,789,832,000 as follows:

(A) \$845,556,000 for adult employment  
and training activities, of which \$133,556,000  
shall be available for the period July 1, 2019  
through June 30, 2020, and of which

1           \$712,000,000 shall be available for the period  
2           October 1, 2019 through June 30, 2020;

3           (B) \$903,416,000 for youth activities,  
4           which shall be available for the period April 1,  
5           2019 through June 30, 2020; and

6           (C) \$1,040,860,000 for dislocated worker  
7           employment and training activities, of which  
8           \$180,860,000 shall be available for the period  
9           July 1, 2019 through June 30, 2020, and of  
10          which \$860,000,000 shall be available for the  
11          period October 1, 2019 through June 30, 2020:

12       *Provided*, That the funds available for allotment to  
13       outlying areas to carry out subtitle B of title I of the  
14       WIOA shall not be subject to the requirements of  
15       section 127(b)(1)(B)(ii) of such Act: *Provided fur-*  
16       *ther*, That section 189(i)(3)(A)(ii) of the WIOA shall  
17       be applied in fiscal year 2019 by striking “of sec-

18       tions 8 through 10” and “(29 U.S.C. 49g through

19       49i)”, and by inserting “the colocation of employ-

20       ment service offices with one-stop centers, the des-

21       ignation of a cooperating State agency, the estab-

22       lishment and maintenance of a national system of

23       public employment service offices” after “veterans,”;

24       and

1 (2) for national programs, \$684,509,000 as fol-  
2 lows:

3 (A) \$200,000,000 for the dislocated work-  
4 ers assistance national reserve, which shall be  
5 available through September 30, 2020: *Pro-*  
6 *vided*, That funds provided to carry out section  
7 132(a)(2)(A) of the WIOA may be used to pro-  
8 vide assistance to a State for statewide or local  
9 use in order to address cases where there have  
10 been worker dislocations across multiple sectors  
11 or across multiple local areas and such workers  
12 remain dislocated; coordinate the State work-  
13 force development plan with emerging economic  
14 development needs; and train such eligible dis-  
15 located workers: *Provided further*, That funds  
16 provided to carry out sections 168(b) and  
17 169(c) of the WIOA may be used for technical  
18 assistance and demonstration projects, respec-  
19 tively, that provide assistance to new entrants  
20 in the workforce and incumbent workers: *Pro-*  
21 *vided further*, That of the funds provided under  
22 this subparagraph, \$30,000,000 shall be for  
23 training and employment assistance under sec-  
24 tions 168(b), 169(c) (notwithstanding the 10  
25 percent limitation in such section) and 170 of

1 the WIOA for workers in counties identified by  
2 the most recent United States Census Bureau  
3 data available as having poverty rates for all  
4 ages above 30 percent;

5 (B) \$55,000,000 for Native American pro-  
6 grams under section 166 of the WIOA, which  
7 shall be available for the period July 1, 2019  
8 through June 30, 2020;

9 (C) \$87,896,000 for migrant and seasonal  
10 farmworker programs under section 167 of the  
11 WIOA, including \$81,447,000 for formula  
12 grants (of which not less than 70 percent shall  
13 be for employment and training services),  
14 \$5,922,000 for migrant and seasonal housing  
15 (of which not less than 70 percent shall be for  
16 permanent housing), and \$527,000 for other  
17 discretionary purposes, which shall be available  
18 for the period July 1, 2019 through June 30,  
19 2020: *Provided*, That notwithstanding any  
20 other provision of law or related regulation, the  
21 Department of Labor shall take no action lim-  
22 iting the number or proportion of eligible par-  
23 ticipants receiving related assistance services or  
24 discouraging grantees from providing such serv-  
25 ices;

1 (D) \$92,534,000 for YouthBuild activities  
2 as described in section 171 of the WIOA, which  
3 shall be available for the period April 1, 2019  
4 through June 30, 2020;

5 (E) \$93,079,000 for ex-offender activities,  
6 under the authority of section 169 of the WIOA  
7 and section 212 of the Second Chance Act of  
8 2007, which shall be available for the period  
9 April 1, 2019 through June 30, 2020: *Provided*,  
10 That of this amount, \$25,000,000 shall be for  
11 competitive grants to national and regional  
12 intermediaries for activities that prepare young  
13 ex-offenders and school dropouts for employ-  
14 ment, with a priority for projects serving high-  
15 crime, high-poverty areas;

16 (F) \$6,000,000 for the Workforce Data  
17 Quality Initiative, under the authority of section  
18 169 of the WIOA, which shall be available for  
19 the period July 1, 2019 through June 30,  
20 2020; and

21 (G) \$150,000,000 to expand apprentice-  
22 ship opportunities, to be available to the Sec-  
23 retary to carry out activities through grants, co-  
24 operative agreements, contracts and other ar-  
25 rangements, with States and other appropriate

1 entities, which shall be available for the period  
2 April 1, 2019 through June 30, 2020.

3 JOB CORPS

4 (INCLUDING TRANSFER OF FUNDS)

5 To carry out subtitle C of title I of the WIOA, includ-  
6 ing Federal administrative expenses, the purchase and  
7 hire of passenger motor vehicles, the construction, alter-  
8 ation, and repairs of buildings and other facilities, and the  
9 purchase of real property for training centers as author-  
10 ized by the WIOA, \$1,718,655,000, plus reimbursements,  
11 as follows:

12 (1) \$1,603,325,000 for Job Corps Operations,  
13 which shall be available for the period July 1, 2019  
14 through June 30, 2020;

15 (2) \$83,000,000 for construction, rehabilitation  
16 and acquisition of Job Corps Centers, which shall be  
17 available for the period July 1, 2019 through June  
18 30, 2022, and which may include the acquisition,  
19 maintenance, and repair of major items of equip-  
20 ment: *Provided*, That the Secretary may transfer up  
21 to 15 percent of such funds to meet the operational  
22 needs of such centers or to achieve administrative ef-  
23 ficiencies: *Provided further*, That any funds trans-  
24 ferred pursuant to the preceding provision shall not  
25 be available for obligation after June 30, 2020: *Pro-*

9 *Provided*, That no funds from any other appropriation  
10 shall be used to provide meal services at or for Job Corps  
11 centers: *Provided further*, That notwithstanding section  
12 144(a)(1) of the WIOA, the Secretary may prioritize the  
13 enrollment of applicants who are at least 20 years old into  
14 the Job Corps program.

17       To carry out title V of the Older Americans Act of  
18 1965 (referred to in this Act as “OAA”), \$400,000,000,  
19 which shall be available for the period April 1, 2019  
20 through June 30, 2020, and may be recaptured and reobli-  
21 gated in accordance with section 517(c) of the OAA.

For payments during fiscal year 2019 of trade adjustment benefit payments and allowances under part I of subchapter B of chapter 2 of title II of the Trade Act



1 of 1974, and section 246 of that Act; and for training,  
 2 employment and case management services, allowances for  
 3 job search and relocation, and related State administrative  
 4 expenses under part II of subchapter B of chapter 2 of  
 5 title II of the Trade Act of 1974, and including benefit  
 6 payments, allowances, training, employment and case  
 7 management services, and related State administration  
 8 provided pursuant to section 231(a) of the Trade Adjust-  
 9 ment Assistance Extension Act of 2011 and section 405(a)  
 10 of the Trade Preferences Extension Act of 2015,  
 11 \$790,000,000 together with such amounts as may be nec-  
 12 essary to be charged to the subsequent appropriation for  
 13 payments for any period subsequent to September 15,  
 14 2019: *Provided*, That notwithstanding section 502 of this  
 15 Act, any part of the appropriation provided under this  
 16 heading may remain available for obligation beyond the  
 17 current fiscal year pursuant to the authorities of section  
 18 245(c) of the Trade Act of 1974 (19 U.S.C. 2317(c)).

19 STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT  
 20 SERVICE OPERATIONS

21 For authorized administrative expenses,  
 22 \$84,066,000, together with not to exceed \$3,176,216,000  
 23 which may be expended from the Employment Security  
 24 Administration Account in the Unemployment Trust Fund  
 25 (“the Trust Fund”), of which:

1           (1) \$2,515,816,000 from the Trust Fund is for  
2       grants to States for the administration of State un-  
3       employment insurance laws as authorized under title  
4       III of the Social Security Act (including not less  
5       than \$150,000,000 to conduct in-person reemploy-  
6       ment and eligibility assessments and unemployment  
7       insurance improper payment reviews, and to provide  
8       reemployment services and referrals to training as  
9       appropriate, for claimants of unemployment insur-  
10      ance for ex-service members under 5 U.S.C. 8521 et.  
11      seq. and for claimants of regular unemployment  
12      compensation, including those who are profiled as  
13      most likely to exhaust their benefits in each State:  
14      *Provided*, That of the amount provided under this  
15      heading, \$117,000,000 is provided to meet the terms  
16      of section 251(b)(2)(E)(ii) of the Balanced Budget  
17      and Emergency Deficit Control Act of 1985, as  
18      amended, and \$33,000,000 is additional new budget  
19      authority specified for purposes of section  
20      251(b)(2)(E) of such Act; and \$9,000,000 for con-  
21      tinued support of the Unemployment Insurance In-  
22      tegrity Center of Excellence), the administration of  
23      unemployment insurance for Federal employees and  
24      for ex-service members as authorized under 5 U.S.C.  
25      8501–8523, and the administration of trade read-

1       justment allowances, reemployment trade adjustment  
2       assistance, and alternative trade adjustment assist-  
3       ance under the Trade Act of 1974 and under section  
4       231(a) of the Trade Adjustment Assistance Exten-  
5       sion Act of 2011 and section 405(a) of the Trade  
6       Preferences Extension Act of 2015, and shall be  
7       available for obligation by the States through De-  
8       cember 31, 2019, except that funds used for auto-  
9       mation shall be available for Federal obligation  
10      through December 31, 2019, and for State obliga-  
11      tion through September 30, 2021, or, if the automa-  
12      tion is being carried out through consortia of States,  
13      for State obligation through September 30, 2024,  
14      and for expenditure through September 30, 2025,  
15      and funds for competitive grants awarded to States  
16      for improved operations and to conduct in-person re-  
17      employment and eligibility assessments and unem-  
18      ployment insurance improper payment reviews and  
19      provide reemployment services and referrals to train-  
20      ing, as appropriate, shall be available for Federal ob-  
21      ligation through December 31, 2019, and for obliga-  
22      tion by the States through September 30, 2021, and  
23      funds for the Unemployment Insurance Integrity  
24      Center of Excellence shall be available for obligation  
25      by the State through September 30, 2020, and

1 funds used for unemployment insurance workloads  
2 experienced through September 30, 2019 shall be  
3 available for Federal obligation through December  
4 31, 2019;

5 (2) \$13,897,000 from the Trust Fund is for na-  
6 tional activities necessary to support the administra-  
7 tion of the Federal-State unemployment insurance  
8 system;

9 (3) \$564,375,000 from the Trust Fund, to-  
10 gether with \$21,413,000 from the General Fund of  
11 the Treasury, is for grants to States in accordance  
12 with section 6 of the Wagner-Peyser Act, and shall  
13 be available for Federal obligation for the period  
14 July 1, 2019 through June 30, 2020: *Provided*, That  
15 notwithstanding the funding allocation in section 7  
16 of the Wagner-Peyser Act, States may use up to 100  
17 percent of the funds allotted to the State under sec-  
18 tion 6 of such Act to carry out the activities de-  
19 scribed in section 7(a) of such Act;

20 (4) \$19,818,000 from the Trust Fund is for na-  
21 tional activities of the Employment Service, includ-  
22 ing administration of the work opportunity tax cred-  
23 it under section 51 of the Internal Revenue Code of  
24 1986, and the provision of technical assistance and  
25 staff training under the Wagner-Peyser Act;

1           (5) \$62,310,000 from the Trust Fund is for the  
2       administration of foreign labor certifications and re-  
3       lated activities under the Immigration and Nation-  
4       ality Act and related laws, of which \$48,028,000  
5       shall be available for the Federal administration of  
6       such activities, and \$14,282,000 shall be available  
7       for grants to States for the administration of such  
8       activities; and

9           (6) \$62,653,000 from the General Fund is to  
10      provide workforce information, national electronic  
11      tools, and one-stop system building under the Wag-  
12      ner-Peyser Act and shall be available for Federal ob-  
13      ligation for the period July 1, 2019 through June  
14      30, 2020:

15 *Provided*, That to the extent that the Average Weekly In-  
16 sured Unemployment (“AWIU”) for fiscal year 2019 is  
17 projected by the Department of Labor to exceed  
18 2,030,000, an additional \$28,600,000 from the Trust  
19 Fund shall be available for obligation for every 100,000  
20 increase in the AWIU level (including a pro rata amount  
21 for any increment less than 100,000) to carry out title  
22 III of the Social Security Act: *Provided further*, That  
23 funds appropriated in this Act that are allotted to a State  
24 to carry out activities under title III of the Social Security  
25 Act may be used by such State to assist other States in

1 carrying out activities under such title III if the other  
2 States include areas that have suffered a major disaster  
3 declared by the President under the Robert T. Stafford  
4 Disaster Relief and Emergency Assistance Act: *Provided*  
5 *further*, That the Secretary may use funds appropriated  
6 for grants to States under title III of the Social Security  
7 Act to make payments on behalf of States for the use of  
8 the National Directory of New Hires under section  
9 453(j)(8) of such Act: *Provided further*, That the Sec-  
10 retary may use funds appropriated for grants to States  
11 under title III of the Social Security Act to make pay-  
12 ments on behalf of States to the entity operating the State  
13 Information Data Exchange System: *Provided further*,  
14 That the Secretary may use funds appropriated for grants  
15 to States under title III of the Social Security Act to make  
16 payments on behalf of States to the entity operating the  
17 Unemployment Insurance Integrity Center of Excellence:  
18 *Provided further*, That funds appropriated in this Act  
19 which are used to establish a national one-stop career cen-  
20 ter system, or which are used to support the national ac-  
21 tivities of the Federal-State unemployment insurance, em-  
22 ployment service, or immigration programs, may be obli-  
23 gated in contracts, grants, or agreements with States and  
24 non-State entities: *Provided further*, That States awarded  
25 competitive grants for improved operations under title III

1 of the Social Security Act, or awarded grants to support  
2 the national activities of the Federal-State unemployment  
3 insurance system, may award subgrants to other States  
4 and non-State entities under such grants, subject to the  
5 conditions applicable to the grants: *Provided further*, That  
6 funds appropriated under this Act for activities authorized  
7 under title III of the Social Security Act and the Wagner-  
8 Peyser Act may be used by States to fund integrated Un-  
9 employment Insurance and Employment Service automa-  
10 tion efforts, notwithstanding cost allocation principles pre-  
11 scribed under the final rule entitled “Uniform Administra-  
12 tive Requirements, Cost Principles, and Audit Require-  
13 ments for Federal Awards” at part 200 of title 2, Code  
14 of Federal Regulations: *Provided further*, That the Sec-  
15 retary, at the request of a State participating in a consor-  
16 tium with other States, may reallocate funds allotted to such  
17 State under title III of the Social Security Act to other  
18 States participating in the consortium or to the entity op-  
19 erating the Unemployment Insurance Information Tech-  
20 nology Support Center in order to carry out activities that  
21 benefit the administration of the unemployment com-  
22 pensation law of the State making the request: *Provided*  
23 *further*, That the Secretary may collect fees for the costs  
24 associated with additional data collection, analyses, and  
25 reporting services relating to the National Agricultural

1 Workers Survey requested by State and local govern-  
2 ments, public and private institutions of higher education,  
3 and nonprofit organizations and may utilize such sums,  
4 in accordance with the provisions of 29 U.S.C. 9a, for the  
5 National Agricultural Workers Survey infrastructure,  
6 methodology, and data to meet the information collection  
7 and reporting needs of such entities, which shall be cred-  
8 ited to this appropriation and shall remain available until  
9 September 30, 2020, for such purposes.

10 ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND  
11 OTHER FUNDS

12 For repayable advances to the Unemployment Trust  
13 Fund as authorized by sections 905(d) and 1203 of the  
14 Social Security Act, and to the Black Lung Disability  
15 Trust Fund as authorized by section 9501(c)(1) of the In-  
16 ternal Revenue Code of 1986; and for nonrepayable ad-  
17 vances to the revolving fund established by section 901(e)  
18 of the Social Security Act, to the Unemployment Trust  
19 Fund as authorized by 5 U.S.C. 8509, and to the “Federal  
20 Unemployment Benefits and Allowances” account, such  
21 sums as may be necessary, which shall be available for  
22 obligation through September 30, 2020.

23 PROGRAM ADMINISTRATION

24 For expenses of administering employment and train-  
25 ing programs, \$108,674,000, together with not to exceed



1 \$49,982,000 which may be expended from the Employ-  
 2 ment Security Administration Account in the Unemploy-  
 3 ment Trust Fund.

4       EMPLOYEE BENEFITS SECURITY ADMINISTRATION  
 5                               SALARIES AND EXPENSES

6       For necessary expenses for the Employee Benefits  
 7 Security Administration, \$180,600,000, of which up to  
 8 \$3,000,000 shall be made available through September 30,  
 9 2020, for the procurement of expert witnesses for enforce-  
 10 ment litigation.

11       PENSION BENEFIT GUARANTY CORPORATION

12       PENSION BENEFIT GUARANTY CORPORATION FUND

13       The Pension Benefit Guaranty Corporation (“Cor-  
 14 poration”) is authorized to make such expenditures, in-  
 15 cluding financial assistance authorized by subtitle E of  
 16 title IV of the Employee Retirement Income Security Act  
 17 of 1974, within limits of funds and borrowing authority  
 18 available to the Corporation, and in accord with law, and  
 19 to make such contracts and commitments without regard  
 20 to fiscal year limitations, as provided by 31 U.S.C. 9104,  
 21 as may be necessary in carrying out the program, includ-  
 22 ing associated administrative expenses, through Sep-  
 23 tember 30, 2019, for the Corporation: *Provided*, That  
 24 none of the funds available to the Corporation for fiscal  
 25 year 2019 shall be available for obligations for administra-

1 tive expenses in excess of \$445,363,000: *Provided further*,  
 2 That to the extent that the number of new plan partici-  
 3 pants in plans terminated by the Corporation exceeds  
 4 100,000 in fiscal year 2019, an amount not to exceed an  
 5 additional \$9,200,000 shall be available through Sep-  
 6 tember 30, 2020, for obligation for administrative ex-  
 7 penses for every 20,000 additional terminated partici-  
 8 pants: *Provided further*, That obligations in excess of the  
 9 amounts provided in this paragraph may be incurred for  
 10 unforeseen and extraordinary pretermination expenses or  
 11 extraordinary multiemployer program related expenses  
 12 after approval by the Office of Management and Budget  
 13 and notification of the Committees on Appropriations of  
 14 the House of Representatives and the Senate.

#### 15 WAGE AND HOUR DIVISION

##### 16 SALARIES AND EXPENSES

17 For necessary expenses for the Wage and Hour Divi-  
 18 sion, including reimbursement to State, Federal, and local  
 19 agencies and their employees for inspection services ren-  
 20 dered, \$225,500,000.

#### 21 OFFICE OF LABOR-MANAGEMENT STANDARDS

##### 22 SALARIES AND EXPENSES

23 For necessary expenses for the Office of Labor-Man-  
 24 agement Standards, \$42,187,000.

4 For necessary expenses for the Office of Federal Con-  
5 tract Compliance Programs, \$99,476,000.

8 For necessary expenses for the Office of Workers'  
9 Compensation Programs, \$115,424,000, together with  
10 \$2,177,000 which may be expended from the Special Fund  
11 in accordance with sections 39(c), 44(d), and 44(j) of the  
12 Longshore and Harbor Workers' Compensation Act.

For the payment of compensation, benefits, and expenses (except administrative expenses) accruing during the current or any prior fiscal year authorized by 5 U.S.C. 81; continuation of benefits as provided for under the heading “Civilian War Benefits” in the Federal Security Agency Appropriation Act, 1947; the Employees’ Compensation Commission Appropriation Act, 1944; section 5(f) of the War Claims Act (50 U.S.C. App. 2012); obligations incurred under the War Hazards Compensation Act (42 U.S.C. 1701 et seq.); and 50 percent of the additional compensation and benefits required by section 10(h) of the

1 Longshore and Harbor Workers' Compensation Act,  
2 \$230,000,000, together with such amounts as may be nec-  
3 essary to be charged to the subsequent year appropriation  
4 for the payment of compensation and other benefits for  
5 any period subsequent to August 15 of the current year,  
6 for deposit into and to assume the attributes of the Em-  
7 ployees' Compensation Fund established under 5 U.S.C.  
8 8147(a): *Provided*, That amounts appropriated may be  
9 used under 5 U.S.C. 8104 by the Secretary to reimburse  
10 an employer, who is not the employer at the time of injury,  
11 for portions of the salary of a re-employed, disabled bene-  
12 ficiary: *Provided further*, That balances of reimbursements  
13 unobligated on September 30, 2018, shall remain available  
14 until expended for the payment of compensation, benefits,  
15 and expenses: *Provided further*, That in addition there  
16 shall be transferred to this appropriation from the Postal  
17 Service and from any other corporation or instrumentality  
18 required under 5 U.S.C. 8147(c) to pay an amount for  
19 its fair share of the cost of administration, such sums as  
20 the Secretary determines to be the cost of administration  
21 for employees of such fair share entities through Sep-  
22 tember 30, 2019: *Provided further*, That of those funds  
23 transferred to this account from the fair share entities to  
24 pay the cost of administration of the Federal Employees'

1 Compensation Act, \$74,777,000 shall be made available  
2 to the Secretary as follows:

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

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

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

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

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

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

#### 20 SPECIAL BENEFITS FOR DISABLED COAL MINERS

21 For carrying out title IV of the Federal Mine Safety  
22 and Health Act of 1977, as amended by Public Law 107–  
23 275, \$10,319,000, to remain available until expended.

24 For making after July 31 of the current fiscal year,  
25 benefit payments to individuals under title IV of such Act,

1 for costs incurred in the current fiscal year, such amounts  
2 as may be necessary.

3 For making benefit payments under title IV for the  
4 first quarter of fiscal year 2020, \$14,000,000, to remain  
5 available until expended.

6 ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES

7 OCCUPATIONAL ILLNESS COMPENSATION FUND

8 For necessary expenses to administer the Energy  
9 Employees Occupational Illness Compensation Program  
10 Act, \$59,098,000, to remain available until expended: *Pro-*  
11 *vided*, That the Secretary may require that any person fil-  
12 ing a claim for benefits under the Act provide as part of  
13 such claim such identifying information (including Social  
14 Security account number) as may be prescribed.

15 BLACK LUNG DISABILITY TRUST FUND

16 (INCLUDING TRANSFER OF FUNDS)

17 Such sums as may be necessary from the Black Lung  
18 Disability Trust Fund (the “Fund”), to remain available  
19 until expended, for payment of all benefits authorized by  
20 section 9501(d)(1), (2), (6), and (7) of the Internal Rev-  
21 enue Code of 1986; and repayment of, and payment of  
22 interest on advances, as authorized by section 9501(d)(4)  
23 of that Act. In addition, the following amounts may be  
24 expended from the Fund for fiscal year 2019 for expenses  
25 of operation and administration of the Black Lung Bene-

1 fits program, as authorized by section 9501(d)(5): not to  
 2 exceed \$38,246,000 for transfer to the Office of Workers'  
 3 Compensation Programs, "Salaries and Expenses"; not to  
 4 exceed \$31,994,000 for transfer to Departmental Manage-  
 5 ment, "Salaries and Expenses"; not to exceed \$330,000  
 6 for transfer to Departmental Management, "Office of In-  
 7 spector General"; and not to exceed \$356,000 for pay-  
 8 ments into miscellaneous receipts for the expenses of the  
 9 Department of the Treasury.

#### 10 OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

#### 11 SALARIES AND EXPENSES

12 For necessary expenses for the Occupational Safety  
 13 and Health Administration, \$545,250,000, including not  
 14 to exceed \$100,850,000 which shall be the maximum  
 15 amount available for grants to States under section 23(g)  
 16 of the Occupational Safety and Health Act (the "Act"),  
 17 which grants shall be no less than 50 percent of the costs  
 18 of State occupational safety and health programs required  
 19 to be incurred under plans approved by the Secretary  
 20 under section 18 of the Act; and, in addition, notwith-  
 21 standing 31 U.S.C. 3302, the Occupational Safety and  
 22 Health Administration may retain up to \$499,000 per fis-  
 23 cal year of training institute course tuition and fees, other-  
 24 wise authorized by law to be collected, and may utilize  
 25 such sums for occupational safety and health training and

1 education: *Provided*, That notwithstanding 31 U.S.C.  
2 3302, the Secretary is authorized, during the fiscal year  
3 ending September 30, 2019, to collect and retain fees for  
4 services provided to Nationally Recognized Testing Lab-  
5 oratories, and may utilize such sums, in accordance with  
6 the provisions of 29 U.S.C. 9a, to administer national and  
7 international laboratory recognition programs that ensure  
8 the safety of equipment and products used by workers in  
9 the workplace: *Provided further*, That none of the funds  
10 appropriated under this paragraph shall be obligated or  
11 expended to prescribe, issue, administer, or enforce any  
12 standard, rule, regulation, or order under the Act which  
13 is applicable to any person who is engaged in a farming  
14 operation which does not maintain a temporary labor  
15 camp and employs 10 or fewer employees: *Provided fur-*  
16 *ther*, That no funds appropriated under this paragraph  
17 shall be obligated or expended to administer or enforce  
18 any standard, rule, regulation, or order under the Act with  
19 respect to any employer of 10 or fewer employees who is  
20 included within a category having a Days Away, Re-  
21 stricted, or Transferred (“DART”) occupational injury  
22 and illness rate, at the most precise industrial classifica-  
23 tion code for which such data are published, less than the  
24 national average rate as such rates are most recently pub-  
25 lished by the Secretary, acting through the Bureau of



1 Labor Statistics, in accordance with section 24 of the Act,  
2 except —

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

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

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

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

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

22 (6) to take any action authorized by the Act  
23 with respect to complaints of discrimination against  
24 employees for exercising rights under the Act:

1 *Provided further*, That the foregoing proviso shall not  
2 apply to any person who is engaged in a farming operation  
3 which does not maintain a temporary labor camp and em-  
4 ploys 10 or fewer employees: *Provided further*, That not  
5 less than \$3,500,000 shall be for Voluntary Protection  
6 Programs.

7 MINE SAFETY AND HEALTH ADMINISTRATION

8 SALARIES AND EXPENSES

9 For necessary expenses for the Mine Safety and  
10 Health Administration, \$367,589,000, including purchase  
11 and bestowal of certificates and trophies in connection  
12 with mine rescue and first-aid work, and the hire of pas-  
13 senger motor vehicles, including up to \$2,000,000 for  
14 mine rescue and recovery activities and not less than  
15 \$10,537,000 for State assistance grants: *Provided*, That  
16 amounts available for State assistance grants may be used  
17 for the purchase and maintenance of new equipment re-  
18 quired by the final rule entitled “Lowering Miners’ Expo-  
19 sure to Respirable Coal Mine Dust, Including Continuous  
20 Personal Dust Monitors” published by the Department of  
21 Labor in the Federal Register on May 1, 2014 (79 Fed.  
22 Reg. 24813 et seq.), for operators that demonstrate finan-  
23 cial need as determined by the Secretary: *Provided further*,  
24 That notwithstanding 31 U.S.C. 3302, not to exceed  
25 \$750,000 may be collected by the National Mine Health

1 and Safety Academy for room, board, tuition, and the sale  
2 of training materials, otherwise authorized by law to be  
3 collected, to be available for mine safety and health edu-  
4 cation and training activities: *Provided further*, That not-  
5 withstanding 31 U.S.C. 3302, the Mine Safety and Health  
6 Administration is authorized to collect and retain up to  
7 \$2,499,000 from fees collected for the approval and cer-  
8 tification of equipment, materials, and explosives for use  
9 in mines, and may utilize such sums for such activities:  
10 *Provided further*, That the Secretary is authorized to ac-  
11 cept lands, buildings, equipment, and other contributions  
12 from public and private sources and to prosecute projects  
13 in cooperation with other agencies, Federal, State, or pri-  
14 vate: *Provided further*, That the Mine Safety and Health  
15 Administration is authorized to promote health and safety  
16 education and training in the mining community through  
17 cooperative programs with States, industry, and safety as-  
18 sociations: *Provided further*, That the Secretary is author-  
19 ized to recognize the Joseph A. Holmes Safety Association  
20 as a principal safety association and, notwithstanding any  
21 other provision of law, may provide funds and, with or  
22 without reimbursement, personnel, including service of  
23 Mine Safety and Health Administration officials as offi-  
24 cers in local chapters or in the national organization: *Pro-*  
25 *vided further*, That any funds available to the Department

1 of Labor may be used, with the approval of the Secretary,  
2 to provide for the costs of mine rescue and survival oper-  
3 ations in the event of a major disaster.

4 BUREAU OF LABOR STATISTICS

5 SALARIES AND EXPENSES

6 For necessary expenses for the Bureau of Labor Sta-  
7 tistics, including advances or reimbursements to State,  
8 Federal, and local agencies and their employees for serv-  
9 ices rendered, \$547,000,000, together with not to exceed  
10 \$65,000,000 which may be expended from the Employ-  
11 ment Security Administration account in the Unemploy-  
12 ment Trust Fund.

13 OFFICE OF DISABILITY EMPLOYMENT POLICY

14 SALARIES AND EXPENSES

15 For necessary expenses for the Office of Disability  
16 Employment Policy to provide leadership, develop policy  
17 and initiatives, and award grants furthering the objective  
18 of eliminating barriers to the training and employment of  
19 people with disabilities, \$38,203,000.

20 DEPARTMENTAL MANAGEMENT

21 SALARIES AND EXPENSES

22 (INCLUDING TRANSFER OF FUNDS)

23 For necessary expenses for Departmental Manage-  
24 ment, including the hire of three passenger motor vehicles,  
25 \$270,136,000, together with not to exceed \$308,000,

1 which may be expended from the Employment Security  
2 Administration account in the Unemployment Trust  
3 Fund: *Provided*, That funds available to the Bureau of  
4 International Labor Affairs may be used to administer or  
5 operate international labor activities, bilateral and multi-  
6 lateral technical assistance, and microfinance programs,  
7 by or through contracts and other arrangements; and  
8 manage grants that were awarded prior to December 31,  
9 2018: *Provided further*, That \$8,040,000 shall be used for  
10 program evaluation and shall be available for obligation  
11 through September 30, 2020: *Provided further*, That  
12 funds available for program evaluation may be used to ad-  
13 minister grants for the purpose of evaluation: *Provided*  
14 *further*, That grants made for the purpose of evaluation  
15 shall be awarded through fair and open competition: *Pro-*  
16 *vided further*, That funds available for program evaluation  
17 may be transferred to any other appropriate account in  
18 the Department for such purpose: *Provided further*, That  
19 the Committees on Appropriations of the House of Rep-  
20 resentatives and the Senate are notified at least 15 days  
21 in advance of any transfer: *Provided further*, That the  
22 funds available to the Women's Bureau may be used for  
23 grants to serve and promote the interests of women in the  
24 workforce: *Provided further*, That of the amounts made  
25 available to the Women's Bureau, \$994,000 shall be used

1 for grants authorized by the Women in Apprenticeship  
2 and Nontraditional Occupations Act.

3 VETERANS EMPLOYMENT AND TRAINING

4 Not to exceed \$249,662,000 may be derived from the  
5 Employment Security Administration account in the Un-  
6 employment Trust Fund to carry out the provisions of  
7 chapters 41, 42, and 43 of title 38, United States Code,  
8 of which:

9 (1) \$180,000,000 is for Jobs for Veterans State  
10 grants under 38 U.S.C. 4102A(b)(5) to support dis-  
11 abled veterans' outreach program specialists under  
12 section 4103A of such title and local veterans' em-  
13 ployment representatives under section 4104(b) of  
14 such title, and for the expenses described in section  
15 4102A(b)(5)(C), which shall be available for obliga-  
16 tion by the States through December 31, 2019, and  
17 not to exceed 3 percent for the necessary Federal ex-  
18 penditures for data systems and contract support to  
19 allow for the tracking of participant and perform-  
20 ance information: *Provided*, That, in addition, such  
21 funds may be used to support such specialists and  
22 representatives in the provision of services to  
23 transitioning members of the Armed Forces who  
24 have participated in the Transition Assistance Pro-  
25 gram and have been identified as in need of inten-

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

6 (2) \$23,000,000 is for carrying out the Transi-  
7 tion Assistance Program under 38 U.S.C. 4113 and  
8 10 U.S.C. 1144: *Provided*, That not more than  
9 \$3,500,000 shall be used by the Secretary, in con-  
10 sultation with the Secretary of Defense and the Sec-  
11 retary of the Veterans Affairs, to carry out a pilot  
12 project designed to prepare transitioning service  
13 members to qualify for, and to assist in placing  
14 them in, apprenticeship programs, as an additional  
15 training opportunity under subsection (f) of 10  
16 U.S.C. 1144, including the costs of federal adminis-  
17 tration and evaluation of such pilot, and that the  
18 funds shall remain available for the pilot through  
19 September 30, 2020;

20 (3) \$43,248,000 is for Federal administration  
21 of chapters 41, 42, and 43 of title 38, and sections  
22 2021, 2021A, and 2023 of title 38, United States  
23 Code: *Provided*, That up to \$500,000 may be used  
24 to carry out division O of Public Law 115-31  
25 (“HIRE Vets Act”); and

1           (4) \$3,414,000 is for the National Veterans'  
2       Employment and Training Services Institute under  
3       38 U.S.C. 4109:

4   *Provided*, That the Secretary may reallocate among the  
5   appropriations provided under paragraphs (1) through (4)  
6   above an amount not to exceed 3 percent of the appropria-  
7   tion from which such reallocation is made.

8       In addition, from the General Fund of the Treasury,  
9   \$50,000,000 is for carrying out programs to assist home-  
10   less veterans and veterans at risk of homelessness who are  
11   transitioning from certain institutions under sections  
12   2021, 2021A, and 2023 of title 38, United States Code:  
13   *Provided*, That notwithstanding subsections (c)(3) and (d)  
14   of section 2023, the Secretary may award grants through  
15   September 30, 2019, to provide services under such sec-  
16   tion: *Provided further*, That services provided under sec-  
17   tion 2021 or under 2021A may include, in addition to  
18   services to homeless veterans described in section  
19   2002(a)(1), services to veterans who were homeless at  
20   some point within the 60 days prior to program entry or  
21   veterans who are at risk of homelessness within the next  
22   60 days, and that services provided under section 2023  
23   may include, in addition to services to the individuals de-  
24   scribed in subsection (e) of such section, services to vet-  
25   erans recently released from incarceration who are at risk



1 of homelessness: *Provided further*, That notwithstanding  
 2 paragraph (3) under this heading, funds appropriated in  
 3 this paragraph may be used for data systems and contract  
 4 support to allow for the tracking of participant and per-  
 5 formance information: *Provided further*, That notwith-  
 6 standing sections 2021(e)(2) and 2021A(f)(2) of title 38,  
 7 United States Code, such funds shall be available for ex-  
 8 penditure pursuant to 31 U.S.C. § 1553.

9 In addition, fees may be assessed and deposited in  
 10 the HIRE Vets Medallion Award Fund pursuant to sec-  
 11 tion 5(b) of the HIRE Vets Act, as amended herein, and  
 12 such amounts shall be available to the Secretary to carry  
 13 out the HIRE Vets Medallion Award Program, as author-  
 14 ized by such Act, and shall remain available until ex-  
 15 pended: *Provided*, That such sums shall be in addition to  
 16 any other funds available for such purposes, including  
 17 funds available under paragraph (3) of this heading: *Pro-*  
 18 *vided further*, That section 2(d) of division O of the Con-  
 19 solidated Appropriations Act, 2017 (Public Law 115–31;  
 20 38 U.S.C. 4100 note) shall not apply.

#### 21 IT MODERNIZATION

22 For necessary expenses for Department of Labor cen-  
 23 tralized infrastructure technology investment activities re-  
 24 lated to support systems and modernization, \$29,169,000,  
 25 which shall be available through September 30, 2020.

## 1 OFFICE OF INSPECTOR GENERAL

2 For salaries and expenses of the Office of Inspector  
3 General in carrying out the provisions of the Inspector  
4 General Act of 1978, \$83,487,000, together with not to  
5 exceed \$5,660,000 which may be expended from the Em-  
6 ployment Security Administration account in the Unem-  
7 ployment Trust Fund.

## 8 GENERAL PROVISIONS

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

## 14 (TRANSFER OF FUNDS)

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

tees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

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

SEC. 104. Except as otherwise provided in this section, none of the funds made available to the Department of Labor for grants under section 414(c) of the American Competitiveness and Workforce Improvement Act of 1998 (29 U.S.C. 2916a) may be used for any purpose other than competitive grants for training individuals who are older than 16 years of age and are not currently enrolled in school within a local educational agency in the occupations and industries for which employers are using H-1B visas to hire foreign workers, and the related activities necessary to support such training.

SEC. 105. None of the funds made available by this Act under the heading “Employment and Training Administration” shall be used by a recipient or subrecipient

1 of such funds to pay the salary and bonuses of an indi-  
2 vidual, either as direct costs or indirect costs, at a rate  
3 in excess of Executive Level II. This limitation shall not  
4 apply to vendors providing goods and services as defined  
5 in Office of Management and Budget Circular A-133.  
6 Where States are recipients of such funds, States may es-  
7 tablish a lower limit for salaries and bonuses of those re-  
8 ceiving salaries and bonuses from subrecipients of such  
9 funds, taking into account factors including the relative  
10 cost-of-living in the State, the compensation levels for  
11 comparable State or local government employees, and the  
12 size of the organizations that administer Federal pro-  
13 grams involved including Employment and Training Ad-  
14 ministration programs.

15 (TRANSFER OF FUNDS)

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

24 (b) Notwithstanding section 102, the Secretary may  
25 transfer not more than 0.5 percent of each discretionary

1 appropriation made available to the Employment and  
2 Training Administration by this Act to “Program Admin-  
3 istration” in order to carry out program integrity activities  
4 relating to any of the programs or activities that are fund-  
5 ed under any such discretionary appropriations: *Provided*,  
6 That notwithstanding section 102 and the preceding pro-  
7 viso, the Secretary may transfer not more than 0.5 percent  
8 of funds made available in paragraphs (1) and (2) of the  
9 “Office of Job Corps” account to paragraph (3) of such  
10 account to carry out program integrity activities related  
11 to the Job Corps program: *Provided further*, That funds  
12 transferred under the authority provided by this sub-  
13 section shall be available for obligation through September  
14 30, 2020.

15 (TRANSFER OF FUNDS)

16 SEC. 107. (a) The Secretary may reserve not more  
17 than 0.75 percent from each appropriation made available  
18 in this Act identified in subsection (b) in order to carry  
19 out evaluations of any of the programs or activities that  
20 are funded under such accounts. Any funds reserved under  
21 this section shall be transferred to “Departmental Man-  
22 agement” for use by the Office of the Chief Evaluation  
23 Officer within the Department of Labor, and shall be  
24 available for obligation through September 30, 2020: *Pro-*  
25 *vided*, That such funds shall only be available if the Chief

1 Evaluation Officer of the Department of Labor submits  
2 a plan to the Committees on Appropriations of the House  
3 of Representatives and the Senate describing the evalua-  
4 tions to be carried out 15 days in advance of any transfer.

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

20 SEC. 108. (a) Section 7 of the Fair Labor Standards  
21 Act of 1938 (29 U.S.C. 207) shall be applied as if the  
22 following text is part of such section:

23 “(s)(1) The provisions of this section shall not apply  
24 for a period of 2 years after the occurrence of a major  
25 disaster to any employee—

1           “(A) employed to adjust or evaluate claims re-  
2           sulting from or relating to such major disaster, by  
3           an employer not engaged, directly or through an af-  
4           filiate, in underwriting, selling, or marketing prop-  
5           erty, casualty, or liability insurance policies or con-  
6           tracts;

7           “(B) who receives from such employer on aver-  
8           age weekly compensation of not less than \$591.00  
9           per week or any minimum weekly amount estab-  
10          lished by the Secretary, whichever is greater, for the  
11          number of weeks such employee is engaged in any  
12          of the activities described in subparagraph (C); and

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

14               “(i) interviewing insured individuals, indi-  
15               viduals who suffered injuries or other damages  
16               or losses arising from or relating to a disaster,  
17               witnesses, or physicians;

18               “(ii) inspecting property damage or review-  
19               ing factual information to prepare damage esti-  
20               mates;

21               “(iii) evaluating and making recommenda-  
22               tions regarding coverage or compensability of  
23               claims or determining liability or value aspects  
24               of claims;

25               “(iv) negotiating settlements; or

1                   “(v) making recommendations regarding  
2                   litigation.

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

5           “(3) For purposes of this subsection—

6                   “(A) the term ‘major disaster’ means any dis-  
7                   aster or catastrophe declared or designated by any  
8                   State or Federal agency or department;

9                   “(B) the term ‘employee employed to adjust or  
10                  evaluate claims resulting from or relating to such  
11                  major disaster’ means an individual who timely se-  
12                  cured or secures a license required by applicable law  
13                  to engage in and perform the activities described in  
14                  clauses (i) through (v) of paragraph (1)(C) relating  
15                  to a major disaster, and is employed by an employer  
16                  that maintains worker compensation insurance cov-  
17                  erage or protection for its employees, if required by  
18                  applicable law, and withholds applicable Federal,  
19                  State, and local income and payroll taxes from the  
20                  wages, salaries and any benefits of such employees;  
21                  and

22                  “(C) the term ‘affiliate’ means a company that,  
23                  by reason of ownership or control of 25 percent or  
24                  more of the outstanding shares of any class of voting  
25                  securities of one or more companies, directly or indi-



1 rectly, controls, is controlled by, or is under common  
2 control with, another company.”.

3 (b) This section shall be effective on the date of en-  
4 actment of this Act.

5 (RESCISSION)

6 SEC. 109. Of the funds made available under the  
7 heading “Employment and Training Administration—  
8 Training and Employment Services” in division H of Pub-  
9 lic Law 115–141, \$200,000,000 is rescinded, to be derived  
10 from the amount made available in paragraph (2)(A)  
11 under such heading for the period October 1, 2018,  
12 through September 30, 2019.

13 SEC. 110. (a) FLEXIBILITY WITH RESPECT TO THE  
14 CROSSING OF H–2B NONIMMIGRANTS WORKING IN THE  
15 SEAFOOD INDUSTRY.—

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

24 (2) REQUIREMENTS FOR CROSSINGS AFTER  
25 90TH DAY.—An employer in the seafood industry

1 may not bring H-2B nonimmigrants into the United  
2 States after the date that is 90 days after the start  
3 date for which the employer is seeking the services  
4 of the nonimmigrants unless the employer—

5 (A) completes a new assessment of the  
6 local labor market by—

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

9 (ii) posting the job opportunity on the  
10 appropriate Department of Labor Elec-  
11 tronic Job Registry and at the employer's  
12 place of employment; and

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

15 (i) applies for the job; and

16 (ii) will be available at the time and  
17 place of need.

18 (3) EXEMPTION FROM RULES WITH RESPECT  
19 TO STAGGERING.—The Secretary of Labor shall not  
20 consider an employer in the seafood industry who  
21 brings H-2B nonimmigrants into the United States  
22 during the 120-day period specified in paragraph (1)  
23 to be staggering the date of need in violation of sec-  
24 tion 655.20(d) of title 20, Code of Federal Regula-  
25 tions, or any other applicable provision of law.

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

6 SEC. 111 . (a) The Act entitled “An Act to create  
 7 a Department of Labor”, approved March 4, 1913 (37  
 8 Stat. 736, chapter 141) shall be applied as if the following  
 9 text is part of such Act:

10 **“SEC. 12. SECURITY DETAIL.**

11 “(a) IN GENERAL.—The Secretary of Labor is au-  
 12 thorized to employ law enforcement officers or special  
 13 agents to—

14 “(1) provide protection for the Secretary of  
 15 Labor during the workday of the Secretary and dur-  
 16 ing any activity that is preliminary or postliminary  
 17 to the performance of official duties by the Sec-  
 18 retary;

19 “(2) provide protection, incidental to the protec-  
 20 tion provided to the Secretary, to a member of the  
 21 immediate family of the Secretary who is partici-  
 22 pating in an activity or event relating to the official  
 23 duties of the Secretary;

24 “(3) provide continuous protection to the Sec-  
 25 retary (including during periods not described in

1 paragraph (1)) and to the members of the imme-  
2 diate family of the Secretary if there is a unique and  
3 articulable threat of physical harm, in accordance  
4 with guidelines established by the Secretary; and

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

11 “(b) AUTHORITIES.—The Secretary of Labor may  
12 authorize a law enforcement officer or special agent em-  
13 ployed under subsection (a), for the purpose of performing  
14 the duties authorized under subsection (a), to—

15 “(1) carry firearms;

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

19 “(3) perform protective intelligence work, in-  
20 cluding identifying and mitigating potential threats  
21 and conducting advance work to review security mat-  
22 ters relating to sites and events;

23 “(4) coordinate with local law enforcement  
24 agencies; and

1           “(5) initiate criminal and other investigations  
2           into potential threats to the security of the Sec-  
3           retary, in coordination with the Inspector General of  
4           the Department of Labor.

5           “(c) COMPLIANCE WITH GUIDELINES.—A law en-  
6           forcement officer or special agent employed under sub-  
7           section (a) shall exercise any authority provided under this  
8           section in accordance with any—

9           “(1) guidelines issued by the Attorney General;  
10          and

11          “(2) guidelines prescribed by the Secretary of  
12          Labor.”.

13          (b) This section shall be effective on the date of en-  
14          actment of this Act.

15          SEC. 112. (a) The paragraph under the heading  
16          “Working Capital Fund” in the Department of Labor Ap-  
17          propriations Act, 1958, Public Law 85–67, 71 Stat. 210,  
18          as amended, is further amended by striking all of the text  
19          that appears after “for expenses necessary for the mainte-  
20          nance and operation of” and inserting “a comprehensive  
21          program of centralized services which the Secretary of  
22          Labor may prescribe and deem appropriate and advan-  
23          tageous to provide on a reimbursable basis: *Provided*, That  
24          such fund may receive advances and reimbursements from  
25          funds available to bureaus, offices, and agencies for which

1 such centralized services are performed at rates which will  
2 return in full all expenses of operation, including reserves  
3 for accrued annual leave, worker's compensation, deprecia-  
4 tion of capitalized equipment and amortization of human  
5 resources software and systems (either acquired or do-  
6 nated): *Provided further*, That the Secretary of Labor may  
7 transfer annually an amount not to exceed \$9,000,000  
8 from unobligated balances in the Department's salaries  
9 and expenses accounts, to the unobligated balance of the  
10 Working Capital Fund, to be merged with such Fund and  
11 used for the acquisition of capital equipment and the im-  
12 provement of financial management, information tech-  
13 nology and other support systems, and to remain available  
14 for obligation for an additional five fiscal years: *Provided*  
15 *further*, That such fund may receive reimbursements from  
16 entities or persons for use of Departmental facilities, in-  
17 cluding associated utilities and security services, and such  
18 reimbursements shall be credited to and merged with this  
19 fund: *Provided further*, That none of the funds shall be  
20 available unless the Chief Information Officer of the De-  
21 partment of Labor has submitted a plan, approved by the  
22 Office of Management and Budget, describing the  
23 amounts to be transferred by account, the planned use of  
24 funds, including descriptions of projects, project status,  
25 including any scheduled delays and cost overruns, finan-

1 cial expenditures, planned activities, and expected bene-  
2 fits, to the Committees on Appropriations of the House  
3 of Representatives and the Senate by July 31 of the cal-  
4 endar year prior to the fiscal year in which the transfer  
5 will occur: *Provided further*, That pursuant to section  
6 11319 of title 40, United States Code, the Secretary shall  
7 ensure that the Department's Chief Information Officer  
8 shall, at a minimum, be a principal advisor to the Sec-  
9 retary and a member on any board or governance struc-  
10 ture of the Department responsible for advising and set-  
11 ting Department-wide information technology budgets:  
12 *Provided further*, That none of the funds available for in-  
13 formation technology modernization under this section or  
14 under the heading "IT Modernization" shall be used for  
15 information technology modernization projects unless an  
16 experienced project manager, employed by the Department  
17 of Labor, is assigned oversight responsibility, including  
18 but not limited to, ensuring such projects are completed  
19 within established timeframes and budgets"—

20 (b) The following provisions are repealed:

21 (1) The heading "Working Capital Fund" and  
22 the paragraph thereunder in Public Law 91-204,  
23 Title I, 84 Stat. 26 (1970); and

24 (2) The heading "Working Capital Fund" and  
25 the paragraph thereunder in the Department of

1 Labor, Health and Human Services, and Education,  
 2 and Related Agencies Appropriations Act, 1994,  
 3 Public Law 103–112, Title I, 107 Stat. 1088  
 4 (1993).

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

## 7 TITLE II

### 8 DEPARTMENT OF HEALTH AND HUMAN 9 SERVICES

#### 10 HEALTH RESOURCES AND SERVICES ADMINISTRATION

##### 11 PRIMARY HEALTH CARE

12 For carrying out titles II and III of the Public Health  
 13 Service Act (referred to in this Act as the “PHS Act”  
 14 with respect to primary health care and the Native Hawai-  
 15 ian Health Care Act of 1988, \$1,526,522,000 (in addition  
 16 to the \$4,000,000,000 previously appropriated to the  
 17 Community Health Center Fund for fiscal year 2019):  
 18 *Provided*, That no more than \$1,000,000 shall be available  
 19 until expended for carrying out the provisions of section  
 20 224(o) of the PHS Act: *Provided further*, That no more  
 21 than \$114,893,000 shall be available until expended for  
 22 carrying out subsections (g) through (n) and (q) of section  
 23 224 of the PHS Act, and for expenses incurred by the  
 24 Department of Health and Human Services (referred to  
 25 in this Act as “HHS”) pertaining to administrative claims



1 made under such law: *Provided further*, That of funds pro-  
 2 vided for the Health Centers program, as defined by sec-  
 3 tion 330 of the PHS Act, by this Act or any other Act  
 4 for fiscal year 2019, not less than \$200,000,000 shall be  
 5 obligated in fiscal year 2019 for improving quality of care  
 6 or expanded service grants under section 330 of the PHS  
 7 Act to support and enhance behavioral health, mental  
 8 health, or substance use disorder services.

#### 9 HEALTH WORKFORCE

10 For carrying out titles III, VII, and VIII of the PHS  
 11 Act with respect to the health workforce, sections 1128E  
 12 and 1921 of the Social Security Act, and the Health Care  
 13 Quality Improvement Act of 1986, \$1,244,006,000: *Pro-*  
 14 *vided*, That sections 751(j)(2) and 762(k) of the PHS Act  
 15 and the proportional funding amounts in paragraphs (1)  
 16 through (4) of section 756(f) of such Act shall not apply  
 17 to funds made available under this heading: *Provided fur-*  
 18 *ther*, That for any program operating under section 751  
 19 of the PHS Act on or before January 1, 2009, the Sec-  
 20 retary of Health and Human Services (referred to in this  
 21 title as the “Secretary”) may hereafter waive any of the  
 22 requirements contained in sections 751(d)(2)(A) and  
 23 751(d)(2)(B) of such Act for the full project period of a  
 24 grant under such section: *Provided further*, That no funds  
 25 shall be available for section 340G–1 of the PHS Act: *Pro-*

1 *vided further*, That fees collected for the disclosure of in-  
2 formation under section 427(b) of the Health Care Quality  
3 Improvement Act of 1986 and sections 1128E(d)(2) and  
4 1921 of the Social Security Act shall be sufficient to re-  
5 cover the full costs of operating the programs authorized  
6 by such sections and shall remain available until expended  
7 for the National Practitioner Data Bank: *Provided further*,  
8 That funds transferred to this account to carry out section  
9 846 and subpart 3 of part D of title III of the PHS Act  
10 may be used to make prior year adjustments to awards  
11 made under such section and subpart: *Provided further*,  
12 That \$85,000,000 shall remain available until expended  
13 for the purposes of providing primary health services, as-  
14 signing National Health Service Corps (“NHSC”) mem-  
15 bers to expand the delivery of substance use disorder  
16 treatment services, notwithstanding the assignment prior-  
17 ities and limitations under sections 333(a)(1)(D), 333(b),  
18 and 333A(a)(1)(B)(ii) of the PHS Act, and making pay-  
19 ments under the NHSC Loan Repayment Program under  
20 section 338B of such Act: *Provided further*, That, in addi-  
21 tion to amounts otherwise made available in the previous  
22 proviso, \$20,000,000 shall remain available until expended  
23 for the purposes of making payments under the NHSC  
24 Loan Repayment Program under section 338B of the  
25 PHS Act to individuals participating in such program who

1 provide primary health services in Indian Health Service  
2 facilities, Tribally-Operated 638 Health Programs, and  
3 Urban Indian Health Programs (as those terms are de-  
4 fined by the Secretary), notwithstanding the assignment  
5 priorities and limitations under section 333(b) of such Act:  
6 *Provided further*, That for purposes of the previous two  
7 provisos, section 331(a)(3)(D) of the PHS Act shall be  
8 applied as if the term “primary health services” includes  
9 clinical substance use disorder treatment services, includ-  
10 ing those provided by a licensed substance use disorder  
11 treatment counselor with a master degree.

12       Of the funds made available under this heading,  
13 \$200,000,000 shall remain available until expended for  
14 grants to public institutions of higher education to expand  
15 or support existing graduate education for health care pro-  
16 fessionals provided by such institutions: *Provided*, That  
17 funds shall be prioritized to public institutions of higher  
18 education in States with a projected primary care provider  
19 shortage in 2025, as determined by the Secretary: *Pro-*  
20 *vided further*, That grants so awarded are limited to such  
21 public institutions of higher education in States in the top  
22 quartile of States with a primary care provider shortage,  
23 as determined by the Secretary: *Provided further*, That the  
24 maximum amount of a grant awarded to such an institu-  
25 tion shall not be more than \$10,000,000 per year: *Pro-*

1 *vided further*, That such grants may be awarded for a pe-  
2 riod of up to 5 years.

3 MATERNAL AND CHILD HEALTH

4 For carrying out titles III, XI, XII, and XIX of the  
5 PHS Act with respect to maternal and child health, title  
6 V of the Social Security Act, and section 712 of the Amer-  
7 ican Jobs Creation Act of 2004, \$893,089,000: *Provided*,  
8 That notwithstanding sections 502(a)(1) and 502(b)(1) of  
9 the Social Security Act, not more than \$85,393,000 shall  
10 be available for carrying out special projects of regional  
11 and national significance pursuant to section 501(a)(2) of  
12 such Act and \$10,276,000 shall be available for projects  
13 described in subparagraphs (A) through (F) of section  
14 501(a)(3) of such Act.

15 RYAN WHITE HIV/AIDS PROGRAM

16 For carrying out title XXVI of the PHS Act with  
17 respect to the Ryan White HIV/AIDS program,  
18 \$2,318,781,000, of which \$1,970,881,000 shall remain  
19 available to the Secretary through September 30, 2021,  
20 for parts A and B of title XXVI of the PHS Act, and  
21 of which not less than \$900,313,000 shall be for State  
22 AIDS Drug Assistance Programs under the authority of  
23 section 2616 or 311(c) of such Act.

## 1 HEALTH CARE SYSTEMS

2 For carrying out titles III and XII of the PHS Act  
3 with respect to health care systems, and the Stem Cell  
4 Therapeutic and Research Act of 2005, \$121,693,000, of  
5 which \$122,000 shall be available until expended for facili-  
6 ties renovations at the Gillis W. Long Hansen's Disease  
7 Center.

## 8 RURAL HEALTH

9 For carrying out titles III and IV of the PHS Act  
10 with respect to rural health, section 427(a) of the Federal  
11 Coal Mine Health and Safety Act of 1969, and sections  
12 711 and 1820 of the Social Security Act, \$281,294,000,  
13 of which \$59,609,000 from general revenues, notwith-  
14 standing section 1820(j) of the Social Security Act, shall  
15 be available for carrying out the Medicare rural hospital  
16 flexibility grants program: *Provided*, That of the funds  
17 made available under this heading for Medicare rural hos-  
18 pital flexibility grants, \$25,942,000 shall be available for  
19 the Small Rural Hospital Improvement Grant Program  
20 for quality improvement and adoption of health informa-  
21 tion technology and up to \$1,000,000 shall be to carry  
22 out section 1820(g)(6) of the Social Security Act, with  
23 funds provided for grants under section 1820(g)(6) avail-  
24 able for the purchase and implementation of telehealth  
25 services, including pilots and demonstrations on the use

1 of electronic health records to coordinate rural veterans  
 2 care between rural providers and the Department of Vet-  
 3 erans Affairs electronic health record system: *Provided*  
 4 *further*, That notwithstanding section 338J(k) of the PHS  
 5 Act, \$11,000,000 shall be available for State Offices of  
 6 Rural Health: *Provided further*, That \$10,000,000 shall  
 7 remain available through September 30, 2021, to support  
 8 the Rural Residency Development Program: *Provided fur-*  
 9 *ther*, That \$82,500,000 shall remain available through  
 10 September 30, 2023, for the Rural Communities Opioids  
 11 Response Program.

#### 12 PROGRAM MANAGEMENT

13 For program support in the Health Resources and  
 14 Services Administration, \$155,000,000: *Provided*, That  
 15 funds made available under this heading may be used to  
 16 supplement program support funding provided under the  
 17 headings “Primary Health Care”, “Health Workforce”,  
 18 “Maternal and Child Health”, “Ryan White HIV/AIDS  
 19 Program”, “Health Care Systems”, and “Rural Health”.

#### 20 VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

21 For payments from the Vaccine Injury Compensation  
 22 Program Trust Fund (the “Trust Fund”), such sums as  
 23 may be necessary for claims associated with vaccine-re-  
 24 lated injury or death with respect to vaccines administered  
 25 after September 30, 1988, pursuant to subtitle 2 of title

1 XXI of the PHS Act, to remain available until expended:  
2 *Provided*, That for necessary administrative expenses, not  
3 to exceed \$9,200,000 shall be available from the Trust  
4 Fund to the Secretary.

5       CENTERS FOR DISEASE CONTROL AND PREVENTION

6               IMMUNIZATION AND RESPIRATORY DISEASES

7       For carrying out titles II, III, XVII, and XXI, and  
8 section 2821 of the PHS Act, titles II and IV of the Immi-  
9 gration and Nationality Act, and section 501 of the Ref-  
10 ugee Education Assistance Act, with respect to immuniza-  
11 tion and respiratory diseases, \$484,055,000.

12       HIV/AIDS, VIRAL HEPATITIS, SEXUALLY TRANSMITTED  
13               DISEASES, AND TUBERCULOSIS PREVENTION

14       For carrying out titles II, III, XVII, and XXIII of  
15 the PHS Act with respect to HIV/AIDS, viral hepatitis,  
16 sexually transmitted diseases, and tuberculosis prevention,  
17 \$1,147,278,000.

18       EMERGING AND ZOOONOTIC INFECTIOUS DISEASES

19       For carrying out titles II, III, and XVII, and section  
20 2821 of the PHS Act, titles II and IV of the Immigration  
21 and Nationality Act, and section 501 of the Refugee Edu-  
22 cation Assistance Act, with respect to emerging and  
23 zoonotic infectious diseases, \$562,572,000.

17 BIRTH DEFECTS, DEVELOPMENTAL DISABILITIES,  
18 DISABILITIES AND HEALTH

22 PUBLIC HEALTH SCIENTIFIC SERVICES

•HR 6470 RH



1 ENVIRONMENTAL HEALTH

2 For carrying out titles II, III, and XVII of the PHS  
3 Act with respect to environmental health, \$184,350,000.

4 INJURY PREVENTION AND CONTROL

5 For carrying out titles II, III, and XVII of the PHS  
6 Act with respect to injury prevention and control,  
7 \$690,559,000.

8 NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND  
9 HEALTH

10 For carrying out titles II, III, and XVII of the PHS  
11 Act, sections 101, 102, 103, 201, 202, 203, 301, and 501  
12 of the Federal Mine Safety and Health Act, section 13  
13 of the Mine Improvement and New Emergency Response  
14 Act, and sections 20, 21, and 22 of the Occupational Safe-  
15 ty and Health Act, with respect to occupational safety and  
16 health, \$339,200,000.

17 ENERGY EMPLOYEES OCCUPATIONAL ILLNESS  
18 COMPENSATION PROGRAM

19 For necessary expenses to administer the Energy  
20 Employees Occupational Illness Compensation Program  
21 Act, \$55,358,000, to remain available until expended: *Pro-*  
22 *vided*, That this amount shall be available consistent with  
23 the provision regarding administrative expenses in section  
24 151(b) of division B, title I of Public Law 106–554.

## 1 GLOBAL HEALTH

2 For carrying out titles II, III, and XVII of the PHS  
3 Act with respect to global health, \$488,621,000, of which  
4 \$128,421,000 for International HIV/AIDS shall remain  
5 available through September 30, 2020: *Provided*, That  
6 funds may be used for purchase and insurance of official  
7 motor vehicles in foreign countries.

## 8 PUBLIC HEALTH PREPAREDNESS AND RESPONSE

9 For carrying out titles II, III, and XVII of the PHS  
10 Act with respect to public health preparedness and re-  
11 sponse, and for expenses necessary to support activities  
12 related to countering potential biological, nuclear, radio-  
13 logical, and chemical threats to civilian populations,  
14 \$860,000,000: *Provided*, That the Director of the Centers  
15 for Disease Control and Prevention (referred to in this  
16 title as “CDC”) or the Administrator of the Agency for  
17 Toxic Substances and Disease Registry may detail staff  
18 without reimbursement for up to 180 days to support an  
19 activation of the CDC Emergency Operations Center, so  
20 long as the Director or administrator, as applicable, pro-  
21 vides a notice to the Committees on Appropriations of the  
22 House of Representatives and the Senate within 15 days  
23 of the use of this authority and a full report within 30  
24 days after use of this authority which includes the number  
25 of staff and funding level broken down by the originating

1 center and number of days detailed: *Provided further*,  
 2 That funds appropriated under this heading may be used  
 3 to support a contract for the operation and maintenance  
 4 of an aircraft in direct support of activities throughout  
 5 CDC to ensure the agency is prepared to address public  
 6 health preparedness emergencies.

7 BUILDINGS AND FACILITIES

8 (INCLUDING TRANSFER OF FUNDS)

9 For acquisition of real property, equipment, construc-  
 10 tion, demolition, and renovation of facilities, \$30,000,000,  
 11 to remain available until September 30, 2023: *Provided*  
 12 , That funds previously set-aside by CDC for repair and  
 13 upgrade of the Lake Lynn Experimental Mine and Lab-  
 14 oratory shall be used to acquire a replacement mine safety  
 15 research facility: *Provided further*, That in addition, the  
 16 prior year unobligated balance of any amounts assigned  
 17 to former employees in accounts of CDC made available  
 18 for Individual Learning Accounts shall be credited to and  
 19 merged with the amounts made available under this head-  
 20 ing to support the replacement of the mine safety research  
 21 facility.

22 CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT

23 For carrying out titles II, III, XVII and XIX, and  
 24 section 2821 of the PHS Act and for cross-cutting activi-  
 25 ties and program support for activities funded in other

1 appropriations included in this Act for the Centers for  
2 Disease Control and Prevention, \$438,570,000: *Provided*,  
3 That paragraphs (1) through (3) of subsection (b) of sec-  
4 tion 2821 of the PHS Act shall not apply to funds appro-  
5 priated under this heading and in all other accounts of  
6 the CDC: *Provided further*, That employees of CDC or the  
7 Public Health Service, both civilian and commissioned of-  
8 ficers, detailed to States, municipalities, or other organiza-  
9 tions under authority of section 214 of the PHS Act, or  
10 in overseas assignments, shall be treated as non-Federal  
11 employees for reporting purposes only and shall not be in-  
12 cluded within any personnel ceiling applicable to the Agen-  
13 cy, Service, or HHS during the period of detail or assign-  
14 ment: *Provided further*, That CDC may use up to \$10,000  
15 from amounts appropriated to CDC in this Act for official  
16 reception and representation expenses when specifically  
17 approved by the Director of CDC: *Provided further*, That  
18 in addition, such sums as may be derived from authorized  
19 user fees, which shall be credited to the appropriation  
20 charged with the cost thereof: *Provided further*, That with  
21 respect to the previous proviso, authorized user fees from  
22 the Vessel Sanitation Program and the Respirator Certifi-  
23 cation Program shall be available through September 30,  
24 2020.

1                   NATIONAL INSTITUTES OF HEALTH

2                   NATIONAL CANCER INSTITUTE

3           For carrying out section 301 and title IV of the PHS  
4 Act with respect to cancer, \$5,736,037,000, of which up  
5 to \$30,000,000 may be used for facilities repairs and im-  
6 provements at the National Cancer Institute—Frederick  
7 Federally Funded Research and Development Center in  
8 Frederick, Maryland.

9           NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

10          For carrying out section 301 and title IV of the PHS  
11 Act with respect to cardiovascular, lung, and blood dis-  
12 eases, and blood and blood products, \$3,423,604,000.

13          NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL  
14                                   RESEARCH

15          For carrying out section 301 and title IV of the PHS  
16 Act with respect to dental and craniofacial diseases,  
17 \$453,082,000.

18          NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND  
19                                   KIDNEY DISEASES

20          For carrying out section 301 and title IV of the PHS  
21 Act with respect to diabetes and digestive and kidney dis-  
22 ease, \$1,994,333,000.

1     NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS  
2                                   AND STROKE

3         For carrying out section 301 and title IV of the PHS  
4 Act with respect to neurological disorders and stroke,  
5 \$2,171,280,000.

6     NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS  
7                                   DISEASES

8         For carrying out section 301 and title IV of the PHS  
9 Act with respect to allergy and infectious diseases,  
10 \$5,368,029,000.

11    NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

12         For carrying out section 301 and title IV of the PHS  
13 Act with respect to general medical sciences,  
14 \$2,818,667,000, of which \$922,871,000 shall be from  
15 funds available under section 241 of the PHS Act: *Pro-*  
16 *vided*, That not less than \$365,575,000 is provided for  
17 the Institutional Development Awards program.

18    EUNICE KENNEDY SHRIVER NATIONAL INSTITUTE OF  
19                                   CHILD HEALTH AND HUMAN DEVELOPMENT

20         For carrying out section 301 and title IV of the PHS  
21 Act with respect to child health and human development,  
22 \$1,469,346,000.

1 NATIONAL EYE INSTITUTE

2 For carrying out section 301 and title IV of the PHS  
3 Act with respect to eye diseases and visual disorders,  
4 \$781,540,000.

5 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH  
6 SCIENCES

7 For carrying out section 301 and title IV of the PHS  
8 Act with respect to environmental health sciences,  
9 \$760,113,000.

10 NATIONAL INSTITUTE ON AGING

11 For carrying out section 301 and title IV of the PHS  
12 Act with respect to aging, \$3,005,831,000.

13 NATIONAL INSTITUTE OF ARTHRITIS AND  
14 MUSCULOSKELETAL AND SKIN DISEASES

15 For carrying out section 301 and title IV of the PHS  
16 Act with respect to arthritis and musculoskeletal and skin  
17 diseases, \$593,663,000.

18 NATIONAL INSTITUTE ON DEAFNESS AND OTHER  
19 COMMUNICATION DISORDERS

20 For carrying out section 301 and title IV of the PHS  
21 Act with respect to deafness and other communication dis-  
22 orders, \$465,467,000.

23 NATIONAL INSTITUTE OF NURSING RESEARCH

24 For carrying out section 301 and title IV of the PHS  
25 Act with respect to nursing research, \$159,920,000.

3       For carrying out section 301 and title IV of the PHS  
4 Act with respect to alcohol abuse and alcoholism,  
5 \$515,658,000.

6 NATIONAL INSTITUTE ON DRUG ABUSE

7 For carrying out section 301 and title IV of the PHS  
8 Act with respect to drug abuse, \$1,400,126,000.

9 NATIONAL INSTITUTE OF MENTAL HEALTH

10 For carrying out section 301 and title IV of the PHS  
11 Act with respect to mental health, \$1,732,731,000.

12 NATIONAL HUMAN GENOME RESEARCH INSTITUTE

13           For carrying out section 301 and title IV of the PHS  
14 Act with respect to human genome research,  
15 \$563,531,000.

16 NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND  
17 BIOENGINEERING

For carrying out section 301 and title IV of the PHS Act with respect to biomedical imaging and bioengineering research, \$382,384,000.

21 NATIONAL CENTER FOR COMPLEMENTARY AND  
22 INTEGRATIVE HEALTH

For carrying out section 301 and title IV of the PHS  
Act with respect to complementary and integrative health,  
\$143,882,000.



1 NATIONAL INSTITUTE ON MINORITY HEALTH AND  
2 HEALTH DISPARITIES

3 For carrying out section 301 and title IV of the PHS  
4 Act with respect to minority health and health disparities  
5 research, \$306,821,000.

6 JOHN E. FOGARTY INTERNATIONAL CENTER

7 For carrying out the activities of the John E. Fogarty  
8 International Center (described in subpart 2 of part E of  
9 title IV of the PHS Act), \$76,637,000.

10 NATIONAL LIBRARY OF MEDICINE

11 For carrying out section 301 and title IV of the PHS  
12 Act with respect to health information communications,  
13 \$433,671,000: *Provided*, That of the amounts available for  
14 improvement of information systems, \$4,000,000 shall be  
15 available until September 30, 2020: *Provided further*, That  
16 in fiscal year 2019, the National Library of Medicine may  
17 enter into personal services contracts for the provision of  
18 services in facilities owned, operated, or constructed under  
19 the jurisdiction of the National Institutes of Health (re-  
20 ferred to in this title as “NIH”).

21 NATIONAL CENTER FOR ADVANCING TRANSLATIONAL  
22 SCIENCES

23 For carrying out section 301 and title IV of the PHS  
24 Act with respect to translational sciences, \$751,219,000:  
25 *Provided*, That up to \$30,000,000 shall be available to im-

plement section 480 of the PHS Act, relating to the Cures Acceleration Network: *Provided further*, That at least \$542,771,000 is provided to the Clinical and Translational Sciences Awards program.

# OFFICE OF THE DIRECTOR

For carrying out the responsibilities of the Office of the Director, NIH, \$1,902,828,000: *Provided*, That funding shall be available for the purchase of not to exceed 29 passenger motor vehicles for replacement only: *Provided further*, That all funds credited to the NIH Management Fund shall remain available for one fiscal year after the fiscal year in which they are deposited: *Provided further*, That \$165,000,000 shall be for the Environmental Influences on Child Health Outcomes Study Follow-on: *Provided further*, That \$595,139,000 shall be available for the Common Fund established under section 402A(c)(1) of the PHS Act: *Provided further*, That of the funds provided, \$10,000 shall be for official reception and representation expenses when specifically approved by the Director of the NIH: *Provided further*, That the Office of AIDS Research within the Office of the Director of the NIH may spend up to \$8,000,000 to make grants for construction or renovation of facilities as provided for in section 2354(a)(5)(B) of the PHS Act.

1        In addition to other funds appropriated for the Com-  
2 mon Fund established under section 402A(c) of the PHS  
3 Act, \$12,600,000 is appropriated to the Common Fund  
4 from the 10-Year Pediatric Research Initiative Fund de-  
5 scribed in section 9008 of the Internal Revenue Code of  
6 1986, for the purpose of carrying out section  
7 402(b)(7)(B)(ii) of the PHS Act (relating to pediatric re-  
8 search), as authorized in the Gabriella Miller Kids First  
9 Research Act.

10                                BUILDINGS AND FACILITIES

11        For the study of, construction or demolition of, ren-  
12 ovation of, and acquisition of equipment for, facilities of  
13 or used by NIH, including the acquisition of real property,  
14 \$200,000,000, to remain available through September 30,  
15 2023.

16                                NIH INNOVATION ACCOUNT

17                                (INCLUDING TRANSFER OF FUNDS)

18        For necessary expenses to carry out the purposes de-  
19 scribed in section 1001(b)(4) of the 21st Century Cures  
20 Act, in addition to amounts available for such purposes  
21 in the appropriations provided to the NIH in this Act,  
22 \$711,000,000, to remain available until expended: *Pro-*  
23 *vided*, That such amounts are appropriated pursuant to  
24 section 1001(b)(3) of such Act, and are to be derived from  
25 amounts transferred under section 1001(b)(2)(A) of such

1 Act: *Provided further*, That of the amount appropriated  
 2 under this heading, \$400,000,000 shall be transferred to  
 3 the National Cancer Institute for the purposes described  
 4 in section 1001(b)(4)(C) of such Act, \$57,500,000 shall  
 5 be transferred to the National Institute of Neurological  
 6 Disorders and Stroke for the purposes described in section  
 7 1001(b)(4)(B) of such Act, and \$57,500,000 shall be  
 8 transferred to the National Institute of Mental Health for  
 9 the purposes described in section 1001(b)(4)(B) of such  
 10 Act: *Provided further*, That remaining amounts may be  
 11 transferred by the Director of the NIH to any accounts  
 12 of the NIH: *Provided further*, That upon a determination  
 13 by the Director that funds transferred pursuant to any  
 14 of the previous provisos are not necessary for the purposes  
 15 provided, such amounts may be transferred back to the  
 16 Account: *Provided further*, That the transfer authority  
 17 provided under this heading is in addition to any other  
 18 transfer authority provided by law.

19 SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

20 ADMINISTRATION

21 MENTAL HEALTH

22 For carrying out titles III, V, and XIX of the PHS  
 23 Act with respect to mental health, and the Protection and  
 24 Advocacy for Individuals with Mental Illness Act,  
 25 \$1,393,471,000: *Provided*, That notwithstanding section

1 520A(f)(2) of the PHS Act, no funds appropriated for car-  
2 rying out section 520A shall be available for carrying out  
3 section 1971 of the PHS Act: *Provided further*, That in  
4 addition to amounts provided herein, \$21,039,000 shall be  
5 available under section 241 of the PHS Act to carry out  
6 subpart I of part B of title XIX of the PHS Act to fund  
7 section 1920(b) technical assistance, national data, data  
8 collection and evaluation activities, and further that the  
9 total available under this Act for section 1920(b) activities  
10 shall not exceed 5 percent of the amounts appropriated  
11 for subpart I of part B of title XIX: *Provided further*, That  
12 up to 10 percent of the amounts made available to carry  
13 out the Children’s Mental Health Services program may  
14 be used to carry out demonstration grants or contracts  
15 for early interventions with persons not more than 25  
16 years of age at clinical high risk of developing a first epi-  
17 sode of psychosis: *Provided further*, That section  
18 520E(b)(2) of the PHS Act shall not apply to funds ap-  
19 propriated in this Act for fiscal year 2019: *Provided fur-*  
20 *ther*, That States shall expend at least 10 percent of the  
21 amount each receives for carrying out section 1911 of the  
22 PHS Act to support evidence-based programs that address  
23 the needs of individuals with early serious mental illness,  
24 including psychotic disorders, regardless of the age of the  
25 individual at onset: *Provided further*, That none of the

1 funds provided for section 1911 of the PHS Act shall be  
2 subject to section 241 of such Act: *Provided further*, That  
3 of the funds made available under this heading,  
4 \$15,000,000 shall be to carry out section 224 of the Pro-  
5 tecting Access to Medicare Act of 2014 (Public Law 113–  
6 93; 42 U.S.C. 290aa 22 note): *Provided further*, That of  
7 the funds made available under this heading, \$63,887,000  
8 shall be for the National Child Traumatic Stress Initia-  
9 tive, of which \$10,000,000 shall be available for grants  
10 to partners in the National Child Traumatic Stress Net-  
11 work for behavioral health services and counseling for mi-  
12 nors who were separated from their parents or family  
13 units and subsequently classified as unaccompanied alien  
14 children and transferred to the custody of the Department  
15 of Health and Human Services’ Office of Refugee Reset-  
16 tlement: *Provided further*, That pursuant to the preceding  
17 proviso, the Department of Health and Human Services  
18 shall not share with any other Federal agency any person-  
19 ally identifiable information or data relating to such mi-  
20 nors receiving such services and counseling from partners  
21 receiving such grants: *Provided further*, That the Depart-  
22 ment of Health and Human Services may agree to a  
23 memorandum of understanding with the Department of  
24 Homeland Security to allow grantees to provide behavioral

1 health services and counseling to families in the custody  
2 of the Department of Homeland Security.

3 SUBSTANCE ABUSE TREATMENT

4 For carrying out titles III and V of the PHS Act  
5 with respect to substance abuse treatment and title XIX  
6 of such Act with respect to substance abuse treatment and  
7 prevention, \$3,772,306,000: *Provided*, That  
8 \$1,000,000,000 shall be for State Opioid Response Grants  
9 for carrying out activities pertaining to opioids undertaken  
10 by the State agency responsible for administering the sub-  
11 stance abuse prevention and treatment block grant under  
12 subpart II of part B of title XIX of the PHS Act (42  
13 U.S.C. 300x–21 et seq.): *Provided further*, That of such  
14 amount \$50,000,000 shall be made available to Indian  
15 Tribes or tribal organizations: *Provided further*, That 15  
16 percent of the remaining amount shall be for the States  
17 with the highest mortality rate related to opioid use dis-  
18 orders: *Provided further*, That of the amounts provided for  
19 State Opioid Response Grants not more than 2 percent  
20 shall be available for Federal administrative expenses,  
21 training, technical assistance, and evaluation: *Provided*  
22 *further*, That of the amount not reserved by the previous  
23 three provisos, the Secretary shall make allocations to  
24 States, territories, and the District of Columbia according  
25 to a formula using national survey results that the Sec-

1   retary determines are the most objective and reliable  
2   measure of drug use and drug-related deaths: *Provided*  
3   *further*, That the Secretary shall submit the formula meth-  
4   odology to the Committees on Appropriations of the House  
5   of Representatives and the Senate not less than 30 days  
6   prior to publishing a Funding Opportunity Announce-  
7   ment: *Provided further*, That prevention and treatment ac-  
8   tivities funded through such grants may include education,  
9   treatment (including the provision of medication), behav-  
10   ioral health services for individuals in treatment programs,  
11   referral to treatment services, recovery support, and med-  
12   ical screening associated with such treatment: *Provided*  
13   *further*, That each State, as well as the District of Colum-  
14   bia, shall receive not less than \$4,000,000: *Provided fur-*  
15   *ther*, That in addition to amounts provided herein, the fol-  
16   lowing amounts shall be available under section 241 of the  
17   PHS Act: (1) \$79,200,000 to carry out subpart II of part  
18   B of title XIX of the PHS Act to fund section 1935(b)  
19   technical assistance, national data, data collection and  
20   evaluation activities, and further that the total available  
21   under this Act for section 1935(b) activities shall not ex-  
22   ceed 5 percent of the amounts appropriated for subpart  
23   II of part B of title XIX; and (2) \$2,000,000 to evaluate  
24   substance abuse treatment programs: *Provided further*,  
25   That none of the funds provided for section 1921 of the



1 PHS Act or State Opioid Response Grants shall be subject  
2 to section 241 of such Act.

3 SUBSTANCE ABUSE PREVENTION

4 For carrying out titles III and V of the PHS Act  
5 with respect to substance abuse prevention, \$19,954,000:  
6 *Provided*, That in addition to amounts provided herein,  
7 \$228,765,000 shall be available under section 241 of the  
8 PHS Act to supplement funds otherwise available for sub-  
9 stance abuse prevention activities.

10 HEALTH SURVEILLANCE AND PROGRAM SUPPORT

11 For program support and cross-cutting activities that  
12 supplement activities funded under the headings “Mental  
13 Health”, “Substance Abuse Treatment”, and “Substance  
14 Abuse Prevention” in carrying out titles III, V, and XIX  
15 of the PHS Act and the Protection and Advocacy for Indi-  
16 viduals with Mental Illness Act in the Substance Abuse  
17 and Mental Health Services Administration,  
18 \$133,830,000: *Provided*, That in addition to amounts pro-  
19 vided herein, \$31,428,000 shall be available under section  
20 241 of the PHS Act to supplement funds available to  
21 carry out national surveys on drug abuse and mental  
22 health, to collect and analyze program data, and to con-  
23 duct public awareness and technical assistance activities:  
24 *Provided further*, That, in addition, fees may be collected  
25 for the costs of publications, data, data tabulations, and

1 data analysis completed under title V of the PHS Act and  
 2 provided to a public or private entity upon request, which  
 3 shall be credited to this appropriation and shall remain  
 4 available until expended for such purposes: *Provided fur-*  
 5 *ther*, That amounts made available in this Act for carrying  
 6 out section 501(o) of the PHS Act shall remain available  
 7 through September 30, 2020: *Provided further*, That  
 8 funds made available under this heading may be used to  
 9 supplement program support funding provided under the  
 10 headings “Mental Health”, “Substance Abuse Treat-  
 11 ment”, and “Substance Abuse Prevention”.

12 AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

13 HEALTHCARE RESEARCH AND QUALITY

14 For carrying out titles III and IX of the PHS Act,  
 15 part A of title XI of the Social Security Act, and section  
 16 1013 of the Medicare Prescription Drug, Improvement,  
 17 and Modernization Act of 2003, \$334,000,000: *Provided*,  
 18 That section 947(c) of the PHS Act shall not apply in  
 19 fiscal year 2018: *Provided further*, That in addition,  
 20 amounts received from Freedom of Information Act fees,  
 21 reimbursable and interagency agreements, and the sale of  
 22 data shall be credited to this appropriation and shall re-  
 23 main available until September 30, 2020.

1       CENTERS FOR MEDICARE & MEDICAID SERVICES

2                   GRANTS TO STATES FOR MEDICAID

3       For carrying out, except as otherwise provided, titles  
4 XI and XIX of the Social Security Act, \$276,236,212,000,  
5 to remain available until expended.

6       For making, after May 31, 2019, payments to States  
7 under title XIX or in the case of section 1928 on behalf  
8 of States under title XIX of the Social Security Act for  
9 the last quarter of fiscal year 2019 for unanticipated costs  
10 incurred for the current fiscal year, such sums as may be  
11 necessary.

12       For making payments to States or in the case of sec-  
13 tion 1928 on behalf of States under title XIX of the Social  
14 Security Act for the first quarter of fiscal year 2020,  
15 \$137,931,797,000, to remain available until expended.

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

21                   PAYMENTS TO THE HEALTH CARE TRUST FUNDS

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

1 103(c) and 111(d) of the Social Security Amendments of  
2 1965, section 278(d)(3) of Public Law 97–248, and for  
3 administrative expenses incurred pursuant to section  
4 201(g) of the Social Security Act, \$378,343,800,000.

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

9 PROGRAM MANAGEMENT

10 For carrying out, except as otherwise provided, titles  
11 XI, XVIII, XIX, and XXI of the Social Security Act, titles  
12 XIII and XXVII of the PHS Act, the and Clinical Labora-  
13 tory Improvement Amendments of 1988, not to exceed  
14 \$3,502,024,000, to be transferred from the Federal Hos-  
15 pital Insurance Trust Fund and the Federal Supple-  
16 mentary Medical Insurance Trust Fund, as authorized by  
17 section 201(g) of the Social Security Act; together with  
18 all funds collected in accordance with section 353 of the  
19 PHS Act and section 1857(e)(2) of the Social Security  
20 Act, funds retained by the Secretary pursuant to section  
21 1893(h) of the Social Security Act, and such sums as may  
22 be collected from authorized user fees and the sale of data,  
23 which shall be credited to this account and remain avail-  
24 able until expended: *Provided further*, That no funds shall  
25 be derived from offsetting collections through fees col-

1 lected from qualified health plans offered through an Ex-  
2 change established under Public Law 111-148 to operate  
3 such an Exchange: *Provided further*, That all funds de-  
4 rived in accordance with 31 U.S.C. 9701 from organiza-  
5 tions established under title XIII of the PHS Act shall  
6 be credited to and available for carrying out the purposes  
7 of this appropriation: *Provided further*, That the Secretary  
8 is directed to collect fees in fiscal year 2019 from Medicare  
9 Advantage organizations pursuant to section 1857(e)(2)  
10 of the Social Security Act and from eligible organizations  
11 with risk-sharing contracts under section 1876 of that Act  
12 pursuant to section 1876(k)(4)(D) of that Act.

13 HEALTH CARE FRAUD AND ABUSE CONTROL ACCOUNT

14 In addition to amounts otherwise available for pro-  
15 gram integrity and program management, \$765,000,000,  
16 to remain available through September 30, 2020, to be  
17 transferred from the Federal Hospital Insurance Trust  
18 Fund and the Federal Supplementary Medical Insurance  
19 Trust Fund, as authorized by section 201(g) of the Social  
20 Security Act, of which \$599,389,000 shall be for the Cen-  
21 ters for Medicare & Medicaid Services program integrity  
22 activities, of which \$87,230,000 shall be for the Depart-  
23 ment of Health and Human Services Office of Inspector  
24 General to carry out fraud and abuse activities authorized  
25 by section 1817(k)(3) of such Act, and of which

1 \$78,381,000 shall be for the Department of Justice to  
 2 carry out fraud and abuse activities authorized by section  
 3 1817(k)(3) of such Act: *Provided*, That the report re-  
 4 quired by section 1817(k)(5) of the Social Security Act  
 5 for fiscal year 2019 shall include measures of the oper-  
 6 ational efficiency and impact on fraud, waste, and abuse  
 7 in the Medicare, Medicaid, and CHIP programs for the  
 8 funds provided by this appropriation: *Provided further*,  
 9 That of the amount provided under this heading,  
 10 \$311,000,000 is provided to meet the terms of section  
 11 251(b)(2)(C)(ii) of the Balanced Budget and Emergency  
 12 Deficit Control Act of 1985, as amended, and  
 13 \$454,000,000 is additional new budget authority specified  
 14 for purposes of section 251(b)(2)(C) of such Act: *Provided*  
 15 *further*, That the Secretary shall provide not less than  
 16 \$17,621,000 for the Senior Medicare Patrol program to  
 17 combat health care fraud and abuse from the funds pro-  
 18 vided to this account.

19 ADMINISTRATION FOR CHILDREN AND FAMILIES

20 PAYMENTS TO STATES FOR CHILD SUPPORT

21 ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

22 For carrying out, except as otherwise provided, titles  
 23 I, IV–D, X, XI, XIV, and XVI of the Social Security Act  
 24 and the Act of July 5, 1960, \$2,922,247,000, to remain  
 25 available until expended; and for such purposes for the

1 first quarter of fiscal year 2020, \$1,400,000,000, to re-  
2 main available until expended.

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

9 LOW INCOME HOME ENERGY ASSISTANCE

10 For making payments under subsections (b) and (d)  
11 of section 2602 of the Low Income Home Energy Assist-  
12 ance Act of 1981, \$3,640,304,000: *Provided*, That all but  
13 \$678,500,000 of this amount shall be allocated as though  
14 the total appropriation for such payments for fiscal year  
15 2019 was less than \$1,975,000,000: *Provided further*,  
16 That notwithstanding section 2609A(a), of the amounts  
17 appropriated under section 2602(b), not more than  
18 \$2,988,000 of such amounts may be reserved by the Sec-  
19 retary for technical assistance, training, and monitoring  
20 of program activities for compliance with internal controls,  
21 policies and procedures and may, in addition to the au-  
22 thorities provided in section 2609A(a)(1), use such funds  
23 through contracts with private entities that do not qualify  
24 as nonprofit organizations.

## 1 REFUGEE AND ENTRANT ASSISTANCE

## 2 (INCLUDING TRANSFER OF FUNDS)

3 For necessary expenses for refugee and entrant as-  
4 sistance activities authorized by section 414 of the Immi-  
5 gration and Nationality Act and section 501 of the Ref-  
6 ugee Education Assistance Act of 1980, and for carrying  
7 out section 462 of the Homeland Security Act of 2002,  
8 section 235 of the William Wilberforce Trafficking Victims  
9 Protection Reauthorization Act of 2008, the Trafficking  
10 Victims Protection Act of 2000 (“TVPA”), and the Tor-  
11 ture Victims Relief Act of 1998, \$1,864,936,000, of which  
12 \$1,830,446,000 shall remain available through September  
13 30, 2021, for carrying out such sections 414, 501, 462,  
14 and 235: *Provided*, That amounts available under this  
15 heading to carry out the TVPA shall also be available for  
16 research and evaluation with respect to activities under  
17 such Act: *Provided further*, That the limitation in section  
18 205 of this Act regarding transfers increasing any appro-  
19 priation shall apply to transfers to appropriations under  
20 this heading by substituting “10 percent” for “3 percent”.

## 21 PAYMENTS TO STATES FOR THE CHILD CARE AND

## 22 DEVELOPMENT BLOCK GRANT

23 For carrying out the Child Care and Development  
24 Block Grant Act of 1990 (“CCDBG Act”),  
25 \$5,226,000,000 shall be used to supplement, not supplant



1 State general revenue funds for child care assistance for  
 2 low-income families: *Provided*, That technical assistance  
 3 under section 658I(a)(3) of such Act may be provided di-  
 4 rectly, or through the use of contracts, grants, cooperative  
 5 agreements, or interagency agreements: *Provided further*,  
 6 That all funds made available to carry out section 418  
 7 of the Social Security Act (42 U.S.C. 618), including  
 8 funds appropriated for that purpose in such section 418  
 9 or any other provision of law, shall be subject to the res-  
 10 ervation of funds authority in paragraphs (4) and (5) of  
 11 section 658O(a) of the CCDBG Act: *Provided further*,  
 12 That in addition to the amounts required to be reserved  
 13 by the Secretary under section 658O(a)(2)(A) of such Act,  
 14 \$156,780,000 shall be for Indian tribes and tribal organi-  
 15 zations: *Provided further*, That, in addition to the amounts  
 16 reserved under section 658O(a)(5) of the CCDBG Act,  
 17 \$100,000,000 shall be for carrying out a program of com-  
 18 petitive grants to States, territories, tribes, local govern-  
 19 ments, and public entities, to develop, implement, and  
 20 evaluate models of providing care for working families in  
 21 rural communities, families needing child care on an emer-  
 22 gency basis, or families with non-traditional work hours.

#### 23 SOCIAL SERVICES BLOCK GRANT

24 For making grants to States pursuant to section  
 25 2002 of the Social Security Act, \$1,700,000,000: *Pro-*

1 *vided*, That notwithstanding subparagraph (B) of section  
 2 404(d)(2) of such Act, the applicable percent specified  
 3 under such subparagraph for a State to carry out State  
 4 programs pursuant to title XX–A of such Act shall be 10  
 5 percent.

6 CHILDREN AND FAMILIES SERVICES PROGRAMS

7 For carrying out, except as otherwise provided, the  
 8 Runaway and Homeless Youth Act, the Head Start Act,  
 9 the Every Student Succeeds Act, the Child Abuse Preven-  
 10 tion and Treatment Act, sections 303 and 313 of the  
 11 Family Violence Prevention and Services Act, the Native  
 12 American Programs Act of 1974, title II of the Child  
 13 Abuse Prevention and Treatment and Adoption Reform  
 14 Act of 1978 (adoption opportunities), part B–1 of title IV  
 15 and sections 429, 473A, 477(i), 1110, 1114A, and 1115  
 16 of the Social Security Act, and the Community Services  
 17 Block Grant Act (“CSBG Act”); and for necessary admin-  
 18 istrative expenses to carry out titles I, IV, V, X, XI, XIV,  
 19 XVI, and XX–A of the Social Security Act, the Act of  
 20 July 5, 1960, the Low-Income Home Energy Assistance  
 21 Act of 1981, the Child Care and Development Block Grant  
 22 Act of 1990, the Assets for Independence Act, title IV of  
 23 the Immigration and Nationality Act, and section 501 of  
 24 the Refugee Education Assistance Act of 1980,  
 25 \$12,122,225,000, of which \$80,000,000, to remain avail-

1 able through September 30, 2020, shall be for grants to  
2 States for adoption and legal guardianship incentive pay-  
3 ments, as defined by section 473A of the Social Security  
4 Act and may be made for adoptions and legal  
5 guardianships completed before September 30, 2019: *Pro-*  
6 *vided*, That \$9,913,095,000 shall be for making payments  
7 under the Head Start Act: *Provided further*, That of the  
8 amount in the previous proviso, \$9,108,095,000 shall be  
9 available for payments under section 640 of the Head  
10 Start Act, of which \$25,000,000 shall be available for a  
11 cost of living adjustment notwithstanding section  
12 640(a)(3)(A) of such Act: *Provided further*, That of the  
13 amount provided for making payments under the Head  
14 Start Act, \$25,000,000 shall be available for allocation by  
15 the Secretary to supplement activities described in para-  
16 graphs (7)(B) and (9) of section 641(c) of such Act under  
17 the Designation Renewal System, established under the  
18 authority of sections 641(c)(7), 645A(b)(12) and 645A(d)  
19 of such Act: *Provided further*, That notwithstanding such  
20 section 640, of the amount provided for making payments  
21 under the Head Start Act, and in addition to funds other-  
22 wise available under such section 640 for such purposes,  
23 \$780,000,000 shall be available through March 31, 2020,  
24 for Early Head Start programs as described in section  
25 645A of such Act, for conversion of Head Start services

1 to Early Head Start services as described in section  
 2 645(a)(5)(A) of such Act, for discretionary grants for high  
 3 quality infant and toddler care through Early Head Start-  
 4 Child Care Partnerships, to entities defined as eligible  
 5 under section 645A(d) of such Act, for training and tech-  
 6 nical assistance for such activities, and for up to  
 7 \$16,000,000 in Federal costs of administration and eval-  
 8 uation, and, notwithstanding section 645A(c)(2) of such  
 9 Act, these funds are available to serve children under age  
 10 4: *Provided further*, That funds described in the preceding  
 11 two provisos shall not be included in the calculation of  
 12 “base grant” in subsequent fiscal years, as such term is  
 13 used in section 640(a)(7)(A) of such Act: *Provided further*,  
 14 That \$250,000,000 shall be for carrying out sections 9212  
 15 and 9213 of the Every Student Succeeds Act: *Provided*  
 16 *further*, That up to 3 percent of the funds in the preceding  
 17 proviso shall be available for technical assistance and eval-  
 18 uation related to grants awarded under such section 9212:  
 19 *Provided further*, That \$779,883,000 shall be for making  
 20 payments under the CSBG Act: *Provided further*, That  
 21 \$30,233,000 shall be for sections 680 and 678E(b)(2) of  
 22 the CSBG Act, of which not less than \$19,883,000 shall  
 23 be for section 680(a)(2) and not less than \$10,000,000  
 24 shall be for section 680(a)(3)(B) of such Act: *Provided*  
 25 *further*, That, notwithstanding section 675C(a)(3) of such

1 Act, to the extent Community Services Block Grant funds  
2 are distributed as grant funds by a State to an eligible  
3 entity as provided under such Act, and have not been ex-  
4 pended by such entity, they shall remain with such entity  
5 for carryover into the next fiscal year for expenditure by  
6 such entity consistent with program purposes: *Provided*  
7 *further*, That the Secretary shall establish procedures re-  
8 garding the disposition of intangible assets and program  
9 income that permit such assets acquired with, and pro-  
10 gram income derived from, grant funds authorized under  
11 section 680 of the CSBG Act to become the sole property  
12 of such grantees after a period of not more than 12 years  
13 after the end of the grant period for any activity consistent  
14 with section 680(a)(2)(A) of the CSBG Act: *Provided fur-*  
15 *ther*, That intangible assets in the form of loans, equity  
16 investments and other debt instruments, and program in-  
17 come may be used by grantees for any eligible purpose  
18 consistent with section 680(a)(2)(A) of the CSBG Act:  
19 *Provided further*, That these procedures shall apply to  
20 such grant funds made available after November 29, 1999:  
21 *Provided further*, That funds appropriated for section  
22 680(a)(2) of the CSBG Act shall be available for financing  
23 construction and rehabilitation and loans or investments  
24 in private business enterprises owned by community devel-  
25 opment corporations: *Provided further*, That

1 \$160,000,000 shall be for carrying out section 303(a) of  
 2 the Family Violence Prevention and Services Act, of which  
 3 \$5,000,000 shall be allocated notwithstanding section  
 4 303(a)(2) of such Act for carrying out section 309 of such  
 5 Act: *Provided further*, That the percentages specified in  
 6 section 112(a)(2) of the Child Abuse Prevention and  
 7 Treatment Act shall not apply to funds appropriated  
 8 under this heading: *Provided further* That \$1,864,000  
 9 shall be for a human services case management system  
 10 for federally declared disasters, to include a comprehensive  
 11 national case management contract and Federal costs of  
 12 administering the system: *Provided further*, That up to  
 13 \$2,000,000 shall be for improving the Public Assistance  
 14 Reporting Information System, including grants to States  
 15 to support data collection for a study of the system's effec-  
 16 tiveness.

17 PROMOTING SAFE AND STABLE FAMILIES

18 For carrying out, except as otherwise provided, sec-  
 19 tion 436 of the Social Security Act, \$345,000,000 and,  
 20 for carrying out, except as otherwise provided, section 437  
 21 of such Act, \$59,765,000.

22 PAYMENTS FOR FOSTER CARE AND PERMANENCY

23 For carrying out, except as otherwise provided, title  
 24 IV–E of the Social Security Act, \$6,035,000,000.

1 For carrying out, except as otherwise provided, title  
2 IV–E of the Social Security Act, for the first quarter of  
3 fiscal year 2020, \$2,800,000,000.

4 For carrying out, after May 31 of the current fiscal  
5 year, except as otherwise provided, section 474 of title IV–  
6 E of the Social Security Act, for the last 3 months of the  
7 current fiscal year for unanticipated costs, incurred for the  
8 current fiscal year, such sums as may be necessary.

9 ADMINISTRATION FOR COMMUNITY LIVING  
10 AGING AND DISABILITY SERVICES PROGRAMS  
11 (INCLUDING TRANSFER OF FUNDS)

12 For carrying out, to the extent not otherwise pro-  
13 vided, the Older Americans Act of 1965 (“OAA”), titles  
14 III and XXIX of the PHS Act, sections 1252 and 1253  
15 of the PHS Act, section 119 of the Medicare Improve-  
16 ments for Patients and Providers Act of 2008, title XX–  
17 B of the Social Security Act, the Developmental Disabil-  
18 ities Assistance and Bill of Rights Act, parts 2 and 5 of  
19 subtitle D of title II of the Help America Vote Act of  
20 2002, the Assistive Technology Act of 1998, titles II and  
21 VII (and section 14 with respect to such titles) of the Re-  
22 habilitation Act of 1973, and for Department-wide coordi-  
23 nation of policy and program activities that assist individ-  
24 uals with disabilities, \$2,137,617,000, together with  
25 \$49,115,000 to be transferred from the Federal Hospital

1 Insurance Trust Fund and the Federal Supplementary  
2 Medical Insurance Trust Fund to carry out section 4360  
3 of the Omnibus Budget Reconciliation Act of 1990: *Pro-*  
4 *vided*, That amounts appropriated under this heading may  
5 be used for grants to States under section 361 of the OAA  
6 only for disease prevention and health promotion pro-  
7 grams and activities which have been demonstrated  
8 through rigorous evaluation to be evidence-based and ef-  
9 fective: *Provided further*, That of amounts made available  
10 under this heading to carry out sections 311, 331, and  
11 336 of the OAA, up to one percent of such amounts shall  
12 be available for developing and implementing evidence-  
13 based practices for enhancing senior nutrition: *Provided*  
14 *further*, That notwithstanding any other provision of this  
15 Act, funds made available under this heading to carry out  
16 section 311 of the OAA may be transferred to the Sec-  
17 retary of Agriculture in accordance with such section: *Pro-*  
18 *vided further*, That \$2,000,000 shall be for competitive  
19 grants to support alternative financing programs that pro-  
20 vide for the purchase of assistive technology devices, such  
21 as a low-interest loan fund; an interest buy-down program;  
22 a revolving loan fund; a loan guarantee; or an insurance  
23 program: *Provided further*, That applicants shall provide  
24 an assurance that, and information describing the manner  
25 in which, the alternative financing program will expand



1 and emphasize consumer choice and control: *Provided fur-*  
2 *ther*, That State agencies and community-based disability  
3 organizations that are directed by and operated for indi-  
4 viduals with disabilities shall be eligible to compete: *Pro-*  
5 *vided further*, That none of the funds made available under  
6 this heading may be used by an eligible system (as defined  
7 in section 102 of the Protection and Advocacy for Individ-  
8 uals with Mental Illness Act (42 U.S.C. 10802)) to con-  
9 tinue to pursue any legal action in a Federal or State  
10 court on behalf of an individual or group of individuals  
11 with a developmental disability (as defined in section  
12 102(8)(A) of the Developmental Disabilities and Assist-  
13 ance and Bill of Rights Act of 2000 (20 U.S.C.  
14 15002(8)(A)) that is attributable to a mental impairment  
15 (or a combination of mental and physical impairments),  
16 that has as the requested remedy the closure of State op-  
17 erated intermediate care facilities for people with intellec-  
18 tual or developmental disabilities, unless reasonable public  
19 notice of the action has been provided to such individuals  
20 (or, in the case of mental incapacitation, the legal guard-  
21 ians who have been specifically awarded authority by the  
22 courts to make healthcare and residential decisions on be-  
23 half of such individuals) who are affected by such action,  
24 within 90 days of instituting such legal action, which in-  
25 forms such individuals (or such legal guardians) of their

1 legal rights and how to exercise such rights consistent with  
 2 current Federal Rules of Civil Procedure: *Provided further*,  
 3 That the limitations in the immediately preceding proviso  
 4 shall not apply in the case of an individual who is neither  
 5 competent to consent nor has a legal guardian, nor shall  
 6 the proviso apply in the case of individuals who are a ward  
 7 of the State or subject to public guardianship.

# 8 OFFICE OF THE SECRETARY

## 9 GENERAL DEPARTMENTAL MANAGEMENT

10 For necessary expenses, not otherwise provided, for  
 11 general departmental management, including hire of six  
 12 passenger motor vehicles, and for carrying out titles III,  
 13 XVII, XXI, and section 229 of the PHS Act, the United  
 14 States-Mexico Border Health Commission Act, and re-  
 15 search studies under section 1110 of the Social Security  
 16 Act, \$379,845,000, together with \$53,445,000 from the  
 17 amounts available under section 241 of the PHS Act to  
 18 carry out national health or human services research and  
 19 evaluation activities: *Provided*, That of this amount,  
 20 \$53,900,000 shall be for minority AIDS prevention and  
 21 treatment activities: *Provided further* , That of the funds  
 22 made available under this heading, \$30,000,000 shall be  
 23 for making competitive grants which exclusively imple-  
 24 ment education in sexual risk avoidance (defined as volun-  
 25 tarily refraining from non-marital sexual activity): *Pro-*

1 *vided further*, That funding for such competitive grants  
2 for sexual risk avoidance shall use medically accurate in-  
3 formation referenced to peer-reviewed publications by edu-  
4 cational, scientific, governmental, or health organizations;  
5 implement an evidence-based approach integrating re-  
6 search findings with practical implementation that aligns  
7 with the needs and desired outcomes for the intended au-  
8 dience; and teach the benefits associated with self-regula-  
9 tion, success sequencing for poverty prevention, healthy  
10 relationships, goal setting, and resisting sexual coercion,  
11 dating violence, and other youth risk behaviors such as  
12 underage drinking or illicit drug use without normalizing  
13 teen sexual activity: *Provided further*, That no more than  
14 10 percent of the funding for such competitive grants for  
15 sexual risk avoidance shall be available for technical assist-  
16 ance and administrative costs of such programs: *Provided*  
17 *further*, That funds provided in this Act for embryo adop-  
18 tion activities may be used to provide to individuals adopt-  
19 ing embryos, through grants and other mechanisms, med-  
20 ical and administrative services deemed necessary for such  
21 adoptions: *Provided further*, That such services shall be  
22 provided consistent with 42 CFR 59.5(a)(4).

23 OFFICE OF MEDICARE HEARINGS AND APPEALS

24 For expenses necessary for the Office of Medicare  
25 Hearings and Appeals, \$172,381,000 shall remain avail-

1 able until September 30, 2020, to be transferred in appro-  
2 priate part from the Federal Hospital Insurance Trust  
3 Fund and the Federal Supplementary Medical Insurance  
4 Trust Fund.

5 OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH  
6 INFORMATION TECHNOLOGY

7 For expenses necessary for the Office of the National  
8 Coordinator for Health Information Technology, including  
9 grants, contracts, and cooperative agreements for the de-  
10 velopment and advancement of interoperable health infor-  
11 mation technology, \$42,705,000.

12 OFFICE OF INSPECTOR GENERAL

13 For expenses necessary for the Office of Inspector  
14 General, including the hire of passenger motor vehicles for  
15 investigations, in carrying out the provisions of the Inspec-  
16 tor General Act of 1978, \$80,000,000: *Provided*, That of  
17 such amount, necessary sums shall be available for pro-  
18 viding protective services to the Secretary and inves-  
19 tigating non-payment of child support cases for which non-  
20 payment is a Federal offense under 18 U.S.C. 228.

21 OFFICE FOR CIVIL RIGHTS

22 For expenses necessary for the Office for Civil  
23 Rights, \$38,798,000.

1       RETIREMENT PAY AND MEDICAL BENEFITS FOR  
2                               COMMISSIONED OFFICERS

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

10      PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY  
11                               FUND

12      For expenses necessary to support activities related  
13 to countering potential biological, nuclear, radiological,  
14 chemical, and cybersecurity threats to civilian populations,  
15 and for other public health emergencies, \$1,783,128,000,  
16 of which \$586,700,000 shall remain available through  
17 September 30, 2020, for expenses necessary to support  
18 advanced research and development pursuant to section  
19 319L of the PHS Act and other administrative expenses  
20 of the Biomedical Advanced Research and Development  
21 Authority and \$710,000,000 shall remain available until  
22 expended for the Strategic National Stockpile: *Provided*,  
23 That funds provided under this heading for the purpose  
24 of acquisition of security countermeasures shall be in addi-  
25 tion to any other funds available for such purpose: *Pro-*

1 *vided further*, That products purchased with funds pro-  
2 vided under this heading may, at the discretion of the Sec-  
3 retary, be deposited in the Strategic National Stockpile  
4 pursuant to section 319F–2 of the PHS Act: *Provided fur-*  
5 *ther*, That \$5,000,000 of the amounts made available to  
6 support emergency operations shall remain available  
7 through September 30, 2021.

8       For expenses necessary for procuring security coun-  
9 termeasures (as defined in section 319F–2(c)(1)(B) of the  
10 PHS Act), \$780,000,000, to remain available until ex-  
11 pended.

12       For an additional amount for expenses necessary to  
13 prepare for or respond to an influenza pandemic,  
14 \$250,000,000; of which \$215,000,000 shall be available  
15 until expended, for activities including the development  
16 and purchase of vaccine, antivirals, necessary medical sup-  
17 plies, diagnostics, and other surveillance tools: *Provided*,  
18 That notwithstanding section 496(b) of the PHS Act,  
19 funds may be used for the construction or renovation of  
20 privately owned facilities for the production of pandemic  
21 influenza vaccines and other biologics, if the Secretary  
22 finds such construction or renovation necessary to secure  
23 sufficient supplies of such vaccines or biologics.

## GENERAL PROVISIONS

1  
2 SEC. 201. Funds appropriated in this title shall be  
3 available for not to exceed \$50,000 for official reception  
4 and representation expenses when specifically approved by  
5 the Secretary.

6 SEC. 202. None of the funds appropriated in this title  
7 shall be used to pay the salary of an individual, through  
8 a grant or other extramural mechanism, at a rate in excess  
9 of Executive Level II.

10 SEC. 203. None of the funds appropriated in this Act  
11 may be expended pursuant to section 241 of the PHS Act,  
12 except for funds specifically provided for in this Act, or  
13 for other taps and assessments made by any office located  
14 in HHS, prior to the preparation and submission of a re-  
15 port by the Secretary to the Committees on Appropria-  
16 tions of the House of Representatives and the Senate de-  
17 tailing the planned uses of such funds.

18 SEC. 204. Notwithstanding section 241(a) of the  
19 PHS Act, such portion as the Secretary shall determine,  
20 but not more than 2.5 percent, of any amounts appro-  
21 priated for programs authorized under such Act shall be  
22 made available for the evaluation (directly, or by grants  
23 or contracts) and the implementation and effectiveness of  
24 programs funded in this title.

## (TRANSFER OF FUNDS)

1  
2 SEC. 205. Not to exceed 1 percent of any discre-  
3 tionary funds (pursuant to the Balanced Budget and  
4 Emergency Deficit Control Act of 1985) which are appro-  
5 priated for the current fiscal year for HHS in this Act  
6 may be transferred between appropriations, but no such  
7 appropriation shall be increased by more than 3 percent  
8 by any such transfer: *Provided*, That the transfer author-  
9 ity granted by this section shall not be used to create any  
10 new program or to fund any project or activity for which  
11 no funds are provided in this Act: *Provided further*, That  
12 the Committees on Appropriations of the House of Rep-  
13 resentatives and the Senate are notified at least 15 days  
14 in advance of any transfer.

15 SEC. 206. In lieu of the timeframe specified in section  
16 338E(c)(2) of the PHS Act, terminations described in  
17 such section may occur up to 60 days after the execution  
18 of a contract awarded in fiscal year 2019 under section  
19 338B of such Act.

20 SEC. 207. None of the funds appropriated in this Act  
21 may be made available to any entity under title X of the  
22 PHS Act unless the applicant for the award certifies to  
23 the Secretary that it encourages family participation in  
24 the decision of minors to seek family planning services and



1 that it provides counseling to minors on how to resist at-  
2 tempts to coerce minors into engaging in sexual activities.

3 SEC. 208. Notwithstanding any other provision of  
4 law, no provider of services under title X of the PHS Act  
5 shall be exempt from any State law requiring notification  
6 or the reporting of child abuse, child molestation, sexual  
7 abuse, rape, or incest.

8 SEC. 209. None of the funds appropriated by this Act  
9 (including funds appropriated to any trust fund) may be  
10 used to carry out the Medicare Advantage program if the  
11 Secretary denies participation in such program to an oth-  
12 erwise eligible entity (including a Provider Sponsored Or-  
13 ganization) because the entity informs the Secretary that  
14 it will not provide, pay for, provide coverage of, or provide  
15 referrals for abortions: *Provided*, That the Secretary shall  
16 make appropriate prospective adjustments to the capita-  
17 tion payment to such an entity (based on an actuarially  
18 sound estimate of the expected costs of providing the serv-  
19 ice to such entity's enrollees): *Provided further*, That noth-  
20 ing in this section shall be construed to change the Medi-  
21 care program's coverage for such services and a Medicare  
22 Advantage organization described in this section shall be  
23 responsible for informing enrollees where to obtain infor-  
24 mation about all Medicare covered services.

1        SEC. 210. None of the funds made available in this  
2 title may be used, in whole or in part, to advocate or pro-  
3 mote gun control.

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

11       SEC. 212. In order for HHS to carry out inter-  
12 national health activities, including HIV/AIDS and other  
13 infectious disease, chronic and environmental disease, and  
14 other health activities abroad during fiscal year 2019:

15            (1) The Secretary may exercise authority equiv-  
16 alent to that available to the Secretary of State in  
17 section 2(c) of the State Department Basic Authori-  
18 ties Act of 1956. The Secretary shall consult with  
19 the Secretary of State and relevant Chief of Mission  
20 to ensure that the authority provided in this section  
21 is exercised in a manner consistent with section 207  
22 of the Foreign Service Act of 1980 and other appli-  
23 cable statutes administered by the Department of  
24 State.

1           (2) The Secretary is authorized to provide such  
2 funds by advance or reimbursement to the Secretary  
3 of State as may be necessary to pay the costs of ac-  
4 quisition, lease, alteration, renovation, and manage-  
5 ment of facilities outside of the United States for  
6 the use of HHS. The Department of State shall co-  
7 operate fully with the Secretary to ensure that HHS  
8 has secure, safe, functional facilities that comply  
9 with applicable regulation governing location, set-  
10 back, and other facilities requirements and serve the  
11 purposes established by this Act. The Secretary is  
12 authorized, in consultation with the Secretary of  
13 State, through grant or cooperative agreement, to  
14 make available to public or nonprofit private institu-  
15 tions or agencies in participating foreign countries,  
16 funds to acquire, lease, alter, or renovate facilities in  
17 those countries as necessary to conduct programs of  
18 assistance for international health activities, includ-  
19 ing activities relating to HIV/AIDS and other infec-  
20 tious diseases, chronic and environmental diseases,  
21 and other health activities abroad.

22           (3) The Secretary is authorized to provide to  
23 personnel appointed or assigned by the Secretary to  
24 serve abroad, allowances and benefits similar to  
25 those provided under chapter 9 of title I of the For-

17           SEC. 213. The Director of the NIH, jointly with the  
18 Director of the Office of AIDS Research, may transfer up  
19 to 3 percent among institutes and centers from the total  
20 amounts identified by these two Directors as funding for  
21 research pertaining to the human immunodeficiency virus:  
22 *Provided*, That the Committees on Appropriations of the  
23 House of Representatives and the Senate are notified at  
24 least 15 days in advance of any transfer.

## (TRANSFER OF FUNDS)

1

2       SEC. 214. Of the amounts made available in this Act  
3 for NIH, the amount for research related to the human  
4 immunodeficiency virus, as jointly determined by the Di-  
5 rector of NIH and the Director of the Office of AIDS Re-  
6 search, shall be made available to the “Office of AIDS  
7 Research” account. The Director of the Office of AIDS  
8 Research shall transfer from such account amounts nec-  
9 essary to carry out section 2353(d)(3) of the PHS Act.

10       SEC. 215. (a) AUTHORITY.—Notwithstanding any  
11 other provision of law, the Director of NIH (“Director”)  
12 may use funds authorized under section 402(b)(7) or  
13 402(b)(12) of the PHS Act to enter into transactions  
14 (other than contracts, cooperative agreements, or grants)  
15 to carry out research identified pursuant to such section  
16 402(b)(7) (pertaining to the Common Fund) or research  
17 and activities described in such section 402(b)(12).

18       (b) PEER REVIEW.—In entering into transactions  
19 under subsection (a), the Director may utilize such peer  
20 review procedures (including consultation with appropriate  
21 scientific experts) as the Director determines to be appro-  
22 priate to obtain assessments of scientific and technical  
23 merit. Such procedures shall apply to such transactions  
24 in lieu of the peer review and advisory council review pro-  
25 cedures that would otherwise be required under sections

1 301(a)(3), 405(b)(1)(B), 405(b)(2), 406(a)(3)(A), 492,  
2 and 494 of the PHS Act.

3 SEC. 216. Not to exceed \$45,000,000 of funds appro-  
4 priated by this Act to the institutes and centers of the  
5 National Institutes of Health may be used for alteration,  
6 repair, or improvement of facilities, as necessary for the  
7 proper and efficient conduct of the activities authorized  
8 herein, at not to exceed \$3,500,000 per project.

9 (TRANSFER OF FUNDS)

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

21 SEC. 218. (a) The Biomedical Advanced Research  
22 and Development Authority (“BARDA”) may enter into  
23 a contract, for more than one but no more than 10 pro-  
24 gram years, for purchase of research services or of security  
25 countermeasures, as that term is defined in section 319F–

1 2(c)(1)(B) of the PHS Act (42 U.S.C. 247d–6b(c)(1)(B)),  
2 if—

3 (1) funds are available and obligated—

4 (A) for the full period of the contract or  
5 for the first fiscal year in which the contract is  
6 in effect; and

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

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

14 (b) A contract entered into under this section—

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

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

20 SEC. 219. (a) The Secretary shall publish in the fiscal  
21 year 2020 budget justification and on Departmental Web  
22 sites information concerning the employment of full-time  
23 equivalent Federal employees or contractors for the pur-  
24 poses of implementing, administering, enforcing, or other-  
25 wise carrying out the provisions of the ACA, and the

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

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

8 (1) For each such fiscal year, the section of  
9 such Act under which such funds were appropriated,  
10 a statement indicating the program, project, or ac-  
11 tivity receiving such funds, the Federal operating di-  
12 vision or office that administers such program, and  
13 the amount of funding received in discretionary or  
14 mandatory appropriations.

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

19 (c) In carrying out this section, the Secretary may  
20 exclude from the report employees or contractors who—

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



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

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

7           SEC. 220. The Secretary shall publish, as part of the  
8           fiscal year 2020 budget of the President submitted under  
9           section 1105(a) of title 31, United States Code, informa-  
10          tion that details the uses of all funds used by the Centers  
11          for Medicare and Medicaid Services specifically for Health  
12          Insurance Exchanges for each fiscal year since the enact-  
13          ment of the ACA and the proposed uses for such funds  
14          for fiscal year 2020. Such information shall include, for  
15          each such fiscal year, the amount of funds used for each  
16          activity specified under the heading “Health Insurance  
17          Exchange Transparency” in the committee report accom-  
18          panying the Act.

19          SEC. 221. None of the funds made available by this  
20          Act from the Federal Hospital Insurance Trust Fund or  
21          the Federal Supplemental Medical Insurance Trust Fund,  
22          or transferred from other accounts funded by this Act to  
23          the “Centers for Medicare & Medicaid Services—Program  
24          Management” account, may be used for payments under

1 section 1342(b)(1) of Public Law 111–148 (relating to  
2 risk corridors).

3 (TRANSFER OF FUNDS)

4 SEC. 222. (a) Within 45 days of enactment of this  
5 Act, the Secretary shall transfer funds appropriated under  
6 section 4002 of the ACA to the accounts specified, in the  
7 amounts specified, and for the activities specified under  
8 the heading “Prevention and Public Health Fund” in the  
9 committee report accompanying the Act.

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

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

15 SEC. 223. Effective during the period beginning on  
16 November 1, 2015 and ending January 1, 2021, any pro-  
17 vision of law that refers (including through cross-reference  
18 to another provision of law) to the current recommenda-  
19 tions of the United States Preventive Services Task Force  
20 with respect to breast cancer screening, mammography,  
21 and prevention shall be administered by the Secretary in-  
22 volved as if—

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

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

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

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

22 (TRANSFER OF FUNDS)

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

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

6 (TRANSFER OF FUNDS)

7 SEC. 226. (a) The Secretary may reserve not more  
8 than 0.25 percent from each appropriation made available  
9 in this Act identified in subsection (b) in order to carry  
10 out evaluations of any of the programs or activities that  
11 are funded under such accounts. Any such funds reserved  
12 under this section may be transferred to “Children and  
13 Families Services Programs” for use by the Assistant Sec-  
14 retary for the Administration for Children and Families  
15 to remain available until expended: *Provided*, That such  
16 funds shall only be available if such Assistant Secretary  
17 submits a plan to the Committees on Appropriations of  
18 the House of Representatives and the Senate describing  
19 the evaluations to be carried out 15 days in advance of  
20 any such transfer.

21 (b) The accounts referred to in subsection (a) are:  
22 “Low Income Home Energy Assistance”, “Refugee and  
23 Entrant Assistance”, “Payments to States for the Child  
24 Care and Development Block Grant”, and “Children and  
25 Families Services Programs”.

1        SEC. 227. None of the funds appropriated in this Act  
2 may be used to carry out title X of the PHS Act.

3                    (INCLUDING TRANSFER OF FUNDS)

4        SEC. 228. There is established in the Treasury a re-  
5 serve fund to be known as the “Infectious Diseases Rapid  
6 Response Reserve Fund” (the “Reserve Fund”): *Provided*,  
7 That of the funds provided under the heading “CDC-Wide  
8 Activities and Program Support”, \$325,000,000, to re-  
9 main available until expended, shall be available to the Di-  
10 rector of the CDC for deposit in the Reserve Fund: *Pro-*  
11 *vided further*, That amounts in the Reserve Fund shall be  
12 for carrying out titles II, III, and XVII of the PHS Act  
13 to prevent, prepare for, or respond to an infectious disease  
14 emergency, including, in connection with such activities,  
15 to purchase or lease and provide for the insurance of pas-  
16 senger motor vehicles for official use in foreign countries:  
17 *Provided further*, That amounts in the Reserve Fund may  
18 only be provided for an infectious disease emergency if the  
19 infectious disease emergency (1) is declared by the Sec-  
20 retary of Health and Human Services under section 319  
21 of the PHS Act to be a public health emergency; or (2)  
22 as determined by the Secretary, has significant potential  
23 to imminently occur and potential, on occurrence, to affect  
24 national security or the health and security of United  
25 States citizens, domestically or internationally: *Provided*

1 *further*, That amounts in the Reserve Fund may be trans-  
2 ferred by the Director of the CDC to other accounts of  
3 the CDC, to accounts of the NIH, or to the Public Health  
4 and Social Services Emergency Fund, to be merged with  
5 such accounts or Fund for the purposes provided in this  
6 section: *Provided further*, That the Committees on Appro-  
7 priations of the House of Representatives and the Senate  
8 shall be notified at least 15 days prior to any transfer or  
9 obligation made under the authority provided in this sec-  
10 tion, including notification on the anticipated uses of such  
11 funds by program, project, or activity: *Provided further*,  
12 That the Committees on Appropriations of the House of  
13 Representatives and the Senate shall receive a report not  
14 later than 30 days after the end of each quarter in a fiscal  
15 year on the unobligated balances in the Reserve Fund and  
16 all actual obligations incurred for that fiscal year, includ-  
17 ing obligations by program, project, or activity: *Provided*  
18 *further*, That amounts in the Reserve Fund shall be in  
19 addition to amounts otherwise available to the Department  
20 of Health and Human Services for the purposes provided  
21 in this section: *Provided further*, That the transfer au-  
22 thorities in this section are in addition to any transfer au-  
23 thority otherwise available to the Department of Health  
24 and Human Services: *Provided further*, That products pur-  
25 chased using amounts in the Reserve Fund may, at the

1 discretion of the Secretary of Health and Human Services,  
2 be deposited in the Strategic National Stockpile under sec-  
3 tion 319F-2 of the PHS Act: *Provided further*, That this  
4 section shall be in effect as of the date of the enactment  
5 of this Act through each fiscal year hereafter.

6       SEC. 229. None of the funds made available by this  
7 Act may be used to support the Monograph Programme  
8 of the International Agency for Research on Cancer (re-  
9 ferred to in this title as “IARC”) unless, within 90 days  
10 of enactment of this Act, the NIH provides to the Com-  
11 mittee on Appropriations and the Committee on Science,  
12 Space, and Technology of the House of Representatives  
13 a report describing that grants, contracts, or cooperative  
14 agreement awards to IARC will require: 1) a transparent  
15 review process for Monograph Programme assessments in  
16 which drafts and revisions are publicly available online; 2)  
17 a process to address conflicts of interest in the selection  
18 of individuals involved with Monograph Programme as-  
19 sessments; 3) use of the best available science in devel-  
20 oping Monograph Programme assessment conclusions;  
21 and 4) summaries of relevant and significant studies and  
22 reports that do not support assessments conclusions.

23       SEC. 230. Effective during the period beginning on  
24 the date of the enactment of this Act and ending Decem-  
25 ber 31, 2022, for the purposes of any provision of law,

1 the recommendations of the United States Preventive  
2 Service Task Force regarding cervical cancer screening  
3 with a combination of cytology and human papillomavirus  
4 testing for women age 30 to 65 (issued in March 2012)  
5 shall be considered the most current recommendations of  
6 the United States Preventive Service Task Force for such  
7 cervical cancer screening. Any final recommendation re-  
8 garding cervical cancer screening described in the pre-  
9 ceding sentence issued by the United States Preventive  
10 Service Task Force that is based on the draft rec-  
11 ommendation for such screening issued by the United  
12 States Preventive Service Task Force in 2017 shall have  
13 no force or effect under any provision of law.

14 SEC. 231. Section 9(jj)(7) of the Small Business Act  
15 (15 U.S.C. 638(jj)(7)) is amended by striking “fiscal year  
16 2017” and inserting “fiscal year 2019”.

17 SEC. 232. The Department of Health and Human  
18 Services may accept donations from the private sector,  
19 nongovernmental organizations, and other groups inde-  
20 pendent of the Federal Government for the care of unac-  
21 companied alien children (as defined in section 462(g)(2)  
22 of the Homeland Security Act of 2002 (6 U.S.C.  
23 279(g)(2))) in the care of the Office of Refugee Resettle-  
24 ment of the Administration for Children and Families, in-  
25 cluding medical goods and services, school supplies, toys,



1 clothing, and any other items intended to promote the  
2 wellbeing of such children.

3       SEC. 233. Not later than 30 days after the last day  
4 of each calendar quarter (beginning with the first calendar  
5 quarter beginning on or after the date of the enactment  
6 of this Act), the Secretary shall submit to Congress a re-  
7 port on, with respect to children who were separated from  
8 their parents or legal guardians by the Department of  
9 Homeland Security and subsequently classified as unac-  
10 companied alien children and transferred to the custody  
11 of the HHS' Office of Refugee Resettlement—

12               (1) the number of children so separated;

13               (2) the length of any such separation;

14               (3) the status of any efforts undertaken by the  
15 Secretary to reunify such children with a parent or  
16 legal guardian; and

17               (4) the number of any such reunifications.

18       SEC. 234. The Secretary shall submit to the Congress  
19 a plan to promptly facilitate the reunification of all chil-  
20 dren separated from their parents or family units and  
21 placed in the custody of the Office of Refugee Resettle-  
22 ment: *Provided*, That the funds made available in this title  
23 under the heading “OFFICE OF THE SECRETARY—GEN-  
24 ERAL DEPARTMENTAL MANAGEMENT” shall be reduced by  
25 \$100,000 for each day after August 1, 2018, that such

1 reunification plan has not been submitted to the Congress  
2 and such funds shall be rescinded in the amount of each  
3 such reduction: *Provided further*, That no portion of the  
4 reduction required by the preceding proviso shall be taken  
5 from any of the specific line items listed below the “Gen-  
6 eral Departmental Management, Federal Funds” line in  
7 the table at the end of the committee report accompanying  
8 this Act.

9       SEC. 235. To the extent practicable, and so long as  
10 it is appropriate and in the best interest of the child, in  
11 cases where the Office of Refugee Resettlement of the De-  
12 partment of Health and Human Services is responsible for  
13 the care of siblings who are unaccompanied alien children  
14 (as defined in section 462(g)(2) of the Homeland Security  
15 Act of 2002 (6 U.S.C. 279(g)(2)), the Director of the Of-  
16 fice shall place the siblings—

17               (1) in the same facility; or

18               (2) with the same sponsor.

19       SEC. 236. Beginning with April 2018, the Secretary  
20 shall submit to Congress a monthly report on, with respect  
21 to children who were separated from their parents or legal  
22 guardians by the Department of Homeland Security and  
23 subsequently classified as unaccompanied alien children  
24 and transferred to the custody of the HHS’ Office of Ref-  
25 ugee Resettlement—

1           (1) the number and ages of children so sepa-  
 2       rated at or between ports of entry;

3           (2) the length of any such separation;

4           (3) the status of any efforts undertaken by the  
 5       Secretary to reunify such children with a parent or  
 6       legal guardian; and

7           (4) the number of any such reunifications, and  
 8       whether the reunified families were placed in family  
 9       detention.

10       This title may be cited as the “Department of Health  
 11   and Human Services Appropriations Act, 2019”.

### 12                                   TITLE III

#### 13                           DEPARTMENT OF EDUCATION

##### 14                   EDUCATION FOR THE DISADVANTAGED

15       For carrying out title I and subpart 2 of part B of  
 16   title II of the Elementary and Secondary Education Act  
 17   of 1965 (referred to in this Act as “ESEA”) and section  
 18   418A of the Higher Education Act of 1965 (referred to  
 19   in this Act as “HEA”), \$16,443,790,000, of which  
 20   \$5,525,990,000 shall become available on July 1, 2019,  
 21   and shall remain available through September 30, 2020,  
 22   and of which \$10,841,177,000 shall become available on  
 23   October 1, 2019, and shall remain available through Sep-  
 24   tember 30, 2020, for academic year 2019–2020: *Provided*,  
 25   That \$6,459,401,000 shall be for basic grants under sec-

1 tion 1124 of the ESEA: *Provided further*, That up to  
 2 \$5,000,000 of these funds shall be available to the Sec-  
 3 retary of Education (referred to in this title as “Sec-  
 4 retary”) on October 1, 2018, to obtain annually updated  
 5 local educational agency-level census poverty data from  
 6 the Bureau of the Census: *Provided further*, That  
 7 \$1,362,301,000 shall be for concentration grants under  
 8 section 1124A of the ESEA: *Provided further*, That  
 9 \$3,969,050,000 shall be for targeted grants under section  
 10 1125 of the ESEA: *Provided further*, That  
 11 \$3,969,050,000 shall be for education finance incentive  
 12 grants under section 1125A of the ESEA: *Provided fur-*  
 13 *ther*, That \$217,000,000 shall be for carrying out subpart  
 14 2 of part B of title II: *Provided further*, That \$44,623,000  
 15 shall be for carrying out section 418A of the HEA.

#### 16 IMPACT AID

17 For carrying out programs of financial assistance to  
 18 federally affected schools authorized by title VII of the  
 19 ESEA, \$1,466,112,000, of which \$1,320,242,000 shall be  
 20 for basic support payments under section 7003(b),  
 21 \$48,316,000 shall be for payments for children with dis-  
 22 abilities under section 7003(d), \$17,406,000 shall be for  
 23 construction under section 7007(a), \$75,313,000 shall be  
 24 for Federal property payments under section 7002, and  
 25 \$4,835,000, to remain available until expended, shall be

1 for facilities maintenance under section 7008: *Provided*,  
 2 That for purposes of computing the amount of a payment  
 3 for an eligible local educational agency under section  
 4 7003(a) for school year 2018–2019, children enrolled in  
 5 a school of such agency that would otherwise be eligible  
 6 for payment under section 7003(a)(1)(B) of such Act, but  
 7 due to the deployment of both parents or legal guardians,  
 8 or a parent or legal guardian having sole custody of such  
 9 children, or due to the death of a military parent or legal  
 10 guardian while on active duty (so long as such children  
 11 reside on Federal property as described in section  
 12 7003(a)(1)(B)), are no longer eligible under such section,  
 13 shall be considered as eligible students under such section,  
 14 provided such students remain in average daily attendance  
 15 at a school in the same local educational agency they at-  
 16 tended prior to their change in eligibility status.

#### 17 SCHOOL IMPROVEMENT PROGRAMS

18 For carrying out school improvement activities au-  
 19 thorized by part B of title I, part A of title II, subpart  
 20 1 of part A of title IV, part B of title IV, part B of title  
 21 V, and parts B and C of title VI of the ESEA; the McKin-  
 22 ney-Vento Homeless Assistance Act; section 203 of the  
 23 Educational Technical Assistance Act of 2002; the Com-  
 24 pact of Free Association Amendments Act of 2003; and  
 25 the Civil Rights Act of 1964, \$5,258,467,000, of which

1 \$3,429,902,000 shall become available on July 1, 2019,  
2 and remain available through September 30, 2020, and  
3 of which \$1,681,441,000 shall become available on Octo-  
4 ber 1, 2019, and shall remain available through September  
5 30, 2020, for academic year 2019–2020: *Provided*, That  
6 \$378,000,000 shall be for part B of title I: *Provided fur-*  
7 *ther*, That \$1,211,673,000 shall be for part B of title IV:  
8 *Provided further*, That \$36,397,000 shall be for part B  
9 of title VI and may be used for construction, renovation,  
10 and modernization of any elementary school, secondary  
11 school, or structure related to an elementary school or sec-  
12 ondary school, run by the Department of Education of the  
13 State of Hawaii, that serves a predominantly Native Ha-  
14 waiian student body: *Provided further*, That \$35,453,000  
15 shall be for part C of title VI and shall be awarded on  
16 a competitive basis, and also may be used for construction:  
17 *Provided further*, That \$52,000,000 shall be available to  
18 carry out section 203 of the Educational Technical Assist-  
19 ance Act of 2002 and the Secretary shall make such ar-  
20 rangements as determined to be necessary to ensure that  
21 the Bureau of Indian Education has access to services pro-  
22 vided under this section: *Provided further*, That  
23 \$16,699,000 shall be available to carry out the Supple-  
24 mental Education Grants program for the Federated  
25 States of Micronesia and the Republic of the Marshall Is-

1 lands: *Provided further*, That the Secretary may reserve  
 2 up to 5 percent of the amount referred to in the previous  
 3 proviso to provide technical assistance in the implementa-  
 4 tion of these grants: *Provided further*, That \$180,840,000  
 5 shall be for part B of title V: *Provided further*, That  
 6 \$1,200,000,000 shall be available for grants under sub-  
 7 part 1 of part A of title IV.

#### 8 INDIAN EDUCATION

9 For expenses necessary to carry out, to the extent  
 10 not otherwise provided, title VI, part A of the ESEA,  
 11 \$180,239,000, of which \$67,993,000 shall be for subpart  
 12 2 of part A of title VI and \$6,865,000 shall be for subpart  
 13 3 of part A of title VI.

#### 14 INNOVATION AND IMPROVEMENT

15 For carrying out activities authorized by subparts 1,  
 16 3 and 4 of part B of title II, and parts C, D, and E and  
 17 subparts 1 and 4 of part F of title IV of the ESEA,  
 18 \$1,058,441,000.

#### 19 SAFE SCHOOLS AND CITIZENSHIP EDUCATION

20 For carrying out activities authorized by subparts 2  
 21 and 3 of part F of title IV of the ESEA, \$185,754,000:  
 22 *Provided*, That \$90,000,000 shall be available for section  
 23 4631, of which up to \$5,000,000, to remain available until  
 24 expended, shall be for the Project School Emergency Re-  
 25 sponse to Violence (Project SERV) program: *Provided fur-*

1 *ther*, That \$17,500,000 shall be available for section 4625:  
2 *Provided further*, That \$78,254,000 shall be available  
3 through December 31, 2019, for section 4624: *Provided*  
4 *further*, That section 4623(b) of the ESEA shall apply to  
5 funds appropriated for Promise Neighborhoods under this  
6 heading in prior appropriations acts.

#### 7 ENGLISH LANGUAGE ACQUISITION

8 For carrying out part A of title III of the ESEA,  
9 \$737,400,000, which shall become available on July 1,  
10 2019, and shall remain available through September 30,  
11 2020, except that 6.5 percent of such amount shall be  
12 available on October 1, 2018, and shall remain available  
13 through September 30, 2020, to carry out activities under  
14 section 3111(c)(1)(C).

#### 15 SPECIAL EDUCATION

16 For carrying out the Individuals with Disabilities  
17 Education Act (IDEA), \$13,422,651,000, of which  
18 \$3,709,465,000 shall become available on July 1, 2019,  
19 and shall remain available through September 30, 2020,  
20 and of which \$9,483,383,000 shall become available on  
21 October 1, 2019, and shall remain available through Sep-  
22 tember 30, 2020, for academic year 2019–2020: *Provided*,  
23 That the amount for section 611(b)(2) of the IDEA shall  
24 be equal to the lesser of the amount available for that ac-  
25 tivity during fiscal year 2018, increased by the amount



1 of inflation as specified in section 619(d)(2)(B) of the  
2 IDEA, or the percent change in the funds appropriated  
3 under section 611(i) of the IDEA, but not less than the  
4 amount for that activity during fiscal year 2018: *Provided*  
5 *further*, That the Secretary shall, without regard to section  
6 611(d) of the IDEA, distribute to all other States (as that  
7 term is defined in section 611(g)(2)), subject to the third  
8 proviso, any amount by which a State's allocation under  
9 section 611, from funds appropriated under this heading,  
10 is reduced under section 612(a)(18)(B), according to the  
11 following: 85 percent on the basis of the States' relative  
12 populations of children aged 3 through 21 who are of the  
13 same age as children with disabilities for whom the State  
14 ensures the availability of a free appropriate public edu-  
15 cation under this part, and 15 percent to States on the  
16 basis of the States' relative populations of those children  
17 who are living in poverty: *Provided further*, That the Sec-  
18 retary may not distribute any funds under the previous  
19 proviso to any State whose reduction in allocation from  
20 funds appropriated under this heading made funds avail-  
21 able for such a distribution: *Provided further*, That the  
22 States shall allocate such funds distributed under the sec-  
23 ond proviso to local educational agencies in accordance  
24 with section 611(f): *Provided further*, That the amount by  
25 which a State's allocation under section 611(d) of the

1 IDEA is reduced under section 612(a)(18)(B) and the  
2 amounts distributed to States under the previous provisos  
3 in fiscal year 2012 or any subsequent year shall not be  
4 considered in calculating the awards under section 611(d)  
5 for fiscal year 2013 or for any subsequent fiscal years:  
6 *Provided further*, That, notwithstanding the provision in  
7 section 612(a)(18)(B) regarding the fiscal year in which  
8 a State's allocation under section 611(d) is reduced for  
9 failure to comply with the requirement of section  
10 612(a)(18)(A), the Secretary may apply the reduction  
11 specified in section 612(a)(18)(B) over a period of con-  
12 secutive fiscal years, not to exceed five, until the entire  
13 reduction is applied: *Provided further*, That the Secretary  
14 may, in any fiscal year in which a State's allocation under  
15 section 611 is reduced in accordance with section  
16 612(a)(18)(B), reduce the amount a State may reserve  
17 under section 611(e)(1) by an amount that bears the same  
18 relation to the maximum amount described in that para-  
19 graph as the reduction under section 612(a)(18)(B) bears  
20 to the total allocation the State would have received in  
21 that fiscal year under section 611(d) in the absence of the  
22 reduction: *Provided further*, That the Secretary shall ei-  
23 ther reduce the allocation of funds under section 611 for  
24 any fiscal year following the fiscal year for which the State  
25 fails to comply with the requirement of section

1 612(a)(18)(A) as authorized by section 612(a)(18)(B), or  
2 seek to recover funds under section 452 of the General  
3 Education Provisions Act (20 U.S.C. 1234a): *Provided*  
4 *further*, That the funds reserved under 611(c) of the  
5 IDEA may be used to provide technical assistance to  
6 States to improve the capacity of the States to meet the  
7 data collection requirements of sections 616 and 618 and  
8 to administer and carry out other services and activities  
9 to improve data collection, coordination, quality, and use  
10 under parts B and C of the IDEA: *Provided further*, That  
11 the Secretary may use funds made available for the State  
12 Personnel Development Grants program under part D,  
13 subpart 1 of IDEA to evaluate program performance  
14 under such subpart.

#### 15 REHABILITATION SERVICES

16 For carrying out, to the extent not otherwise pro-  
17 vided, the Rehabilitation Act of 1973 and the Helen Keller  
18 National Center Act, \$3,657,689,000, of which  
19 \$3,521,990,000 shall be for grants for vocational rehabili-  
20 tation services under title I of the Rehabilitation Act: *Pro-*  
21 *vided*, That the Secretary may use amounts provided in  
22 this Act that remain available subsequent to the reallocot-  
23 ment of funds to States pursuant to section 110(b) of the  
24 Rehabilitation Act for innovative activities aimed at im-  
25 proving the outcomes of individuals with disabilities as de-

1 fined in section 7(20)(B) of the Rehabilitation Act, includ-  
 2 ing activities aimed at improving the education and post-  
 3 school outcomes of children receiving Supplemental Secu-  
 4 rity Income (“SSI”) and their families that may result  
 5 in long-term improvement in the SSI child recipient’s eco-  
 6 nomic status and self-sufficiency: *Provided further*, That  
 7 States may award subgrants for a portion of the funds  
 8 to other public and private, nonprofit entities: *Provided*  
 9 *further*, That any funds made available subsequent to real-  
 10 lotment for innovative activities aimed at improving the  
 11 outcomes of individuals with disabilities shall remain avail-  
 12 able until September 30, 2020.

13 SPECIAL INSTITUTIONS FOR PERSONS WITH  
 14 DISABILITIES

15 AMERICAN PRINTING HOUSE FOR THE BLIND

16 For carrying out the Act to promote the Education  
 17 of the Blind of March 3, 1879, \$28,431,000.

18 NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

19 For the National Technical Institute for the Deaf  
 20 under titles I and II of the Education of the Deaf Act  
 21 of 1986, \$75,000,000: *Provided*, That from the total  
 22 amount available, the Institute may at its discretion use  
 23 funds for the endowment program as authorized under  
 24 section 207 of such Act.

## GALLAUDET UNIVERSITY

For the Kendall Demonstration Elementary School, the Model Secondary School for the Deaf, and the partial support of Gallaudet University under titles I and II of the Education of the Deaf Act of 1986, \$134,361,000: *Provided*, That from the total amount available, the University may at its discretion use funds for the endowment program as authorized under section 207 of such Act.

## CAREER, TECHNICAL, AND ADULT EDUCATION

For carrying out, to the extent not otherwise provided, the Carl D. Perkins Career and Technical Education Act of 2006 and the Adult Education and Family Literacy Act (“AEFLA”), \$1,945,265,000, of which \$1,154,265,000 shall become available on July 1, 2019, and shall remain available through September 30, 2020, and of which \$791,000,000 shall become available on October 1, 2019, and shall remain available through September 30, 2020: *Provided*, That of the amounts made available for AEFLA, \$13,712,000 shall be for national leadership activities under section 242.

## STUDENT FINANCIAL ASSISTANCE

For carrying out subparts 1, 3, and 10 of part A, and part C of title IV of the HEA, \$24,445,352,000, which shall remain available through September 30, 2020.

1       The maximum Pell Grant for which a student shall  
2 be eligible during award year 2019–2020 shall be \$5,035.

3                       STUDENT AID ADMINISTRATION

4       For Federal administrative expenses to carry out part  
5 D of title I, and subparts 1, 3, 9, and 10 of part A, and  
6 parts B, C, D, and E of title IV of the HEA, and subpart  
7 1 of part A of title VII of the Public Health Service Act,  
8 \$1,678,943,000, to remain available through September  
9 30, 2020.

10                      HIGHER EDUCATION

11       For carrying out, to the extent not otherwise pro-  
12 vided, titles II, III, IV, V, VI, and VII of the HEA, the  
13 Mutual Educational and Cultural Exchange Act of 1961,  
14 and section 117 of the Carl D. Perkins Career and Tech-  
15 nical Education Act of 2006, \$2,300,551,000: *Provided*,  
16 That notwithstanding any other provision of law, funds  
17 made available in this Act to carry out title VI of the HEA  
18 and section 102(b)(6) of the Mutual Educational and Cul-  
19 tural Exchange Act of 1961 may be used to support visits  
20 and study in foreign countries by individuals who are par-  
21 ticipating in advanced foreign language training and inter-  
22 national studies in areas that are vital to United States  
23 national security and who plan to apply their language  
24 skills and knowledge of these countries in the fields of gov-  
25 ernment, the professions, or international development:

1 *Provided further*, That of the funds referred to in the pre-  
 2 ceding proviso up to 1 percent may be used for program  
 3 evaluation, national outreach, and information dissemina-  
 4 tion activities: *Provided further*, That up to 1.5 percent  
 5 of the funds made available under chapter 2 of subpart  
 6 2 of part A of title IV of the HEA may be used for evalua-  
 7 tion.

#### 8 HOWARD UNIVERSITY

9 For partial support of Howard University,  
 10 \$232,518,000, of which not less than \$3,405,000 shall be  
 11 for a matching endowment grant pursuant to the Howard  
 12 University Endowment Act and shall remain available  
 13 until expended.

#### 14 COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS 15 PROGRAM

16 For Federal administrative expenses to carry out ac-  
 17 tivities related to existing facility loans pursuant to section  
 18 121 of the HEA, \$448,000.

#### 19 HISTORICALLY BLACK COLLEGE AND UNIVERSITY 20 CAPITAL FINANCING PROGRAM ACCOUNT

21 For the cost of guaranteed loans, \$20,150,000, as au-  
 22 thorized pursuant to part D of title III of the HEA, which  
 23 shall remain available through September 30, 2020: *Pro-*  
 24 *vided*, That such costs, including the cost of modifying  
 25 such loans, shall be as defined in section 502 of the Con-

gressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$580,000,000: *Provided further*, That these funds may be used to support loans to public and private Historically Black Colleges and Universities without regard to the limitations within section 344(a) of the HEA.

In addition, \$10,000,000 shall be made available to provide for the deferment of loans made under part D of title III of the HEA to eligible institutions that are private Historically Black Colleges and Universities, which apply for the deferment of such a loan and demonstrate financial need for such deferment by having a score of 2.6 or less on the Department of Education's financial responsibility test: *Provided*, That during the period of deferment of such a loan, interest on the loan will not accrue or be capitalized, and the period of deferment shall be for at least a period of 3-fiscal years and not more than 6-fiscal years: *Provided further*, That when determining priority for such institutions to receive such a deferment, the Secretary shall give priority to institutions that operated in a financial deficit for at least one of the previous 5 years according to the audits provided to the Department, or were sanctioned for financial reasons by the agency or association that accredited such institutions.



1       In addition, for administrative expenses to carry out  
2 the Historically Black College and University Capital Fi-  
3 nancing Program entered into pursuant to part D of title  
4 III of the HEA, \$339,000.

5           INSTITUTE OF EDUCATION SCIENCES

6       For carrying out activities authorized by the Edu-  
7 cation Sciences Reform Act of 2002, the National Assess-  
8 ment of Educational Progress Authorization Act, section  
9 208 of the Educational Technical Assistance Act of 2002,  
10 and section 664 of the Individuals with Disabilities Edu-  
11 cation Act, \$613,462,000, which shall remain available  
12 through September 30, 2020: *Provided*, That funds avail-  
13 able to carry out section 208 of the Educational Technical  
14 Assistance Act may be used to link Statewide elementary  
15 and secondary data systems with early childhood, postsec-  
16 ondary, and workforce data systems, or to further develop  
17 such systems: *Provided further*, That up to \$6,000,000 of  
18 the funds available to carry out section 208 of the Edu-  
19 cational Technical Assistance Act may be used for awards  
20 to public or private organizations or agencies to support  
21 activities to improve data coordination, quality, and use  
22 at the local, State, and national levels.

## 1 DEPARTMENTAL MANAGEMENT

## 2 PROGRAM ADMINISTRATION

3 For carrying out, to the extent not otherwise pro-  
4 vided, the Department of Education Organization Act, in-  
5 cluding rental of conference rooms in the District of Co-  
6 lumbia and hire of three passenger motor vehicles,  
7 \$432,506,000: *Provided*, That, notwithstanding any other  
8 provision of law, none of the funds provided by this Act  
9 or provided by previous Appropriations Acts to the De-  
10 partment of Education available for obligation or expendi-  
11 ture in the current fiscal year may be used for any activity  
12 relating to implementing a reorganization that decentral-  
13 izes, reduces the staffing level, or alters the responsibil-  
14 ities, structure, authority, or functionality of the Budget  
15 Service of the Department of Education, relative to the  
16 organization and operation of the Budget Service as in  
17 effect on January 1, 2018.

## 18 OFFICE FOR CIVIL RIGHTS

19 For expenses necessary for the Office for Civil  
20 Rights, as authorized by section 203 of the Department  
21 of Education Organization Act, \$117,000,000.

## 22 OFFICE OF INSPECTOR GENERAL

23 For expenses necessary for the Office of Inspector  
24 General, as authorized by section 212 of the Department  
25 of Education Organization Act, \$61,143,000.

## 1                                   GENERAL PROVISIONS

2           SEC. 301. No funds appropriated in this Act may be  
3 used to prevent the implementation of programs of vol-  
4 untary prayer and meditation in the public schools.

## 5                                   (TRANSFER OF FUNDS)

6           SEC. 302. Not to exceed 1 percent of any discre-  
7 tionary funds (pursuant to the Balanced Budget and  
8 Emergency Deficit Control Act of 1985) which are appro-  
9 priated for the Department of Education in this Act may  
10 be transferred between appropriations, but no such appro-  
11 priation shall be increased by more than 3 percent by any  
12 such transfer: *Provided*, That the transfer authority  
13 granted by this section shall not be used to create any  
14 new program or to fund any project or activity for which  
15 no funds are provided in this Act: *Provided further*, That  
16 the Committees on Appropriations of the House of Rep-  
17 resentatives and the Senate are notified at least 15 days  
18 in advance of any transfer.

19          SEC. 303. Section 105(f)(1)(B)(ix) of the Compact  
20 of Free Association Amendments Act of 2003 (48 U.S.C.  
21 1921d(f)(1)(B)(ix)) shall be applied by substituting  
22 “2019” for “2018”.

23          SEC. 304. Funds appropriated in this Act and con-  
24 solidated for evaluation purposes under section 8601(c) of

1 the ESEA shall be available from July 1, 2019, through  
2 September 30, 2020.

3 SEC. 305. (a) An institution of higher education that  
4 maintains an endowment fund supported with funds ap-  
5 propriated for title III or V of the HEA for fiscal year  
6 2019 may use the income from that fund to award schol-  
7 arships to students, subject to the limitation in section  
8 331(c)(3)(B)(i) of the HEA. The use of such income for  
9 such purposes, prior to the enactment of this Act, shall  
10 be considered to have been an allowable use of that in-  
11 come, subject to that limitation.

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

14 SEC. 306. Section 114(f) of the HEA (20 U.S.C.  
15 1011c(f)) is amended by striking “2018” and inserting  
16 “2019”.

17 SEC. 307. Section 458(a) of the HEA (20 U.S.C.  
18 1087h(a)) is amended in paragraph (4) by striking  
19 “2018” and inserting “2019”.

20 SEC. 308. From amounts appropriated for the serv-  
21 icing of Federal student loans, the Secretary of Education  
22 may make payments for student loan servicing to an insti-  
23 tution of higher education that services outstanding Fed-  
24 eral Perkins Loans.

1       SEC. 309. (a) Section 455(f) of the Higher Education  
2 Act of 1965 (20 U.S.C. 1087e(f)) is amended—

3           (1) by redesignating paragraphs (3) and (4) as  
4 paragraphs (4) and (5), respectively; and

5           (2) by inserting after paragraph (2) the fol-  
6 lowing:

7           “(3) DEFERMENT FOR BORROWERS RECEIVING  
8 CANCER TREATMENT.—

9           “(A) EFFECT ON PRINCIPAL AND INTER-  
10 EST.—A borrower of a loan made under this  
11 part who meets the requirements of subpara-  
12 graph (B) shall be eligible for a deferment, dur-  
13 ing which periodic installments of principal  
14 need not be paid, and interest shall not accrue.

15           “(B) ELIGIBILITY.—A borrower of a loan  
16 made under this part shall be eligible for a  
17 deferment during—

18           “(i) any period in which such bor-  
19 rower is receiving treatment for cancer;  
20 and

21           “(ii) the 6 months after such period.

22           “(C) APPLICABILITY.—This paragraph  
23 shall apply with respect to loans—

24           “(i) made on or after the date of the  
25 enactment of this paragraph; or

1 “(ii) in repayment on the date of the  
2 enactment of this paragraph.”.

3 (b) Section 427(a)(2)(C) of the Higher Education  
4 Act of 1965 (20 U.S.C. 1077(a)(2)(C)) is amended—

5 (1) in clause (ii), by striking “; or” and insert-  
6 ing a semicolon;

7 (2) in clause (iii), by inserting “or” after the  
8 semicolon; and

9 (3) by inserting after clause (iii) the following:

10 “(iv) in which the borrower is receiv-  
11 ing treatment for cancer and the 6 months  
12 after such period.”.

13 (c) Section 428(b)(1)(M) of the Higher Education  
14 Act of 1965 (20 U.S.C. 1078(b)(1)(M)) is amended—

15 (1) in clause (iii), by striking “or (II); or” and  
16 inserting a “or (II);”;

17 (2) in clause (iv), by inserting “or” after the  
18 semicolon; and

19 (3) by adding at the end the following:

20 “(v) during which the borrower is re-  
21 ceiving treatment for cancer and the 6  
22 months after such period;”.

23 (d) Section 464(c)(2) of the Higher Education Act  
24 of 1965 (20 U.S.C. 1087dd(c)(2)) is amended—

25 (1) in subparagraph (A)—

1 (A) in clause (iv), by striking “; or” and  
2 inserting a semicolon;

3 (B) in clause (v), by inserting “or” after  
4 the semicolon; and

5 (C) by inserting after clause (v) the fol-  
6 lowing:

7 “(vi) during which the borrower is receiv-  
8 ing treatment for cancer and the 6 months  
9 after such period;”.

10 (e) Section 428H(e)(2) of the Higher Education Act  
11 of 1965 (20 U.S.C. 1078–8(e)(2)) is amended—

12 (1) in subparagraph (A), by striking “Interest”  
13 and inserting, “Except as provided in subparagraph  
14 (C), interest”; and

15 (2) by adding at the end the following:

16 “(C) Interest shall not accrue on a loan de-  
17 ferred under section 428(b)(1)(M)(v) or  
18 427(a)(2)(C)(iv).”.

19 (f) The amendments made by this Act shall apply  
20 with respect to loans—

21 (1) made on or after the date of the enactment  
22 of this Act; or

23 (2) in repayment on the date of the enactment  
24 of this Act.

1       SEC. 310. (a) No performance bonus shall be paid  
2 to an employee of the Office of Federal Student Aid of  
3 the Department of Education unless the employee meets  
4 the performance targets established by the Secretary of  
5 Education under subsection (b).

6       (b) The Secretary of Education shall establish per-  
7 formance targets for employees of the Office of Federal  
8 Student Aid of the Department of Education. The per-  
9 formance targets shall be based on the following factors:

10           (1) Customer service, contractor compliance  
11 with applicable Federal consumer protection laws,  
12 minimizing improper payments, portfolio resolution,  
13 collection rates, and overall current repayment sta-  
14 tus of the portfolio of Federal student loans; and

15           (2) the optimal use of qualified large and small  
16 business contractors to help the Office achieve, at  
17 minimum, the average portfolio resolution percent-  
18 age achieved by the Office for the period of fiscal  
19 years 2015 through 2018.

20       (c) Not later than 60 days after the date of the enact-  
21 ment of this Act, the Secretary of Education shall submit  
22 to the appropriate congressional committees a report that  
23 includes—

24           (1) the performance targets established by the  
25 Secretary under subsection (b);



1 (2) the rationale for such targets; and

2 (3) the Office of Federal Student Aid’s histor-  
3 ical performance in meeting such targets, if known.

4 (d) Not later than 180 days after the date of the en-  
5 actment of this Act, the Secretary of Education shall sub-  
6 mit to the appropriate congressional committees a report  
7 that assesses the performance of the Office of Federal  
8 Student Aid in meeting the performance targets estab-  
9 lished by the Secretary under subsection (b).

10 (e) In this section:

11 (1) The term “appropriate congressional com-  
12 mittees” means—

13 (A) the Committees on Appropriations of  
14 the House of Representatives and the Senate;  
15 and

16 (B) each committee of the House of Rep-  
17 resentatives or the Senate with jurisdiction over  
18 the Office of Federal Student Aid of the De-  
19 partment of Education.

20 (2) The term “Federal student loan” means a  
21 loan made under part D of title IV of the Higher  
22 Education Act of 1965 (20 U.S.C. 1087a et seq.).

23 (3) The term “portfolio resolution” means the  
24 proportion of the total value of recoveries from de-  
25 faulted Federal student loans, not including consoli-

1       dations, compared with the total value of newly de-  
2       faulted Federal student loans for each fiscal quarter.

3       This title may be cited as the “Department of Edu-  
4       cation Appropriations Act, 2019”.

#### 5                                   TITLE IV

#### 6                                   RELATED AGENCIES

#### 7       COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE

#### 8                                   BLIND OR SEVERELY DISABLED

#### 9                                   SALARIES AND EXPENSES

10       For expenses necessary for the Committee for Pur-  
11       chase From People Who Are Blind or Severely Disabled  
12       established under section 8502 of title 41, United States  
13       Code, \$8,250,000: *Provided*, That in order to authorize  
14       any central nonprofit agency designated pursuant to sec-  
15       tion 8503(c) of title 41, United States Code, to perform  
16       requirements of the Committee as prescribed under sec-  
17       tion 51–3.2 of title 41, Code of Federal Regulations, the  
18       Committee shall enter into a written agreement with any  
19       such central nonprofit agency: *Provided further*, That such  
20       agreement shall contain such auditing, oversight, and re-  
21       porting provisions as necessary to implement chapter 85  
22       of title 41, United States Code: *Provided further*, That  
23       such agreement shall include the elements listed under the  
24       heading “Committee For Purchase From People Who Are  
25       Blind     or     Severely     Disabled—Written     Agreement

1 Elements” in the explanatory statement described in sec-  
 2 tion 4 of Public Law 114–113 (in the matter preceding  
 3 division A of that consolidated Act): *Provided further*,  
 4 That any such central nonprofit agency may not charge  
 5 a fee under section 51–3.5 of title 41, Code of Federal  
 6 Regulations, prior to executing a written agreement with  
 7 the Committee: *Provided further*, That no less than  
 8 \$1,250,000 shall be available for the Office of Inspector  
 9 General.

10 CORPORATION FOR NATIONAL AND COMMUNITY SERVICE  
 11 OPERATING EXPENSES

12 For necessary expenses for the Corporation for Na-  
 13 tional and Community Service (referred to in this title as  
 14 “CNCS”) to carry out the Domestic Volunteer Service Act  
 15 of 1973 (referred to in this title as “1973 Act”) and the  
 16 National and Community Service Act of 1990 (referred  
 17 to in this title as “1990 Act”), \$767,629,000, notwith-  
 18 standing sections 198B(b)(3), 198S(g), 501(a)(4)(C), and  
 19 501(a)(4)(F) of the 1990 Act: *Provided*, That of the  
 20 amounts provided under this heading: (1) up to 1 percent  
 21 of program grant funds may be used to defray the costs  
 22 of conducting grant application reviews, including the use  
 23 of outside peer reviewers and electronic management of  
 24 the grants cycle; (2) \$17,538,000 shall be available to pro-  
 25 vide assistance to State commissions on national and com-

1 munity service, under section 126(a) of the 1990 Act and  
 2 notwithstanding section 501(a)(5)(B) of the 1990 Act; (3)  
 3 \$32,000,000 shall be available to carry out subtitle E of  
 4 the 1990 Act; and (4) \$5,400,000 shall be available for  
 5 expenses authorized under section 501(a)(4)(F) of the  
 6 1990 Act, which, notwithstanding the provisions of section  
 7 198P shall be awarded by CNCS on a competitive basis:  
 8 *Provided further*, That for the purposes of carrying out  
 9 the 1990 Act, satisfying the requirements in section  
 10 122(c)(1)(D) may include a determination of need by the  
 11 local community.

12 PAYMENT TO THE NATIONAL SERVICE TRUST  
 13 (INCLUDING TRANSFER OF FUNDS)

14 For payment to the National Service Trust estab-  
 15 lished under subtitle D of title I of the 1990 Act,  
 16 \$206,842,000, to remain available until expended: *Pro-*  
 17 *vided*, That CNCS may transfer additional funds from the  
 18 amount provided within “Operating Expenses” allocated  
 19 to grants under subtitle C of title I of the 1990 Act to  
 20 the National Service Trust upon determination that such  
 21 transfer is necessary to support the activities of national  
 22 service participants and after notice is transmitted to the  
 23 Committees on Appropriations of the House of Represent-  
 24 atives and the Senate: *Provided further*, That amounts ap-  
 25 propriated for or transferred to the National Service Trust

1 may be invested under section 145(b) of the 1990 Act  
2 without regard to the requirement to apportion funds  
3 under 31 U.S.C. 1513(b).

4 SALARIES AND EXPENSES

5 For necessary expenses of administration as provided  
6 under section 501(a)(5) of the 1990 Act and under section  
7 504(a) of the 1973 Act, including payment of salaries, au-  
8 thorized travel, hire of passenger motor vehicles, the rental  
9 of conference rooms in the District of Columbia, the em-  
10 ployment of experts and consultants authorized under 5  
11 U.S.C. 3109, and not to exceed \$2,500 for official recep-  
12 tion and representation expenses, \$83,737,000.

13 OFFICE OF INSPECTOR GENERAL

14 For necessary expenses of the Office of Inspector  
15 General in carrying out the Inspector General Act of 1978,  
16 \$5,750,000.

17 ADMINISTRATIVE PROVISIONS

18 SEC. 401. CNCS shall make any significant changes  
19 to program requirements, service delivery or policy only  
20 through public notice and comment rulemaking. For fiscal  
21 year 2018, during any grant selection process, an officer  
22 or employee of CNCS shall not knowingly disclose any cov-  
23 ered grant selection information regarding such selection,  
24 directly or indirectly, to any person other than an officer

1 or employee of CNCS that is authorized by CNCS to re-  
2 ceive such information.

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

14 SEC. 403. Donations made to CNCS under section  
15 196 of the 1990 Act for the purposes of financing pro-  
16 grams and operations under titles I and II of the 1973  
17 Act or subtitle B, C, D, or E of title I of the 1990 Act  
18 shall be used to supplement and not supplant current pro-  
19 grams and operations.

20 SEC. 404. In addition to the requirements in section  
21 146(a) of the 1990 Act, use of an educational award for  
22 the purpose described in section 148(a)(4) shall be limited  
23 to individuals who are veterans as defined under section  
24 101 of the Act.

1       SEC. 405. For the purpose of carrying out section  
2 189D of the 1990 Act—

3           (1) entities described in paragraph (a) of such  
4       section shall be considered “qualified entities” under  
5       section 3 of the National Child Protection Act of  
6       1993 (“NCPA”);

7           (2) individuals described in such section shall  
8       be considered “volunteers” under section 3 of  
9       NCPA; and

10          (3) State Commissions on National and Com-  
11       munity Service established pursuant to section 178  
12       of the 1990 Act, are authorized to receive criminal  
13       history record information, consistent with Public  
14       Law 92–544.

15       SEC. 406. Notwithstanding sections 139(b), 146 and  
16 147 of the 1990 Act, an individual who successfully com-  
17 pletes a term of service of not less than 1,200 hours dur-  
18 ing a period of not more than one year may receive a na-  
19 tional service education award having a value of 70 per-  
20 cent of the value of a national service education award  
21 determined under section 147(a) of the Act.

22           CORPORATION FOR PUBLIC BROADCASTING

23       For payment to the Corporation for Public Broad-  
24 casting (“CPB”), as authorized by the Communications  
25 Act of 1934, an amount which shall be available within

1 limitations specified by that Act, for the fiscal year 2021,  
2 \$445,000,000: *Provided*, That none of the funds made  
3 available to CPB by this Act shall be used to pay for re-  
4 ceptions, parties, or similar forms of entertainment for  
5 Government officials or employees: *Provided further*, That  
6 none of the funds made available to CPB by this Act shall  
7 be available or used to aid or support any program or ac-  
8 tivity from which any person is excluded, or is denied ben-  
9 efits, or is discriminated against, on the basis of race,  
10 color, national origin, religion, or sex: *Provided further*,  
11 That none of the funds made available to CPB by this  
12 Act shall be used to apply any political test or qualification  
13 in selecting, appointing, promoting, or taking any other  
14 personnel action with respect to officers, agents, and em-  
15 ployees of CPB: *Provided further*, That none of the funds  
16 made available to CPB by this Act shall be used to support  
17 the Television Future Fund or any similar purpose.

18       In addition, for the costs associated with replacing  
19 and upgrading the public broadcasting interconnection  
20 system and other technologies and services that create in-  
21 frastructure and efficiencies within the public media sys-  
22 tem, \$20,000,000.



## 1       FEDERAL MEDIATION AND CONCILIATION SERVICE

## 2                               SALARIES AND EXPENSES

3       For expenses necessary for the Federal Mediation  
4 and Conciliation Service (“Service”) to carry out the func-  
5 tions vested in it by the Labor-Management Relations Act,  
6 1947, including hire of passenger motor vehicles; for ex-  
7 penses necessary for the Labor-Management Cooperation  
8 Act of 1978; and for expenses necessary for the Service  
9 to carry out the functions vested in it by the Civil Service  
10 Reform Act, \$46,800,000, including up to \$400,000 to re-  
11 main available through September 30, 2020, for activities  
12 authorized by the Labor-Management Cooperation Act of  
13 1978: *Provided*, That notwithstanding 31 U.S.C. 3302,  
14 fees charged, up to full-cost recovery, for special training  
15 activities and other conflict resolution services and tech-  
16 nical assistance, including those provided to foreign gov-  
17 ernments and international organizations, and for arbitra-  
18 tion services shall be credited to and merged with this ac-  
19 count, and shall remain available until expended: *Provided*  
20 *further*, That fees for arbitration services shall be available  
21 only for education, training, and professional development  
22 of the agency workforce: *Provided further*, That the Direc-  
23 tor of the Service is authorized to accept and use on behalf  
24 of the United States gifts of services and real, personal,

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

3 FEDERAL MINE SAFETY AND HEALTH REVIEW

4 COMMISSION

5 SALARIES AND EXPENSES

6 For expenses necessary for the Federal Mine Safety  
7 and Health Review Commission, \$17,124,000.

8 INSTITUTE OF MUSEUM AND LIBRARY SERVICES

9 OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS

10 AND ADMINISTRATION

11 For carrying out the Museum and Library Services  
12 Act of 1996 and the National Museum of African Amer-  
13 ican History and Culture Act, \$240,000,000.

14 MEDICAID AND CHIP PAYMENT AND ACCESS

15 COMMISSION

16 SALARIES AND EXPENSES

17 For expenses necessary to carry out section 1900 of  
18 the Social Security Act, \$8,480,000.

19 MEDICARE PAYMENT ADVISORY COMMISSION

20 SALARIES AND EXPENSES

21 For expenses necessary to carry out section 1805 of  
22 the Social Security Act, \$13,045,000, to be transferred to  
23 this appropriation from the Federal Hospital Insurance  
24 Trust Fund and the Federal Supplementary Medical In-  
25 surance Trust Fund.

## 1 NATIONAL COUNCIL ON DISABILITY

## 2 SALARIES AND EXPENSES

3 For expenses necessary for the National Council on  
4 Disability as authorized by title IV of the Rehabilitation  
5 Act of 1973, \$3,250,000.

## 6 NATIONAL LABOR RELATIONS BOARD

## 7 SALARIES AND EXPENSES

8 For expenses necessary for the National Labor Rela-  
9 tions Board to carry out the functions vested in it by the  
10 Labor-Management Relations Act, 1947, and other laws,  
11 \$261,325,000: *Provided*, That no part of this appropria-  
12 tion shall be available to organize or assist in organizing  
13 agricultural laborers or used in connection with investiga-  
14 tions, hearings, directives, or orders concerning bargaining  
15 units composed of agricultural laborers as referred to in  
16 section 2(3) of the Act of July 5, 1935, and as amended  
17 by the Labor-Management Relations Act, 1947, and as de-  
18 fined in section 3(f) of the Act of June 25, 1938, and  
19 including in said definition employees engaged in the  
20 maintenance and operation of ditches, canals, reservoirs,  
21 and waterways when maintained or operated on a mutual,  
22 nonprofit basis and at least 95 percent of the water stored  
23 or supplied thereby is used for farming purposes.

## 1 ADMINISTRATIVE PROVISIONS

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

9 SEC. 408. None of the funds made available by this  
10 Act may be used to issue, enforce, or litigate any adminis-  
11 trative directive, regulation, representation issue, or unfair  
12 labor practice proceeding, or any other administrative  
13 complaint, charge, claim, or proceeding based on the  
14 standard for determining whether entities are “joint em-  
15 ployers” set forth by the National Labor Relations Board  
16 in *Browning-Ferris Industries of California, Inc.*, 362  
17 NLRB No. 186 (August 27, 2015).

18 SEC. 409. (a) None of the funds made available by  
19 this Act may be used to enforce the National Labor Rela-  
20 tions Act (29 U.S.C. 152) against any Indian Tribe, in-  
21 cluding any enterprise or institution owned and operated  
22 by an Indian Tribe and located on its Indian lands.

23 (b) For purposes of this section—

24 (1) the term “Indian Tribe” means any Indian  
25 Tribe, band, nation, pueblo, Native Alaskan group,

1 or other organized group or community which is rec-  
2 ognized as eligible for the special programs and serv-  
3 ices provided by the United States to Indians be-  
4 cause of their status as Indians;

5 (2) the term “Indian” means any individual  
6 who is a member of an Indian Tribe; and

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

8 (A) all lands within the limits of any In-  
9 dian reservation;

10 (B) any lands title to which is either held  
11 in trust by the United States for the benefit of  
12 any Indian Tribe or individual or held by any  
13 Indian Tribe or individual subject to restriction  
14 by the United States against alienation; and

15 (C) any lands in the State of Oklahoma  
16 that are within the boundaries of a former res-  
17 ervation (as defined by the Secretary of the In-  
18 terior) of a federally recognized Indian Tribe.

19 NATIONAL MEDIATION BOARD

20 SALARIES AND EXPENSES

21 For expenses necessary to carry out the provisions  
22 of the Railway Labor Act, including emergency boards ap-  
23 pointed by the President, \$13,510,000.

1 OCCUPATIONAL SAFETY AND HEALTH REVIEW

2 COMMISSION

3 SALARIES AND EXPENSES

4 For expenses necessary for the Occupational Safety  
5 and Health Review Commission, \$12,975,000.

6 RAILROAD RETIREMENT BOARD

7 DUAL BENEFITS PAYMENTS ACCOUNT

8 For payment to the Dual Benefits Payments Ac-  
9 count, authorized under section 15(d) of the Railroad Re-  
10 tirement Act of 1974, \$19,000,000, which shall include  
11 amounts becoming available in fiscal year 2019 pursuant  
12 to section 224(c)(1)(B) of Public Law 98–76; and in addi-  
13 tion, an amount, not to exceed 2 percent of the amount  
14 provided herein, shall be available proportional to the  
15 amount by which the product of recipients and the average  
16 benefit received exceeds the amount available for payment  
17 of vested dual benefits: *Provided*, That the total amount  
18 provided herein shall be credited in 12 approximately  
19 equal amounts on the first day of each month in the fiscal  
20 year.

21 FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT

22 ACCOUNTS

23 For payment to the accounts established in the  
24 Treasury for the payment of benefits under the Railroad  
25 Retirement Act for interest earned on unnegotiated

1 checks, \$150,000, to remain available through September  
2 30, 2020, which shall be the maximum amount available  
3 for payment pursuant to section 417 of Public Law 98–  
4 76.

5                                   LIMITATION ON ADMINISTRATION

6           For necessary expenses for the Railroad Retirement  
7 Board (“Board”) for administration of the Railroad Re-  
8 tirement Act and the Railroad Unemployment Insurance  
9 Act, \$126,000,000, to be derived in such amounts as de-  
10 termined by the Board from the railroad retirement ac-  
11 counts and from moneys credited to the railroad unem-  
12 ployment insurance administration fund: *Provided*, That  
13 notwithstanding section 7(b)(9) of the Railroad Retire-  
14 ment Act this limitation may be used to hire attorneys  
15 only through the excepted service: *Provided further*, That  
16 the previous proviso shall not change the status under  
17 Federal employment laws of any attorney hired by the  
18 Railroad Retirement Board prior to January 1, 2013: *Pro-*  
19 *vided further*, That \$12,500,000, to remain available until  
20 expended, shall be used to supplement, not supplant, exist-  
21 ing resources devoted to operations and improvements for  
22 the Board’s Information Technology Investment Initia-  
23 tives.

## 1      LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

2            For expenses necessary for the Office of Inspector  
3 General for audit, investigatory and review activities, as  
4 authorized by the Inspector General Act of 1978, not more  
5 than \$8,500,000, to be derived from the railroad retire-  
6 ment accounts and railroad unemployment insurance ac-  
7 count.

## 8            SOCIAL SECURITY ADMINISTRATION

## 9            PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

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

## 14          SUPPLEMENTAL SECURITY INCOME PROGRAM

15          For carrying out titles XI and XVI of the Social Se-  
16 curity Act, section 401 of Public Law 92–603, section 212  
17 of Public Law 93–66, as amended, and section 405 of  
18 Public Law 95–216, including payment to the Social Secu-  
19 rity trust funds for administrative expenses incurred pur-  
20 suant to section 201(g)(1) of the Social Security Act,  
21 \$41,251,000,000, to remain available until expended: *Pro-*  
22 *vided*, That any portion of the funds provided to a State  
23 in the current fiscal year and not obligated by the State  
24 during that year shall be returned to the Treasury: *Pro-*  
25 *vided further*, That not more than \$101,000,000 shall be



1 available for research and demonstrations under sections  
2 1110, 1115, and 1144 of the Social Security Act, and re-  
3 main available through September 30, 2021.

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

8 For making benefit payments under title XVI of the  
9 Social Security Act for the first quarter of fiscal year  
10 2020, \$19,700,000,000, to remain available until ex-  
11 pended.

12 LIMITATION ON ADMINISTRATIVE EXPENSES

13 For necessary expenses, including the hire of two pas-  
14 senger motor vehicles, and not to exceed \$20,000 for offi-  
15 cial reception and representation expenses, not more than  
16 \$12,422,045,000 may be expended, as authorized by sec-  
17 tion 201(g)(1) of the Social Security Act, from any one  
18 or all of the trust funds referred to in such section: *Pro-*  
19 *vided*, That not less than \$2,400,000 shall be for the So-  
20 cial Security Advisory Board: *Provided further*, That  
21 \$100,000,000 shall remain available through September  
22 30, 2020, for activities to address the disability hearings  
23 backlog within the Office of Hearings Operations: *Pro-*  
24 *vided further*, That unobligated balances of funds provided  
25 under this paragraph at the end of fiscal year 2019 not

1 needed for fiscal year 2019 shall remain available until  
2 expended to invest in the Social Security Administration  
3 information technology and telecommunications hardware  
4 and software infrastructure, including related equipment  
5 and non-payroll administrative expenses associated solely  
6 with this information technology and telecommunications  
7 infrastructure: *Provided further*, That the Commissioner  
8 of Social Security shall notify the Committees on Appro-  
9 priations of the House of Representatives and the Senate  
10 prior to making unobligated balances available under the  
11 authority in the previous proviso: *Provided further*, That  
12 reimbursement to the trust funds under this heading for  
13 expenditures for official time for employees of the Social  
14 Security Administration pursuant to 5 U.S.C. 7131, and  
15 for facilities or support services for labor organizations  
16 pursuant to policies, regulations, or procedures referred  
17 to in section 7135(b) of such title shall be made by the  
18 Secretary of the Treasury, with interest, from amounts in  
19 the general fund not otherwise appropriated, as soon as  
20 possible after such expenditures are made.

21       Of the total amount made available in the first para-  
22 graph under this heading, not more than \$1,683,000,000,  
23 to remain available through March 31, 2020, is for the  
24 costs associated with continuing disability reviews under  
25 titles II and XVI of the Social Security Act, including

1 work-related continuing disability reviews to determine  
2 whether earnings derived from services demonstrate an in-  
3 dividual's ability to engage in substantial gainful activity,  
4 for the cost associated with conducting redeterminations  
5 of eligibility under title XVI of the Social Security Act,  
6 for the cost of co-operative disability investigation units,  
7 and for the cost associated with the prosecution of fraud  
8 in the programs and operations of the Social Security Ad-  
9 ministration by Special Assistant United States Attorneys:  
10 *Provided*, That, of such amount, \$273,000,000 is provided  
11 to meet the terms of section 251(b)(2)(B)(ii)(III) of the  
12 Balanced Budget and Emergency Deficit Control Act of  
13 1985, as amended, and \$1,410,000,000 is additional new  
14 budget authority specified for purposes of section  
15 251(b)(2)(B) of such Act: *Provided further*, That, of the  
16 additional new budget authority described in the preceding  
17 proviso, up to \$10,000,000 may be transferred to the  
18 "Office of Inspector General", Social Security Administra-  
19 tion, for the cost of jointly operated co-operative disability  
20 investigation units: *Provided further*, That such transfer  
21 authority is in addition to any other transfer authority  
22 provided by law: *Provided further*, That the Commissioner  
23 shall provide to the Congress (at the conclusion of the fis-  
24 cal year) a report on the obligation and expenditure of  
25 these funds, similar to the reports that were required by

1 section 103(d)(2) of Public Law 104–121 for fiscal years  
2 1996 through 2002.

3 In addition, \$134,000,000 to be derived from admin-  
4 istration fees in excess of \$5.00 per supplementary pay-  
5 ment collected pursuant to section 1616(d) of the Social  
6 Security Act or section 212(b)(3) of Public Law 93–66,  
7 which shall remain available until expended. To the extent  
8 that the amounts collected pursuant to such sections in  
9 fiscal year 2019 exceed \$134,000,000, the amounts shall  
10 be available in fiscal year 2020 only to the extent provided  
11 in advance in appropriations Acts.

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

16 OFFICE OF INSPECTOR GENERAL  
17 (INCLUDING TRANSFER OF FUNDS)

18 For expenses necessary for the Office of Inspector  
19 General in carrying out the provisions of the Inspector  
20 General Act of 1978, \$31,000,000, together with not to  
21 exceed \$77,500,000, to be transferred and expended as  
22 authorized by section 201(g)(1) of the Social Security Act  
23 from the Federal Old-Age and Survivors Insurance Trust  
24 Fund and the Federal Disability Insurance Trust Fund.

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

## 10                                   TITLE V

### 11                                   GENERAL PROVISIONS

#### 12                                   (TRANSFER OF FUNDS)

13       SEC. 501. The Secretaries of Labor, Health and  
14 Human Services, and Education are authorized to transfer  
15 unexpended balances of prior appropriations to accounts  
16 corresponding to current appropriations provided in this  
17 Act. Such transferred balances shall be used for the same  
18 purpose, and for the same periods of time, for which they  
19 were originally appropriated.

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

23       SEC. 503. (a) No part of any appropriation contained  
24 in this Act or transferred pursuant to section 4002 of  
25 Public Law 111–148 shall be used, other than for normal

1 and recognized executive-legislative relationships, for pub-  
2 licity or propaganda purposes, for the preparation, dis-  
3 tribution, or use of any kit, pamphlet, booklet, publication,  
4 electronic communication, radio, television, or video pres-  
5 entation designed to support or defeat the enactment of  
6 legislation before the Congress or any State or local legis-  
7 lature or legislative body, except in presentation to the  
8 Congress or any State or local legislature itself, or de-  
9 signed to support or defeat any proposed or pending regu-  
10 lation, administrative action, or order issued by the execu-  
11 tive branch of any State or local government, except in  
12 presentation to the executive branch of any State or local  
13 government itself.

14 (b) No part of any appropriation contained in this  
15 Act or transferred pursuant to section 4002 of Public Law  
16 111–148 shall be used to pay the salary or expenses of  
17 any grant or contract recipient, or agent acting for such  
18 recipient, related to any activity designed to influence the  
19 enactment of legislation, appropriations, regulation, ad-  
20 ministrative action, or Executive order proposed or pend-  
21 ing before the Congress or any State government, State  
22 legislature or local legislature or legislative body, other  
23 than for normal and recognized executive-legislative rela-  
24 tionships or participation by an agency or officer of a  
25 State, local or tribal government in policymaking and ad-

1 ministrative processes within the executive branch of that  
2 government.

3 (c) The prohibitions in subsections (a) and (b) shall  
4 include any activity to advocate or promote any proposed,  
5 pending or future Federal, State or local tax increase, or  
6 any proposed, pending, or future requirement or restric-  
7 tion on any legal consumer product, including its sale or  
8 marketing, including but not limited to the advocacy or  
9 promotion of gun control.

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

24 SEC. 505. When issuing statements, press releases,  
25 requests for proposals, bid solicitations and other docu-

1 ments describing projects or programs funded in whole or  
2 in part with Federal money, all grantees receiving Federal  
3 funds included in this Act, including but not limited to  
4 State and local governments and recipients of Federal re-  
5 search grants, shall clearly state—

6 (1) the percentage of the total costs of the pro-  
7 gram or project which will be financed with Federal  
8 money;

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

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

14 SEC. 506. (a) None of the funds appropriated in this  
15 Act, and none of the funds in any trust fund to which  
16 funds are appropriated in this Act, shall be expended for  
17 any abortion.

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

22 (c) The term “health benefits coverage” means the  
23 package of services covered by a managed care provider  
24 or organization pursuant to a contract or other arrange-  
25 ment.



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

3                (1) if the pregnancy is the result of an act of  
4        rape or incest; or

5                (2) in the case where a woman suffers from a  
6        physical disorder, physical injury, or physical illness,  
7        including a life-endangering physical condition  
8        caused by or arising from the pregnancy itself, that  
9        would, as certified by a physician, place the woman  
10       in danger of death unless an abortion is performed.

11       (b) Nothing in the preceding section shall be con-  
12       strued as prohibiting the expenditure by a State, locality,  
13       entity, or private person of State, local, or private funds  
14       (other than a State's or locality's contribution of Medicaid  
15       matching funds).

16       (c) Nothing in the preceding section shall be con-  
17       strued as restricting the ability of any managed care pro-  
18       vider from offering abortion coverage or the ability of a  
19       State or locality to contract separately with such a pro-  
20       vider for such coverage with State funds (other than a  
21       State's or locality's contribution of Medicaid matching  
22       funds).

23       (d)(1) None of the funds made available in this Act  
24       may be made available to a Federal agency or program,  
25       or to a State or local government, if such agency, program,

1 or government subjects any institutional or individual  
2 health care entity to discrimination on the basis that the  
3 health care entity does not provide, pay for, provide cov-  
4 erage of, or refer for abortions.

5 (2) In this subsection, the term “health care entity”  
6 includes an individual physician or other health care pro-  
7 fessional, a hospital, a provider-sponsored organization, a  
8 health maintenance organization, a health insurance plan,  
9 or any other kind of health care facility, organization, or  
10 plan.

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

13 (1) the creation of a human embryo or embryos  
14 for research purposes; or

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

21 (b) For purposes of this section, the term “human  
22 embryo or embryos” includes any organism, not protected  
23 as a human subject under 45 CFR 46 as of the date of  
24 the enactment of this Act, that is derived by fertilization,

1 parthenogenesis, cloning, or any other means from one or  
2 more human gametes or human diploid cells.

3 SEC. 509. (a) None of the funds made available in  
4 this Act may be used for any activity that promotes the  
5 legalization of any drug or other substance included in  
6 schedule I of the schedules of controlled substances estab-  
7 lished under section 202 of the Controlled Substances Act  
8 except for normal and recognized executive-congressional  
9 communications.

10 (b) The limitation in subsection (a) shall not apply  
11 when there is significant medical evidence of a therapeutic  
12 advantage to the use of such drug or other substance or  
13 that federally sponsored clinical trials are being conducted  
14 to determine therapeutic advantage.

15 SEC. 510. None of the funds made available in this  
16 Act may be used to promulgate or adopt any final stand-  
17 ard under section 1173(b) of the Social Security Act pro-  
18 viding for, or providing for the assignment of, a unique  
19 health identifier for an individual (except in an individ-  
20 ual's capacity as an employer or a health care provider),  
21 until legislation is enacted specifically approving the  
22 standard.

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

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

6           (2) such entity has not submitted a report as  
7           required by that section for the most recent year for  
8           which such requirement was applicable to such enti-  
9           ty.

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

15          SEC. 513. None of the funds made available by this  
16          Act to carry out the Library Services and Technology Act  
17          may be made available to any library covered by para-  
18          graph (1) of section 224(f) of such Act, as amended by  
19          the Children's Internet Protection Act, unless such library  
20          has made the certifications required by paragraph (4) of  
21          such section.

22          SEC. 514. (a) None of the funds provided under this  
23          Act, or provided under previous appropriations Acts to the  
24          agencies funded by this Act that remain available for obli-  
25          gation or expenditure in fiscal year 2019, or provided from

1 any accounts in the Treasury of the United States derived  
2 by the collection of fees available to the agencies funded  
3 by this Act, shall be available for obligation or expenditure  
4 through a reprogramming of funds that—

5 (1) creates new programs;

6 (2) eliminates a program, project, or activity;

7 (3) increases funds or personnel by any means  
8 for any project or activity for which funds have been  
9 denied or restricted;

10 (4) relocates an office or employees;

11 (5) reorganizes or renames offices;

12 (6) reorganizes programs or activities; or

13 (7) contracts out or privatizes any functions or  
14 activities presently performed by Federal employees;

15 unless the Committees on Appropriations of the House of  
16 Representatives and the Senate are consulted 15 days in  
17 advance of such reprogramming or of an announcement  
18 of intent relating to such reprogramming, whichever oc-  
19 curs earlier, and are notified in writing 10 days in advance  
20 of such reprogramming.

21 (b) None of the funds provided under this Act, or  
22 provided under previous appropriations Acts to the agen-  
23 cies funded by this Act that remain available for obligation  
24 or expenditure in fiscal year 2019, or provided from any  
25 accounts in the Treasury of the United States derived by

1 the collection of fees available to the agencies funded by  
2 this Act, shall be available for obligation or expenditure  
3 through a reprogramming of funds in excess of \$500,000  
4 or 10 percent, whichever is less, that—

5 (1) augments existing programs, projects (in-  
6 cluding construction projects), or activities;

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

10 (3) results from any general savings from a re-  
11 duction in personnel which would result in a change  
12 in existing programs, activities, or projects as ap-  
13 proved by Congress;

14 unless the Committees on Appropriations of the House of  
15 Representatives and the Senate are consulted 15 days in  
16 advance of such reprogramming or of an announcement  
17 of intent relating to such reprogramming, whichever oc-  
18 curs earlier, and are notified in writing 10 days in advance  
19 of such reprogramming.

20 SEC. 515. (a) None of the funds made available in  
21 this Act may be used to request that a candidate for ap-  
22 pointment to a Federal scientific advisory committee dis-  
23 close the political affiliation or voting history of the can-  
24 didate or the position that the candidate holds with re-

1 spect to political issues not directly related to and nec-  
2 essary for the work of the committee involved.

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

6 SEC. 516. Within 45 days of enactment of this Act,  
7 each department and related agency funded through this  
8 Act shall submit an operating plan that details at the pro-  
9 gram, project, and activity level any funding allocations  
10 for fiscal year 2019 that are different than those specified  
11 in this Act, the accompanying detailed table in the Com-  
12 mittee report accompanying this Act, or the fiscal year  
13 2019 budget request.

14 SEC. 517. The Secretaries of Labor, Health and  
15 Human Services, and Education shall each prepare and  
16 submit to the Committees on Appropriations of the House  
17 of Representatives and the Senate a report on the number  
18 and amount of contracts, grants, and cooperative agree-  
19 ments exceeding \$500,000 in value and awarded by the  
20 Department on a non-competitive basis during each quar-  
21 ter of fiscal year 2019, but not to include grants awarded  
22 on a formula basis or directed by law. Such report shall  
23 include the name of the contractor or grantee, the amount  
24 of funding, the governmental purpose, including a jus-  
25 tification for issuing the award on a non-competitive basis.

1 Such report shall be transmitted to the Committees within  
2 30 days after the end of the quarter for which the report  
3 is submitted.

4 SEC. 518. None of the funds appropriated in this Act  
5 shall be expended or obligated by the Commissioner of So-  
6 cial Security, for purposes of administering Social Security  
7 benefit payments under title II of the Social Security Act,  
8 to process any claim for credit for a quarter of coverage  
9 based on work performed under a social security account  
10 number that is not the claimant's number and the per-  
11 formance of such work under such number has formed the  
12 basis for a conviction of the claimant of a violation of sec-  
13 tion 208(a)(6) or (7) of the Social Security Act.

14 SEC. 519. None of the funds appropriated by this Act  
15 may be used by the Commissioner of Social Security or  
16 the Social Security Administration to pay the compensa-  
17 tion of employees of the Social Security Administration  
18 to administer Social Security benefit payments, under any  
19 agreement between the United States and Mexico estab-  
20 lishing totalization arrangements between the social secu-  
21 rity system established by title II of the Social Security  
22 Act and the social security system of Mexico, which would  
23 not otherwise be payable but for such agreement.

24 SEC. 520. Notwithstanding any other provision of  
25 this Act, no funds appropriated in this Act shall be used



1 to purchase sterile needles or syringes for the hypodermic  
2 injection of any illegal drug: *Provided*, That such limita-  
3 tion does not apply to the use of funds for elements of  
4 a program other than making such purchases if the rel-  
5 evant State or local health department, in consultation  
6 with the Centers for Disease Control and Prevention, de-  
7 termines that the State or local jurisdiction, as applicable,  
8 is experiencing, or is at risk for, a significant increase in  
9 hepatitis infections or an HIV outbreak due to injection  
10 drug use, and such program is operating in accordance  
11 with State and local law: *Provided further*, That none of  
12 the funds appropriated in this Act may be used for the  
13 operation of a supervised drug consumption facility that  
14 permits the consumption onsite of any substance listed in  
15 the schedule I of section 202 of the Controlled Substances  
16 Act (21 U.S.C. 812).

17 SEC. 521. (a) None of the funds made available in  
18 this Act may be used to maintain or establish a computer  
19 network unless such network blocks the viewing,  
20 downloading, and exchanging of pornography.

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

1       SEC. 522. None of the funds made available under  
2 this or any other Act, or any prior Appropriations Act,  
3 may be provided to the Association of Community Organi-  
4 zations for Reform Now (ACORN), or any of its affiliates,  
5 subsidiaries, allied organizations, or successors.

6       SEC. 523. For purposes of carrying out Executive  
7 Order 13589, Office of Management and Budget Memo-  
8 randum M-12-12 dated May 11, 2012, and requirements  
9 contained in the annual appropriations bills relating to  
10 conference attendance and expenditures:

11           (1) the operating divisions of HHS shall be con-  
12 sidered independent agencies; and

13           (2) attendance at and support for scientific con-  
14 ferences shall be tabulated separately from and not  
15 included in agency totals.

16       SEC. 524. Federal agencies funded under this Act  
17 shall clearly state within the text, audio, or video used for  
18 advertising or educational purposes, including emails or  
19 Internet postings, that the communication is printed, pub-  
20 lished, or produced and disseminated at U.S. taxpayer ex-  
21 pense. The funds used by a Federal agency to carry out  
22 this requirement shall be derived from amounts made  
23 available to the agency for advertising or other commu-  
24 nications regarding the programs and activities of the  
25 agency.

1        SEC. 525. (a) Federal agencies may use Federal dis-  
2        cretionary funds that are made available in this Act to  
3        carry out up to 10 Performance Partnership Pilots. Such  
4        Pilots shall be governed by the provisions of section 526  
5        of division H of Public Law 113–76, except that in car-  
6        rying out such Pilots section 526 shall be applied by sub-  
7        stituting “FISCAL YEAR 2019” for “FISCAL YEAR 2014”  
8        in the title of subsection (b) and by substituting “Sep-  
9        tember 30, 2023” for “September 30, 2018” each place  
10       it appears: *Provided*, That such pilots shall include com-  
11       munities that have experienced civil unrest.

12       (b) In addition, Federal agencies may use Federal  
13       discretionary funds that are made available in this Act to  
14       participate in Performance Partnership Pilots that are  
15       being carried out pursuant to the authority provided by  
16       section 526 of division H of Public Law 113–76, section  
17       524 of division G of Public Law 113–235, section 525 of  
18       division H of Public Law 114–113, section 525 of division  
19       H of Public Law 115–31, and section 525 of division H  
20       of Public Law 115-141.

21       (c) Pilot sites selected under authorities in this Act  
22       and prior appropriations Acts may be granted by relevant  
23       agencies up to an additional 5 years to operate under such  
24       authorities.

1        SEC. 526. Not later than 30 days after the end of  
2 each calendar quarter, beginning with the first quarter of  
3 fiscal year 2013, the Departments of Labor, Health and  
4 Human Services, and Education shall provide the Com-  
5 mittees on Appropriations of the House of Representatives  
6 and Senate a quarterly report on the status of balances  
7 of appropriations: *Provided*, That for balances that are un-  
8 obligated and uncommitted, committed, and obligated but  
9 unexpended, the quarterly reports shall separately identify  
10 the amounts attributable to each source year of appropria-  
11 tion (beginning with fiscal year 2012, or, to the extent  
12 feasible, earlier fiscal years) from which balances were de-  
13 rived.

14        SEC. 527. None of the funds made available in this  
15 Act may be used to implement, administer, enforce, or fur-  
16 ther any provision of Public Law 111–148 or title I or  
17 subtitle B of title II of Public Law 111–152 and the  
18 amendment made by such provision: *Provided*, That funds  
19 in this Act may be used to implement, administer, enforce,  
20 or further the rate setting process for calendar year 2019  
21 and fiscal year 2020 for Medicare under title XVIII of  
22 the Social Security Act: *Provided further*, That funds in  
23 this Act may be used to implement, administer, enforce,  
24 or further the final rules for the provisions of (and amend-  
25 ments made by) sections 2501(c), 2501(d), and 2503 of

1 Public Law 111–148, as amended by sections 1206(a) and  
2 1101(c) of Public Law 111–152, insofar as each respective  
3 rule relates to calendar year 2019.

4 SEC. 528. None of the funds appropriated in this Act  
5 may be used to implement, further, enforce, or advance  
6 the Navigators program as provided under section 1311(i)  
7 of Public Law 111-148 and title I and subtitle B of title  
8 II of Public Law 111-152.

9 (RESCISSION)

10 SEC. 529. Of any available amounts appropriated  
11 under section 2104(a)(22) of the Social Security Act (42  
12 U.S.C. 1397dd) that are unobligated as of September 25,  
13 2019, \$3,345,000,000 are hereby rescinded as of such  
14 date.

15 (RESCISSION)

16 SEC. 530. Of the funds unobligated balances in the  
17 “Nonrecurring expenses fund” established by section 223  
18 of division G of Public Law 110-161 \$400,000,000 is re-  
19 scinded.

20 (RESCISSION)

21 SEC. 531. Of the amounts deposited in the Child En-  
22 rollment Contingency Fund prior to the beginning of fiscal  
23 year 2019 under section 2104(n)(2) of the Social Security  
24 Act, \$3,378,613,000 are permanently rescinded.

1       SEC. 532. None of the funds made available by this  
2 Act may be used to conduct or support research using  
3 human fetal tissue if such tissue is obtained pursuant to  
4 an induced abortion.

5       SEC. 533. (a) IN GENERAL.—Notwithstanding any  
6 other provision of law, none of the funds made available  
7 by this Act may be made available either directly, through  
8 a State (including through managed care contracts with  
9 a State), or through any other means, to a prohibited enti-  
10 ty.

11       (b) PROHIBITED ENTITY.—The term “prohibited  
12 entity” means an entity, including its affiliates, subsidi-  
13 aries, successors, and clinics—

14               (1) that, as of the date of enactment of this  
15 Act—

16                       (A) is an organization described in section  
17 501(c)(3) of the Internal Revenue Code of 1986  
18 and exempt from taxation under section 501(a)  
19 of such Code;

20                       (B) is an essential community provider de-  
21 scribed in section 156.235 of title 45, Code of  
22 Federal Regulations (as in effect on the date of  
23 enactment of this Act), that is primarily en-  
24 gaged in family planning services, reproductive  
25 health, and related medical care; and

1 (C) performs, or provides any funds to any  
2 other entity that performs abortions, other than  
3 an abortion performed—

4 (i) in the case of a pregnancy that is  
5 the result of an act of rape or incest; or

6 (ii) in the case where a woman suffers  
7 from a physical disorder, physical injury,  
8 or physical illness that would, as certified  
9 by a physician, place the woman in danger  
10 of death unless an abortion is performed,  
11 including a life endangering physical condi-  
12 tion caused by, or arising from, the preg-  
13 nancy itself; and

14 (2) for which the total amount of Federal  
15 grants to such entity, including grants to any affili-  
16 ates, subsidiaries, or clinics of such entity, under  
17 title X of the Public Health Service Act in fiscal  
18 year 2016 exceeded \$23,000,000.

19 (c)(1) END OF PROHIBITION.—The definition in  
20 subsection (b) shall cease to apply to an entity if such enti-  
21 ty certifies that it, including its affiliates, subsidiaries,  
22 successors, and clinics, will not perform, and will not pro-  
23 vide any funds to any other entity that performs, an abor-  
24 tion as described in subsection (b)(1)(C).

1           (2) REPAYMENT.—The Secretary of Health  
2           and Human Services shall seek repayment of any  
3           Federal assistance received by any entity that had  
4           made a certification described in paragraph (1) and  
5           subsequently violated the terms of such certification.

6           SEC. 534. (a) This section may be cited as the “Con-  
7           science Protection Act of 2018”.

8           (b) Congress finds as follows:

9           (1) Thomas Jefferson stated a conviction com-  
10          mon to our Nation’s founders when he declared in  
11          1809 that “[n]o provision in our Constitution ought  
12          to be dearer to man than that which protects the  
13          rights of conscience against the enterprises of the  
14          civil authority”.

15          (2) In 1973, the Supreme Court concluded that  
16          the government must leave the abortion decision “to  
17          the medical judgment of the pregnant woman’s at-  
18          tending physician”, recognizing that a physician may  
19          choose not to participate in abortion. *Roe v. Wade*,  
20          410 U.S. 113, 164 (1973). The Court cited with ap-  
21          proval a policy that “neither physician, hospital, nor  
22          hospital personnel shall be required to perform any  
23          act violative of personally-held moral principles”,  
24          410 U.S. at 143 n. 38, and cited State laws uphold-



1 ing this principle. *Doe v. Bolton*, 410 U.S. 179,  
2 197–8 (1973).

3 (3) Congress’s enactments to protect this right  
4 of conscience in health care include the Church  
5 amendment of 1973 (42 U.S.C. 300a–7), the Coats/  
6 Snowe amendment of 1996 (42 U.S.C. 238n), and  
7 the Weldon amendment approved by Congresses and  
8 Presidents of both parties every year since 2004.

9 (4) None of these laws explicitly provides a  
10 “private right of action” so victims of discrimination  
11 can defend their conscience rights in court, and ad-  
12 ministrative enforcement by the Department of  
13 Health and Human Services Office for Civil Rights  
14 has been lax, at times allowing cases to languish for  
15 years without resolution.

16 (5) Defying the Federal Weldon amendment,  
17 California’s Department of Managed Health Care  
18 has mandated coverage for all elective abortions in  
19 all health plans under its jurisdiction. Other States  
20 such as New York and Washington have taken or  
21 considered similar action, and some States may go  
22 farther to require all physicians and hospitals to pro-  
23 vide or facilitate abortions. On June 21, 2016, the  
24 Obama Administration concluded a nearly two-year  
25 investigation of this matter by determining that

1 California's decision to require insurance plans  
2 under the California Department for Managed  
3 Health Care authority to cover all legal abortion  
4 services did not violate the Weldon amendment.  
5 Until the new Administration is able to reverse this  
6 finding, individuals will have to choose between ig-  
7 noring their conscience or forgoing health care cov-  
8 erage.

9 (6) The vast majority of medical professionals  
10 do not perform abortions, with 86 percent of ob/gyns  
11 unwilling to provide them in a recent study (Obstet-  
12 rics & Gynecology, Sept. 2011) and the great major-  
13 ity of hospitals choosing to do so in rare cases or not  
14 at all.

15 (7) A health care provider's decision not to par-  
16 ticipate in an abortion, like Congress's decision not  
17 to fund most abortions, erects no new barrier to  
18 those seeking to perform or undergo abortions but  
19 leaves each party free to act as he or she wishes.

20 (8) Such protection poses no conflict with other  
21 Federal laws, such as the law requiring emergency  
22 stabilizing treatment for a pregnant woman and her  
23 unborn child when either is in distress (Emergency  
24 Medical Treatment and Active Labor Act). As the  
25 previous Administration has said, these areas of law

1 have operated side by side for many years and both  
2 should be fully enforced (76 Fed. Reg. 9968–77  
3 (2011) at 9973).

4 (9) Reaffirming longstanding Federal policy on  
5 conscience rights and providing a right of action in  
6 cases where it is violated allows longstanding and  
7 widely supported Federal laws to work as intended.

8 (c) Title II of the Public Health Service Act (42  
9 U.S.C. 202 et seq.) is amended by inserting after section  
10 245 the following:

11 “SEC. 245A. Prohibiting Governmental Discrimina-  
12 tion Against Providers of Health Services That Are Not  
13 Involved in Abortion.—

14 “(a) IN GENERAL.—Notwithstanding any other law,  
15 the Federal Government, and any State or local govern-  
16 ment that receives Federal financial assistance, may not  
17 penalize, retaliate against, or otherwise discriminate  
18 against a health care provider on the basis that the pro-  
19 vider does not—

20 “(1) perform, refer for, pay for, or otherwise  
21 participate in abortion;

22 “(2) provide or sponsor abortion coverage; or

23 “(3) facilitate or make arrangements for any of  
24 the activities specified in this subsection.

1       “(b) RULE OF CONSTRUCTION.—Nothing in this sec-  
2 tion shall be construed—

3               “(1) to prevent any health care provider from  
4 voluntarily electing to participate in abortions or  
5 abortion referrals;

6               “(2) to prevent any health care provider from  
7 voluntarily electing to provide or sponsor abortion  
8 coverage or health benefits coverage that includes  
9 abortion;

10              “(3) to prevent an accrediting agency, the Fed-  
11 eral Government, or a State or local government  
12 from establishing standards of medical competency  
13 applicable only to those who have knowingly, volun-  
14 tarily, and specifically elected to perform abortions,  
15 or from enforcing contractual obligations applicable  
16 only to those who, as part of such contract, know-  
17 ingly, voluntarily, and specifically elect to provide  
18 abortions;

19              “(4) to affect, or be affected by, section 1867  
20 of the Social Security Act (42 U.S.C. 1395dd, com-  
21 monly referred to as the ‘Emergency Medical Treat-  
22 ment and Active Labor Act’); or

23              “(5) to supersede any law enacted by any State  
24 for the purpose of regulating insurance, except as  
25 specified in subsection (a).

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

4               “(1) to receive complaints alleging a violation of  
5       this section, section 245 of this Act, or any of sub-  
6       sections (b) through (e) of section 401 of the Health  
7       Programs Extension Act of 1973; and

8               “(2) to pursue the investigation of such com-  
9       plaints in coordination with the Attorney General.

10      “(d) DEFINITIONS.—For purposes of this section:

11              “(1) FEDERAL FINANCIAL ASSISTANCE.—The  
12       term ‘Federal financial assistance’ means Federal  
13       payments to cover the cost of health care services or  
14       benefits, or other Federal payments, grants, or loans  
15       to promote or otherwise facilitate health-related ac-  
16       tivities.

17              “(2) HEALTH CARE PROVIDER.—The term  
18       ‘health care provider’ means—

19                      “(A) an individual physician, nurse, or  
20       other health care professional;

21                      “(B) a hospital, health system, or other  
22       health care facility or organization (including a  
23       party to a proposed merger or other collabo-  
24       rative arrangement relating to health services,  
25       and an entity resulting therefrom);

1           “(C) a provider-sponsored organization, an  
2           accountable care organization, or a health  
3           maintenance organization;

4           “(D) a social services provider that pro-  
5           vides or authorizes referrals for health care  
6           services;

7           “(E) a program of training in the health  
8           professions or an applicant to or participant in  
9           such a program;

10          “(F) an issuer of health insurance cov-  
11          erage; or

12          “(G) a group health plan or student health  
13          plan, or a sponsor or administrator thereof.

14          “(3) STATE OR LOCAL GOVERNMENT THAT RE-  
15          CEIVES FEDERAL FINANCIAL ASSISTANCE.—The  
16          term ‘State or local government that receives Fed-  
17          eral financial assistance’ includes every agency and  
18          other governmental unit and subdivision of a State  
19          or local government, if such State or local govern-  
20          ment, or any agency or governmental unit or sub-  
21          division thereof, receives Federal financial assist-  
22          ance.

23          “SEC. 245B. Civil Action for Certain Violations.—

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

4       “(b) DEFINITIONS.—For purposes of this section:

5               “(1) QUALIFIED PARTY.—The term ‘qualified  
6 party’ means—

7                       “(A) the Attorney General of the United  
8 States; or

9                       “(B) any person or entity adversely af-  
10 fected by the designated violation.

11               “(2) DESIGNATED VIOLATION.—The term ‘des-  
12 ignated violation’ means an actual or threatened vio-  
13 lation of—

14                       “(A) section 245 or 245A of this Act; or

15                       “(B) any of subsections (b) through (e) of  
16 section 401 of the Health Programs Extension  
17 Act of 1973 regarding an objection to abortion.

18       “(c) ADMINISTRATIVE REMEDIES NOT REQUIRED.—  
19 An action under this section may be commenced, and relief  
20 may be granted, without regard to whether the party com-  
21 mencing the action has sought or exhausted available ad-  
22 ministrative remedies.

23       “(d) DEFENDANTS IN ACTIONS UNDER THIS SEC-  
24 TION MAY INCLUDE GOVERNMENTAL ENTITIES AS WELL  
25 AS OTHERS.—

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

7           “(2) DEFINITION.—For the purposes of this  
8           subsection, the term ‘State governmental entity’  
9           means a State, a local government within a State,  
10          and any agency or other governmental unit or sub-  
11          division of a State or of such a local government.

12          “(e) NATURE OF RELIEF.—In an action under this  
13          section, the court shall grant—

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

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

23          SEC. 535. None of the funds made available by this  
24          Act, or by any other Act, may be used to prevent a Mem-  
25          ber of the United States Congress from entering, for the



1 purpose of conducting oversight, any facility in the United  
2 States, used for purposes of detaining or otherwise hous-  
3 ing foreign national minors.

4 SEC. 536. (a) IN GENERAL.—Section 235 of the Wil-  
5 liam Wilberforce Trafficking Victims Protection Reauthor-  
6 ization Act of 2008 (8 U.S.C. 1232) is amended by adding  
7 at the end the following:

8 “(j) CONSTRUCTION.—

9 “(1) IN GENERAL.—Notwithstanding any other  
10 provision of law, judicial determination, consent de-  
11 cree, or settlement agreement, the detention of any  
12 alien child who is not an unaccompanied alien child  
13 shall be governed by sections 217, 235, 236, and  
14 241 of the Immigration and Nationality Act (8  
15 U.S.C. 1187, 1225, 1226, and 1231). There exists  
16 no presumption that an alien child who is not an un-  
17 accompanied alien child should not be detained, and  
18 all such determinations shall be in the discretion of  
19 the Secretary of Homeland Security.

20 “(2) RELEASE OF MINORS OTHER THAN UNAC-  
21 COMPANIED ALIENS.—In no circumstances shall an  
22 alien minor who is not an unaccompanied alien child  
23 be released by the Secretary of Homeland Security  
24 other than to a parent or legal guardian.

1           “(3) FAMILY DETENTION.—The Secretary of  
2       Homeland Security shall—

3           “(A) maintain the care and custody of an  
4       alien, during the period during which the  
5       charges described in clause (i) are pending,  
6       who—

7           “(i) is charged only with a mis-  
8       demeanor offense under section 275(a) of  
9       the Immigration and Nationality Act (8  
10      U.S.C. 1325(a)); and

11          “(ii) entered the United States with  
12      the alien’s child who has not attained 18  
13      years of age; and

14          “(B) detain the alien with the alien’s  
15      child.”.

16      (b) EFFECTIVE DATE.—The amendment made by  
17      subsection (a) shall take effect on the date of the enact-  
18      ment of this Act and shall apply to all actions that occur  
19      before, on, or after the date of the enactment of this Act.

20      (c) PREEMPTION OF STATE LICENSING REQUIRE-  
21      MENTS.—Notwithstanding any other provision of law, ju-  
22      dicial determination, consent decree, or settlement agree-  
23      ment, no State may require that an immigration detention  
24      facility used to detain children who have not attained 18  
25      years of age, or families consisting of one or more of such

1 children and the parents or legal guardians of such chil-  
2 dren, that is located in that State, be licensed by the State  
3 or any political subdivision thereof.

4       SEC. 537. (a) The Federal Government, and any  
5 State or local government that receives Federal funding  
6 for any program that provides child welfare services under  
7 part B or part E of title IV of the Social Security Act  
8 (and any subdivision, office, or department of such State),  
9 shall not discriminate or take an adverse action against  
10 a child welfare service provider on the basis that the pro-  
11 vider has declined or will decline to provide, facilitate, or  
12 refer for a child welfare service that conflicts with, or  
13 under circumstances that conflict with, the provider's sin-  
14 cerely held religious beliefs or moral convictions.

15       (b) The Secretary of Health and Human Services  
16 shall withhold from a State or local government 15 percent  
17 of the Federal funds the State or local government re-  
18 ceives for a program that provides child welfare services  
19 under part B or part E of title IV of the Social Security  
20 Act if the State or local government violates subsection  
21 (a) when administering or disbursing funds under such  
22 program.

23       (c)(1) A child welfare service provider aggrieved by  
24 a violation of subsection (a) may assert that violation as  
25 a claim or defense in a judicial proceeding and obtain all

1 appropriate relief, including declaratory relief, injunctive  
2 relief, and compensatory damages, with respect to that  
3 violation.

4 (2) A child welfare service provider that prevails in  
5 an action by establishing a violation of subsection (a) is  
6 entitled to recover reasonable attorneys' fees and costs.

7 (3) By accepting or expending Federal funds in con-  
8 nection with a program that provides child welfare services  
9 under part B or part E of title IV of the Social Security  
10 Act, a State waives its sovereign immunity for any claim  
11 or defense that is raised under this subsection.

12 (d) For purposes of this section:

13 (1) The term "child welfare service provider"  
14 includes organizations, corporations, groups, entities,  
15 or individuals that provide or seek to provide, or  
16 that apply for or receive a contract, subcontract,  
17 grant, or subgrant for the provision of, child welfare  
18 services. The provider need not be engaged exclu-  
19 sively in child welfare services to be considered a  
20 child welfare service provider.

21 (2) The term "child welfare services" means so-  
22 cial services provided to or on behalf of children, in-  
23 cluding assisting abused, neglected, or troubled chil-  
24 dren, counseling children or parents, promoting fos-  
25 ter parenting, providing foster homes or temporary

1 group shelters for children, recruiting foster parents,  
2 placing children in foster homes, licensing foster  
3 homes, promoting adoption, recruiting adoptive par-  
4 ents, assisting adoptions, supporting adoptive fami-  
5 lies, assisting kinship guardianships, assisting kin-  
6 ship caregivers, providing family preservation serv-  
7 ices, providing family support services, and providing  
8 time-limited family reunification services.

9 (3) The term “State” includes any of the sev-  
10 eral States, the District of Columbia, any common-  
11 wealth, territory or possession of the United States,  
12 and any political subdivision thereof.

13 (4) The terms “funding”, “funded”, or “funds”  
14 include money paid pursuant to a contract, grant,  
15 voucher, or similar means.

16 (5) The term “adverse action” includes, but is  
17 not limited to, denying a child welfare service pro-  
18 vider’s application for funding, refusing to renew the  
19 provider’s funding, canceling the provider’s funding,  
20 declining to enter into a contract with the provider,  
21 refusing to renew a contract with the provider, can-  
22 celing a contract with the provider, declining to issue  
23 a license to the provider, refusing to renew the pro-  
24 vider’s license, canceling the provider’s license, ter-  
25 minating the provider’s employment, or any other

1       adverse action that materially alters the terms or  
2       conditions of the provider's employment, funding,  
3       contract, or license.

4       SEC. 538. Except in the case of a medical emergency,  
5       none of the funds made available by this Act may be used  
6       by a health care provider to administer any medication  
7       to an unaccompanied alien child (as defined in section  
8       462(g)(2) of the Homeland Security Act of 2002 (6  
9       U.S.C. 279(g)(2))) in the care of the Office of Refugee  
10      Resettlement of the Administration for Children and Fam-  
11      ilies, unless such minor has received a physical and mental  
12      health evaluation, including a trauma assessment and an  
13      assessment for comorbidities, while in such care.

14      SEC. 539. It is the sense of Congress that immigrant  
15      children should not be separated from their parents and  
16      that families should be reunited immediately.

17      SEC. 540. None of the funds made available by this  
18      Act may be used by the Office of Refugee Resettlement  
19      of the Administration for Children and Families, or any  
20      contractor employed by such Office of Refugee Resettle-  
21      ment, to ask any question relating to religion, the practice  
22      of religion, or the frequency of religious observation as  
23      part of an assessment or requirement for any potential  
24      sponsor or adoptive or foster parent of an unaccompanied  
25      alien child (as defined in section 462(g) of the Homeland

1 Security Act of 2002 (6 U.S.C. 279(g))) in the custody  
2 of such Office of Refugee Resettlement, or during the  
3 process of reunifying such a child with a parent.

4 SEC. 541. Not later than 30 days after the date of  
5 the enactment of this Act, the Secretary of Health and  
6 Human Services shall submit to the Committee on Appro-  
7 priations of both Houses of Congress a report that details  
8 the following:

9 (1) The number of pre-literate children who  
10 were in the custody of the Office of Refugee Reset-  
11 tlement of the Administration for Children and  
12 Families during fiscal year 2018.

13 (2) A list of languages that were spoken by  
14 such children and the number of translators that  
15 were needed with respect to each such language.

16 (3) Any additional resources that were needed  
17 by such Office of Refugee Resettlement to ensure  
18 that such children were able to communicate with  
19 the staff of such Office of Refugee Resettlement.

20 SEC. 542. Not later than 30 days after the date of  
21 the enactment of this Act, the Secretary of Health and  
22 Human Services shall submit to the Committee on Appro-  
23 priations of both Houses of Congress a report that details  
24 the following:

1           (1) What guidance, if any, the Office of Ref-  
2       ugee Resettlement of the Administration for Chil-  
3       dren and Families provides to the shelters and staff  
4       of such Office of Refugee Resettlement regarding  
5       the unique medical and mental health needs of chil-  
6       dren who have been separated from their parents.

7           (2) What resources, if any, the Department of  
8       Health and Human Services provides to children  
9       who have been separated from their parents to ad-  
10      dress the mental health and trauma such children  
11      have experienced and may continue to experience.

12          (3) How the Department of Health and Human  
13      Services ensures that children who have been sepa-  
14      rated from their parents have timely access to treat-  
15      ment from qualified health professionals.

16          (4) The average period of time that children  
17      separated from their parents stay in the care of the  
18      Office of Refugee Resettlement of the Administra-  
19      tion for Children and Families.

20                               SPENDING REDUCTION ACCOUNT

21      SEC. 543. The amount by which the applicable alloca-  
22      tion of new budget authority made by the Committee on  
23      Appropriations of the House of Representatives under sec-  
24      tion 302(b) of the Congressional Budget Act of 1974 ex-  
25      ceeds the amount of proposed new budget authority is \$0.



1       This Act may be cited as the “Departments of Labor,  
2   Health and Human Services, and Education, and Related  
3   Agencies Appropriations Act, 2019”.

Union Calendar No. 667

115<sup>TH</sup> CONGRESS  
2<sup>D</sup> Session

**H. R. 6470**

[Report No. 115–862]

**A BILL**

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2019, and for other purposes.

JULY 23, 2018

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