Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays. The yeas and nays were ordered. The SPEAKER pro tempore. This is a 5-minute vote. The vote was taken by electronic device, and there were—yeas 224, nays 193, not voting 13, as follows:

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<th>Yeas</th>
<th>Nays</th>
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Mr. YOHO. Mr. Speaker, I was unavoidably called away from the Chamber. I ask unanimous consent that all Members may have 5 legislative days to re-visit and extend their remarks and include extraneous material on the fur-ther discussion of H.R. 1892. The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey? There was no objection.

The House Suspended for the Purpose of Revising the Rules and Passing the Bill

The Speaker read the title of the bill. The SPEAKER pro tempore. The Speaker will designate the Senate amendment. In the matter proposed to be inserted, insert the following:

**SECTION 1. SHORT TITLE.**

(a) SHORT TITLE—This Act may be cited as the “Bipartisan Budget Act of 2018”.

**DIVISION B—SUPPLEMENTAL APPROPRIATIONS, TAX RELIEF, AND MEDICAID CHANGES RELATING TO CERTAIN DISASTERS AND FUTURE FLOODS, IN UNION OF CONTINUING APPROPRIATIONS**

Subdivision 1—Further Additional Supplemental Appropriations for Disaster Relief Requirements Act, 2018

The following sums in this subdivision are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2018 and for other purposes, namely:

**TITLE I**

**DEPARTMENT OF AGRICULTURE**

**AGRICULTURAL PROGRAMS**

**PROCESSING, RESEARCH AND MARKETING**

**OFFICE OF THE SECRETARY**

For an additional amount for the “Office of the Secretary,” $2,900,000,000, which shall remain available until December 31, 2019, for neces-sary expenses related to crops, trees, bushes, and vine losses related to the consequences of Hurricanes Harvey, Irma, Maria, and other...
For an additional amount for "Watershed and Flood Prevention Operations" in the Forest Service, as authorized by the Balanced Budget and Emergency Deficit Control Act of 1985.

NATURAL RESOURCES CONSERVATION SERVICE
WATERSHED AND FLOOD PREVENTION OPERATIONS

For an additional amount for "Watershed and Flood Prevention Operations" in the Forest Service, as authorized by the Balanced Budget and Emergency Deficit Control Act of 1985.

RURAL DEVELOPMENT PROGRAMS
RURAL HOUSING SERVICE
RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

For an additional amount for "Rural Housing Insurance Fund Program Account", $18,672,000, to remain available until September 30, 2019, for the cost of direct loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, for the rehabilitation of section 515 rental housing (42 U.S.C. 3502) by Hurricane Harvey, Irma, and Maria where owners were not required to carry national flood insurance: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RURAL UTILITIES SERVICE
RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT

For an additional amount for the "Rural Water and Waste Disposal Program Account", $155,475,000, to remain available until expended, for grants in aid to the States for water and sewer and solid waste disposal systems impacted by Hurricanes Harvey, Irma, and Maria: Provided, That not to exceed $2,000,000 of the amount appropriated under this heading shall be for technical assistance grants for rural water and waste systems pursuant to section 306(a)(2) of the Consolidated Farm and Rural Development Act of 1965: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DOMESTIC FOOD PROGRAMS
FOOD AND NUTRITION SERVICE
SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

For an additional amount for the "Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)", $14,000,000, to remain available until expended, for grants to State agencies to enable them to carry on services: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

EMERGENCY CONSERVATION PROGRAM

For an additional amount for the "Emergency Conservation Programs", for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria; $401,000, to remain available until expended: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

COMMODITY ASSISTANCE PROGRAM

For an additional amount for "Commodity Assistance Program" for the emergency food assistance program as authorized by section 27(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2003(a) and section 204(a)(1) of the Emergency Food Assistance Act of 1983 (7 U.S.C. 758a(a)(1), $24,000,000, to remain available until September 30, 2018: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF HEALTH AND HUMAN SERVICES
FOOD AND DRUG ADMINISTRATION
BUILDINGS AND FACILITIES
(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Buildings and Facilities", $7,600,000, to remain available until expended, for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria; $541,000,000, to remain available until September 30, 2018, for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria; $22,000,000, to remain available until September 30, 2019, for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria; $2,500,000, to remain available until expended, to increase participation, parcluding improvements that can be made to Federal and territory and the status of the amounts obligated and plans for further expenditure and include improvements that can be made to Federal Crop Insurance and Federal Crop Insurance Office, as authorized by the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF INSPECTOR GENERAL

For an additional amount for "Office of Inspector General", $7,600,000, to remain available until expended, for oversight and audit of programs, grants, and activities funded by this subdivision and administered by the Department of Agriculture, $7,600,000, to remain available until expended, for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AGRICULTURAL RESEARCH SERVICE
BUILDINGS AND FACILITIES

For an additional amount for "Buildings and Facilities", $5,000,000, to remain available until expended, for infrastructure grants to the Commonwealth of Puerto Rico and other territories, $1,000,000 for the repair and restoration of buildings, equipment, technology, and other infrastructure damaged as a consequence of Hurricanes Harvey, Irma, and Maria; $1,000,000, to remain available until expended, for damage to roads and other damages caused by Hurricanes Harvey, Irma, and Maria: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FARM SERVICE AGENCY
EMERGENCY CONSERVATION PROGRAM

For an additional amount for the "Emergency Conservation Programs", for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria; $1,500,000, to remain available until expended: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.
For an additional amount for “Fisheries Dis- 
aster Assistance” for necessary expenses asso-
ciated with the mitigation of fishery disas-
ters, $200,000,000, to remain available until 
expired: Provided, That the amount pro-
vided under this heading is designated by 
the Congress as being for an emergency re-
quirement pursuant to section 251(b)(2)(A)(i) of 
the Balanced Budget and Emergency Deficit 

DEPARTMENT OF JUSTICE

For an additional amount for “Salaries and 
Expenses” for necessary expenses related to 
the consequences of Hurricanes Harvey, 
Irma, and Maria, $2,300,000: Provided, That the amount 
provided under this heading is designated by 
the Congress as being for an emergency require-
ment pursuant to section 251(b)(2)(A)(i) of 
the Balanced Budget and Emergency Deficit 

FEDERAL BUREAU OF INVESTIGATION

For an additional amount for “Salaries and 
Expenses” for necessary expenses related to 
the consequences of Hurricanes Harvey, 
Irma, and Maria, $11,500,000: Provided, That the amount 
provided under this heading is designated by 
the Congress as being for an emergency require-
ment pursuant to section 251(b)(2)(A)(i) of 
the Balanced Budget and Emergency Deficit 

DRUG ENFORCEMENT ADMINISTRATION

For an additional amount for “Salaries and 
Expenses” for necessary expenses related to 
the consequences of Hurricanes Harvey, 
Irma, and Maria, $16,000,000: Provided, That the amount 
provided under this heading is designated by 
the Congress as being for an emergency require-
ment pursuant to section 251(b)(2)(A)(i) of 
the Balanced Budget and Emergency Deficit 

FEDERAL PRISON SYSTEM

For an additional amount for “Salaries and 
Expenses” for necessary expenses related to 
the consequences of Hurricanes Harvey, 
Irma, and Maria, $16,000,000: Provided, That the amount 
provided under this heading is designated by 
the Congress as being for an emergency require-
ment pursuant to section 251(b)(2)(A)(i) of 
the Balanced Budget and Emergency Deficit 

BUILDINGS AND FACILITIES

For an additional amount for “Buildings and 
Facilities” for necessary expenses related to 
the consequences of Hurricanes Harvey, 
Irma, and Maria, $34,000,000, to remain available until ex-
pended: Provided, That the amount provided 
under this heading is designated by the 
Congress as being for an emergency require-
ment pursuant to section 251(b)(2)(A)(i) of 
the Balanced Budget and Emergency Deficit 

SCIENCE

NATIONAL AERONAUTICS AND SPACE 
ADMINISTRATION

CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE 
AND RESEARCH ACTIVITIES

For an additional amount for “Construction 
and Environmental Compliance and Research 
Activities” for repairs at National Aeronautics 
and Space Administration facilities damaged by hur-
ricanes during 2017, $81,300,000, to remain avail-
able until expended: Provided, That the amount 
provided under this heading is designated by 
the Congress as being for an emergency require-
ment pursuant to section 251(b)(2)(A)(i) of 
the Balanced Budget and Emergency Deficit 

NATIONAL SCIENCE FOUNDATION

RESEARCH AND RELATED ACTIVITIES

For an additional amount for “Research and 
Related Activities” for repairs at National 
Science Foundation radio observatory facili-
ties damaged by hurricanes that oc-
curred during 2017, $16,300,000, to remain avail-
able until expended: Provided, That the amount 
provided under this heading is designated by 
the Congress as being for an emergency require-
ment pursuant to section 251(b)(2)(A)(i) of 
the Balanced Budget and Emergency Deficit 

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For an additional amount for “Payment to 
the Legal Services Corporation” to carry out 
the purposes of the Legal Services Corporation Act 
by providing for necessary expenses related to 
the consequences of Hurricanes Harvey, 
Irma, and Maria of the calendar year 2017 
wildfires, $15,000,000: Provided, That the amount 
made available under this heading shall be 
used only to provide the mobile resources, 
teaching, and dissemination necessary to 
provide storm-related services to the Legal 
Services Corporation client population and only 
in the areas significantly affected by Hurricanes 
Harvey, Irma, and Maria and by the calendar 
year 2017 wildfires: Provided further, That such 
amount is designated by the Congress as being 
for an emergency requirement pursuant to sec-
tion 251(b)(2)(A)(i) of the Balanced Budget and 
For an additional amount for “Operation and Maintenance, Navy Reserve”, $2,922,000, for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE
For an additional amount for “Operation and Maintenance, Air Force Reserve”, $5,770,000, for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD
For an additional amount for “Operation and Maintenance, Army National Guard” $55,471,000, for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, NAVY RESERVE
For an additional amount for “Operation and Maintenance, Navy Reserve”, $704,000, for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, ARMY RESERVE
For an additional amount for “Operation and Maintenance, Army Reserve”, $12,900,000, for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, MARINE CORPS
For an additional amount for “Operation and Maintenance, Marine Corps”, $17,920,000, for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE
For an additional amount for “Operation and Maintenance, Air Force”, $20,110,000, for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.
project and to hold and save the United States free from damages due to the construction or operation and maintenance of the project, except for damages due to the fault or negligence of the United States or of the contractors: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after the enactment of this subdivision.

DEPARTMENT OF ENERGY
ENERGY PROGRAMS

The enactment of this subdivision.

For an additional amount for "Mississippi River and Tributaries" for necessary expenses to address emergency situations at Corps of Engineers projects, caused by natural disasters, $770,000,000, to remain available until expended: Provided, That such amount, $400,000,000 is available to construct flood and storm damage reduction projects which are currently authorized or which are authorized after the date of enactment: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after the enactment of this subdivision.

OPERATION AND MAINTENANCE

For an additional amount for "Operation and Maintenance" for necessary expenses to dredge Federal navigation projects in response to, and repair damage to, Corps of Engineers Federal projects caused by, natural disasters, $608,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for coastal harbors and channels, and for inland harbors shall be derived from the Harbor Maintenance Trust Fund: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after the enactment of this subdivision.

FLOOD CONTROL AND COASTAL EMERGENCIES

For an additional amount for "Flood Control and Coastal Emergencies", as authorized by section 5 of the Act of August 18, 1941 (33 U.S.C. 701n), for necessary expenses to prepare for, respond to, and recover from natural disasters, to support emergency operations, repairs, and other activities in response to such disasters, as authorized by law, $810,000,000, to remain available until expended: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after the enactment of this subdivision.

EXPENSES

For an additional amount for "Expenses" for necessary expenses to administer and oversee the obligation and expenditure of amounts provided in this title for the Corps of Engineers, $30,000,000, to remain available until expended: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after the enactment of this subdivision.

DEPARTMENT OF ENERGY
ELECTRICITY DELIVERY AND ENERGY RELIABILITY

For an additional amount for "Electricity Delivery and Energy Reliability" $13,000,000, to remain available until expended, for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, including technical assistance related to electric grids: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

STRATEGIC PETROLEUM RESERVE

For an additional amount for "Strategic Petroleum Reserve", $8,716,000, to remain available until expended, for necessary expenses related to damages due to the fault or negligence of the U.S. Army Corps of Engineers—Civil, Construction'' in title X of the Energy and Water Development, and Independence Armaments, and Support'' for necessary expenses related to $210,000,000 under the heading "Corps of Engineers—Civil, Flood Control and Coastal Emergencies'' and $608,000,000 under the heading "Corps of Engineers—Civil, Flood Control and Coastal Emergencies'', as authorized by section 5 of the Act of August 18, 1941 (33 U.S.C. 701n), for necessary expenses to prepare for, respond to, and recover from natural disasters, to support emergency operations, repairs, and other activities in response to such disasters, as authorized by law, $810,000,000, to remain available until expended: Provided, That such amount, $400,000,000 is available to construct flood and storm damage reduction projects which are currently authorized or which are authorized after the date of enactment: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after the enactment of this subdivision.

GENERAL PROVISIONS—THIS TITLE

SEC. 20401. In fiscal year 2018, and each fiscal year thereafter, the Chief of Engineers of the U.S. Army Corps of Engineers shall transmit to the Congress, after reasonable opportunity for comment, but without change, by the Assistant Secretary of the Army for Civil Works, a monthly report providing information regarding the enforcement of this division and monthly thereafter, which includes detailed estimates of damages to engineering projects, caused by natural disasters or otherwise.

SEC. 20402. From the unobligated balances of amounts made available to the U.S. Army Corps of Engineers, $218,900,000 are hereby designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 20403. For an additional amount for "Disaster Loans Program Account" for the cost of direct loans authorized by section 7(b) of the Small Business Act, $1,652,000,000, to remain available until expended: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 20404. For an additional amount for "Electricity Delivery and Energy Reliability" $13,000,000, to remain available until expended, for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, including technical assistance related to electric grids: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 20405. From the unobligated balances of amounts made available to the U.S. Army Corps of Engineers, $218,900,000 are hereby designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 20406. For an additional amount for "Disaster Loans Program Account" for the cost of direct loans authorized by section 7(b) of the Small Business Act, $1,652,000,000, to remain available until expended: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.
ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For an additional amount for Acquisition, Construction, and Improvements for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, $1,200,000, to remain available until September 30, 2022: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For an additional amount for “Procurement, Construction, and Improvements” for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, including for the construction, acquisition, and improvement of facilities of the Federal Emergency Management Agency, $23,500,000,000, to remain available until September 30, 2022: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That funds are provided to carry out U.S. Customs and Border Protection activities in Puerto Rico and the United States Virgin Islands, in addition to any other amounts available for such purposes.

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT OPERATIONS AND SUPPORT

For an additional amount for “Operations and Support” for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, $28,965,000, to remain available until September 30, 2022: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TRANSPORTATION SECURITY ADMINISTRATION OPERATIONS AND SUPPORT

For an additional amount for “Operations and Support” for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, $33,052,000, to remain available until September 30, 2022: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ACQUISITION, CONSTRUCTION, AND RESTORATION

For an additional amount for Acquisition, Construction, and Restoration for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, $718,195,000, to remain available until September 30, 2022: Provided, That, not later than 60 days after enactment of this subdivision, the Secretary of Homeland Security, or her designee, shall submit to the Committee on Appropriations of the House of Representatives and the Senate a detailed expenditure plan for funds appropriated under this heading: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROTECTION, PREPAREDNESS, RESPONSE, AND RECOVERY

FEDERAL EMERGENCY MANAGEMENT AGENCY OPERATIONS AND SUPPORT

For an additional amount for “Operations and Support” for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, $58,800,000, to remain available until September 30, 2022: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For an additional amount for “Procurement, Construction, and Improvements” for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, $1,200,000, to remain available until September 30, 2022: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DISASTER RELIEF FUND

For an additional amount for “Disaster Relief Fund” for major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), $2,431,000,000, to remain available until September 30, 2022: Provided, That the amount provided under this heading is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

COAST GUARD OPERATING EXPENSES

For an additional amount for “Operating Expenses” for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, $112,136,000, to remain available until September 30, 2022: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

For an additional amount for “Environmental Compliance and Restoration” for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, $4,038,000, to remain available until September 30, 2022: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.
in accordance with such section 404 in any area in which assistance was provided under such section 420.

SEC. 20603. The third proviso of the second paragraph in title I of Public Law 115–72 to the heading “Federal Emergency Management Agency—Disaster Relief Fund” shall be amended by striking “180 days” and inserting “365 days”.

SEC. 20604. (a) DEFINITION OF PRIVATE NONPROFIT FACILITY.—Section 102(1)(B) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172(1)(B)) is amended to read as follows:

“(A) IN GENERAL.—The term ‘private nonprofit facility’ means private nonprofit educational (without regard to the religious character of the facility), utility, irrigation, emergency, medical, rehabilitational, and temporary or permanent job training facilities (including those for the aged and disabled) and facilities on Indian reservations, as defined by the President.

“(B) ADDITIONAL FACILITIES.—In addition to the facilities described in subparagraph (A), the term ‘private nonprofit facility’ includes any private nonprofit facility that provides essential social and health public (including museums, zoos, performing arts facilities, community arts centers, community centers, libraries, homeless shelters, senior citizen centers, rehabilitation facilities, youth service centers, broadcasting facilities, houses of worship, and facilities that provide health and safety services of a governmental nature), as defined by the President. The term may be expanded by this definition because leadership or membership in the organization operating the house of worship is limited to persons who share a religious faith or practice.

(b) REPAIR, RESTORATION, AND REPLACEMENT OF DAMAGED FACILITIES.—Section 406(a)(3) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172(a)(3)) is amended by adding at the end the following:

“(B) RELIGIOUS FACILITIES.—A church, synagogue, mosque, or other house of worship, educational facility, or any other private nonprofit facility, shall be eligible for contributions under paragraph (1)(B), without regard to the religious character, or educational or religious use of the facility. No house of worship, educational facility, or any other private nonprofit facility may be excluded from receiving contributions under paragraph (1)(B) because leadership or membership in the organization operating the house of worship is limited to persons who share a religious faith or practice.

(c) APPLICABILITY.—This section and the amendments made by this section shall apply—

(1) to the provision of assistance in response to a minor disaster declared by an emergency declared on or after August 23, 2017; or

(2) with respect to—

(A) the application for assistance that, as of the date of enactment of this Act, is pending before Federal Emergency Management Agency; and

(B) any application for assistance that has been denied, where a challenge to that denial is not yet finally resolved as of the date of enactment of this Act.

SEC. 20605. The Federal share of assistance, including direct Federal assistance, provided under section 407 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172(b)(1)) to a major disaster declared pursuant to such Act for damages resulting from a wildfire in calendar year 2017, shall be 90 percent of the eligible costs under such section.

(b) The Federal share provided by subsection (a) shall apply to assistance provided before, on, or after the date the Federal cost-share adjustments for repair, restoration, and replacement of damaged facilities

SEC. 20606. Section 406(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172(b)) is amended by inserting after paragraph (2) the following:

“(3) INCREASED FEDERAL SHARE.—(A) IN GENERAL.—The President may provide incentives to a State or Tribal government to invest in measures that increase readiness for, and resilience from, a major disaster by recognizing performance through a sliding scale that increases the minimum Federal share to 85 percent. Such measures may include—

(i) the adoption of a mitigation plan approved under section 323;

(ii) investments in disaster relief, insurance, and emergency management programs;

(iii) encouraging the adoption and enforcement of the latest published editions of relevant consensus-based codes, specifications, and standards that incorporate the latest hazard-resistant design philosophy or minimum acceptable criteria for the design, construction, and maintenance of residential structures and facilities that may be eligible for assistance under this Act that address safety, health, and general welfare of the building’s users against disasters;

(iv) facilitating participation in the community rating system; and

(v) funding mitigation projects or granting tax incentives for projects that reduce risk.

(B) LIMITATION.—Not later than 1 year after the date of enactment of this Act, the President, acting through the Administrator, shall issue comprehensive guidance to States and Tribal governments regarding the measures and investments, weighted appropriately based on actuarial assessments of eligible actions, that will be recognized for the purpose of increasing the Federal share under this section. Guidance shall ensure that the agency’s review of eligible measures and investments does not unreasonably delay determining the appropriate Federal cost share.

(c) REPORT.—One year after the issuance of the guidance required by subparagraph (B), the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report regarding the analysis of the Federal cost share enactment of this section.

(d) SAVINGS CLAUSE.—Nothing in this paragraph prevents the President from increasing the Federal cost share above 85 percent.

SEC. 20607. Division B of the Consolidated Appropriations Act, 2017, is amended by inserting the following at the end of Title V:

“SEC. 545. (a) PREMIUM PAY AUTHORITY.—During calendar year 2017, any premium pay that is funded, either directly or through reimbursement, by the ‘Federal Emergency Management Agency—Disaster Relief Fund’ shall be exempted from the aggregate of basic pay and premium pay calculated under section 5547(a) of title 5, United States Code, and any other provision of law limiting the aggregate amount of premium pay payable for a position at level II of the Executive Schedule under section 5312 of title 5, United States Code.

(b) LIMITATION OF PAY AUTHORITY.—Pay exempted from otherwise applicable limits under subsection (a) shall not cause the aggregate premium pay payable for a position at level II of the Executive Schedule under section 5312 of title 5, United States Code, to exceed the rate of basic pay payable for a position at level II of the Executive Schedule under section 5313 of title 5, United States Code.

(c) EFFECTIVE DATE.—This section shall take effect as if enacted on December 31, 2016.”.

TITLE VII

UNITED STATES FISH AND WILDLIFE SERVICE CONSTRUCTION

For an additional amount for “Construction” for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, $210,629,000, to remain available until expended: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

HISTORIC PRESERVATION FUND

For an additional amount for the “Historic Preservation Fund” for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, $50,000,000, to remain available until expended: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.
and Maria, $3,000,000, to remain available until expended: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF INSPECTOR GENERAL
SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses” for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, $2,500,000, to remain available until expended: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ENVIRONMENTAL PROTECTION AGENCY
HAZARDOUS SUBSTANCE SUPERFUND

For an additional amount for “Hazardous Substance Superfund” for necessary expenses relating to the consequences of Hurricanes Harvey, Irma, and Maria, $6,200,000, to remain available until expended: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

LEAKING UNDERGROUND STORAGE TANK FUND PROGRAM

For an additional amount for “Leaking Underground Storage Tank Fund” for necessary expenses relating to the consequences of Hurricanes Harvey, Irma, and Maria, $7,000,000, to remain available until expended: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

STATE AND TRIBAL ASSISTANCE GRANTS

For an additional amount for “State and Tribal Assistance” for necessary expenses relating to the consequences of Hurricanes Harvey, Irma, and Maria, $20,000,000, to remain available until expended: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PHARMACIES

For an additional amount for “Pharmacies” for necessary expenses relating to the consequences of Hurricanes Harvey, Irma, and Maria, $7,000,000, to remain available until expended: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL FOREST SYSTEM

For an additional amount for “National Forest System” for necessary expenses relating to the consequences of Hurricanes Harvey, Irma, and Maria, $20,000,000, to remain available until expended: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CAPITAL IMPROVEMENT AND MAINTENANCE

For an additional amount for “Capital Improvement and Maintenance” for necessary expenses relating to the consequences of Hurricanes Harvey, Irma, and Maria, $6,200,000, to remain available until expended: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISION—THIS TITLE

SEC. 20701. Agencies receiving funds approved by this title shall each provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds by account, beginning not later than 90 days after enactment of this Act.

TITLE VIII
DEPARTMENT OF LABOR
EMPLOYMENT AND TRAINING ADMINISTRATION
TRAINING AND EMPLOYMENT SERVICES
(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for “Training and Employment Services” for the dislocated workers assistance national reserve for necessary expenses directly related to the consequences of Hurricanes Harvey, Irma, and Maria and those jurisdictions which received a major disaster declaration pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) due to wildfires in 2017, such amount shall be available from the date of enactment of this subdivision through September 30, 2019: Provided, That the Secretary of Labor may transfer up to $2,500,000 of such amount to the States for the purpose of Labor account for reconstruction and recovery needs, including worker protection activities: Provided further, That these sums may be used to replace grants that have been used to increase funding and services provided to the impacted areas: Provided further, That of the amount provided, up to $500,000, to remain available until expended, shall be transferred to “Office of Disability Employment Policy” for purposes relating to the impacts of Hurricane Harvey, Irma, and Maria to: (1) adult employment and training activities; (2) dislocated worker employment and training activities; and (3) youth workforce investment activities.

THE VIRGIN ISLANDS—Except for the funds reserved to carry out required statewide activities under sections 127(b) and 134(a)(2) of the Workforce Innovation and Opportunity Act, the Governor of the Virgin Islands may authorize the transfer of up to 100 percent of the remaining funds provided to the Virgin Islands for Program Years 2016 and 2017 for Youth Workforce Investment activities under paragraphs (2) or (3) of section 127(b) of such Act, for Adult employment and training activities under paragraphs (2) or (3) of section 133(b) of such Act, or for Dislocated Worker employment and training activities under paragraph (2) or (3) of section 133(b) of such Act among—

(1) adult employment and training activities;
(2) dislocated worker employment and training activities; and
(3) youth workforce investment activities.

DEPARTMENT OF HEALTH AND HUMAN SERVICES
CENTERS FOR DISEASE CONTROL AND PREVENTION

CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT
(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for “CDC-Wide Activities and Program Support”, $200,000,000, to remain available until September 30, 2020, for reduced funding or delays in full or partial funding of grants awarded by the Centers for Disease Control and Prevention, except that the amounts provided herein may be used for: (1) youth workforce investment activities; and (2) youth workforce investment activities;

DEPARTMENT OF HEALTH AND HUMAN SERVICES
CENTERS FOR DISEASE CONTROL AND PREVENTION

For an additional amount for “Job Corps”, for construction, rehabilitation and acquisition for Job Corps Centers in Puerto Rico, $30,900,000, which shall be available until September 30, 2022, for further enactment of this subdivision and remain available for obligation through June 30, 2021: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—DEPARTMENT OF LABOR
DEFERRAL OF INTEREST PAYMENTS FOR VIRGIN ISLANDS

SEC. 20801. Notwithstanding any other provision of law, the interest payment of the Virgin Islands that was due under section 1202(b)(1) of the Social Security Act on September 29, 2017, shall be due until September 28, 2018, and no interest shall accrue on such amount through September 28, 2018: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FLEXIBILITY IN USE OF FUNDS UNDER WIOA
SEC. 20902. (a) In General.—Notwithstanding section 133(a)(4) of the Workforce Innovation and Opportunity Act, in States, as defined by section 3(6) of such Act, affected by Hurricanes Harvey, Irma, and Maria, a local board, as defined by section 3(3) of such Act, in the local area, as defined by section 3(32) of such Act, affected by Hurricanes Harvey, Irma, and Maria, a local board, as defined by section 3(3) of such Act, in the local area, as defined by section 3(32) of such Act, may request an extension of time for the use of funds through the end of the 2018 calendar year, or until the date of enactment of this Act as provided herein:

(1) adult employment and training activities;
(2) dislocated worker employment and training activities; and
(3) youth workforce investment activities.

(b) The Virgin Islands.—Except for the funds reserved to carry out required statewide activities under sections 127(b) and 134(a)(2) of the Workforce Innovation and Opportunity Act, the Governor of the Virgin Islands may authorize the transfer of up to 100 percent of the remaining funds provided to the Virgin Islands for Program Years 2016 and 2017 for Youth Workforce Investment activities under paragraphs (2) or (3) of section 127(b) of such Act, for Adult employment and training activities under paragraphs (2) or (3) of section 133(b) of such Act, or for Dislocated Worker employment and training activities under paragraph (2) or (3) of section 133(b) of such Act among—

(1) adult employment and training activities; (2) dislocated worker employment and training activities; and (3) youth workforce investment activities.

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such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL INSTITUTES OF HEALTH ADMINISTRATION DIRECTOR

For an additional amount for fiscal year 2018 for "Office of the Director", $50,000,000, to remain available until September 30, 2020, for response, recovery, and other expenses directly related to the consequences of Hurricanes Harvey, Irma, and Maria: Provided, That obligations incurred for these purposes prior to the date of enactment of this subdivision may be charged to funds appropriated in this paragraph: Provided further, That funds appropriated by this paragraph may be used for construction grants or contracts under section 4041 of the Public Health Service Act with regard to section 4041(c)(2): Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ADMINISTRATION FOR CHILDREN AND FAMILIES CHILDREN AND FAMILIES SERVICES PROGRAMS

For an additional amount for "Children and Families Services Programs", $650,000,000, to remain available until October 1, 2021, for Head Start programs, for necessary expenses directly related to the consequences of Hurricanes Harvey, Irma, and Maria, including making payments to Head Start Act Programs: Provided, That none of the funds appropriated in this paragraph shall be included in the calculation of the "base grant" in subsequent fiscal years, as such term is defined in sections 600(a)(1)(A), 641A(h)(1)(B), or 645(d)(3) of the Head Start Act: Provided further, That funds appropriated in this paragraph are not subject to the allocation restrictions of section 609(a) of the Head Start Act: Provided further, That funds appropriated in this paragraph shall not be available for costs that are reimbursed by the Federal Emergency Management Agency, under a contract for insurance, or by self-insurance: Provided further, That up to $12,500,000 shall be available for Federal administrative expenses: Provided further, That obligations incurred for the purposes provided herein prior to the date of enactment of this subdivision may be charged to funds appropriated under this heading: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF THE SECRETARY PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND (INCLUDING TRANSFERS OF FUNDS)

For an additional amount for the "Public Health and Social Services Emergency Fund", $162,000,000, to remain available until September 30, 2020, for response, recovery, preparation, mitigation and other expenses directly related to the consequences of Hurricanes Harvey, Irma, and Maria, including activities authorized under section 319(a) of the Public Health Service Act (referred to in this subdivision as the "PHS Act") and to section 330(e)(3) of the PHS Act: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985:

DEPARTMENT OF EDUCATION HURRICANE EDUCATION RECOVERY (INCLUDING TRANSFERS OF FUNDS)

For an additional amount for "Hurricane Education Recovery" for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, or wildfires in 2017 for which an Emergency Support Grant has been declared, under sections 401 or 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 and 5190) (referred to under this heading as "Emergency Assistance Act") provided under section 502(b)(1)(B) of such Act, to re-establish school operations and temporary emergency impact aid for displaced students described in subparagraphs (A) and (B), as provided under the statutory terms and conditions that applied to assistance under sections 102 and 107 of title IV of division B of Public Law 109–148, the Secretary shall—

(A) each reference to a covered disaster declared in accordance with section 402 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) shall be to a major disaster or emergency declared by the President in accordance with section 402 or 501, respectively, of such Act;

(B) each reference to Hurricane Katrina or Hurricane Rita shall be a reference to a covered disaster or emergency;

(C) each reference to August 22, 2005 shall be to the date that is one week prior to the date that the major disaster or emergency was declared for the area; and

(D) each reference to the States of Louisiana, Mississippi, Alabama, and Texas shall be to the States or territories affected by a covered disaster or emergency, and each reference to the States educational agencies that serve the states or territories affected by a covered disaster or emergency shall be to the most recent and appropriate data set for the 2016–2017 school year;

(G) in determining the amount of immediate aid provided to restart school operations as described in section 102(b)(1) of title IV of division B of Public Law 109–148, the Secretary shall consider the number of students enrolled, during the 2016–2017 school year, in elementary schools and secondary schools that were closed as a result of a covered disaster or emergency;

(H) in determining the amount of emergency impact aid provided under paragraph (B), the Secretary may modify the State educational agency and local educational agency application timelines in section 107(c) of such title; and

(I) each reference to Hurricane Rita shall be a reference to Hurricane Katrina or Hurricane Rita and each reference to the 2005–2006 school year shall be to the 2017–2018 school year;

(J) in determining the amount of emergency impact aid provided under paragraph (B), the Secretary may modify the State educational agency and local educational agency application timelines in section 107(c) of such title; and

(K) in determining the amount of emergency impact aid provided under paragraph (B), the Secretary may modify the State educational agency and local educational agency application timelines in section 107(c) of such title; and

(L) each reference to Hurricane Rita shall be a reference to Hurricane Katrina or Hurricane Rita and each reference to the 2005–2006 school year shall be to the 2017–2018 school year;

(M) in determining the amount of emergency impact aid provided under paragraph (B), the Secretary may modify the State educational agency and local educational agency application timelines in section 107(c) of such title; and

(N) each reference to Hurricane Rita shall be a reference to Hurricane Katrina or Hurricane Rita and each reference to the 2005–2006 school year shall be to the 2017–2018 school year;

(O) in determining the amount of emergency impact aid provided under paragraph (B), the Secretary may modify the State educational agency and local educational agency application timelines in section 107(c) of such title; and

(P) each reference to Hurricane Rita shall be a reference to Hurricane Katrina or Hurricane Rita and each reference to the 2005–2006 school year shall be to the 2017–2018 school year;

(Q) in determining the amount of emergency impact aid provided under paragraph (B), the Secretary may modify the State educational agency and local educational agency application timelines in section 107(c) of such title; and

(R) each reference to Hurricane Rita shall be a reference to Hurricane Katrina or Hurricane Rita and each reference to the 2005–2006 school year shall be to the 2017–2018 school year;

(S) in determining the amount of emergency impact aid provided under paragraph (B), the Secretary may modify the State educational agency and local educational agency application timelines in section 107(c) of such title; and

(T) each reference to Hurricane Rita shall be a reference to Hurricane Katrina or Hurricane Rita and each reference to the 2005–2006 school year shall be to the 2017–2018 school year;

(U) in determining the amount of emergency impact aid provided under paragraph (B), the Secretary may modify the State educational agency and local educational agency application timelines in section 107(c) of such title; and

(V) each reference to Hurricane Rita shall be a reference to Hurricane Katrina or Hurricane Rita and each reference to the 2005–2006 school year shall be to the 2017–2018 school year;

(W) in determining the amount of emergency impact aid provided under paragraph (B), the Secretary may modify the State educational agency and local educational agency application timelines in section 107(c) of such title; and

(X) each reference to Hurricane Rita shall be a reference to Hurricane Katrina or Hurricane Rita and each reference to the 2005–2006 school year shall be to the 2017–2018 school year;

(Y) in determining the amount of emergency impact aid provided under paragraph (B), the Secretary may modify the State educational agency and local educational agency application timelines in section 107(c) of such title; and

(Z) each reference to Hurricane Rita shall be a reference to Hurricane Katrina or Hurricane Rita and each reference to the 2005–2006 school year shall be to the 2017–2018 school year;
program that enrolls children below the age of kindergarten entry and is part of an elementary school; (3) $100,000,000, of the funds made available under this heading shall be for programs authorized under subpart 3 of Part A, part C of title IV and part B of title VII of the Higher Education Act of 1965 (20 U.S.C. 1078–51 et seq.), for affected individuals, affected students, and affected institutions in covered disaster or emergency areas in the same manner as the Secretary may waive, modify, or provide extensions for certain requirements of such Act under provisions of subtitle B of title IV of division B of Public Law 109–148 for affected individuals, affected students, and affected institutions in covered disaster or emergency areas in the same manner as the Secretary may waive, modify, or provide extensions for certain requirements of such Act under provisions of subtitle B of title IV of the Higher Education Act of 1965 (20 U.S.C. 1078–51 et seq.) for affected individuals, affected students, and affected institutions in covered disaster or emergency areas in the same manner as the Secretary may waive, modify, or provide extensions for certain requirements of such Act under provisions of subtitle B of title IV of division B of Public Law 109–148 for affected individuals, affected students, and affected institutions in covered disaster or emergency areas in the same manner as the Secretary may waive, modify, or provide extensions for certain requirements of such Act.
September 30, 2022, for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria: Provided, That none of these funds shall be available for obligation until the Secretary of Defense submits to the Committees on Appropriations of the House of Representatives and the Senate a detailed expenditure plan for funds provided under this heading: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENTAL ADMINISTRATION
CONSTRUCTION, MINOR PROJECTS
For an additional amount for “Construction, Minor Projects”, $4,088,000, to remain available until September 30, 2022, for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISION—THIS TITLE
SEC. 21001. Notwithstanding section 18236(b) of title 10, United States Code, the Secretary of Defense, at the discretion of the Secretary of the Army, the Secretary of the Air Force, and the Secretary of the Navy, may appropriate funds for the acquisition, construction, expansion, repair, renovation, or conversion of facilities resulting from Hurricane Harvey: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
OPERATIONS
( AIRPORT AND AIRWAY TRUST FUND)
For an additional amount for “Operations”, $35,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended, for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, and other hurricanes occurring in calendar year 2017: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FACILITIES AND EQUIPMENT
( AIRPORT AND AIRWAY TRUST FUND)
For an additional amount for “Facilities and Equipment”, $60,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended, for necessary expenses related to the consequences of Hurricanes Harvey, Irma, and Maria, and other hurricanes occurring in calendar year 2017: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FEDERAL HIGHWAY ADMINISTRATION
FEDERAL-AID HIGHWAYS
EMERGENCY RELIEF PROGRAM
For an additional amount for the “Emergency Relief Program” as authorized under section 125 of title 23, United States Code, $1,374,000,000, to remain available until expended: Provided, That notwithstanding section 125(d)(4) of title 23, United States Code, no limitation on the total obligations for projects under section 125 of such title shall apply to the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands for fiscal year 2018 and funded further: Provided further, That notwithstanding subsection (e) of section 120 of title 23, United States Code, for this fiscal year and hereafter, the Federal share for Emergency Relief Projects authorized under sections 125(d) and 129 of title 23, United States Code, with respect to such term to respond to damage caused by Hurricanes Irma and Maria, shall be 97 percent for Puerto Rico: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FEDERAL TRANSIT ADMINISTRATION
PUBLIC TRANSPORTATION EMERGENCY RELIEF PROGRAM
For an additional amount for the “Public Transportation Emergency Relief Program” as authorized under section 5324 of title 49, United States Code, $330,000,000 to remain available until expended, for transit systems affected by Hurricanes Harvey, Irma, and Maria with major declared disasters that occurred in 2017: Provided, That not more than three-quarters of one percent of the funds for public transportational emergency relief shall be available for administrative expenses and ongoing program management oversight as authorized under sections 5334 and 5336(h)(2) of such title and shall be in addition to any other appropriations for such purpose: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MARITIME ADMINISTRATION
OPERATIONS AND TRAINING
For an additional amount for “Operations and Training”, $10,000,000, to remain available until expended, for necessary expenses, including expenses for dredging, related to damage to Maritime Administration facilities resulting from Hurricane Harvey: Provided, That such amount is designated by the Congress as being for emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FEDERAL HIGHWAY ADMINISTRATION
COMMUNITY PLANNING AND DEVELOPMENT
COMMUNITY DEVELOPMENT FUND
INCLUDING TRANSFERS OF FUNDS
For an additional amount for “Community Development Fund”, $28,000,000,000, to remain available until expended, for necessary expenses for activities authorized under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5101 et seq.) related to disaster relief, long-term recovery, restoration of infrastructure and housing, economic revitalization, and mitigation in areas impacted and distressed areas resulting from a major declared disaster that occurred in 2017 (except as otherwise provided under this heading) pursuant to section 420 of division A of Public Law 115–56, and that such mitigation activities shall be reduced proportionally based on the total infrastructure needs of all such grantees: Provided further, That the amounts made available under this heading, no less than $12,000,000,000 shall be allocated for mitigation activities to all grantees of funding provided under this heading, section 420 of division L of Public Law 114–113, section 145 of division C of Public Law 114–223, section 192 of division C of Public Law 114–223 (as added by section 101(3) of division A of Public Law 114–254), section 421 of division K of Public Law 115–31, and the same heading in division B of Public Law 115–56: Provided further, That such mitigation shall be subject to the same terms and conditions under this subdivision, as determined by the Secretary: Provided further, That all such grants may be made subject to the preceding proviso in the same proportion that the amount of funds each grantee received or will receive under the second proviso of this heading or the headings and sections specified in the previous proviso bears to the amount of all funds provided to all grantees specified in the previous proviso: Provided further, That of the amounts made available under the second and fourth proviso of this heading, the Secretary shall allocate to all such grantees an aggregate amount not less than 33 percent of each such amount provided under this heading within 60 days after the enactment of this subdivision based on the best available data (especially with respect to data for all such grantees affected by Hurricanes Harvey, Irma, and Maria), and shall allocate no less than 100 percent of the funds provided under this heading by law on or before December 31, 2018: Provided further, That the Secretary shall not prohibit the use of funds made available under this heading for small businesses for working capital purposes to aid in recovery: Provided further, That as a condition of making any grant, the Secretary shall certify in advance that such grantee has in place sufficient financial controls and procurement processes and adequate procedures to prevent any duplication of benefits as defined by section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5155), to ensure timely expenditure of funds, to maintain comprehensive websites regarding all disaster recovery activities assisted with these funds, and to detect and prevent waste, fraud, and abuse of funds: Provided further, That with respect to any such duplication of benefits, the Secretary and any grantee under this section shall not take into account an occurrence of a disaster in 2014, 2015, 2016, and 2017 from the Small Business Administration under section 7(b) of the Small
For 2018, the Secretary of Housing and Urban Development may make temporary or seasonal contracts for disaster relief funding. This provision is to be considered as if it had been provided by 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 as amended by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

General Provisions—Department of Housing and Urban Development

SEC. 21201. Each amount appropriated or made available by this subdivision shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 21202. No part of any appropriation contained in this subdivision shall be available for obligation for the fiscal year 2018 unless expressed so provided herein.

For purposes of this subdivision, the consequences or impacts of any hurricane shall be deemed to date from the storm at any time during the entirety of its duration as a cyclone, as defined by the National Hurricane Center.

SEC. 21205. Any amount appropriated by this subdivision, designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded or transferred, if applicable) only if the President subsequently so designates such amounts and transmits such designations to the Congress.

SEC. 21206. The terms and conditions applicable to the funds provided in this subdivision, including those provided by this title, shall also apply to the funds made available under this subdivision and division B of Public Law 115–56 and in division A of Public Law 115–72.

SEC. 21208. (a) Section 305 of division A of the Additional Supplemental Appropriations for Disaster Relief Requirements Act, 2017 (Public Law 115–72) is amended—

(1) in subsection (a)—

(A) by striking “(1) Not later than December 31, 2017,” and inserting “(1) Not later than March 31, 2018,” and

(B) by striking paragraph (2); and

(2) in subsection (b), by striking “receiving funds under this division” and inserting “exceeding more than $10,000,000 of funds provided by this division and division B of Public Law 115–56 in any one fiscal year”,

(b) Section 305 of division A of the Additional Supplemental Appropriations for Disaster Relief Requirements Act, 2017 (Public Law 115–72) as amended by this section, shall apply to funds appropriated by this division as if they had been appropriated by that division.

(c) In order to provide for oversight of future disaster relief funding, not later than one year after the date of enactment of this Act, the Director of the Office of Management and Budget shall submit a detailed report to Congress for Federal agencies to use in designating internal control plans for disaster relief funding.
guidance shall leverage existing internal control review processes and shall include, at a minimum, the following elements:

(1) Robust criteria for identifying and documenting incremental risks and mitigating controls related to the funding.

(2) Guidance for documenting the linkage between risks related to oversight funding and efforts to address known internal control risks.

Sec. 22106. Any agency or department provided funding in excess of $2,000,000,000 by this subdivision, including the Federal Emergency Management Agency, the Department of Housing and Urban Development, and the Corps of Engineers, shall provide a report to Congress regarding its efforts to implement and maintain real-time and technical assistance for small, low-income communities affected by natural disasters.

Sec. 21210. (a) No later than 180 days after the date of enactment of this subdivision and in coordination with the Administrator of the Federal Emergency Management Agency, with support and contributions from the Secretary of the Treasury, the Secretary of Energy, and other Federal agencies with responsibilities defined under the National Disaster Recovery Framework, the Governor of the Commonwealth of Puerto Rico, in consultation with the Oversight Board established under PROMESA, shall publish a report on progress achieving the goals set forth in such section.

(b) At the end of every 30-day period before the submission of the report described in subsection (a), the Governor of the Commonwealth of Puerto Rico, in coordination with the Administrator of the Federal Emergency Management Agency, shall provide to Congress interim status updates on progress developing such report.

(c) At the end of every 180-day period after the submission of the report described in subsection (a), the Governor of the Commonwealth of Puerto Rico, in coordination with the Administrator of the Federal Emergency Management Agency, shall publish a report on progress achieving the goals set forth in such report.

(d) During the development, and after the submission, of the report required in subsection (a), the Oversight Board shall provide to Congress reports on the status of coordination with the Governor of Puerto Rico.

(e) Amounts made available by this subdivision to a covered territory for response to or recovery from Hurricane Irma or Hurricane Maria in an aggregate amount greater than $10,000,000 may be reviewed by the Oversight Board under the Oversight Board’s authority under 204(b)(2) of PROMESA (48 U.S.C. 214(h)(2)).

(f) When developing a Fiscal Plan while the recovery plan required under subsection (a) is in development and in effect, the Oversight Board shall review and incorporate, to the greatest extent feasible, damage assessments prepared pursuant to Federal law.

(g) For purposes of this section, the terms “covered territory” and “Oversight Board” have the meaning given those terms in section 5 of PROMESA (48 U.S.C. 2104).

This subdivision may be cited as the “Further Additional Supplemental Appropriations for Disaster Relief Requirements Act, 2018”.

SUBDIVISION 2—TAX RELIEF AND MEDICAL CHANGES RELATING TO CERTAIN DISASTERS

TITLE I—CALIFORNIA FIRES

SEC. 20101. DEFINITIONS.

For purposes of this title—

(1) CALIFORNIA WILDFIRE DISASTER ZONE.—

The term “California wildfire disaster zone” means that portion of the California wildfire disaster area determined by the President to warrant individual or individual and public assistance from the Federal Government under the Robert T. Stafford Disaster Relief and Emergency Assistance Act by reason of wildfires in California.

(2) CALIFORNIA WILDFIRE DISASTER AREA.—

The term “California wildfire disaster area” means an area with respect to which between January 9, 2018 and January 1, 2019 a major disaster has been declared by the President under section 401 of such Act by reason of wildfires in California.

SEC. 20102. SPECIAL DISASTER-RELATED RULES FOR USE OF RETIREMENT FUNDS.

(a) TAX-FAVORED WITHDRAWALS FROM RETIREMENT PLANS.—

(i) In general.—Section 72(t) of the Internal Revenue Code of 1986 shall not apply to any qualified wildfire distribution.

(ii) Exemption of distributions from eligible retirement plans other than IRAs.—For purposes of the Internal Revenue Code of 1986, a contribution or distribution to an individual for all prior taxable years.

(iv) Retirement plans.—For purposes of paragraph (iii), the term “qualified wildfire distribution” includes distributions from any retirement plan described in section 401 of such Code and treated as a qualified wildfire distribution from an eligible retirement plan made to an individual described in paragraph (ii) of such section, unless the aggregate amount of such distributions from all plans maintained by the employer (and any member of any controlled group which includes the employer) to such individual exceeds $100,000.

(b) TREATMENT OF PLAN DISTRIBUTIONS.—For purposes of subparagraph (A), the term “controlled group” means any group treated as a single employer under subsection (b), (c), (m), or (o) of section 414 of such Code.

(c) AMOUNT DISTRIBUTED MAY BE REPAYED.—

(A) IN GENERAL.—Any individual who receives a qualified wildfire distribution may, at any time during the 3-year period beginning on the date of such distribution, repay all or any portion of such distribution to an eligible retirement plan which such individual benefited from and to which a rollover contribution of such distribution could be made under section 402(c), 403(a)(4), 403(b)(6), 408(d)(3), or 457(t)(16), of the Internal Revenue Code of 1986, as the case may be.

(B) TREATMENT OF REPAYMENTS FROM ELIGIBLE RETIREMENT PLANS OTHER THAN IRAS.—For purposes of the Internal Revenue Code of 1986, if a distribution is made pursuant to subparagraph (A) with respect to a qualified wildfire distribution from an eligible retirement plan other than a retirement plan maintained by an individual, the term “qualified wildfire distribution” shall be treated as a distribution described in section 402(c)(4) of such Code and as having been transferred to the eligible retirement plan in a direct trustee to trustee transfer within 60 days of the distribution.

(C) TREATMENT OF REPAYMENTS FROM IRAS.—For purposes of the Internal Revenue Code of 1986, if a distribution is made pursuant to subparagraph (A) with respect to a qualified wildfire distribution from an individual retirement plan (as defined by section 7701(a)(37) of such Code), then, to the extent of the amount of the contribution, be treated as described in section 402(c)(4) of such Code and as having been transferred to the eligible retirement plan in a direct trustee to trustee transfer within 60 days of the distribution.

(D) DEFINITIONS.—For purposes of this section—

(A) QUALIFIED WILDFIRE DISTRIBUTION.—Except as provided in paragraph (2), the term “qualified wildfire distribution” means any distribution from an eligible retirement plan made on or after October 8, 2017, and before January 1, 2020, to an individual whose principal place of abode during any portion of the period from October 8, 2017, to December 31, 2017, is located in the California wildfire disaster area and who has sustained an economic loss by reason of the wildfires to which the declaration of such area relates.

(B) ELIGIBLE RETIREMENT PLAN.—The term “eligible retirement plan” shall mean the meaning given such term by section 402(c)(8)(B) of the Internal Revenue Code of 1986.

(C) INCOME INCLUSION SPREAD OVER 3-YEAR PERIOD.—

In general.—In the case of any qualified wildfire distribution, unless the taxpayer elects not to have this paragraph apply for any taxable year, any amount included in gross income for such taxable year shall be so included ratably over the 3-year taxable period beginning with such taxable year.

(2) SPECIAL RULE.—For purposes of subparagraph (A), rules similar to the rules of subparagraph (E) of section 408A(d)(3) of the Internal Revenue Code of 1986 shall apply.

(3) SPECIAL RULES.—(A) EXEMPTION OF DISTRIBUTIONS FROM TRUSTEE TRANSFER AND WITHHOLDING RULES.—For purposes of sections
of such contribution shall be taken into account with respect to any individual who is a beneficiary of any qualified distribution to an eligible rollover contribution of such distribution. For purposes of section 72(p)(2) of such Code, the term ‘qualified individual’ means an individual whose principal place of abode during any portion of the period from October 8, 2017, to December 31, 2017, is located in the California wildfire disaster area and who has sustained an economic loss by reason of wildfires to which the declaration of such area relates.

(d) PROVISIONS RELATING TO PLAN AMENDMENTS.—

(1) IN GENERAL.—If this subsection applies to any amendment to any plan or contract amendment which is made during the period beginning on October 8, 2017, and ending on January 15, 2018, in the California wildfire disaster area, and (B) on or before the last day of the first plan year beginning on or after January 1, 2019, such amendment shall not be treated as an itemized deduction allowed under section 170 of the Internal Revenue Code of 1986.

(e) APPLICATION.—For purposes of this section, rules similar to the rules of sections 510(h)(1), 52, and 280C(a) of the Internal Revenue Code of 1986 shall apply.

(f) Employer Not Taken Into Account More Than Once.—An employer shall not be treated as an eligible employer for purposes of this section with respect to any employee if such employer is allowed a credit under section 51 of the Internal Revenue Code of 1986 with respect to such employee for such period.

SEC. 20104. ADDITIONAL DISASTER-RELATED TAX RELIEF PROVISIONS.

(a) TEMPORARY SUSPENSION OF LIMITATIONS ON CHARITABLE CONTRIBUTIONS.—

(1) IN GENERAL.—Except as otherwise provided in paragraph (2), subsection (b) of section 170 of the Internal Revenue Code of 1986 shall not apply to qualified contributions and such contributions shall not be taken into account for purposes of applying subsections (b) and (d) of section 170 to other contributions.

(2) TREATMENT OF EXCESS CONTRIBUTIONS.—For purposes of section 170 of the Internal Revenue Code of 1986—

(a) INDIVIDUALS.—In the case of an individual—

(i) LIMITATION.—Any qualified contribution shall be allowed only to the extent that the aggregate of such contributions does not exceed the excess of the taxpayer’s contribution base (as defined in subparagraph (H) of section 170(b)(1)) over the amount of all other charitable contributions allowed under section 170(b)(1) of such Code.

(ii) CARRIERTOWN.—If the aggregate amount of qualified contributions made in the contribution year (within the meaning of section 170(b)(1) of such Code) exceeds the limitation of clause (i), such excess shall be added to the excess described in the portion of subparagraph (A) of section 170 of such Code which precedes clause (i) thereof for purposes of applying such section.

(b) CORPORATIONS.—In the case of a corporation—

(i) LIMITATION.—Any qualified contribution shall be allowed only to the extent that the aggregate of such contributions does not exceed the excess of the taxpayer’s taxable income (as determined under paragraph (2) of section 170(b) of such Code) over the amount of all other charitable contributions allowed under such paragraph.

(ii) CARRIERTOWN.—Rules similar to the rules of subparagraph (A)(ii) shall apply for purposes of this subparagraph.

(3) EXCEPTION TO OVERALL LIMITATION ON ITEMIZED DEDUCTIONS.—So much of any deduction allowed under section 170 of the Internal Revenue Code of 1986 as does not exceed the qualified contributions paid during the taxable year shall not be treated as an itemized deduction for purposes of section 68 of such Code.

(g) QUALIFIED CONTRIBUTIONS.—

(A) IN GENERAL.—For purposes of this subsection, the term ‘qualified contribution’ means any contribution (as defined in section 170(c) of the Internal Revenue Code of 1986) if—
(i) such contribution—

1. (I) is paid during the period beginning on October 8, 2017, and ending on December 31, 2018, in cash to an organization described in section 170(b)(1), the term "domestic violence shelter" in section 170(b)(1)(A), the term "domestic violence shelter" in section 170(b)(1)(A) of the Internal Revenue Code of 1986, or

2. (II) is made for relief efforts in the California wildfire disaster area,

3. (ii) is attributable to the increase under subpart (A)(ii) of section 1903(q) of the Internal Revenue Code of 1986, or

4. (iii) the taxpayer elects the application of this subsection with respect to such contributions.

(B) EXCEPTION.—Such term shall not include a contribution by a donor if the contribution is—

1. (i) an organization described in section 509(a)(3) of the Internal Revenue Code of 1986, or

2. (ii) the establishment of a new, or maintenance of an existing, donor advised fund (as defined in section 4966(d)(2) of such Code).

(C) APPLICATION OF ELECTION TO PARTNERSHIPS AND S CORPORATIONS.—For purposes of paragraph (A), (ii) and (iii) shall be made separately by each partner or shareholder.

(d) EFFECTIVE DATE.—This section shall be effective for contributions paid or incurred during the period from October 8, 2017, to December 31, 2017, and shall be in effect for contributions paid or incurred during the period from October 8, 2017, to December 31, 2018.

TITLE II—TAX RELIEF FOR HURRICANES HARVEY, IRMA, AND MARIA

SEC. 20201. TAX RELIEF FOR HURRICANES HARVEY, IRMA, AND MARIA.

(A) MODIFICATION OF HURRICANES HARVEY AND IRMA DISASTER AREAS.—Subsections (a)(2) and (b)(2) of section 501 of the Disaster Tax Relief and Airport and Airway Extension Act of 2017 (Public Law 115-63; 131 Stat. 1173) are each amended by striking "September 21, 2017" and inserting "October 17, 2017".

(B) EMPLOYEE RETENTION CREDIT.—Subsections (a)(3), (b)(3), and (c)(3) of section 503 of the Disaster Tax Relief and Airport and Airway Extension Act of 2017 (Public Law 115-63; 131 Stat. 1181) are each amended by striking "sections 51(i)(1) and 52" and inserting "sections 51(i)(1), 52, and 53(i)(1)".

(C) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the provisions of title VI of the Disaster Tax Relief and Airport and Airway Extension Act of 2017 to which such amendments relate.

TITLES III—HURRICANE MARIA RELIEF FOR PUERTO RICO AND THE VIRGIN ISLANDS MEDICAID PROGRAMS

SEC. 20301. HURRICANE MARIA RELIEF FOR PUERTO RICO AND THE VIRGIN ISLANDS MEDICAID PROGRAMS.

(A) INCREASES IN THE FUNDING OF THE SOCIAL SECURITY ACT (42 U.S.C. 1396d(q)(5)).—(4) except as otherwise limited, the amount determined under subparagraph (A) shall be increased by—

1. the amount of the increase otherwise provided under subparagraph (A)

2. in the case of Puerto Rico, the Secretary shall increase the Secretary’s annual payments to the Puerto Rico Medicaid program by—

3. (i) such amount that bears the same relationship to the Secretary’s annual payments for the preceding taxable year as the increase in the Secretary’s annual payments for the taxable year ending December 31, 2017, bears to the Secretary’s annual payments for the taxable year ending December 31, 2018, and

4. (ii) the amount determined under subparagraph (A) shall be increased by such additional amount determined under subparagraph (A) in the case of Puerto Rico.

(B) APPLICATION TO JOINT RETURNS.—For purposes of subsection (a)(1), in the case of a joint return for a taxable year which includes any portion of the period from October 8, 2017, to December 31, 2017, the term "qualified disaster-related personal casualty losses" shall include the term "qualified disaster-related personal casualty losses" as defined in section 165(h)(2)(A)(ii) of the Internal Revenue Code of 1986.

(TITLE IV)—BUDGETARY EFFECTS

SEC. 20401. EMERGENCY DESIGNATION.

This subsection is designated as an "emergency requirement pursuant to section 412(a) of the Statutory Pay-As-You-Go Act of 2010" (2 U.S.C. 933(g)).

SEC. 20402. DESIGNATION IN SENATE.

In general, this subsection is designated as an emergency requirement pursuant to section 412(a) of H. Con. Res. 71 (115th Congress).
the concurrent resolution on the budget for fiscal year 2018.

**Subdivision 3—Further Extension of Continuing Appropriations Act, 2018**

**SEC. 20101.** The Continuing Appropriations Act, 2018 (division D of Public Law 115–96) is further amended by—

(1) striking the date specified in section 106(3) and inserting “March 23, 2018”; and

(2) inserting after section 155 the following new sections:

“SEC. 156. In addition to amounts provided by section 101, amounts are provided for ‘Department of Defense—Modernization of the Comprehensive Annual Nuclear Posture Review’ at a rate for operations of $200,000,000 for the 2020 Decennial Census Program, and such amounts shall be increased up to the rate for operations necessary to maintain the schedule and deliver the required data according to statutory deadlines in the 2020 Decennial Census Program.

“SEC. 157. Notwithstanding section 101, the matter preceding the first proviso and the first proviso under the heading ‘Power Marketing Administrations—Operation and Maintenance, Southeastern Power Administration’ in division D of Public Law 115–31 shall be applied by substituting ‘$6,379,000’ for ‘$1,000,000’ each place it appears.

“SEC. 158. As authorized by section 404 of the Bipartisan Budget Act of 2015 (Public Law 114–74, 42 U.S.C. 6239 note), the Secretary of Energy shall transfer to the National Nuclear Security Administration up to $300,000,000 of crude oil from the Strategic Petroleum Reserve in fiscal year 2018: Provided, That the proceeds from such drawback and sale shall be deposited into the ‘Energy Security and Infrastructure Modernization Fund’ (in this section referred to as the ‘Fund’) during fiscal year 2018: Provided further, That in addition to amounts otherwise made available under section 101, any amounts deposited in the Fund shall be made available and shall remain available until expended at a rate for operations of $42,000,000, for necessary expenses in carrying out the Life Extension II project for the Strategic Petroleum Reserve.

“SEC. 159. Amounts made available by section 101 for the ‘Judiciary—Courts of Appeals, District Courts, and Other Judicial Services—Fees of Jurors and Commissioners’ may be apportioned to operations necessary to accommodate increased juror usage.

“SEC. 160. Section 144 of the Continuing Appropriations Act, 2018 (division D of Public Law 115–96), as amended by the Further Continuing Appropriations Act, 2018 (division A of Public Law 115–96), is amended by (1) striking ‘$11,761,000’ and inserting ‘$22,247,000’; and (2) striking ‘$1,104,000’ and inserting ‘$1,987,000’.


“SEC. 162. For the purpose of carrying out section 453(a)(2) of the Higher Education Act of 1965 (HEA) (20 U.S.C. 1085(a)(2)), during the period covered by this Act the Secretary of Education shall extend the requirement under section 453(a)(5)(A)(ii) of the HEA (20 U.S.C. 1085(a)(5)(A)(ii)) for an institution of higher education that offers an associate degree, is a public institution, and is located in an economically distressed county, defined as a county that ranks in the lowest 5 percent of all counties in the United States based on a national index of counties in distress, as defined by the Secretary of Education, and applies to an institution of higher education that otherwise would be ineligible to participate in a program under part A of title IV of the HEA and section 3002: Provided further, That this section shall apply to an institution of higher education that would otherwise be ineligible to participate in a program under part A of title IV of the HEA due to the application of section 453(a)(2) of the HEA.

“SEC. 163. Notwithstanding any other provision of law, funds made available by this Act for military construction, land acquisition, and family housing projects and activities may be obligated and expended to carry out planning and design and military construction projects authorized by law: Provided, That funds and authority provided by this section may be used notwithstanding sections 102 and 104: Provided further, That such funds may be used only for projects identified by the Department of the Air Force in its January 29, 2018, letter sent to the Committees on Appropriations of both Houses of Congress detailing urgently needed fiscal year 2018 construction requirements.

“SEC. 164. (a) Section 116(h)(3)(D) of title 49, United States Code, is amended—

(1) in clause (i), by striking ‘During the 2-year period beginning on the date of enactment of this Act’ and inserting ‘During the 2-year period beginning on the date of enactment of this section, the’; and inserting the following after the first sentence: ‘Any such funds or limitation of obligations or portions thereof transferred to the Bureau may be transferred back to and merged with the original account.”;

(2) in clause (ii) by striking ‘During the 2-year period beginning on the date of enactment of this section, the’; inserting ‘The’; and inserting the following after the first sentence: ‘Any such funds or limitation of obligations or portions thereof transferred to the Bureau may be transferred back to and merged with the original account.”.

(b) Section 503(4)(A) of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 823(l)(4)) is amended—

(1) in the heading by striking ‘Safety and operations account’ and inserting ‘National Surface Transportation and Innovative Finance Bureau account’;

(2) in subparagraph (A) by striking ‘Safety and Operations account of the Federal Railroad Administration’ and inserting ‘National Surface Transportation and Innovative Finance Bureau account’.

“SEC. 165. Section 240(b) of the United States Housing Act of 1937, as amended (42 U.S.C. 1437v), shall be applied by substituting the date specified in section 106(3) for ‘September 30, 2017’.

This subdivision may be cited as the ‘Further Extension of Continuing Appropriations Act, 2018’.

**DIVISION C—BUDGETARY AND OTHER MATTERS**

**SEC. 30001. TABLE OF CONTENTS.**

The table of contents for this division is as follows:

DIVISION C—BUDGETARY AND OTHER MATTERS

SEC. 30061. TABLE OF CONTENTS.

**TITLE I—BUDGET ENFORCEMENT**

**SEC. 30101. Amendments to the Balanced Budget and Emergency Deficit Control Act of 1985.**

(a) **REVISED SPENDING LIMITS.**—Section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(c)) is amended by striking paragraphs (5) and (6) and inserting the following:

“(5) for fiscal year 2019—

“(A) for the revised security category, $629,000,000,000 in new budget authority; and

“(B) for the revised nonsecurity category, $579,000,000,000 in new budget authority;

“(6) for fiscal year 2020—

“(A) for the revised security category, $673,000,000,000 in new budget authority; and

“(B) for the revised nonsecurity category, $610,000,000,000 in new budget authority;”. . .

(b) **DIRECT SPENDING ADJUSTMENTS FOR FISCAL YEARS 2018 AND 2019.**—Section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a), is amended—

(1) in paragraph (5)(B), in the matter preceding clause (i), by striking ‘(and ‘11)’ and inserting ‘(and ‘11) and ‘12);”;

(2) by adding at the end the following:

“(12) IMPLEMENTING DIRECT SPENDING REDUCTIONS FOR FISCAL YEARS 2018 AND 2019.—(A) OMB shall make the calculations necessary to implement the direct spending reductions calculated pursuant to paragraphs (3) and (4) without regard to the amendment made to section 251(c) revising the discretionary spending limits for fiscal years 2018 and 2019 by the Bipartisan Budget Act of 2018.

“(B) Paragraph (5)(B) shall not be implemented for fiscal years 2018 and 2019.”.

(c) **EXTENSION OF DIRECT SPENDING REDUCTIONS THROUGH FISCAL YEAR 2027.**—Section 251A(6) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a(6)) is amended—

(1) in subparagraph (B), in the matter preceding clause (i), by striking “for fiscal year 2022, for fiscal year 2023, for fiscal year 2024, and for fiscal year 2025” and inserting “for each of fiscal years 2022 through 2027”;

(2) in subparagraph (C), in the matter preceding clause (i), by striking “fiscal year 2025” and inserting “fiscal year 2027”.

**SEC. 30102. BALANCES ON THE PAYGO SCORECARDS.**

Effective on the date of enactment of this Act, the balances on the PAYGO scorecards established pursuant to paragraphs (4) and (5) of section 4(d) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(d)) shall be zero.

**SEC. 30103. AUTHORITY FOR FISCAL YEAR 2019 BUDGET RESOLUTION IN THE SENATE.**

(a) **FISCAL YEAR 2019.**—For purposes of enforcing the Congressional Budget Act of 1974 (2 U.S.C. 621 et seq.) after April 15, 2018, and enforcing budgetary points of order in prior pending resolutions on the budget, the allocations, aggregates, and levels provided for in subsection (b) shall apply in the Senate in the same manner as for a concurrent resolution on the budget for fiscal year 2019 with appropriate budgetary levels for fiscal years 2020 through 2029.

(b) **COMMITTEE ALLOCATIONS, AGGREGATES, AND LEVELS.—After April 15, 2018, but not later
than May 15, 2018, the Chairman of the Committee on the Budget of the Senate shall file—

(1) for the Committee on Appropriations, committee allocations for fiscal years 2019, 2019 through 2023, and 2019 through 2028 consistent with the most recent baseline of the Congressional Budget Office, as adjusted for the budgetary effects of any provision of law enacted during the period beginning on the date such baseline is issued and ending on the date of submission of such statement, for the purpose of enacting section 302 of the Congressional Budget Act of 1974 (2 U.S.C. 633); and

(2) for all committees other than the Committee on Appropriations, committee allocations for fiscal years 2019 and for the period of fiscal years 2019 through 2028 at the levels included in—

(a) the baseline of the Congressional Budget Office, as adjusted for the budgetary effects of any provision of law enacted during the period beginning on the date such baseline is issued and ending on the date of submission of such statement, for the purpose of enacting section 302 of the Congressional Budget Act of 1974; and

(b) for fiscal year 2019 in accordance with the allocations established under paragraphs (1) and (2), for the purpose of enacting section 311 of the Congressional Budget Act of 1974 (2 U.S.C. 642); and

(c) in subparagraph (A), by striking “January 30, 2025” and inserting “September 30, 2025”.

SEC. 30104. AUTHORITY FOR FISCAL YEAR 2019 BUDGET RESOLUTION IN THE HOUSE OF REPRESENTATIVES.

SEC. 30105. EXERCISE OF RULEMAKING POWERS.

SEC. 30106. ELIMINATION OF SURPLUS FUNDS OF FEDERAL RESERVE BANKS.

SEC. 30206. REEMPLOYMENT SERVICES AND ELIGIBILITY ASSESSMENTS.

(a) In GENERAL.—The District of Columbia, the Commonwealth of the Northern Mariana Islands, Guam, the Virgin Islands, and American Samoa are designated as eligible jurisdictions for purposes of section 301 of the Rehabilitation Act of 1973, as amended, and section 101 of the Higher Education Act of 1965, as amended.
award grants under this section for a fiscal year to eligible States to conduct a program of reemployment services and eligibility assessments for individuals referred to reemployment services as described in section 306(i) for weeks in such fiscal year for which such individuals receive unemployment compensation.

(b) PURPOSES.—The purposes of this section are to provide—

(1) To improve employment outcomes of individuals that receive unemployment compensation and to reduce the average duration of receipt of such compensation through employment;

(2) To strengthen program integrity and reduce the incidence of unemployment compensation by States through the detection and prevention of such payments to individuals who are not eligible for such compensation;

(3) To align with the broader vision of the workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.) of increased program integration and service delivery for job seekers, including claimants for unemployment compensation.

(4) To establish reemployment services and eligibility assessments as an entry point for individuals referred to reemployment services into other workforce system partner programs.

(c) EVIDENCE-BASED STANDARDS.—

(1) IN GENERAL.—In carrying out a State program of reemployment services and eligibility assessments using grant funds awarded to the State under this section, a State shall use such funds only for interventions demonstrated to reduce the duration of receipt of such weeks for which participants receive unemployment compensation by improving employment outcomes for program participants.

(2) EXPANDING EVIDENCE-BASED INTERVENTIONS.—In addition to the requirement imposed by paragraph (1), a State shall—

(A) for fiscal years 2023 and 2024, use no less than 25 percent of the grant funds awarded to the State under this section for interventions with a high or moderate causal evidence rating that show a demonstrated capacity to improve employment and earnings outcomes for program participants;

(B) for fiscal years 2025 and 2026, use no less than 40 percent of such grant funds for interventions described in subparagraph (A); and

(C) for fiscal years beginning after fiscal year 2026, use no less than 50 percent of such grant funds for interventions described in subparagraph (A).

(d) EVALUATIONS.—

(1) REQUIRED EVALUATIONS.—Any intervention using a State program of reemployment services and eligibility assessments under this section shall be under evaluation at the time of use.

(2) FUNDING LIMITATION.—A State shall use not more than 10 percent of grant funds awarded to the State under this section to conduct or cause to be conducted evaluations of interventions used in carrying out a program under this section (including evaluations conducted pursuant to paragraph (1)).

(3) IN GENERAL.—As a condition of eligibility to receive a grant under this section for a fiscal year, a State shall submit to the Secretary, at such time and in such manner as the Secretary may require, a State plan that outlines how the State intends to conduct a program of reemployment services and eligibility assessments under this section, including—

(A) assurances that, and a description of how, the program will provide—

(i) promising interventions used by States to reduce the duration of receipt of unemployment compensation, and in no case to supplant such Federal, State, or local public funds.

(ii) the number of weeks for which program participants receive unemployment compensation; and

(iii) employment and earnings outcomes for program participants; and

(iv) the characteristics of program participants;

(B) IN GENERAL.—For each fiscal year after fiscal year 2020, the Secretary shall allocate a percentage equal to the base funding percentage for such fiscal year for outcome payments shall be paid to States for a period to be determined by the Secretary in accordance with subsection (c), including—

(i) characteristics of program participants; and

(ii) compliance with the provisions of State unemployment compensation; and

(C) a description of any portion of the plan that was not approved and the reason for the disapproval of each such portion; and

(D) the Secretary with an opportunity to correct any such failure and submit a revised State plan.

(3) ALLOCATION OF FUNDS.—

(A) BASE FUNDING.—

(i) IN GENERAL.—For each fiscal year after fiscal year 2020, the Secretary shall allocate a percentage equal to the base funding percentage for such fiscal year of the funds made available for grants under this section among the States for a period to be determined by the Secretary, in such manner as the Secretary may require, that satisfies the conditions described in paragraph (1).

(ii) RESERVATION FOR RESEARCH AND TECHNICAL ASSISTANCE.—Of the amounts made available for grants under this section for each fiscal year after 2020, the Secretary may reserve not more than 1 percent to conduct research and provide technical assistance to States.

(iii) RESERVATION FOR TECHNICAL ASSISTANCE.—Of the amounts made available for grants under this section for each fiscal year after 2020, the Secretary may reserve not more than 1 percent to provide technical assistance to States.

(iv) SUPPLEMENT NOT SUPPLANT.—Funds made available to carry out this section shall be used to supplement the level of Federal, State, and local public funds that, in the absence of such availability, would be expended to provide reemployment services and eligibility assessments to individuals receiving unemployment compensation, and in no case to supplant such Federal, State, or local public funds.

(B) DEFINITIONS.—In this section:

(i) CAUSAL EVIDENCE RATING.—The terms ‘high causal evidence rating’ and ‘moderate causal evidence rating’ shall have the meaning given such terms by the Secretary of Labor.

(ii) ELIGIBLE STATE.—The term ‘eligible State’ means a State that has in effect a State plan approved by the Secretary in accordance with subsection (a).

(iii) EVIDENCE-BASED INTERVENTION.—The term ‘ Evidence-Based Intervention’ means a service delivery strategy for the provision of State reemployment services and eligibility assessment activities under this section.


(v) UNEMPLOYMENT COMPENSATION.—The term unemployment compensation means regular unemployment compensation, and ‘additional compensation’ (as such terms given such terms by the Secretary of Labor). ‘Additional compensation’ shall have the meaning given such terms by the Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)) is amended by adding at the end the following:

(1) REEMPLOYMENT SERVICES AND ELIGIBILITY ASSESSMENTS.—

(i) IN GENERAL.—If a bill or joint resolution making appropriations for a fiscal year is enacted after the date of enactment of this Act, the Secretary of Labor shall submit to Congress a report to describe promising interventions used by States to provide reemployment assistance.

(ii) ADJUSTMENT TO DISCRETIONARY SPENDING LIMITS.—Section 251(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)) is amended by adding at the end the following:

(1) EVIDENCE-BASED INTERVENTIONS—
shall be the additional new budget authority provided in that Act for such grants for that fiscal year, but shall not exceed—

(1) for fiscal year 2018, $0;
(II) for fiscal year 2019, $117,000,000;
(III) for fiscal year 2020, $162,000,000; and
(IV) for fiscal year 2021, $260,000,000.
(3) As used in this subparagraph, the term ‘additional new budget authority’ means the amount provided for a fiscal year, in excess of $117,000,000, in an appropriation Act, and specified to pay for grants to States under section 306 of the Social Security Act.’’. 

(d) OTHER BUDGETARY ADJUSTMENTS.—Section 314 of the Congressional Budget Act of 1974 (2 U.S.C. 645) is amended by adding at the end the following:

‘‘(g) ADJUSTMENT FOR REEMPLOYMENT SERVICES AND ELIGIBILITY ASSESSMENTS.—

(A) Adjustments.—If the Committee on Appropriations of either House reports an appropriation measure that includes the most recently adopted concurrent resolution on the budget, the term ‘additional new budget authority’ means the amount provided for a fiscal year, in excess of $117,000,000, in an appropriation Act, and specified to pay for grants to States under section 306 of the Social Security Act.’’. 

TITLe IV—Joint Select Committee on Solvency of Multiemployer Pension Plans SEC. 30421. DEFINITIONS

In this subtitle—

(1) the term ‘joint committee’ means the Joint Select Committee on Solvency of Multiemployer Pension Plans established under section 30422(a); and
(2) the term ‘joint committee bill’ means a bill consisting of the proposed legislative language of the joint committee recommended in accordance with section 30422(b)(2)(i) and introduced under section 30424(a). 

SEC. 30422. ESTABLISHMENT OF JOINT SELECT COMMITTEE

(a) ESTABLISHMENT OF JOINT SELECT COMMITTEE.—There is established a joint select committee of Congress to be known as the ‘‘Joint Select Committee on Solvency of Multiemployer Pension Plans’’. 

(b) IMPLEMENTATION.—

(1) GOAL.—The goal of the joint committee is to improve the solvency of multiemployer pension plans and the Pension Benefit Guaranty Corporation. 

(2) DUTIES.—

(A) IN GENERAL.—The joint committee shall provide recommendations and legislative language that will significantly improve the solvency of multiemployer pension plans and the Pension Benefit Guaranty Corporation. 

(B) REPORT, RECOMMENDATIONS, AND LEGISLATIVE LANGUAGE.—

(i) IN GENERAL.—Not later than November 30, 2018, the joint committee shall vote on—

(I) a report that contains a detailed statement of the findings, conclusions, and recommendations of the joint committee; and

(ii) proposed legislative language to carry out the recommendations described in subclause (I). 

(ii) APPROVAL OF REPORT AND LEGISLATIVE LANGUAGE.—

(I) IN GENERAL.—The report of the joint committee and the proposed legislative language described in clause (i) shall only be approved upon receiving the—

(aa) a majority of joint committee members appointed by the Speaker of the House of Representatives and the Majority Leader of the Senate; and

(bb) a majority of joint committee members appointed by the Minority Leader of the House of Representatives and the Minority Leader of the Senate. 

(iii) AVAILABILITY.—The text of any report and proposed legislative language shall be publicly available in electronic form at least 24 hours prior to its consideration. 

(iv) ADDITIONAL VIEWS.—A member of the joint committee who gives notice of an intention to file supplemental, minority, or additional votes at the time of the final joint committee vote on the approval of the report and legislative language under clause (ii) shall be entitled to include in the report a statement of such views in which to file such views in writing with the co-chairs. Such views shall then be included in the joint committee report and printed in the sessions of either or both chambers. Their inclusion shall be noted on the cover of the report. In the absence of timely notice, the joint committee report may be printed and transmitted immediately without such views.

(iv) TRANSMISSION OF REPORT AND LEGISLATIVE LANGUAGE.—If the report and legislative language approved by the joint committee pursuant to clause (ii), the joint committee shall submit the joint committee report and legislative language described in clause (i) to the President, the Vice President, the Speaker of the House of Representatives, and the majority and minority leaders of each House of Congress not later than 15 calendar days after such approval. 

(v) REPORT AND LEGISLATIVE LANGUAGE TO BE MADE PUBLIC.—Upon the approval of the joint committee report and legislative language pursuant to clause (ii), the joint committee shall promptly make the legislative language, and a record of any vote, available to the public. 

(c) MEMBERSHIP.—

(A) IN GENERAL.—The joint committee shall be composed of 16 members appointed pursuant to subparagraph (B). 

(B) APPOINTMENT.—Members of the joint committee shall be appointed as follows:

(i) The Speaker of the House of Representatives shall appoint 4 members from among Members of the House of Representatives. 

(ii) The Minority Leader of the House of Representatives shall appoint 4 members from among Members of the House of Representatives. 

(iii) The Majority Leader of the Senate shall appoint 4 members from among Members of the Senate. 

(iv) The Minority Leader of the Senate shall appoint 4 members from among Members of the Senate. 

(v) CO-CHAIRS.—Two of the appointed members of the joint committee will serve as co-chairs. The Speaker of the House of Representatives and the Minority Leader of the Senate shall jointly appoint one co-chair, and the Majority Leader of the House of Representatives and the Minority Leader of the Senate shall jointly appoint the other co-chair. The co-chairs shall be appointed not later than 14 calendar days after the date of enactment of this Act. 

(d) DATE.—Members of the joint committee shall be appointed not later than 14 calendar days after the date of enactment of this Act. 

(e) PERIOD OF APPOINTMENT.—Members shall be appointed for the life of the joint committee. Any vacancy in the joint committee shall not affect its powers, but shall be filled not later than 14 calendar days after the vacancy occurs, in the same manner as the original appointment was made. If a member of the joint committee ceases to be a Member of the House of Representatives or Senate, the co-chairs shall be appointed not later than 14 calendar days after the date of enactment of this Act. 

(f) ADMINISTRATION.—(A) IN GENERAL.—To enable the joint committee to exercise its powers, functions, and duties under this subtitle, there are authorized to be appropriated to the joint committee the necessary expenses of the joint committee approved by the co-chairs, subject to the rules and regulations of the Senate. 

(B) EXPENSES.—To enable the joint committee to exercise its powers, functions, and duties under this subtitle, there are authorized to be charged to the joint committee the necessary expenses of the joint committee approved by the co-chairs, subject to the rules and regulations of the Senate. 

(C) BUDGETARY TREATMENT.—The expenses of the joint committee shall be treated as necessary expenses of the Senate under section 302(b) to carry out this subsection.’’. 

SEC. 30301. TEMPORARY EXTENSION OF PUBLIC DEBT LIMIT

(a) IN GENERAL.—Section 310(b) of title 31, United States Code, shall not apply for the period beginning on the date of the enactment of this Act and ending on March 1, 2019. 

(b) SPECIAL RULE RELATING TO OBLIGATIONS ISSUED DURING EXTENSION PERIOD.—Effective on March 2, 2019, obligations issued under section 310(b) of title 31, United States Code, shall be increased to the extent that—
(C) QUORUM.—Nine members of the joint committee shall constitute a quorum for purposes of voting and meeting, and 5 members of the joint committee shall constitute a quorum for holding hearings.

(D) VOTING.—No proxy voting shall be allowed on behalf of the members of the joint committee.

(E) MEETINGS.—
   (i) INITIAL MEETING.—Not later than 30 calendar days after the date of enactment of this Act, the joint committee shall hold its first meeting.
   (ii) AGENDA.—The co-chairs of the joint committee shall provide an agenda to the joint committee members not less than 48 hours in advance of any meeting.
   (F) HEARINGS.—
   (i) IN GENERAL.—The joint committee may, for the purpose of carrying out this section, hold such hearings, sit and act at such times and places, require attendance of witnesses and production of books, papers, and documents, take such testimony, receive such evidence, and administer such oaths as the joint committee considers advisable.
   (ii) HEARING PROCEDURES AND RESPONSIBILITIES OF CO-CHAIRS.—
      (I) ANNOUNCEMENT.—The co-chairs of the joint committee shall make a public announcement of the date, place, time, and subject matter of any hearing to be conducted, not less than 7 days in advance of such hearing, unless the co-chairs determine that there is good cause to begin such hearing at an earlier date.
      (II) EQUAL REPRESENTATION OF WITNESSES.—Each co-chair shall be entitled to select an equal number of witnesses for each hearing held by the joint committee.
   (III) WRITTEN STATEMENT.—A witness appearing before the joint committee shall file a written statement of proposed testimony at least 2 calendar days before the appearance of the witness, unless the requirement is waived by the co-chairs of the joint committee, to which the committee must respond promptly. The committee shall only be held to the absence of timely response if there is good cause for failure to comply with such requirement.
   (G) MINIMUM NUMBER OF PUBLIC MEETINGS AND HEARINGS.—The joint committee shall hold—
      (i) not less than a total of 5 public meetings or public hearings; and
      (ii) not less than 3 public hearings, which may include field hearings.
   (H) TECHNICAL ASSISTANCE.—Upon written request of the joint committee acting through the co-chairs, Federal agencies and other Federal or State entities providing legislative branch agencies, shall provide technical assistance to the joint committee in order for the joint committee to carry out its duties.
   (I) STAFFING.—
      (i) DETAILS.—Employees of the legislative branch may be detailed to the joint committee on a nonreimbursable basis.
      (ii) STAFF DIRECTOR.—The co-chairs, acting jointly, may designate one such employee as staff director of the joint committee.
   (J) STANDARDS.—Members on the joint committees shall be subject to the standards of the House of Representatives.
   (K) TERMINATION.—The joint committee shall terminate on December 31, 2018 or 30 days after submission of its final report pursuant to clause (ii) of subsection (d), whichever occurs first.

SEC. 30423. FUNDING.

To enable the joint committee to exercise its powers, functions, and duties under this subtitle, there are authorized to be paid not more than $500,000 from the appropriations account for ‘Expenses of Inquiries and Investigations’ of the Senate and the House for expenses incurred with respect to this section which occurs first.

SEC. 30424. CONSIDERATION OF JOINT COMMITTEE BILL IN THE SENATE.

(a) INTRODUCTION.—Upon receipt of proposed legislative language approved in accordance with section 30422(b)(2)(B)(ii), the language shall be printed in the United States Code before the conclusion of 40 days after the date on which the Senate is in session by the Majority Leader of the Senate or by a Member of the Senate designated by the Majority Leader of the Senate.

(b) COMMITTEE CONSIDERATION.—A joint committee bill introduced in the Senate under subsection (a) shall be jointly referred to the Committee on Finance, the Committee on Education, Labor, and Pensions, which committees shall report the bill without any revision and with a favorable recommendation, no later than 7 session days after introduction of the bill. If either committee fails to report the bill within that period, that committee shall order the automatic discharge from consideration of the bill, and the bill shall be placed on the appropriate calendar.

(c) MOTION TO PROCEED TO CONSIDERATION.—Not later than the last day of each session, the joint committee and the proposed legislative language shall be printed in the Senate and the House and transmitted to the other House of Congress to be known as the ‘Joint Select Committee on Budget and Appropriations Process Reform’. Upon the approval of the joint committee, the joint select committee shall hold a public meeting to receive public testimony on the proposed legislative language under clause (ii) and shall be entitled to 2 calendar days after the day of such notice in which to file such views in writing with the co-chairs. Such views shall then be included in the joint committee report and printed in the same volume, or part thereof, and their inclusion shall be noted on the cover of the report. In the absence of timely notice, the joint committee report may be printed and transmitted immediately without such views.

(d) REPORT TO SENATE.—The report of the joint committee, and the proposed legislative language shall be published in the Congressional Record of the Senate and the House of Representatives.

(e) APPROVAL.—Not later than the last day of each session, the joint committee shall submit its report and legislative language to the Senate and the House of Representatives to be known as the ‘Joint Select Committee on Budget and Appropriations Process Reform’. Upon the approval of the joint committee, the joint select committee shall hold a public meeting to receive public testimony on the proposed legislative language under clause (ii) and shall be entitled to 2 calendar days after the day of such notice in which to file such views in writing with the co-chairs. Such views shall then be included in the joint committee report and printed in the same volume, or part thereof, and their inclusion shall be noted on the cover of the report. In the absence of timely notice, the joint committee report may be printed and transmitted immediately without such views.

(f) VOTING.—Not later than 30 calendar days after the date on which a joint committee bill is reported or discharged from the Committee on Finance and the Committee on Education, Labor, and Pensions, for the Majority Leader of the Senate or the Majority Leader’s designee to move to proceed to the consideration of the joint committee bill. It shall also be in order for any Member of the Senate to move to proceed to the consideration of the joint committee bill at any time after the conclusion of the 2-day period.

(g) CONSIDERATION OF MOTION.—Consideration of the joint committee bill and all debatable motions and appeals in connection therewith shall not exceed 10 hours, which shall be divided equally between the Majority and Minority Leaders or their designees. A motion to further limit debate is in order, shall require an affirmative vote of three-fifths of Members duly chosen and sworn, and is not debatable.

(h) VOTE THRESHOLD.—The motion to proceed to the consideration of the joint committee bill shall be considered a privileged motion, and shall be considered as having the support of three-fifths of Members duly chosen and sworn.

(i) LIMITATIONS.—The motion is not subject to a motion to postpone. All points of order against the motion to proceed to the joint committee bill are waived. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order.

(j) DEADLINE.—Not later than the last day of the 115th Congress, the Senate shall vote on a motion to proceed to the joint committee bill.

(k) DUTIES.—The joint committee shall provide recommendations and legislative language under clause (ii) that shall be entitled to 2 calendar days after the day of such notice in which to file such views in writing with the co-chairs. Such views shall then be included in the joint committee report and printed in the same volume, or part thereof, and their inclusion shall be noted on the cover of the report. In the absence of timely notice, the joint committee report may be printed and transmitted immediately without such views.

(l) TECHNICAL ASSISTANCE.—Upon written request of the joint committee, the Joint Select Committee on Budget and Appropriations Process Reform shall provide technical assistance to the joint committee in order for the joint committee to carry out its duties.

(m) STAFF.—The co-chairs shall have the authority to employ staff as necessary to carry out the purpose of carrying out this section, hold hearings, sit and act at such times and places, require attendance of witnesses and production of books, papers, and documents, take such testimony, receive such evidence, and administer such oaths as the joint committee considers advisable.

(n) MINIMUM NUMBER OF PUBLIC MEETINGS AND HEARINGS.—The joint committee shall hold—
      (i) not less than a total of 5 public meetings or public hearings; and
      (ii) not less than 3 public hearings, which may include field hearings.
   (o) TECHNICAL ASSISTANCE.—Upon written request of the joint committee, the Joint Select Committee on Budget and Appropriations Process Reform shall provide technical assistance to the joint committee in order for the joint committee to carry out its duties.
   (p) STAFF.—The co-chairs shall have the authority to employ staff as necessary to carry out the purpose of carrying out this section, hold hearings, sit and act at such times and places, require attendance of witnesses and production of books, papers, and documents, take such testimony, receive such evidence, and administer such oaths as the joint committee considers advisable.

(q) MINIMUM NUMBER OF PUBLIC MEETINGS AND HEARINGS.—The joint committee shall hold—
      (i) not less than a total of 5 public meetings or public hearings; and
      (ii) not less than 3 public hearings, which may include field hearings.
   (r) TECHNICAL ASSISTANCE.—Upon written request of the joint committee, the Joint Select Committee on Budget and Appropriations Process Reform shall provide technical assistance to the joint committee in order for the joint committee to carry out its duties.
   (s) STAFF.—The co-chairs shall have the authority to employ staff as necessary to carry out the purpose of carrying out this section, hold hearings, sit and act at such times and places, require attendance of witnesses and production of books, papers, and documents, take such testimony, receive such evidence, and administer such oaths as the joint committee considers advisable.
(3) MEMBERSHIP.—
(A) IN GENERAL.—The joint committee shall be composed of 16 members appointed pursuant to subparagraph (B).

(B) APPOINTMENT.—Members of the joint committee shall be appointed as follows:
(i) The Speaker of the House of Representatives shall appoint 4 members from among Members of the House of Representatives.
(ii) The Minority Leader of the House of Representatives shall appoint 4 members from among Members of the House of Representatives.
(iii) The Majority Leader of the Senate shall appoint 4 members from among Members of the Senate.
(iv) The Minority Leader of the Senate shall appoint 4 members from among Members of the Senate.

(C) CO-CHAIRS.—Two of the appointed members of the joint committee will serve as co-chairs. The Speaker of the House of Representatives and the Majority Leader of the Senate shall jointly appoint one co-chair, and the Minority Leader of the House of Representatives and the Minority Leader of the Senate shall jointly appoint the second co-chair. The co-chairs shall be appointed not later than 14 calendar days after the date of enactment of this Act.

(D) DATE.—Members of the joint committee shall be appointed not later than 14 calendar days after the date of enactment of this Act.

(E) APPOINTMENT.—Members shall be appointed for the life of the joint committee. Any vacancy in the joint committee shall not affect its powers, but shall be filled not later than 14 calendar days after the date on which the vacancy occurs, in the same manner as the original appointment was made. If a member of the joint committee ceases to be a Member of the House of Representatives or the Senate, as the case may be, the member is no longer a member of the joint committee and a vacancy shall exist.

(4) ADMINISTRATION.
(A) IN GENERAL.—To enable the joint committee to exercise its powers, functions, and duties under this subtitle, there are authorized to be disbursed by the Senate the actual and necessary expenses of the joint committee approved by the co-chairs, subject to the rules and regulations of the Senate.

(B) APPOINTMENT.—To enable the joint committee to exercise its powers, functions, and duties under this subtitle, there are authorized to be appropriated for each fiscal year such sums as may be necessary, to be disbursed by the Secretary of the Senate on vouchers signed by the co-chairs.

(C) QUORUM.—Nine members of the joint committee shall constitute a quorum for purposes of voting and meeting, and 5 members of the joint committee shall constitute a quorum for holding hearings.

(D) VOTING.—No proxy voting shall be allowed on behalf of the members of the joint committee.

(E) MEETINGS.—
(i) INITIAL MEETING.—Not later than 30 calendar days after the date of enactment of this Act, the joint committee shall hold its first meeting.

(ii) AGENDA.—The co-chairs of the joint committee shall provide an agenda to the joint committee members not less than 48 hours in advance of any meeting.

(F) HEARINGS.—
(i) IN GENERAL.—The joint committee may, for the purpose of carrying out this section, hold such hearings at such times and places, require attendance of witnesses and production of books, papers, and documents, take such evidence, and issue such evidentiary subpoenas for the attendance of witnesses as the Secretary of the Senate or the co-chairs, as the case may be, may deem necessary.

(ii) REQUIREMENT.—The joint committee shall hold such hearings at such times and places, require attendance of witnesses and production of books, papers, and documents, take such evidence, and issue such evidentiary subpoenas for the attendance of witnesses as the Secretary of the Senate or the co-chairs, as the case may be, may deem necessary.

(iii) WRITTEN STATEMENT.—A witness appearing before the joint committee shall file a written statement of proposed testimony at least 2 calendar days before the date of the hearing, unless the requirement is waived by the co-chairs, following their determination that there is good cause for failure to comply with such requirement.

(iv) MANDATORY.—The joint committee shall hold public hearings; and
(v) REQUIREMENT.—The joint committee shall hold not less than a total of 5 public meetings or public hearings; and

(G) TECHNICAL ASSISTANCE.—Upon written request of the co-chairs, a Federal agency, including legislative branch agencies, shall provide technical assistance to the joint committee in order for the joint committee to carry out its duties.

(I) STAFFING.—
(i) DETAILS.—Employees of the legislative branch may be detailed to the joint committee on a nonreimbursable basis.

(ii) STAFF DIRECTOR.—The co-chairs, acting jointly, may detail an employee as staff director of the joint committee.

(c) ETHICAL STANDARDS.—Members on the joint committee who serve in the House of Representatives shall comply with the ethics rules and requirements of the House. Members of the Senate who serve on the joint committee shall comply with the ethics rules of the Senate.

(d) TERMINATION.—The joint committee shall terminate on December 31, 2018 or 30 days after submission of its report and legislative recommendations pursuant to this section which ever occurs first.

SEC. 30443. FUNDING.
To enable the joint committee to exercise its powers, functions, and duties under this subtitle, there are authorized to be disbursed not more than $690,000 from unobligated balances and unexpended balances for expenses of investigations and investigations and public hearings.

SEC. 30444. CONSIDERATION OF JOINT COMMITTEE BILL IN THE SENATE.
(a) INTRODUCTION.—Upon receipt of proposed legislation approved in accordance with section 30442(b)(2)(B)(ii), the language shall be introduced in the Senate (by request) on the next day on which the Senate is in session by the Majority Leader of the Senate or by a Member of the Senate designated by the Majority Leader of the Senate.

(b) COMMITTEE CONSIDERATION.—A joint committee bill introduced in the Senate under subsection (a) shall be referred to the Committee on the Budget, which shall report the bill without any revision and with a favorable recommendation, or without recommendation, no later than 7 session days after introduction of the bill. If the Committee on the Budget fails to report the bill within such time, the joint committee shall automatically discharge consideration of the bill, and the bill shall be placed on the appropriate calendar.

(c) MOTION TO PROCEED TO CONSIDERATION.—
(I) IN GENERAL.—Notwithstanding rule XXII of the Standing Rules of the Senate, it is in order, not later than 2 days of session after the date on which a joint committee bill is reported or discharged from the Committee on the Budget, for the Majority Leader of the Senate or the Majority Leader’s designee to move to proceed to the consideration of the joint committee bill. It shall also be in order for any Member of the Senate to move to proceed to the consideration of the joint committee bill at any time after the conclusion of such 2-day period.

(2) CONSIDERATION OF MOTION.—Consideration of the motion to proceed to the consideration of the joint committee bill and all debatable motions and appeals in connection therewith shall not exceed 10 hours, which shall be divided equally between the Majority and Minority Leaders or their designees. A motion to further limit debate is in order, shall require an affirmative vote of three-fifths of Members duly chosen and sworn, and is not debatable.

(3) VOTE THRESHOLD.—The motion to proceed to the consideration of the joint committee bill shall only be agreed to upon an affirmative vote of the three-fifths of Members duly chosen and sworn.

(4) LIMITATIONS.—The motion is not subject to a motion to postpone. All points of order against the motion to proceed to the joint committee bill are waived. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order.

(5) DEADLINE.—Not later than the last day of the 115th Congress, the Senate shall vote on a motion to proceed to the joint committee bill.

(d) RULES OF SENATE.—This section is enacted by Congress—
(1) as an exercise of the rulemaking power of the Senate, and as such is deemed a part of the rules of the Senate, but applicable only with respect to the procedure to be followed in the Senate in the case of a joint committee bill, and supersedes other rules only to the extent that they are inconsistent with such rules;

(2) with full recognition of the constitutional right of the Senate to change the rules (so far as relating to the procedure of the Senate) at any time, in the same manner, and to the same extent as in the case of any other rule of the Senate.
Sec. 40307. Extension of election to expense
mine safety equipment.
Sec. 40308. Extension of special expensing rules
for certain productions.
Sec. 40309. Extension of deduction allowable
with respect to income attributable
to domestic production activities
in Puerto Rico.
Sec. 40310. Extension of deduction relating to
qualified timber gain.
Sec. 40311. Extension of empowerment zone tax
incentives.
Sec. 40312. Extension of American Samoa eco-
nomic development credit.
Subtitle C—Incentives for Energy Production
and Conservation
Sec. 40401. Extension of credit for nonbusiness
energy property.
Sec. 40402. Extension and modification of credit
for residential energy property.
Sec. 40403. Extension of credit for new qualified
fuel cell motor vehicles.
Sec. 40404. Extension of credit for alternative
fuel vehicle refueling property.
Sec. 40405. Extension of credit for 2-wheeled
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Sec. 40406. Extension of second generation
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cient new homes.
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Sec. 40413. Extension of energy efficient com-
mercial buildings deduction.
Sec. 40414. Extension of special rule for sales or
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or State electric restructuring pol-
cy for qualified electric utilities.
Sec. 40415. Extension of excise tax credits relat-
ing to alternative fuels.
Sec. 40416. Extension of Oil Spill Liability Trust
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Subtitle D—Modifications of Energy Incentives
Sec. 40501. Modifications of credits for produc-
tion from advanced nuclear power
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TITLE II—MISCELLANEOUS PROVISIONS
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gross income amounts received by
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als.
Sec. 41004. Individuals held harmless on
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Sec. 41005. Modification of user fee require-
ments for installment agreements.
Sec. 41006. Form 1040SR for seniors.
Sec. 41007. Attorneys fees relating to awards to
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Sec. 41008. Clarification of whistleblower
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Sec. 41009. Clarification regarding excise tax
beneﬁs of student loan interest of
private colleges and universities.
Sec. 41100. Exception from private foundation
excess business holding tax for
independently-operated philan-
thropic business holdings.
Sec. 41101. Rule of construction for Craft Bev-
age Modernization and Tax Re-
form.
Sec. 41102. Simpliﬁcation of rules regarding
record, statements, and returns.
Sec. 41113. Modiﬁcation of rules governing
hardship distributions.
Sec. 41114. Modiﬁcation of rules relating to
hardship withdrawals from cash
bonuses.
Sec. 41115. Opportunity Zones rule for Puerto
Rico.
Sec. 41116. Tax home of certain citizens or resi-
dents of the United States living
abroad.
Sec. 41117. Treatment of foreign persons for re-
turns relating to payments made in
settlement of payment card and
third party network transactions.
Sec. 41118. Repeal of shift in time of payment
of corporate estimated taxes.
Sec. 41119. Enhancement of carbon dioxide se-
questration credit.
TITITLE I—EXTENSION OF EXPIRING PROVISIONS
SEC. 40101. AMENDMENT OF INTERNAL REVENUE
CODE OF 1986.
Except as otherwise expressly provided, when-
ever in this title an amendment or repeal is ex-
pressed in terms of an amendment to, or repeal
of, a section or other provision, the reference
shall be considered to be made to a section or
other provision of the Internal Revenue Code of
1986.
Subtitle A—Tax Relief for Families and
Individuals
SEC. 40201. EXTENSION OF EXCLUSION FROM
GROSS INCOME OF DISCHARGE OF QUALIFIED
PRINCIPAL RESIDENCE INDEBTEDNESS.
(a) In General.—Section 108(a)(1)(E) is
amended by striking “January 1, 2017” each
place it appears and inserting “January 1, 2018”.
(b) Effective Date.—The amendments
made by this section shall be applied—
(1) to expenditures paid or incurred in
taxable years beginning after December 31, 2016.
SEC. 40202. EXTENSION OF MORTGAGE INSUR-
ANCE PREMIUMS TREATED AS QUALIFIED RESIDENCE
INTE
(a) In General.—Subclause (I) of section
163(h)(3)(E)(ii) is amended by striking “Decem-
ber 31, 2016” and inserting “December 31, 2017”.
(b) Effective Date.—The amendment
made by this section shall be applied to
amounts paid or accrued after December 31, 2016.
SEC. 40203. EXTENSION OF ABOVE-THE-LINE DE-
DUCTION FOR QUALIFIED TUITION AND RELATED
EXPENSES.
(a) In General.—Section 222(e) is amended
by striking “December 31, 2016” and inserting “De-
cember 31, 2017”.
(b) Effective Date.—The amendment
made by this section shall apply to taxable
years beginning after December 31, 2016.
Subtitle B—Incentives for Growth, Jobs,
Investment, and Innovation
SEC. 40301. EXTENSION OF INDIAN EMPLOYMENT
TAX CREDIT.
(a) In General.—Section 45A(f) is
amended by striking “December 31, 2016” and
inserting “December 31, 2017”.
(b) Effective Date.—The amendment
made by this section shall apply to taxable
years beginning after December 31, 2016.
SEC. 40302. EXTENSION OF RAILROAD TRACK
MAINTENANCE CREDIT.
(a) In General.—Section 45G(f) is
amended by striking “January 1, 2017” and
inserting “January 1, 2018”.
(b) Effective Date.—(1) In General.—The amendment
made by this section shall apply to expenditures paid or
incurred in taxable years beginning after De-
cember 31, 2016.
(2) Safe Harbor Assignments.—Assignments,
including related expenditures paid or incurred,
under paragraph (2) of section 45G(b) of the In-
ternal Revenue Code for taxable years ending after January 1, 2017, and before Janu-
ary 1, 2018, shall be treated as effective as of the
close of such taxable year if made pursuant to
a written agreement entered into no later than
90 days following the date of the enactment
of this Act.
SEC. 40303. EXTENSION OF MINE RESCUE TEAM
TRAINING CREDIT.
(a) In General.—Section 45N(e) is amended
by striking “December 31, 2016” and inserting “December 31, 2017”.
(b) Effective Date.—The amendment
made by this section shall apply to taxable
years beginning after December 31, 2016.
SEC. 40304. EXTENSION OF CLASSIFICATION OF CERTAIN RACE HORSES AS 3-YEAR
PROPERTY.
(a) In General.—Section 168(h)(3)(A)(i) is
amended—
(1) by striking “January 1, 2017” in subclause
(I) and inserting “January 1, 2018”, and
(2) by striking “December 31, 2016” in sub-
clause (II) and inserting “December 31, 2017”.
(b) Effective Date.—The amendments
made by this section shall apply to property placed in
service after December 31, 2016.
SEC. 40305. 2018 3-YEAR RECOVERY PERIOD FOR MOTORSPORTS ENTERTAINMENT COMPLEXES.
SEC. 40306. EXTENSION OF ACCELERATED DEPRECIATION FOR BUSINESS PROPERTY ON AN INDIVIDUAL BASIS.
(a) In General.—Section 168(h)(9) is amended
by striking “December 31, 2016” and inserting “December 31, 2017”.
(b) Effective Date.—The amendment
made by this section shall apply to property placed in
service after December 31, 2016.
SEC. 40307. EXTENSION OF ELECTION TO EXPENSE SAFETY EQUIPMENT.
(a) In General.—Section 41116 is amended
by striking “December 31, 2016” and inserting “December 31, 2017”.
(b) Effective Date.—The amendment
made by this section shall apply to property placed in
service after December 31, 2016.
SEC. 40308. EXTENSION OF SPECIAL EXPENSING RULES FOR CERTAIN PRODUCTIONS.
(a) In General.—Section 45G(f) is amended
by striking “December 31, 2016” and inserting “December 31, 2017”.
(b) Effective Date.—The amendment
made by this section shall apply to productions commencing after December 31, 2016.
SEC. 40309. EXTENSION OF DEDUCTION ALLOWABLE WITH RESPECT TO INCOME ATTRIBUTABLE TO BUSINESS ACTIVITY IN PUERTO RICO.
For purposes of applying section 199(d)(5)(C) of the Internal Revenue Code of 1986 with respect
to taxable years beginning during 2017, such section shall be applied—
(1) by substituting “first 12 taxable years” for
“first 11 taxable years”, and
(2) by substituting “January 1, 2017” for
“January 1, 2016”.
SEC. 40310. EXTENSION OF SPECIAL RULE RELATING TO QUALIFIED TIMBER GAIN.
For purposes of applying section 1201(b) of the Internal Revenue Code of 1986 with respect
to taxable years beginning during 2017, such section shall be applied by substituting “2016” or
“2017” for “2015”.
SEC. 40311. EXTENSION OF EMPowerMENT ZONE TAX INCENTIVES.
(a) In General.—Section 1394(d)(1)(A)(i) is
amended by striking “December 31, 2016” and inserting “December 31, 2017”.
(2) Treatment of Certain Termination Dates Specified in Notice 2015-80.—In the case of
a designation of an empowerment zone the
nomination for which included a termination
date which is contemporaneous with the date specified in subparagraph (A)(i) of section 1391(d)(1) of the Internal Revenue Code of 1986 (as in effect before the enactment of this Act), subsection (B) of such section shall not apply with respect to such designation if, after the date of the enactment of this section, the entity which made such nomination amends the nomination for a new termination date in such manner as the Secretary of the Treasury (or the Secretary’s designee) may provide.

(b) EFFECTIVE DATE.—The amendment made by subsection (a)(1) shall apply to taxable years beginning after December 31, 2016.

SEC. 40312. MODIFICATION OF AMERICAN SAMOA ECONOMIC DEVELOPMENT CREDIT.

(a) IN GENERAL.—Section 119 of division A of the Tax Relief and Health Care Act of 2006 is amended—

(1) in subsection (d)—

(A) by striking “January 1, 2017” each place it appears and inserting “January 1, 2018”,

(B) by striking “first 11 taxable years” in paragraph (1) and inserting “first 12 taxable years”, and

(C) by striking “first 5 taxable years” in paragraph (2) and inserting “first 6 taxable years”, and

(2) in subsection (e), by adding at the end the following: “References in this subsection to section 199 of the Internal Revenue Code of 1986 shall be treated as references to such section as in effect before the date that is 3 years after the date of the enactment of this Act.”

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2016.

Subtitle C—Incentives for Energy Production and Conservation

SEC. 40401. EXTENSION OF CREDIT FOR NONBUSINESS ENERGY PROPERTY.

(a) IN GENERAL.—Section 25C(h)(2) is amended by striking “December 31, 2016” and inserting “December 31, 2017”.

(b) EFFECTIVE DATE.—The amendment made by this subsection shall apply to property placed in service after December 31, 2016.

SEC. 40402. EXTENSION AND MODIFICATION OF CREDIT FOR RESIDENTIAL ENERGY PROPERTY.

(a) IN GENERAL.—Section 25D(h) is amended by striking “December 31, 2016” and all that follows and inserting “December 31, 2021”.

(b) PHASEOUT.—

(1) IN GENERAL.—Section 25D(a) is amended by striking “the sum of—” and all that follows and inserting “the sum of the applicable percentages of—

“(1) the qualified solar electric property expenditures,

“(2) the qualified solar water heating property expenditures,

“(3) the qualified fuel cell property expenditures,

“(4) the qualified small wind energy property expenditures, and

“(5) the qualified geothermal heat pump property expenditures, made by the taxpayer during such year.”.

(2) CONFORMING AMENDMENT.—Section 25D(g) is amended by striking “paragraphs (1) and (2)” of that section.

(c) EFFECTIVE DATE.—The amendment made by this subsection shall apply to property placed in service after December 31, 2016.

SEC. 40403. EXTENSION OF CREDIT FOR NEW QUALIFIED FUEL CELL MOTOR VEHICLES.

(a) IN GENERAL.—Section 30(b)(1) is amended by striking “December 31, 2016” and inserting “December 31, 2017”.

(b) EFFECTIVE DATE.—The amendment made by this subsection shall apply to property placed in service after December 31, 2016.

SEC. 40404. EXTENSION OF CREDIT FOR ALTERNATIVE FUEL VEHICLE REFUELING PROPERTY.

(a) IN GENERAL.—Section 30(c) is amended by striking “December 31, 2016” and inserting “December 31, 2017”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2016.

SEC. 40405. EXTENSION OF CREDIT FOR 2-WHEELER PLUG-IN ELECTRIC VEHICLES.

(a) IN GENERAL.—Section 30(j)(3)(E)(ii) is amended by striking “January 1, 2017” and inserting “January 1, 2018”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to vehicles acquired after December 31, 2016.

SEC. 40406. EXTENSION OF SECOND GENERATION BIOFUEL PRODUCER CREDIT.

(a) IN GENERAL.—Section 40(b)(6)(J)(i) is amended by striking “January 1, 2017” and inserting “January 1, 2018”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to qualified second generation biofuel production after December 31, 2016.

SEC. 40407. EXTENSION OF BIODEisel AND RE-NEWABLE DIESEL incentIVES.

(a) INCOME TAX CREDIT.—

(1) IN GENERAL.—Section 40(a) of division C of the Tax Relief and Health Care Act of 2006 is amended by striking “December 31, 2016” and inserting “December 31, 2017”.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to fuel sold or used after December 31, 2016.

(b) EXCISE TAX INCENTIVES.—

(1) IN GENERAL.—Section 6424(c) is amended by striking “December 31, 2016” and inserting “December 31, 2017”.

(2) PAYMENTS.—Section 6424(c)(6)(B) is amended by striking “December 31, 2016” and inserting “December 31, 2017”.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to fuel sold or used after December 31, 2016.

SEC. 40408. EXTENSION OF PRODUCTION CREDIT FOR INDIAN COAL FACILITIES.

(a) IN GENERAL.—Section 45(e)(10)(A) is amended by striking “11-year period” each place it appears and inserting “12-year period”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to coal produced after December 31, 2016.

SEC. 40409. EXTENSION OF CREDITS WITH REPECT TO FACILITIES PRODUCING ENERGY FROM CERTAIN RENEWABLE RESOURCES.

(a) IN GENERAL.—The following provisions of section 45(d) are each amended by striking “January 1, 2017” each place it appears and inserting “January 1, 2018”:

(1) Paragraph (5),

(2) Paragraph (5)(A),

(3) Paragraph (4)(B).

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on January 1, 2017.

SEC. 40410. EXTENSION OF CREDIT FOR ENERGY-EFFICIENT NEW HOMES.

(a) IN GENERAL.—Section 45L(g) is amended by striking “December 31, 2016” and inserting “December 31, 2017”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to homes acquired after December 31, 2016.

SEC. 40411. EXTENSION AND PHASEOUT OF ENERGY CREDIT.

(a) EXTENSION OF SOLAR AND THERMAL ENERGY PROPERTY.—Section 40(a)(3)(A) is amended—

(1) by striking “periods ending before January 1, 2017” in clause (ii) and inserting “property the construction of which begins before January 1, 2017”;

(2) by striking “periods ending before January 1, 2017” in clause (vii) and inserting “property the construction of which begins before January 1, 2017”;

(b) PHASEOUT OF 30-PERCENT CREDIT RATE FOR FIBER-OPTIC SOLAR, QUALIFIED FUEL CELL, AND QUALIFIED SMALL WIND ENERGY PROPERTY.—

(1) IN GENERAL.—Section 48(a) is amended by adding at the end the following new paragraph:

“(7) PHASEOUT FOR FIBER-OPTIC SOLAR, QUALIFIED FUEL CELL, AND QUALIFIED SMALL WIND ENERGY PROPERTY.—

“(A) IN GENERAL.—Subject to subparagraph (B), the case of any qualified fuel cell property, qualified small wind energy property, or energy property described in paragraph (3)(A)(ii), the energy percentage determined under paragraph (2) shall be equal to—

“(i) in the case of any property the construction of which begins after December 31, 2019, and before January 1, 2021, 26 percent, and

“(ii) in the case of any property the construction of which begins after December 31, 2020, and before January 1, 2022, 22 percent.

“(B) PLACED IN SERVICE DEADLINE.—In the case of any energy property by reason of this paragraph (A) which is not placed in service before January 1, 2024, the energy percentage determined under paragraph (2) shall be equal to 0 percent.”

(2) CONFORMING AMENDMENT.—Section 48(a)(2)(A) is amended by striking “paragraph (6)” and inserting “paragraphs (6) and (7)”.

(3) CLARIFICATION RELATING TO PHASEOUT FOR WIND FACILITIES.—Section 48(a)(5)(E) is amended by inserting “which is treated as energy property by reason of this paragraph” after “operation of wind to produce electricity.”

(c) EXTENSION OF QUALIFIED FUEL CELL PROPERTY.—Section 48(c)(1)(D) is amended by striking “for any period after December 31, 2016” and inserting “the construction of which does not begin before January 1, 2022”.

(d) EXTENSION OF QUALIFIED MICROTURBINE PROPERTY.—Section 48(c)(2)(D) is amended by striking “for any period after December 31, 2016” and inserting “the construction of which does not begin before January 1, 2022”.

(e) EXTENSION OF COMBINED HEAT AND POWER SYSTEM PROPERTY.—Section 48(c)(3)(A)(iv) is amended by striking “which is placed in service before January 1, 2017” and inserting “the construction of which begins before January 1, 2022”.

(f) EXTENSION OF QUALIFIED SMALL WIND ENERGY PROPERTY.—Section 48(c)(4)(C) is amended by striking “for any period after December 31, 2016” and inserting “the construction of which does not begin before January 1, 2022”.

February 8, 2018
(g) **Effective Date.**—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to periods after December 31, 2016, under section 48(m) of the Internal Revenue Code of 1986 (as in effect on the day before the date of the enactment of the Revenue Reconciliation Act of 1990). (2) **Effective Date.**—The amendments made by this section shall apply to periods after December 31, 2016.

SEC. 4042. **Extension of Special Allowance for Second Generation Biofuel Plant Property.**

(a) **In General.**—Section 168(j)(2)(D) is amended by striking “January 1, 2017” and inserting “January 1, 2018”.

(b) **Effective Date.**—The amendment made by this section shall apply to property placed in service after December 31, 2016.

SEC. 4043. **Extension of Energy Efficient Commercial Buildings Deduction.**

(a) **In General.**—Section 179D(h) is amended by striking “December 31, 2016” and inserting “December 31, 2017”.

(b) **Effective Date.**—The amendment made by this section shall apply to property placed in service after December 31, 2016.

SEC. 4044. **Extension of Special Rule for Sales or Dispositions to Implement FERC or State Electric Restructuring Policy for Qualified Electric Utilities.**

(a) **In General.**—Section 451(k)(3), as amended by section 13221 of Public Law 115–97, is amended by striking “January 1, 2017” and inserting “January 1, 2018”.

(b) **Effective Date.**—The amendment made by this section shall apply to dispositions after December 31, 2016.

SEC. 4045. **Extension of Excise Tax Credits Relating to Alternative Fuels.**

(a) **Extension of Alternative Fuels Excise Tax Credits.**—

(1) **In General.**—Sections 6226(d)(5) and 6426(e)(3) are each amended by striking “December 31, 2016” and inserting “December 31, 2017”.

(2) **Special Rule for Alternative Fuels.**—Section 6427(e)(6) is amended by striking “December 31, 2016” and inserting “December 31, 2017”.

(b) **Effective Date.**—The amendments made by this subsection shall apply to fuel sold or used after December 31, 2016.

(b) **Special Rule for 2017.**—Notwithstanding any other provision of law, in the case of any alternative fuel credit properly determined under section 6246(d) of the Internal Revenue Code of 1986 for the period beginning on January 1, 2017, and ending on December 31, 2017, such credit shall be allowed, and any refund or payment attributable to such credit (including any payment under section 6427(e) of such Code) shall be in such manner as the Secretary of the Treasury (or the Secretary’s delegate) shall provide. Such Secretary shall issue guidance within 30 days after the date of the enactment of this Act providing for a one-time submission of claims covering periods described in the preceding sentence. Such guidance shall provide for a 180-day period for the submission of such claims (in such manner as prescribed by such Secretary) to begin not later than 30 days after such guidance is issued. Such claims shall be paid by such Secretary not later than 90 days after such period. If such Secretary has not paid pursuant to a claim filed under this subsection within 60 days after the filing of such claim, the claim shall be paid with interest at the overpayment rate and method under section 6621 of such Code.

SEC. 4046. **Extension of Oil Spill Liability Trust Fund Financing Rate.**

(a) **In General.**—Section 4111(c)(2) is amended by striking “December 31, 2017” and inserting “December 31, 2018”.

(b) **Effective Date.**—The amendment made by this section shall apply and after the first day of the first period beginning after the date of the enactment of this Act.

Subtitle D—Modifications of Energy Incentives

SEC. 40501. **Modifications of Credit for Production of Advanced Nuclear Power Facilities.**

(a) **Treatment of Untreated Limitation Amounts.**—Section 45(1)(b) is amended—

(1) by inserting “or any amendment to” after “enactment of” in paragraph (4), and

(2) by adding at the end the following new paragraph:

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(5) ALLOCATION OF UNTREATED LIMITATION.

(A) IN GENERAL.—Any untaxed national megawatt capacity limitation shall be allocated by the Secretary under paragraph (3) as rapidly as is practicable after December 31, 2020—

(i) first to facilities placed in service on or before such date to the extent that such facilities did not receive an allocation equal to their full nameplate capacity, and

(ii) then to facilities placed in service after such date in the order in which such facilities are placed in service.

(B) UNTREATED NATIONAL MEGAWATT CAPACITY LIMITATION.—The term ‘untaxed national megawatt capacity limitation’ means the excess (if any) of—

(i) 6,000 megawatts, over

(ii) the aggregate amount of national megawatt capacity limitation allocated by the Secretary before January 1, 2021, reduced by any amount of such limitation which was allocated to a facility which was not placed in service before such date, and

(C) COORDINATION WITH OTHER PROVISIONS.—In the case of any untaxed national megawatt capacity limitation allocated by the Secretary pursuant to this paragraph—

(i) such allocation shall be treated for purposes of this section in the same manner as an allocation of national megawatt capacity limitation, and

(ii) subsection (d)(1)(B) shall not apply to any facility which receives such allocation.
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the amount of taxes collected under section 5001(a)(1) shall be determined without regard to section 5001(c)."

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to returns to which it applies from taxable years beginning after December 31, 2017.

SEC. 41103. EXTENSION OF WAIVER LIMITATION FOR SUBJECTS ELIGIBLE FOR SMALL INCOME TAX RETURNS.

(a) IN GENERAL.—Section 304(d) of the Protecting Americans from Tax Hikes Act of 2015 (26 U.S.C. 139F note) is amended by striking "1-year" and inserting "3-year".

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act.

SEC. 41104. DETECTING AND FIELD HARMS ON IMPROPER LEVY ON RETIREMENT PLANS.

(a) IN GENERAL.—Section 6343 is amended by adding at the end the following new subsection:

""(f) INDIVIDUALS HELD HARMLESS ON WRONGFUL LEVY, ETC. ON RETIREMENT PLAN.—

""(1) IN GENERAL.—If any amount is includible in the taxable year which is returned, notify the taxpayer in writing of the levy and any contribution to which a rollover contribution of a distribution from the plan levied upon is permitted.''.

""(2) WAIVER.—In the case of any taxpayer with an adjusted gross income, as determined for the most recent year for which such information is available, which does not exceed 250 percent of the applicable poverty level as defined by the Secretary—

""(A) if the taxpayer agrees to make payments under the installment agreement by electronic payment through a debit instrument, the Secretary shall, upon completion of the installment agreement, pay the taxpayer an amount equal to any such fees imposed.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to agreements entered on or after the date which is 60 days after the date of the enactment of this Act.

SEC. 41105. MODIFICATION OF USER FEE REQUIREMENTS FOR INSTALLMENT AGREEMENTS.

(a) IN GENERAL.—Section 6159 is amended by redesignating subsection (f) as subsection (g) and by inserting after subsection (e) the following new subsection:

""(f) INSTALLMENT AGREEMENT FEES.—

""(1) LIMITATION ON FEE AMOUNT.—The amount of any fee imposed on an installment agreement under this section may not exceed 25 percent of the amount of any fee imposed on an installment agreement made by this section shall apply to amounts paid into such eligible retirement plan if such contribution were described in section 402(c), 408A(d)(3), or 457(e)(16), whichever is applicable.

""(A) IN GENERAL.—If any amount is includible in the taxable year, section 31, 2017.

""(B) MAY NOT EXCEED AWARD.—Subparagraph (A) shall not apply to any deduction in excess of the amount includible in the taxpayer's gross income for the taxable year on account of such award.''.

""(2) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2017.

SEC. 41108. CLARIFICATION OF WHISTLEBLOWER AWARD.

(a) DEFINITION OF PROCEEDS.—

""(1) IN GENERAL.—Section 7623 is amended by adding at the end the following new subsection:

""(21) ATTORNEYS' FEES RELATING TO AWARDS TO WHISTLEBLOWERS.—

""(A) IN GENERAL.—Any deduction allowable to the Secretary for attorneys' fees relating to awards to whistle-blowers shall be treated as earnings within the plan after the determination described in subsection (d)(2)(A) with respect to a levy upon an individual retirement plan.''

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2017.

SEC. 41109. CLARIFICATION REGARDING EXCISE TAX BASED ON INVESTMENT INCOME OF PRIVATE COLLEGES AND UNIVERSITIES.

(a) IN GENERAL.—Section 4963, as added by section 13701(a) of Public Law 117–2, is amended—

""(1) by inserting "tuition-paying" after "500" in subparagraph (A), and

""(2) by inserting "tuition-paying" after "50 percent" in subparagraph (B)."

""(2) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2017.

SEC. 41110. EXCLUSION OF PRIVATE FOUNDATION EXCESS BUSINESS HOLDING TAX FOR INDEPENDENTLY-OPERATED PHILANTHORIC BUSINESS HOLDINGS.

(a) IN GENERAL.—Section 4943 is amended by adding at the end the following new subsection:

""(B) MAY NOT APPLY.—Subparagraph (A) shall not apply to any deduction in excess of the amount includible in the taxpayer's gross income for the taxable year on account of such award.''.

""(2) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2017.

SEC. 41110. EXCLUSION OF PRIVATE FOUNDATION EXCESS BUSINESS HOLDING TAX FOR INDEPENDENTLY-OPERATED PHILANTHORIC BUSINESS—

""(2) ATTORNEYS' FEES RELATING TO AWARDS TO WHISTLEBLOWERS.—

""(A) IN GENERAL.—Any deduction allowable under this chapter for attorney fees and court costs paid by, or on behalf of, the taxpayer in connection with any award under—

""(i) section 7623(b), or

""(ii) in the case of taxable years beginning after December 31, 2017, any action brought under—


""(II) a State law relating to false or fraudulent claims that meets the requirements described in section 1912(b)(1) of the Social Security Act (42 U.S.C. 1395ww(d)), and


""(B) MAY NOT EXCEED AWARD.—Subparagraph (A) shall not be treated as making any contribution to which a rollover contribution under this subsection is permitted, but only if such contribution is made not later than the due date (not including extensions) for filing the return of tax for the taxable year in which such property or amount of money is returned, and

""(B) the Secretary shall, at the time such property or amount of money is returned, notify such individual that a contribution described in subparagraph (A) may be made.

""(2) TREATMENT AS ROLLOVER.—The distribution of the amount of any fee imposed on an installment agreement made by this section shall apply to amounts paid into such eligible retirement plan if such contribution were described in section 402(c), 408A(d)(3), or 457(e)(16), whichever is applicable.

""(A) the contribution shall be treated as having been made for the taxable year in which the distribution on account of the levy occurred, and the interest paid under subsection (c) shall be treated as earnings within the plan after the contribution and shall not be included in gross income, and

""(B) such contribution shall not be taken into account under section 408(d)(3)(B).

""(3) REFUND, ETC., OF INCOME TAX ON LEVY.—

""(A) IN GENERAL.—If any amount is includible in gross income for a taxable year by reason of a distribution on account of a levy referred to in paragraph (1) and any portion of such amount is treated as a rollover contribution under paragraph (2), the amount described by chapter 21 on such portion shall not be assessed, and if assessed shall be abated, and if collected shall be credited or refunded as an overpayment made on the due date for filing the return of tax for such taxable year.

""(B) EXCEPTION.—Subparagraph (A) shall not apply to a rollover contribution under this subsection which is made from an eligible retirement plan which is not a Roth IRA or a designated Roth account (within the meaning of section 402A) to a Roth IRA or a designated Roth account under an eligible retirement plan.

""(4) INTEREST.—Notwithstanding subsection (d), interest shall be allowed under subsection (c) in a case in which the Secretary makes a determination described in subsection (d)(2)(A) with respect to a levy upon an individual retirement plan.

""(f) TREATMENT OF INHERITED ACCOUNTS.—

""(A) IN GENERAL.—Section 41108 is amended by adding at the end the following new subsection:

""(B) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2017.
SEC. 1112. SIMPLIFICATION OF RULES REGARDING RECORDS, STATEMENTS, AND RETURNS.

(a) In General.—Subsection (a) of section 5555 is amended by adding at the end the following:

"For calendar quarters beginning after the date of the enactment of this Act, the Secretary shall permit a person to employ a unified system for any records, statements, and returns required to be kept, rendered, or made under this section for any tax imposed by section 5051 has been determined, including any beer which has been removed for consumption on the premises of the business enterprise;"

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2017.

SEC. 1117. TREATMENT OF FOREIGN PERSONS FOR RETURNS RELATING TO PAYMENTS MADE IN SETTLEMENT OF PAYMENT CARD NETWORK TRANSACTIONS.

(a) In General.—Section 6050W(d)(1)(B) is amended by adding at the end the following:

"(B) "Notwithstanding the preceding sentence, a person with only a foreign address shall not be treated as a participating payee with respect to any payment settlement entity solely because such person receives payments from such payment settlement entity in dollars.","

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to returns for calendar years beginning after December 31, 2017.

SEC. 1118. REPEAL OF SHIFT IN TIME OF PAYMENT OF CORPORATE ESTIMATED TAXES.

The Trade Preferences Extension Act of 2015 is amended by striking section 803 (relating to time for payment of corporate estimated taxes).
(ii) utilized by the taxpayer in a manner described in subsection (f)(5).

(b) Applicable Dollar Amount—Additional Equipment—Election.—

(i) In General.—The applicable dollar amount shall be an amount equal to—

(I) for the taxable year beginning in a calendar year after 2016 and before 2027—

(a) the dollar amount established by linear interpolation between $22.63 and $23.81 for each calendar year during such period, and

(b) for each taxable year beginning in a calendar year after 2027—

(II) for purposes of paragraph (3) of subsection (a), the dollar amount established by linear interpolation between $12.83 and $23.81 for each calendar year during such period, and

(ii) for any taxable year beginning in a calendar year after 2027—

(A) for purposes of paragraph (3) of subsection (a), an amount equal to the product of $50 and the inflation adjustment factor for such calendar year determined under section 43(b)(3)(B) for such calendar year, determined by substituting '2025' for '1990', and

(B) rounding.—The applicable dollar amount determined under subparagraph (A) shall be the nearest whole cent.

(2) INSTALLATION OF ADDITIONAL CARBON CAPTURE EQUIPMENT ON EXISTING QUALIFIED FACILITY.—In the case of a qualified facility placed in service before the date of the enactment of the Bipartisan Budget Act of 2018, for which additional carbon capture equipment is placed in service on or after the date of the enactment of such Act, the amount of qualified carbon dioxide which is captured by the taxpayer shall be equal to—

(A) for purposes of paragraphs (1)(A) and (2)(A) of subsection (a), the lesser of—

(i) the total amount of qualified carbon dioxide captured at such facility for the taxable year, or

(ii) the total amount of the carbon dioxide capture capacity of the carbon capture equipment in service at such facility on the date before the date of the enactment of the Bipartisan Budget Act of 2018,

(B) for purposes of paragraphs (3)(A) and (4)(A) of such subsection, an amount (not less than zero) equal to the excess of—

(A) the construction of carbon capture equipment begins before the date of the enactment of the Bipartisan Budget Act of 2018, for which additional carbon capture equipment is placed in service on or after the date of the enactment of such Act, the amount of qualified carbon dioxide which is captured by the taxpayer shall be equal to—

(i) the total amount of qualified carbon dioxide captured at such facility for the taxable year, or

(ii) the total amount of the carbon dioxide capture capacity of the carbon capture equipment in service at such facility on the day before the date of the enactment of the Bipartisan Budget Act of 2018,

(B) for purposes of paragraphs (3)(A) and (4)(A) of such subsection, an amount (not less than zero) equal to the excess of—

(i) the amount described in clause (i) of subparagraph (A), over

(ii) the amount described in clause (ii) of such subparagraph,

(D) QUALIFIED CARBON OXIDE.—For purposes of this section—

(1) DIRECT AIR CAPTURE FACILITY.—

(A) In General.—Subject to subparagraph (B), the term 'direct air capture facility' means any facility which uses carbon capture equipment to capture carbon dioxide directly from the atmosphere.

(B) EXCEPTION.—The term 'direct air capture facility' shall not include any facility which captures carbon dioxide—

(i) which is deliberately released from naturally occurring subsurface springs, or

(ii) using natural photosynthesis.

(2) QUALIFIED ENHANCED OIL OR NATURAL GAS RECOVERY PROJECT.—The term 'qualified enhanced oil or natural gas recovery project' has the meaning given the term 'qualified enhanced oil or natural gas recovery project' by section 43(c)(2), by substituting 'crude oil or natural gas' for 'crude oil' in subparagraph (B), and by substituting 'crude oil or natural gas' for 'crude oil'.

(3) TERTIARY INJECTANT.—The term 'tertiary injectant' has the meaning given the term 'tertiary injectant' by section 638(1), or

(S) TERTIARY STORAGE.—The Secretary, in consultation with the Administrator of the Environmental Protection Agency, the Secretary of Energy, and the Secretary of the Interior, shall establish regulations for determining adequate security measures for the geological storage of qualified carbon oxide under this subpart such that carbon oxide does not escape into the atmosphere. Such term shall include storage at deep saline formations, oil and gas reservoirs, and unminable coal seams under such regulations. The Secretary may determine under such regulations.

(C) CREDIT ATTRIBUTABLE TO TAXPAYER.—Except as provided in subparagraph (B) or in any regulations prescribed by the Secretary, any credit under this section shall be attributable to—

(i) the case of qualified carbon oxide captured using carbon capture equipment which is originally placed in service at a qualified facility before the date of the enactment of the Bipartisan Budget Act of 2018, for which person that captures and physically or contractually ensures the capture and utilization, or use as a tertiary injectant of such qualified carbon oxide, and

(ii) the case of qualified carbon oxide captured using carbon capture equipment which is originally placed in service at a qualified facility before the date of the enactment of the Bipartisan Budget Act of 2018, for which person that captures and physically or contractually ensures the capture and utilization, or use as a tertiary injectant of such qualified carbon oxide,
“(ii) LIFECYCLE GREENHOUSE GAS EMISSIONS.—For purposes of clause (i), the term ‘lifecycle greenhouse gas emissions’ has the same meaning given such term under subparagraph (H) of section 252(f) of the Clean Air Act (42 U.S.C. 7545(g)(1)), as in effect on the date of the enactment of the Bipartisan Budget Act of 2018, except that ‘product’ shall be substituted for ‘fuel’ each place it appears in such subparagraph.

“(6) ELECTION FOR APPLICABLE FACILITIES.—

“(A) IN GENERAL.—For purposes of this section, in the case of an applicable facility, for any taxable year in which such facility captures not less than 500,000 metric tons of qualified carbon dioxide during the taxable year, the person described in paragraph (3)(A)(ii) may elect to have such facility, and any carbon capture equipment placed in service at such facility, deemed as having been placed in service on the date of the enactment of the Bipartisan Budget Act of 2018.

“(B) APPLICABLE FACILITY.—For purposes of this paragraph, the term ‘applicable facility’ means—

“(i) which was placed in service before the date of the enactment of the Bipartisan Budget Act of 2018, and

“(ii) for which no taxpayer claimed a credit under this section in regards to such facility for any taxable year ending before the date of the enactment of such Act.

“(7) INFLATION ADJUSTMENT.—In the case of any taxable year beginning in a calendar year after 2009, there shall be substituted for each taxable year beginning in a calendar year after 2009, there shall be substituted for each dollar amount contained in subparagraphs (1) and (2) of subsection (a) an amount equal to the product of—

“(A) such dollar amount, multiplied by

“(B) the inflation adjustment factor for such calendar year determined under section 43(b)(3)(B) for such calendar year, determined by substituting ‘2008’ for ‘1990’.

“(g) APPLICATION OF SECTION FOR CERTAIN CARBON CAPTURE EQUIPMENT.—In the case of any carbon capture equipment placed in service before the date of the enactment of the Bipartisan Budget Act of 2018, the credit under this section shall apply with respect to qualified carbon dioxide captured using such equipment before the end of the calendar year in which the Secretary, in consultation with the Administrator of the Environmental Protection Agency, certifies that, during the period beginning after October 3, 2008, a total of 75,000,000 metric tons of qualified carbon dioxide have been taken into account in accordance with—

“(1) subsection (a) of this section, as in effect on the day before the date of the enactment of the Bipartisan Budget Act of 2018, and

“(2) paragraphs (1) and (2) of subsection (a) of this section.

“(h) REGULATIONS.—The Secretary may prescribe such regulations and other guidance as may be necessary or appropriate to carry out this section, including regulations or other guidance to—

“(1) ensure proper allocation under subsection (a) for qualified carbon dioxide captured by a taxpayer during the taxable year ending after the date of the enactment of the Bipartisan Budget Act of 2018, and

“(2) determine whether a facility satisfies the requirements under values under subsection (d)(1) during such taxable year.

“(b) EFFECTIVE DATE.—The amendment made by this section applies to taxable years beginning after December 31, 2017.

DIVISION E—HEALTH AND HUMAN SERVICES EXTENDERS

SEC. 50100. SHORT TITLE; TABLE OF CONTENTS.

(a) IN GENERAL.—This division may be cited as the “Advancing Chronic Care, Enders, and Social Services (ACCESS) Act”

(b) TABLE OF CONTENTS.—The table of contents for this division is as follows:

DIVISION E—HEALTH AND HUMAN SERVICES EXTENDERS

Sec. 50100. Short title; table of contents.

TITLE I—CHIP

Sec. 50101. Funding extension of the Children’s Health Insurance Program through fiscal year 2027.

Sec. 50102. Extension of pediatric quality measurement program.

Sec. 50103. Extension of outreach and enrollment program.

TITLE II—MEDICARE EXTENDERS

Sec. 50201. Extension of work GPCI floor.

Sec. 50202. Repeal of Medicare payment cap for therapy services.

Sec. 50203. Medicare ambulance services.

Sec. 50204. Extension of increased inpatient hospital wage adjustment for certain low-volume hospitals.

Sec. 50205. Extension of the Medicare-dependent hospital (MDH) program.

Sec. 50206. Extension of funding for quality measure endorsement, input, and selection; reporting requirements.

Sec. 50207. Extension of funding for outreach and assistance for low-income programs; State health insurance assistance program reporting requirements.

Sec. 50208. Extension of home health rural add-on.

TITLE III—CREATING HIGH-QUALITY RESULTS AND OUTCOMES NECESSARY TO IMPROVE CRONIC (CHRONIC) CARE

Subtitle A—Receiving High Quality Care in the Home

Sec. 50301. Extending the Independence at Home Demonstration Program.

Sec. 50302. Expanding access to home dialysis therapy.

Subtitle B—Advancing Team-Based Care

Sec. 50311. Providing continued access to Medicare Advantage special needs plans for vulnerable populations.

Subtitle C—Expanding Innovation and Technology

Sec. 50321. Adapting benefits to meet the needs of chronically ill Medicare Advantage enrollees.

Sec. 50322. Expanding supplemental benefits to meet the needs of chronically ill Medicare Advantage enrollees.

Sec. 50323. Increasing convenience for Medicare Advantage enrollees through telehealth.

Sec. 50324. Providing accountable care organizations the ability to expand the use of telehealth.

Sec. 50325. Expanding the use of telehealth for individuals with stroke.

Subtitle D—Identifying the Chronically Ill Population

Sec. 50331. Providing flexibility for beneficiaries to be part of an accountable care organization.

Subtitle E—Empowering Individuals and Caregivers in Care Delivery

Sec. 50341. Eliminating barriers to care coordination under accountable care organizations.

Sec. 50342. GAO study and report on longitudinal care planning services under Medicare part B.

Subtitle F—Other Policies to Improve Care for the Chronically Ill

Sec. 50351. GAO study and report on improving medication synchronization.

Sec. 50352. GAO study and report on impact of obesity drugs on patient health and spending.

Sec. 50353. GAO study and report on long-term risk factors for chronic conditions among Medicare beneficiaries.

Sec. 50354. Providing prescription drug plans with parts A and B claims data to promote the appropriate use of medications and improve health outcomes.

TITLE IV—PART B IMPROVEMENT ACT AND OTHER PART B ENHANCEMENTS

Subtitle A—Medicare Part B Improvement Act

Sec. 50401. Home infusion therapy services temporary transitional payment.

Sec. 50402. Orthotist’s and prosthetist’s clinical notes as part of the patient’s medical record.

Sec. 50403. Independent accreditation for dialysis facilities and assurance of high quality care.

Sec. 50404. Modernizing the application of the Stark rule under Medicare.

Subtitle B—Additional Medicare Provisions

Sec. 50411. Making permanent the removal of the rental cap for durable medical equipment under Medicare with respect to speech generating devices.

Sec. 50412. Increased civil and criminal penalties and increased sentences for Federal health care program fraud and abuse.

Sec. 50413. Reducing the volume of future EHR-related significant hardship requests.

Sec. 50414. Strengthening rules in case of competition for diabetic testing strips.

TITLE V—OTHER HEALTH EXTENDERS

Sec. 50501. Extension for family-to-family health information centers.

Sec. 50502. Extension for sexual risk avoidance education.

Sec. 50503. Extension for personal responsibility education.

TITLE VI—CHILD AND FAMILY SERVICES AND SUPPORTS EXTENDERS

Subtitle A—Continuing the Maternal, Infant, and Early Childhood Home Visiting Program

Sec. 50601. Continuing evidence-based home visiting program.

Sec. 50602. Continuing to demonstrate results to help families.

Sec. 50603. Reviewing statewide needs to target resources.

Sec. 50604. Improving the likelihood of success in high-risk communities.

Sec. 50605. Option to fund evidence-based home visiting on a pay for outcome basis.

Sec. 50606. Data exchange standards for improved interoperability.

Sec. 50607. Allocation of funds.

Subtitle B—Extension of Health Professions Workforce Demonstration Projects

Sec. 50611. Extension of health workforce demonstration projects for low-income individuals.

TITLE VII—FAMILY FIRST PREVENTION SERVICES ACT

Subtitle A—Investing in Prevention and Supporting Families

Sec. 50701. Short title.

Sec. 50702. Purpose.

PART I—PREVENTION ACTIVITIES UNDER TITLE IV–E

Sec. 50711. Foster care prevention services and programs.

Sec. 50712. Foster care maintenance payments for children with parents in a licensed residential family-based treatment facility for substance abuse.
PART II—ENHANCED SUPPORT UNDER TITLE IV-B
Sec. 50721. Elimination of time limit for family reunification services while in foster care and permitting time-limited family reunification services when a child returns home from foster care.
Sec. 50722. Reducing bureaucracy and unnecessary delays when placing children in homes across State lines.
Sec. 50723. Enhancements to grants to improve well-being of families affected by substance abuse.

PART III—MISCELLANEOUS
Sec. 50731. Reviewing and improving licensing standards for placement in a relative foster family home.
Sec. 50732. Development of a statewide plan to prevent child abuse and neglect fatalities.
Sec. 50733. Modernizing the title and purpose of title IV-E.
Sec. 50734. Effective dates.

PART IV—ENSURING THE Necessity of a PLACEMENT THAT Is NOT IN a FOSTER family HOME
Sec. 50741. Limitation on Federal financial participation for placements that are not in foster homes.
Sec. 50742. Assessment and documentation of the need for placement in a qualified residential treatment program.
Sec. 50743. Protocols to prevent inappropriate diagnoses.
Sec. 50744. Additional data and reports regarding children placed in a setting that is not a foster family home.
Sec. 50745. Criminal records checks of child abuse and neglect registries for adults working in child care institutions and other group care settings.
Sec. 50746. Effective dates; application to waivers.

PART V—CONTINUING SUPPORT FOR CHILD AND FAMILY SERVICES
Sec. 50751. Supporting and retaining foster families for children.
Sec. 50752. Extension of child and family services programs.
Sec. 50753. Improvements to the John H. Chafee foster care independence program and related provisions.

PART VI—CONTINUING INCENTIVES TO STATES TO PROMOTE ADOPTION AND LEGAL GUARDIANSHIP
Sec. 50761. Reauthorizing adoption and legal guardianship incentive programs.

PART VII—TECHNICAL CORRECTIONS
Sec. 50771. Technical corrections to data exchange standards to improve program coordination.
Sec. 50772. Technical corrections to State requirement to address the developmental needs of young children.

TITLE VIII—ENSURING STATES REINVEST SAVINGS RESULTING FROM INCREASE IN ADOPTION ASSISTANCE
Sec. 50781. Delay of adoption assistance phase-in.
Sec. 50782. GAO study and report on State reinvestment of savings resulting from increase in adoption assistance.

TITLE IX—PUBLIC HEALTH PROGRAMS
Sec. 50791. Extension for community health centers, the National Health Service Corps, and teaching health centers that operate GME programs.
Sec. 50800. Extension for special diabetes programs.

TITLE X—MISCELLANEOUS HEALTH CARE POLICIES
Sec. 51001. Home health payment reform.
Sec. 51002. Informational documentation of Medicare eligibility for home health services.
Sec. 51003. Technical amendments to Public Law 115–10.
Sec. 51004. Expanded access to Medicare intensive cardiac rehabilitation programs.
Sec. 51005. Extension of blended site neutral payment rate for certain long-term care hospital discharges; temporary adjustment to site neutral payment rate for certain long-term care hospital discharges.
Sec. 51006. Recognition of attending physician assistants as attending physicians to serve hospice patients.
Sec. 51007. Extension of enforcement instruction on supervision requirements for outpatient therapeutic services in critical access and small rural hospitals through 2017.
Sec. 51008. Allowing physician assistants, nurse practitioners, and clinical nurse specialists to supervise cardiac, intensive care, and pulmonary rehabilitation programs.
Sec. 51009. Transitional payment rules for certain therapeutic services under the physician fee schedule.

TITLE XI—PROTECTING SENIORS’ ACCESS TO MEDICARE ACT
Sec. 52001. Repeal of the Independent Payment Advisory Board.

TITLE XII—OFFSETS
Sec. 53000. Modifications to continuing incentives to States.
Sec. 53101. Modernizing child support enforcement programs.
Sec. 53102. Third party liability in Medicaid.
Sec. 53103. Treatment of lottery winnings and other lump-sum income for purposes of income eligibility under Medicaid.
Sec. 53104. Rebate obligation with respect to line extension drugs.
Sec. 53105. Medicaid Improvement Fund.
Sec. 53106. Physician fee schedule update.
Sec. 53107. Payment for outpatient physical therapy services and outpatient occupational therapy services furnished by a therapist assistant.
Sec. 53108. Rebalancing payment for emergency ESRD ambulance transports.
Sec. 53109. Hospital transfer policy for early discharge to hospice care.
Sec. 53110. Medicare payment update for home health services.
Sec. 53111. Medicare payment update for skilled nursing facilities.
Sec. 53112. Preventing the artificial inflation of star ratings after the consolidation of Medicare Advantage plans offered by the same organization.
Sec. 53113. Sunsetting exclusion of biosimilars from Medicare part D coverage gap discount program.
Sec. 53114. Adjustments to Medicare part B and part D premium subsidies for higher income individuals.
Sec. 53115. Medicare Improvement Fund.
Sec. 53116. Closing the Donut Hole for Seniors.
Sec. 53117. Modernizing child support enforcement fees.
Sec. 53118. Increasing efficiency of prison data exchanges.
Sec. 53119. Prevention and Public Health Fund.

TITLE I—CHIP
SEC. 50101. FUNDING EXTENSION OF THE CHILDREN’S HEALTH INSURANCE PROGRAM TO COVERS CHILDREN THROUGH 2027.
(a) IN GENERAL.—Section 2104(a) of the Social Security Act (42 U.S.C. 1397d(a), as amended by section 3002(a) of the HEALTHY KIDS Act (division C of Public Law 115–120), is amended—
(1) in paragraph (25), by striking ‘‘(i, by striking ‘‘(25)’’ and inserting ‘‘(27)’’; and
(ii) in clause (i), by striking ‘‘and 2023’’ and inserting ‘‘2023, and 2027’’;
and
(iii) in clause (ii), by striking ‘‘or, in the fiscal year 2018, under paragraph (4)’’ and inserting ‘‘or, in the fiscal year 2018 or 2023, under paragraph (4) or (10), respectively’’;
(B) in paragraph (5)—
(i) by striking ‘‘(10)’’ and inserting ‘‘(10), or (11)’’; and
(ii) by striking ‘‘or 2023, and 2027’’;
(C) in paragraph (7)—
(i) in subparagraph (A), by striking ‘‘2023’’ and inserting ‘‘2027’’; and
(ii) in the matter following subparagraph (B), by striking ‘‘or (10), or (11)’’ and adding ‘‘2023, or 2027’’;
(D) in paragraph (9)—
(i) by striking ‘‘(10)’’ and inserting ‘‘(10) or (11)’’; and
(ii) by striking ‘‘or 2023, or 2027’’;
and
(E) by adding at the end the following:
‘‘(11) FISCAL YEAR 2027.’’.
(‘‘A) FIRST HALF.—Subject to paragraphs (5) and (7), (from the amount made available under subparagraph (A) of paragraph (28) of subsection (a) for the semi-annual period described in such subparagraph, increased by the amount of appropriation pursuant to section 3002(b) of the Advancing Chronic Care, Extendiers, and Social Services Act, the Secretary shall compute a State allotment for each State (including the District of Columbia and each commonwealth and territory) for such semi-annual period in an amount equal to the first half ratio (described in subparagraph (D)) of the amount described in subparagraph (C).’’;
(‘‘B) SECOND HALF.—Subject to paragraphs (5) and (7), (from the amount made available under subparagraph (B) of paragraph (28) of subsection (a) for the semi-annual period described in such subparagraph, the Secretary shall compute a State allotment for each State (including the District of Columbia and each commonwealth and territory) for such semi-annual period in an amount equal to the amount made available under such subparagraph, multiplied by the ratio of—
(i) the amount of the allotment to such State under subparagraph (A); to
(ii) the total of the amount of all of the allotments made available under such subparagraph, and
(C) ‘‘FULL YEAR AMOUNT BASED ON REBASED AMOUNT.—The amount described in this subparagraph for a State is equal to the Federal share of such allotment to the State that are attributable to (and countable towards) the total amount of allotments available under this section to the
State in fiscal year 2026 (including payments made to the State under subsection (n) for fiscal year 2026 as well as amounts redistributed to the State in fiscal year 2026), multiplied by the allotment-to-cause factor under paragraph (6) for fiscal year 2027.

“(D) FIRST HALF RATIO.—The first half ratio described in this subparagraph is the ratio of—

(I) the amount made available under subsection (a)(26)(A); and

(II) the amount of the appropriation for such period under section 5010(1)(2) of the Advance

chronic Care, Extenders, and Social Services

Act; to

the sum of—

(I) the amount described in clause (i); and

(II) the amount made available under subsection (a)(26)(B).

(2) ONE-TIME APPROPRIATION FOR FISCAL YEAR 2027.—There is appropriated to the Secretary of Health and Human Services, out of any money in the Treasury not otherwise appropriated, such sums as are necessary to fund allotments to States under subsections (c) and (m) of section 2104 of the Social Security Act (42 U.S.C. 1397d), for fiscal year 2027, taking into account the full year amounts calculated for States under paragraph (1)(C) of subsection (m) of such section (as added by paragraph (1)) and the amounts appropriated under subparagraphs (a) and (b) of subsection (a)(28) of such section (as added by subsection (a)). Such amount shall accompany the allotment made for the period beginning on October 1, 2026, and ending on March 31, 2027, under paragraph (28)(A) of section 2104(a) of such Act (42 U.S.C. 1397d(a)), to remain available until expended. Such amount shall be used to provide allotments to States under paragraph (11) of section 2104(m) of such Act for the first 6 months of fiscal year 2027 in the same manner as amounts are provided under paragraph (28)(A) of such section 1902(gg)(2) of the Social Security Act (42 U.S.C. 1396a(e)(13)), as amended by section 3003(b) of the HEALTHY KIDS Act (division C of Public Law 115–120), is amended—

(1) in subparagraph (B), by striking “; and” and inserting a semicolon;

(2) in subparagraph (C), by striking the period at the end and inserting “; and”;

(3) by striking “through 2027”.

SEC. 50102. EXTENSION OF PEDIATRIC QUALITY MEASURES PROGRAM.

(a) IN GENERAL.—Section 1139A(b)(1) of the Social Security Act (42 U.S.C. 1320b–9a(b)(1)), as amended by section 3003(b) of the HEALTHY KIDS Act (division C of Public Law 115–120), is amended—

(1) in the heading, by striking “through September 30, 2023” and inserting “through 2027”; and

(b) MAKING REPORTING MANDATORY.—Section 1139A of the Social Security Act (42 U.S.C. 1320b–9a) is amended—

(1) in subsection (a), in the heading for paragraph (4), by inserting “AND MANDATORY REPORTING” after “REPORTING”;

(2) in paragraph (4), by striking “Not later than” and inserting the following:

“(A) VOLUNTARY REPORTING.—Not later than”; and

(3) by adding at the end the following:

“(B) MANDATORY REPORTING.—Beginning with the annual State report on fiscal year 2024 required under subsection (c)(1), the Secretary shall require States to use the initial core measure set and any updates or changes to that set to report information regarding the quality of pediatric health care under titles XIX and XXI using the standardized format for reporting information and procedures developed under subparagraph (A); and

(C) in paragraph (6)(B), by inserting “and, beginning with the annual report required on January 1, 2025, and for each annual report thereafter, the status of mandatory reporting by States under titles XIX and XXI, utilizing the initial core measure set and any updates or changes to that set before the semicolon”;

and

(2) in subsection (c)(1)(A), by inserting “and, beginning with the annual report on fiscal year 2024, all of the core measures described in subsection (a) and any updates or changes to those measures before the semicolon”.

SEC. 50103. TRANSPORT AND ENROLLMENT PROGRAM.

(a) IN GENERAL.—Section 2113 of the Social Security Act (42 U.S.C. 1397nn), as amended by section 3004(a) of the HEALTHY KIDS Act (division C of Public Law 115–120), is amended—

(1) in the paragraph heading, by striking “through 2023” and inserting “through 2027”; and

(2) in subparagraph (A), by striking “2023” and inserting “2027”;

(e) EXTENSION OF EXPRESS LANE ELIGIBILITY OPTION.—Section 1902(e)(13)(I) of the Social Security Act (42 U.S.C. 1396a(e)(13)(I)), as amended by section 3004(a) of the HEALTHY KIDS Act (division C of Public Law 115–120), is amended by striking “2023” and inserting “2027”.

(f) ASSURANCE OF ELIGIBILITY STANDARD FOR CHILDREN AND FAMILIES.—

(1) IN GENERAL.—Section 2105(d)(3) of the Social Security Act (42 U.S.C. 1397dd(d)(3)), as amended by section 3002(f)(1) of the HEALTHY KIDS Act (division C of Public Law 115–120), is amended—

(A) in the paragraph heading, by striking “through September 30, 2023” and inserting “through September 30, 2027”; and

(B) in subparagraph (A), in the matter preceding clause (i), by striking “2023” each place it appears and inserting “2027”.

(2) CONFORMING AMENDMENTS.—Section 1902(g)(2) of the Social Security Act (42 U.S.C. 1396a(g)(2)), as amended by section 3002(f)(2) of the HEALTHY KIDS Act (division C of Public Law 115–120), is amended—

(A) in the paragraph heading, by striking “through September 30, 2023” and inserting “through September 30, 2027”; and

(B) by striking “2023,” each place it appears and inserting “2027”.

SEC. 50104. EXTENSION OF MEDICAID ELIGIBILITY IN TITLES XVIII AND XIX.

(a) IN GENERAL.—Section 1902(gg)(2) of the Social Security Act (42 U.S.C. 1396a(e)(13)(I)), as amended by section 3004(a) of the HEALTHY KIDS Act (division C of Public Law 115–120), is amended—

(1) in paragraph (a)(1), by striking “2023” and inserting “2027”;

(2) in paragraph (a)(2), by striking “2023” and inserting “2027”;

(3) in paragraph (a)(3), by striking “2023” and inserting “2027”;

(4) in paragraph (a)(4), by striking “2023” and inserting “2027”;

(5) in paragraph (a)(5), by striking “2023” and inserting “2027”;

(b) MANDATORY REPORTING.—Section 1902(gg)(2) of the Social Security Act (42 U.S.C. 1396a(e)(13)(I)), as amended by section 3004(a) of the HEALTHY KIDS Act (division C of Public Law 115–120), is amended—

(1) in subsection (a), by adding at the end the following new paragraph:

“(B) by striking ‘‘2023’’ and inserting ‘‘2027’’.

(c) DEPARTMENTAL DOLLAR AMOUNTS AND DUTIES.—Section 1902(gg)(2) of the Social Security Act (42 U.S.C. 1396a(e)(13)(I)), as amended by section 3004(a) of the HEALTHY KIDS Act (division C of Public Law 115–120), is amended—

(1) in paragraph (b)(1), by striking “2023” and inserting “2027”;

(2) in paragraph (b)(2), by striking “2023” and inserting “2027”.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2024.

SEC. 50105. EXTENSION OF MEDICAID ELIGIBILITY IN TITLES XVIII AND XIX.

(a) IN GENERAL.—Section 1902(gg)(2) of the Social Security Act (42 U.S.C. 1396a(e)(13)(I)), as amended by section 3004(a) of the HEALTHY KIDS Act (division C of Public Law 115–120), is amended—

(1) in paragraph (a)(1), by striking “2023” and inserting “2027”;

(2) in paragraph (a)(2), by striking “2023” and inserting “2027”;

(3) by adding at the end the following:

“(B) by striking ‘‘2023’’ and inserting ‘‘2027’’.

(c) DEPARTMENTAL DOLLAR AMOUNTS AND DUTIES.—Section 1902(gg)(2) of the Social Security Act (42 U.S.C. 1396a(e)(13)(I)), as amended by section 3004(a) of the HEALTHY KIDS Act (division C of Public Law 115–120), is amended—

(1) in paragraph (b)(1), by striking “2023” and inserting “2027”;

(2) in paragraph (b)(2), by striking “2023” and inserting “2027”.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2024.
shall be rounded to the nearest multiple of $10. If the threshold under this clause for any year includes expenses for purposes of clause (i), the term 'applicable period' shall be deemed to mean the calendar year for which the threshold described in subsection (a) is required to be determined.

(III) LIMITATION.—The Secretary shall not consider the adequacy of payment rates for ground ambulance services under this subsection in any year if such threshold was not required to be applied with paragraph (7)(B) before the period at the end of the calendar year.

(4) By adding at the end the following new paragraph:

"(C) For purposes of paragraphs (1)(B) and (3)(B), with respect to services described in such paragraphs, the requirements described in this paragraph are as follows:"

(8) By inserting "in the case where expenses that were incurred for such services would exceed the threshold described in clause (ii) for the year, such services shall be subject to the process for medical review implemented under paragraph (5)(E)."

(9) By adding at the end the following new subsection:

"(F) THRESHOLD.—The threshold under this clause for—"

"(i) a year before 2028, is $3,000;"

"(ii) 2028, is the amount specified in subparagraph (A) increased by the percentage increase in the MEI;"

"(III) a year subsequent to 2028, is the amount specified in this clause for the preceding year increased by the percentage increase in the MEI;"

"(iv) except as such process is applied under paragraph (4) of this section; and"

"(v) in subparagraph (C), as added by paragraph (4) of this section; and"

"(B) TARGETED MEDICAL REVIEW FOR CERTAIN SERVICES ABOVE THRESHOLD.—"

"(1) IN GENERAL.—In the case where expenses that were incurred for such services would exceed the threshold described in clause (ii) for the year, such services shall be subject to the process for medical review implemented under paragraph (5)(E)."

"(2) THRESHOLD.—The threshold under this clause for—"

"(i) a year before 2028, is $3,000;"

"(ii) 2028, is the amount specified in subparagraph (A) increased by the percentage increase in the MEI;"

"(III) a year subsequent to 2028, is the amount specified in this clause for the preceding year increased by the percentage increase in the MEI;"

"(v) except as such process is applied under paragraph (4) of this section; and"

"(6) By adding at the end the following new subsection:

"(G) THRESHOLD.—In the case where expenses that were incurred for such services would exceed the threshold described in clause (ii) for the year, such services shall be subject to the process for medical review implemented under paragraph (5)(E).

"(H) DETERMINATION OF REPRESENTATIVE SAMPLE.—"

"(i) IN GENERAL.—Not later than December 31, 2019, with respect to the data collection for the first year under such system, and for each subsequent year through 2024, the Secretary shall determine a representative sample to submit information under the data collection system.

"(ii) REQUIREMENTS.—The sample under subsection (i) shall be representative of the different types of providers and suppliers of ground ambulance services (such as those providers and suppliers that are part of an emergency service or part of a government organization) and the geographic locations in which ground ambulance services are furnished (such as urban, rural, and low population density areas)."

"(I) PAYMENT REDUCTION FOR FAILURE TO REPORT.—"

"(i) IN GENERAL.—Beginning January 1, 2022, subject to clause (ii), a 10 percent reduction to payments under this subsection shall be made for the applicable period (as defined in clause (ii)) to a provider or supplier of ground ambulance services that—"

"(A) failed to submit information under the data collection system with respect to a period for the year; or"

"(B) failed to submit information specified under the system. Such information shall be submitted in a form and manner, and at a time specified by the Secretary for purposes of this subparagraph.

"(ii) APPLICATION.—For purposes of carrying out subparagraph (A), the Secretary may exempt a provider or supplier from the payment reduction under clause (i)."

"(J) LIMITATIONS ON REVIEW.—There shall be no administrative or judicial review under section 1878, or otherwise of the data collection system, including the representative sample described in clause (ii)."

"(K) PUBLIC AVAILABILITY.—The Secretary shall make such data available to the public."

"(L) IMPLEMENTATION.—The Secretary shall implement this paragraph through notice and comment rulemaking."
the Centers for Medicare & Medicaid Services Program Management Account for fiscal year 2018. Amounts transferred under this subparagraph shall remain available until expended.”.

SEC. 50204. EXTENSION OF INCREASED INPATIENT HOSPITAL PAYMENT ADJUSTMENT FOR CERTAIN LOW-VOLUME HOSPITALS.

(a) In General.—Section 1886(d)(12) of the Social Security Act (42 U.S.C. 1395ww(d)(12)) is amended—

(1) in subparagraph (B), in the matter preceding clause (i), by striking “fiscal year 2018” and inserting “fiscal year 2022”;

(2) in paragraph (2), by inserting “through 2022” after “2018”;

(3) in subparagraph (a), by striking “through 2017” and inserting “through 2022”;

and inserting the following new subsection:

“(d) Inpatient hospital payment adjustment for certain low-volume hospitals.—

(1) In general.—Section 1886(d)(12) of the Social Security Act (42 U.S.C. 1395ww(d)(12)) is amended—

(i) by striking “October 1, 2017” and inserting “October 1, 2022”;

(ii) by striking “October 1, 2017” and inserting “October 1, 2022”;

(3) in clause (ii), by striking “fiscal year 2018” and inserting the following new clause:

“(1) that is located in—

(II) a rural area; or

(bb) a State with no rural area (as defined in paragraph (2)(D)) and satisfies any of the criteria in subclause (1), (II), or (III) of paragraph (8)(E)(ii); and

(4) by inserting after subsection (IV) the following new flush sentences:

“Subclause (1)(bb) shall apply for purposes of payment for discharges of a hospital occurring on or after the effective date of a determination of Medicare-dependent small rural hospital status made by the Secretary with respect to the hospital after the date of the enactment of this section. For purposes of applying subclause (II) of paragraph (8)(E)(ii) under subclause (1)(bb), such subclause (II) shall be applied by inserting ‘as of January 1, 2018,’ after ‘such State’ each place it appears.”.

(b) Conforming Amendments.—

(1) Extension of Target Amount.—Section 1886(b)(3)(D) of the Social Security Act (42 U.S.C. 1395ww(b)(3)(D)) is amended—

(A) in the matter preceding clause (i), by striking “October 1, 2017” and inserting “October 1, 2022”; and

(B) in clause (i), by striking “through 2017” and inserting “through 2022”; and

(2) Permitting Hospitals to Decline Reclassification.—Section 1305(b)(2) of the Omnibus Budget Reconciliation Act of 1993 (42 U.S.C. 1395aa note) is amended by striking “October 1, 2017” and inserting “through fiscal year 2022.”

(c) STUDY AND REPORT.—

(1) STUDY.—The Comptroller General of the United States (in this subsection referred to as the “Comptroller General”) shall conduct a study on the medicare-dependent, small rural hospital program under section 1886(d) of the Social Security Act (42 U.S.C. 1395ww(d)). Such study shall include an analysis of the following:

(A) The payor mix of medicare-dependent, small rural hospitals (as defined in paragraph (3)(G)(ii) of such section 1886(d)), how such mix will trend in future years (based on current trends and anticipated trends and whether or not the requirement under subclause (IV) of such paragraph should be revised.

(B) The characteristics of medicare-dependant, small rural hospitals that meet the requirement of such subclause (IV) through the application of paragraph (a)(iii)(A) or (a)(iii)(B) of section 14108 of title 42, Code of Federal Regulations, including medicare inpatient and outpatient utilization, payor mix, and financial status (including medicare and total margins), and whether or not medicare payments for such hospitals should be revised.

(C) Other items related to medicare-dependant, small rural hospitals as the Comptroller General determines appropriate.

(2) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report containing the results of the study conducted under paragraph (1), together with recommendations for such legislation and administrative action as the Comptroller General determines appropriate.

SEC. 50205. EXTENSION OF THE MEDICARE-DEPENDENT HOSPITAL (MDH) PROGRAM.

(a) In General.—Section 1886(d)(5)(G) of the Social Security Act (42 U.S.C. 1395ww(d)(5)(G)) is amended—

(1) in clause (i), by striking “October 1, 2017” and inserting “October 1, 2022”;

(2) in clause (ii), by striking “October 1, 2017” and inserting “October 1, 2022”;

and inserting the following new subsection:

“(B) in clause (i), by striking “or portion of fiscal year; and” and inserting “fiscal year 2022”;

(3) in subparagraph (a), by striking “October 1, 2017” and inserting “October 1, 2022”;

and inserting the following new sentence:

“Subclause (b)(2) shall apply for purposes of payment for discharges of a hospital occurring on or after the effective date of a determination of Medicare-dependent small rural hospital status made by the Secretary with respect to the hospital after the date of the enactment of this section.

(c) STIPULATION.—Section 13501(e)(2) of the Omnibus Budget Reconciliation Act of 1990 (42 U.S.C. 1395aa note) is amended by striking “through 2017” and inserting “October 1, 2022.”

(d) Summary.—Not later than March 1 of each year containing the results of the study conducted by the Comptroller General under section 50206, the Secretary shall submit to Congress a report containing the following:

(1) A comprehensive plan that identifies the quality measurement needs of programs and initiatives of the Secretary and a strategy for using the entity with a contract under section (a) and any other entity the Secretary has contracted with or may contract with to perform work associated with section 1890A to help meet those needs, specifically with respect to the programs under this title and title XIX.

(2) The amount of funding provided under subsection (d) for purposes of carrying out this section and section 1890A shall be obligated by the Secretary, the amount of funding provided that has been expended, and the amount of funding provided that remains unobligated.

(3) The amount of funding described in paragraph (2) that has been obligated or expended for each of the activities described in paragraph (a), and any other entity the Secretary has contracted with to perform work.

(4) A description of the activities for which the funds described in paragraph (2) were used, including task orders and activities assigned to the entity with a contract under subsection (a), activities performed by the Secretary, and task orders and activities assigned to any other entity the Secretary has contracted with to perform work related to carrying out section 1890A.

(5) The amount of funding provided in paragraph (2) that has been obligated or expended for each of the activities described in paragraph (a).

(e) Estimates for, and descriptions of, obligations and expenditures that the Secretary anticipates will be needed in the succeeding two year period to carry out each of the quality measurement activities required under this section and section 1890A, including any obligations that will require funds to be expended in a future year.

(f) Revisions to Annual Report from Consensus-Based Entity to Congress and the Secretary.

(a) In General.—Section 1890(b)(5)(A) of the Social Security Act (42 U.S.C. 1395aaa(b)(5)(A)) is amended—

(A) by redesignating clauses (i) through (vi) as subclauses (I) through (VI), respectively, and moving the margins accordingly;

(B) in the matter preceding subclause (I), as redesignated by subparagraph (A), by striking “containing a description of—” and inserting “containing the following:—”.

(c) BY ADDING AT THE END THE FOLLOWING NEW SUBSEC:

“(A) An itemization of financial information for the fiscal year ending September 30 of the preceding year, including—

1. A description of the amounts transferred for each of fiscal years 2018 and 2019; and

2. By adding at the end the following new section:

“SEC. 50206. EXTENSION OF FUNDING FOR QUALITY MEASUREMENT, INPUT, AND SELECTION; REPORTING REQUIREMENTS.

(a) Extension of Funding.—Section 1890(d)(2) of the Social Security Act (42 U.S.C. 1395aaa(d)(2)) is amended—

(1) in the first sentence, by striking “2014” and inserting “2014,” and

(b) by inserting the following before the period: “,” and $7,500,000 for each of fiscal years 2018 and 2019”;

and inserting the following new section:

“SEC. 50207. FUNDING OF INCREASED MEDICARE-BASED HOSPITALS.

(a) In General.—The Limited Partnership Authority reallotment on DSKBCFDHB2PROD with HOUSE.
form work related to such sections 1890 and 1890A in helping the Secretary achieve those objectives. (2) REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report containing the results of the study conducted under paragraph (1), together with any recommended changes in legislation and administrative action as the Comptroller General determines appropriate.

SEC. 50207. EXTENSION OF FUNDING OUTREACH AND ASSISTANCE FOR LONG-TERM CARE PROGRAMS, STATE HEALTH INSURANCE ASSISTANCE PROGRAMS, AND THE MEDICAID IMPROVEMENTS FOR PATIENTS AND PROVIDERS PROGRAM.

(a) FUNDING EXTENSIONS.—

(1) ADDITIONAL FUNDING FOR STATE HEALTH INSURANCE PROGRAMS.—Subsection (a)(1)(B) of section 1119, as so amended, is amended—

(A) in clause (vi), by striking "and" and inserting "or"; and

(B) in clause (vii), by striking the period at the end and inserting "; and".

(2) ADDITIONAL FUNDING FOR AREA AGENCIES ON AGING.—Subsection (b)(1)(B) of such section 119, as so amended, is amended—

(A) in clause (vi), by striking "and" and inserting "or"; and

(B) in clause (vii), by striking the period at the end and inserting "; and".

(C) by inserting after clause (vii) the following new clauses:

"(viii) for fiscal year 2018, of $13,000,000; and

(ix) for fiscal year 2019, of $12,000,000.".

(3) ADDITIONAL FUNDING FOR AGING AND DISABILITY RESOURCE CENTERS.—Subsection (c)(1)(B) of such section 119, as so amended, is amended—

(A) in clause (vi), by striking "and" and inserting "or"; and

(B) in clause (vii), by striking the period at the end and inserting "; and".

(C) by inserting after clause (vii) the following new clauses:

"(viii) for fiscal year 2018, of $5,500,000; and

(ix) for fiscal year 2019, of $5,000,000.".

(b) FUNDING EXTENSIONS FOR THE NATIONAL CENTER FOR BENEFITS AND OUTREACH ENROLLMENT.—Subsection (d)(2) of such section 119, as so amended, is amended—

(A) in clause (v), by striking "and" and inserting "or"; and

(B) in clause (vi), by striking the period at the end and inserting "; and".

(C) by inserting after clause (vi) the following new clauses:

"(vii) for fiscal year 2018, of $12,000,000; and

(viii) for fiscal year 2019, of $12,000,000.".

(c) MEDICAID IMPROVEMENTS FOR PATIENTS AND PROVIDERS PROGRAM REPORTING REQUIREMENTS.—Beginning not later than April 1, 2019, and biennially thereafter, the Agency for Community Living shall electronically post on its website the following information, with respect to grants to States for State health insurance assistance programs for, benefits under part B of title XVIII of the Social Security Act or enrolled for benefits under part B of such title (but not enrolled in a plan under part C of such title):

"(i) in the case of episodes and visits ending during 2019, by 1.5 percent; and

(ii) in the case of episodes and visits ending during 2020, by 0.5 percent.

(B) A county (or equivalent area) shall be made a "rural area" if—

(1) the number of individuals or fewer per square mile of land area and is not described in subparagraph (A);

(2) the case of episodes and visits ending during 2019, by 4 percent;

(3) the case of episodes and visits ending during 2020, by 3 percent;

(4) the case of episodes and visits ending during 2021, by striking "subparagraph (A)"; and

(B) the following new subsection:

"(C) is not described in either subparagraph (A) or (B); and

"(i) in the case of episodes and visits ending during 2019, by 3 percent;

(ii) in the case of episodes and visits ending during 2020, by 2 percent; and

(iii) in the case of episodes and visits ending during 2021, by striking "subparagraph (A)".

(2) RULES FOR DETERMINATIONS.—

"(A) NO SWITCHING.—For purposes of this subsection, the determination by the Secretary as to whether a hospital is in a county (or equivalent area) shall be made a single time and shall apply for the duration of the period to which this subsection applies.

(B) UTILIZATION.—In determining which counties (or equivalent areas) are in the highest quartile under paragraph (1)(A), the following rules shall apply:

"(i) The Secretary shall use data from 2015.

(ii) The Secretary shall exclude data from the territories and the territories shall not be described in such paragraph.

(iii) The Secretary shall exclude data from counties (or equivalent areas) in rural areas with a low volume of home health episodes (and
if data is so excluded with respect to a county (or equivalent area), such county (or equivalent area) shall not be described in such paragraph.

"C) POPULATION DENSITY.—In determining population density, subsections (A) and (B) as in subsection (A) (as defined by the Secretary) on or after September 30, 2018, at the end, and

(B) in paragraph (2), by striking the period at the end and inserting "; and"

and

(C) by adding at the end the following new paragraph:

"(3) in the case of home health services furnished on or after January 1, 2019, the claim contains the code for the county (or equivalent area) in which the home health service was furnished.

(b) HHS OIG ANALYSIS.—Not later than January 1, 2020, the Inspector General of the Department of Health and Human Services shall submit to Congress

(1) an analysis of the home health claims and utilization of home health services by county (or equivalent area) under the Medicare program; and

(2) recommendations the Inspector General determines appropriate based on such analysis.

TITLES VIII THROUGH XI—HIGHER QUALITY RESULTS AND OUTCOMES NEEDED TO IMPROVE CHRONIC (CHRONIC) CARE

Subtitle A—Receiving High Quality Care in the Home

SEC. 50011. PROVIDING CONTINUED ACCESS TO MEDICARE ADVANTAGE SPECIAL NEEDS PLANS FOR VULNERABLE POPULATIONS

(a) Extension.—Section 1859(f)(1) of the Social Security Act (42 U.S.C. 1395w-28(f)(1)) is amended by striking "and for periods before January 1, 2019,

(b) Increased Integration of Dual SNPs.—(1) IN GENERAL.—Section 1859(f)(1) of the Social Security Act (42 U.S.C. 1395w-28(f)(1)) is amended by striking "and for periods before January 1, 2019, the Secretary may waive the requirement that causes for such plans under this subsection.

(2) NO FACILITY FEE IF ORIGINATING SITE FOR HOME DIALYSIS THERAPY IS THE HOME.—Section 1834(m)(2)(B) of the Social Security Act (42 U.S.C. 1395m(m)) is amended—

(A) by redesignating clauses (i) and (ii) as clauses (I) and (II), and indenting appropriately;

(B) in subclause (II), as redesignated by subclause (A), by striking "site" and inserting "site—

"(I) be easily navigable by an enrollee; and

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

"(J) the provision of telehealth technologies to achieve those goals.

(d) Conforming Amendment.—Section 1881(b)(4) of the Social Security Act (42 U.S.C. 1395w(b)(4)) is amended by striking "paragraph (3)(B) and inserting "paragraphs (3)(A) and"

Subtitle B—Advancing Team-Based Care

SEC. 50011. PROVIDING CONTINUED ACCESS TO MEDICARE ADVANTAGE SPECIAL NEEDS PLANS FOR VULNERABLE POPULATIONS

(a) Extension.—Section 1859(f)(1) of the Social Security Act (42 U.S.C. 1395w-28(f)(1)) is amended by striking "and for periods before January 1, 2019,

(b) Increased Integration of Dual SNPs.—(1) IN GENERAL.—Section 1859(f)(1) of the Social Security Act (42 U.S.C. 1395w-28(f)(1)) is amended by striking "and for periods before January 1, 2019,

(2) NO FACILITY FEE IF ORIGINATING SITE FOR HOME DIALYSIS THERAPY IS THE HOME.—Section 1834(m)(2)(B) of the Social Security Act (42 U.S.C. 1395m(m)) is amended—

(A) by redesignating clauses (i) and (ii) as clauses (I) and (II), and indenting appropriately;

(B) in subclause (II), as redesignated by subclause (A), by striking "site" and inserting "site—

"(I) be easily navigable by an enrollee; and

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

"(J) the provision of telehealth technologies to achieve those goals.

(d) Conforming Amendment.—Section 1881(b)(4) of the Social Security Act (42 U.S.C. 1395w(b)(4)) is amended by striking "paragraph (3)(B) and inserting "paragraphs (3)(A) and"

Subtitle B—Advancing Team-Based Care

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(b) Increased Integration of Dual SNPs.—(1) IN GENERAL.—Section 1859(f)(1) of the Social Security Act (42 U.S.C. 1395w-28(f)(1)) is amended by striking "and for periods before January 1, 2019,

(2) NO FACILITY FEE IF ORIGINATING SITE FOR HOME DIALYSIS THERAPY IS THE HOME.—Section 1834(m)(2)(B) of the Social Security Act (42 U.S.C. 1395m(m)) is amended—

(A) by redesignating clauses (i) and (ii) as clauses (I) and (II), and indenting appropriately;

(B) in subclause (II), as redesignated by subclause (A), by striking "site" and inserting "site—

"(I) be easily navigable by an enrollee; and

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

"(J) the provision of telehealth technologies to achieve those goals.

(d) Conforming Amendment.—Section 1881(b)(4) of the Social Security Act (42 U.S.C. 1395w(b)(4)) is amended by striking "paragraph (3)(B) and inserting "paragraphs (3)(A) and"

Subtitle B—Advancing Team-Based Care

SEC. 50011. PROVIDING CONTINUED ACCESS TO MEDICARE ADVANTAGE SPECIAL NEEDS PLANS FOR VULNERABLE POPULATIONS

(a) Extension.—Section 1859(f)(1) of the Social Security Act (42 U.S.C. 1395w-28(f)(1)) is amended by striking "and for periods before January 1, 2019,

(b) Increased Integration of Dual SNPs.—(1) IN GENERAL.—Section 1859(f)(1) of the Social Security Act (42 U.S.C. 1395w-28(f)(1)) is amended by striking "and for periods before January 1, 2019,

(2) NO FACILITY FEE IF ORIGINATING SITE FOR HOME DIALYSIS THERAPY IS THE HOME.—Section 1834(m)(2)(B) of the Social Security Act (42 U.S.C. 1395m(m)) is amended—

(A) by redesignating clauses (i) and (ii) as clauses (I) and (II), and indenting appropriately;

(B) in subclause (II), as redesignated by subclause (A), by striking "site" and inserting "site—

"(I) be easily navigable by an enrollee; and

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

"(J) the provision of telehealth technologies to achieve those goals.

(d) Conforming Amendment.—Section 1881(b)(4) of the Social Security Act (42 U.S.C. 1395w(b)(4)) is amended by striking "paragraph (3)(B) and inserting "paragraphs (3)(A) and"

Subtitle B—Advancing Team-Based Care

SEC. 50011. PROVIDING CONTINUED ACCESS TO MEDICARE ADVANTAGE SPECIAL NEEDS PLANS FOR VULNERABLE POPULATIONS

(a) Extension.—Section 1859(f)(1) of the Social Security Act (42 U.S.C. 1395w-28(f)(1)) is amended by striking "and for periods before January 1, 2019,

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(2) NO FACILITY FEE IF ORIGINATING SITE FOR HOME DIALYSIS THERAPY IS THE HOME.—Section 1834(m)(2)(B) of the Social Security Act (42 U.S.C. 1395m(m)) is amended—

(A) by redesignating clauses (i) and (ii) as clauses (I) and (II), and indenting appropriately;

(B) in subclause (II), as redesignated by subclause (A), by striking "site" and inserting "site—

"(I) be easily navigable by an enrollee; and

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

"(J) the provision of telehealth technologies to achieve those goals.

(d) Conforming Amendment.—Section 1881(b)(4) of the Social Security Act (42 U.S.C. 1395w(b)(4)) is amended by striking "paragraph (3)(B) and inserting "paragraphs (3)(A) and"

Subtitle B—Advancing Team-Based Care

SEC. 50011. PROVIDING CONTINUED ACCESS TO MEDICARE ADVANTAGE SPECIAL NEEDS PLANS FOR VULNERABLE POPULATIONS

(a) Extension.—Section 1859(f)(1) of the Social Security Act (42 U.S.C. 1395w-28(f)(1)) is amended by striking "and for periods before January 1, 2019,

(b) Increased Integration of Dual SNPs.—(1) IN GENERAL.—Section 1859(f)(1) of the Social Security Act (42 U.S.C. 1395w-28(f)(1)) is amended by striking "and for periods before January 1, 2019,

(2) NO FACILITY FEE IF ORIGINATING SITE FOR HOME DIALYSIS THERAPY IS THE HOME.—Section 1834(m)(2)(B) of the Social Security Act (42 U.S.C. 1395m(m)) is amended—

(A) by redesignating clauses (i) and (ii) as clauses (I) and (II), and indenting appropriately;

(B) in subclause (II), as redesignated by subclause (A), by striking "site" and inserting "site—

"(I) be easily navigable by an enrollee; and

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

"(J) the provision of telehealth technologies to achieve those goals.

(d) Conforming Amendment.—Section 1881(b)(4) of the Social Security Act (42 U.S.C. 1395w(b)(4)) is amended by striking "paragraph (3)(B) and inserting "paragraphs (3)(A) and"

Subtitle B—Advancing Team-Based Care

SEC. 50011. PROVIDING CONTINUED ACCESS TO MEDICARE ADVANTAGE SPECIAL NEEDS PLANS FOR VULNERABLE POPULATIONS

(a) Extension.—Section 1859(f)(1) of the Social Security Act (42 U.S.C. 1395w-28(f)(1)) is amended by striking "and for periods before January 1, 2019,

(b) Increased Integration of Dual SNPs.—(1) IN GENERAL.—Section 1859(f)(1) of the Social Security Act (42 U.S.C. 1395w-28(f)(1)) is amended by striking "and for periods before January 1, 2019,
(ID) Single pathways for resolution of any grievance or appeal related to a particular item or service provided by specialized MA plans for special needs individuals described in subsection (b)(6)(B)(ii) of section 1857(g)(2) of the Social Security Act (42 U.S.C. 1395w–28(b)(6)(B)(ii)) is amended—

(ii) by striking "who have a chronic or disabling condition that is life threatening or significantly limits overall health or function, have a special needs individual described in subparagraph (D)(i)(II)."

"who—

(A) in general.—Subject to subparagraph (D), the requirements described in this subparagraph shall be applicable to all entities described in section 1857(g)(2)(B) in the same manner as the Secretary to have engaged in conduct described in subparagraph (D)(i) and that the plan has failed to take corrective action in a timely manner of hospitalizations, emergency room visits, and hospital or nursing home discharges of enrollees, assigning one primary care provider for each enrollee, or sharing data that would be comparable to a group of MA plans for special needs individuals described in section 1857(g)(2)(B)(ii).

(2) CONFORMING AMENDMENT TO RESPONSIBILITIES OF FEDERAL COORDINATED HEALTH CARE OFFICE.—Section 111 of the Social Security Act (42 U.S.C. 1315b(a)(1)) is amended by adding at the end the following new paragraphs:

(6) To act as a designated contact for States under subparagraph (F)(I) of section 1859 of the Social Security Act (42 U.S.C. 1395w–28(b)(6)(B)(ii)) is amended—

(2) to be responsible, subject to the final approval of the Secretary, for developing regulations and guidance related to the implementation of a unified grievance and appeals process as described in subparagraphs (B) and (C) of this section and section 1859(f)(8) of the Social Security Act (42 U.S.C. 1395w–28(f)(8)).

(8) To be responsible, subject to the final approval of the Secretary, for developing regulations and guidance related to the alignment of policy and oversight under the Medicare program under title XVIII of such Act and the Medicaid program under title XIX of such Act regarding specialized MA plans for special needs individuals described in subsection (b)(6)(B)(ii) of such section 1859.

(C) IMPROVEMENTS TO SEVERE OR DISABLED CHRONIC CONDITION SNPS.—

(1) CARE MANAGEMENT REQUIREMENTS.—

Section 1859(g)(5) of the Social Security Act (42 U.S.C. 1395w–28(b)(6)(B)(ii)) is amended—

(A) by striking "all SNPs." and inserting "all SNPs.

(B) by redesigning subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately.

(C) in clause (ii), redesigning subparagraphs (B) and (C) as clauses (i) through (iii), respectively, and indenting appropriately.

(D) by adding at the end the following new subparagraph:

"(1) The interdisciplinary team under subparagraph (A)(ii)(III) includes a team of providers with demonstrated expertise, including training in an applicable specialty, in treating individuals similar to the targeted population of a plan.

"(2) Requirements developed by the Secretary to provide face-to-face encounters with individuals enrolled in the plan not less frequently than on an annual basis.

"(iii) As part of the model of care under clause (i) of subparagraph (A), the results of the initial assessment, annual and interim reassessment under clause (ii)(I) of such subparagraph of each individual enrolled in the plan are addressed in the individual’s individualized care plan under clause (ii)(II) of such subparagraph.

"(iv) As part of the annual evaluation and approval of such model of care, the Secretary shall ensure that the plan fulfills the previous year’s goals (as required under the model of care).

"(1) The Secretary shall establish a minimum benchmark for each element of the model of care of a plan. The Secretary shall only approve a plan’s model of care under this paragraph if each element of the model of care meets the minimum benchmark applicable under the preceding sentence.

(2) REVISIONS TO THE DEFINITION OF A SEVERE OR DISABLED CHRONIC CONDITION SPECIFIED NEEDS INDIVIDUAL.—

(A) IN GENERAL.—Section 1859(b)(6)(B)(iii) of the Social Security Act (42 U.S.C. 1395w–28(b)(6)(B)(iii)) is amended—

(i) by striking "who have" and inserting "who—

(ii) before January 1, 2022, have, "

(iii) by adding at the end the following new subparagraph:

(6) To act as a designated contact for States under subparagraph (F)(I) of section 1859 of the Social Security Act (42 U.S.C. 1395w–28(b)(6)(B)(ii)) is amended—

(7) To be responsible, subject to the final approval of the Secretary, for developing regulations and guidance related to the implementation of a unified grievance and appeals process as described in subparagraphs (B) and (C) of this section and section 1859(f)(8) of the Social Security Act (42 U.S.C. 1395w–28(f)(8)).
(B) PANEL OF CLINICAL ADVISORS.—Section 1859(f) of the Social Security Act (42 U.S.C. 1395w–28(f)), as amended by subsection (b), is amended by adding at the end the following new paragraph:

“(9) LIST OF CONDITIONS FOR CLARIFICATION OF THE DEFINITION OF A SEVERE OR DISABLING CHRONIC CONDITIONS SPECIALIZED NEEDS INDIVIDUAL.—

“(A) IN GENERAL.—Not later than December 31, 2020, and every 5 years thereafter, subject to subparagraphs (B) and (C), the Secretary shall convene a panel of clinical advisors to establish and update a list of conditions that meet each of the following criteria:

(i) Conditions that meet the definition of a severe or disabling condition under subsection (b)(6)(B)(iii) on or after January 1, 2022.

(ii) Conditions that require prescription drugs, providers, and models of care that are unique to the specific population of enrollees in a specialized MA plan for special needs individuals described in such subsection on or after such date and—

(I) as a result of access to, and enrollment in, such a specialized MA plan for special needs individuals, with such condition would have a reasonable expectation of slowing or halting progression of the disease, improving health outcomes and decreasing overall costs for individuals diagnosed with such condition compared to available options of care other than such a specialized MA plan for special needs individuals; or

(II) have a low prevalence in the general population of beneficiaries under this title or a disproportionately high per-beneficiary cost under this title.

(B) INCLUSION OF CERTAIN CONDITIONS.—The conditions listed under subparagraph (A) shall include HIV-related disease, terminal renal disease, and chronic and disabling mental illness.

(C) REQUIREMENT.—In establishing and updating the list under subparagraph (A), the panel shall take into account the availability of varied benefits, cost-sharing, and supplemental benefits under the model described in paragraph (2) of section 1859(h), including the expansion under paragraph (1) of such section.

(d) QUALITY MEASUREMENT AT THE PLAN LEVEL FOR SNPS AND DETERMINATION OF FEASIBILITY OF QUALITY MEASUREMENT AT THE PLAN LEVEL FOR MA PLANS.—Section 1833(a)(33) of the Social Security Act (42 U.S.C. 1395w–23(a)(33)) is amended by adding at the end the following new paragraphs:

“(6) QUALITY MEASUREMENT AT THE PLAN LEVEL FOR SNPS.—

“(A) IN GENERAL.—Subject to subparagraph (B), the Secretary may require reporting of data under section 1852(e) for, and apply under such subsection, quality measures at the plan level for specialized MA plans for special needs individuals instead of at the contract level.

(B) CONSIDERATIONS.—Prior to applying quality measurement at the plan level under this paragraph, the Secretary shall—

(i) take into consideration the minimum number of individuals enrolled in a specialized MA plan for special needs individuals in order to determine if a statistically significant or valid measurement of quality at the plan level is possible under this paragraph;

(ii) take into consideration the impact of such application on plans that serve a disproportionate number of individuals dually eligible for benefits under this title and under title XIX;

(iii) if quality measures are reported at the plan level, ensure that MA plans are not required to provide duplicative information; and

(iv) ensure that such reporting does not interfere with the collection of encounter data submitted by MA organizations or the administration to the program under this part as a result of the collection of such data.

“(C) APPLICATION.—If the Secretary applies quality measurement at the plan level under this paragraph—

(i) such quality measurement may include Medicare Health Outcomes Survey (HOS), Healthcare Effectiveness Data and Information Set (HEDIS), Consumer Assessment of Healthcare Providers and Systems (CAHPS) measures and quality measures under part D; and

(ii) the Secretary shall consider applying administrative actions, such as the measures described in section 1857(g)(2), at the plan level.

“(D) DETERMINATION OF FEASIBILITY OF QUALITY MEASUREMENT AT THE PLAN LEVEL FOR ALL MA PLANS—

“(A) DETERMINATION OF FEASIBILITY.—The Secretary shall determine the feasibility of requiring reporting of data under section 1852(e) for, and apply under such subsection, quality measures at the plan level for all MA plans under this paragraph.

(B) CONSIDERATION OF CHANGE.—After making a determination under subparagraph (A), the Secretary shall consider requiring such reporting and applying such quality measures at the plan level as described in such subparagraph.

“(e) GAO STUDY AND REPORT ON STATE-LEVEL INTEGRATION BETWEEN DUAL SNPS AND MEDICAID.—

(1) STUDY.—The Comptroller General of the United States (in this subsection referred to as the ‘Comptroller General’) shall conduct a study on the integration of special needs individuals into specialized MA plans for special needs individuals described in subsection (b)(6)(B)(ii) of section 1859 of the Social Security Act (42 U.S.C. 1395w–28) and the Medicaid program under title XIX of such Act (42 U.S.C. 1396 et seq.). Such study shall include an analysis of the following:

(A) The characteristics of States in which the State agency responsible for administering the State plan under such title XIX has a contract with such a specialized MA plan and that delivers long-term services and supports under such State plan under such title XIX through a managed care program, including the requirements under such State plan with respect to long-term services and supports.

(B) The types of such specialized MA plans, which may include the following:


(ii) A plan that meets the requirements described in subsection (1)(D)(i) of such section 1859;

(iii) A plan described in clause (ii) that also meets additional requirements established by the State.

(C) The characteristics of individuals enrolled in such specialized MA plans.

(D) As practicable, the following with respect to State plans for the delivery of long-term services and supports under such title XIX through a managed care program:

(i) Which populations of individuals are eligible to receive such services and supports.

(ii) Whether all such services and supports are provided on a capitated basis or if any of such services and supports is not provided or provided through fee-for-service.

(E) As practicable, how the availability and variation of integration arrangements of such specialized MA plans offered in States affects spending, service delivery options, access to community-based care, and utilization of care.

(F) The effects of State Medicaid programs to transition dually-eligible beneficiaries receiving long-term services and supports (LTSS) from institutional settings to home and community-based settings and related financial impacts of such transitions.

(G) Barriers and opportunities for making further progress on dual integration, as well as recommendations for legislative action to expedite or refine pathways toward fully integrated care.

(2) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report containing the results of the study conducted under paragraph (1), together with recommendations for such legislation and administrative action as the Comptroller General determines appropriate.

Subtitle C—Expanding Innovation and Technology

SEC. 50321. ADAPTING BENEFITS TO MEET THE NEEDS OF CRONICALLY ILL MEDICARE ADVANTAGE ENROLLEES.

Section 1859 of the Social Security Act (42 U.S.C. 1395w–28) is amended by adding at the end the following new subsection:

“(4) NATIONAL TESTING OF MEDICARE ADVANTAGE VALUE-BASED INSURANCE DESIGN MODEL.—

“(1) IN GENERAL.—In implementing the Medicare Advantage Value-Based Insurance Design model, that is tested under paragraph (4)(A), the Secretary shall revise the testing of the model under such section to cover, effective not later than January 1, 2020, all States.

“(2) TERMINATION AND MODIFICATION PROVISION NOT APPLICABLE UNLESS JANUARY 1, 2022.—The provisions of section 1115A(b)(3)(B) shall apply to the Medicare Advantage Value-Based Insurance Design model, as revised under paragraph (1), beginning January 1, 2022, but shall not apply to such model, as so revised, prior to such date.

“(3) TESTING.—The Secretary shall allocate funds made available under section 1115A(f)(1) to design, implement, and evaluate the Medicare Advantage Value-Based Insurance Design model, as revised under paragraph (1).

SEC. 50322. EXPANDING SUPPLEMENTAL BENEFACTS TO MEET THE NEEDS OF CRONICALLY ILL MEDICARE ADVANTAGE ENROLLEES.

(a) IN GENERAL.—Section 1852(a)(3) of the Social Security Act (42 U.S.C. 1395w–22(a)(3)) is amended—

(1) in subparagraph (A), by striking ‘‘Each’’ and inserting ‘‘Subject to subparagraph (D), each’’; and

(2) by adding at the end the following new subparagraph:

“(D) EXPANDING SUPPLEMENTAL BENEFITS TO MEET THE NEEDS OF CRONICALLY ILL MEDICARE ADVANTAGE ENROLLEES.—

“(i) IN GENERAL.—For plan year 2020 and subsequent plan years, in addition to any supplemental health care benefits otherwise provided under this paragraph, including a specialized MA plan for special needs individuals (as defined in section 1859(b)(6)), may provide supplemental benefits described in clause (ii) to a chronically ill enrollee (as defined in clause (iii)).

“(ii) SUPPLEMENTAL BENEFITS DESCRIBED.—

“(I) IN GENERAL.—Supplemental benefits described in this clause are supplemental benefits that, with respect to a chronically ill enrollee, have a reasonable expectation of improving or maintaining the health or overall function of such enrollee and that are limited to being primarily health related benefits.

“(II) AUTHORITY TO WAIVE UNIFORMITY REQUIREMENTS.—The Secretary may, with respect to supplemental benefits described in this clause (I) to a chronically ill enrollee under this subparagraph, waive the uniformity requirements under this part, as determined appropriate by the Secretary.

“(III) CHRONICALLY ILL ENROLLEE DEFINED.—In this subparagraph, the term ‘chronically ill enrollee’ means an enrollee in an MA plan that the Secretary determines—

“(I) has one or more comorbid and medically complex chronic conditions that is life threatening or significantly limits the overall health or function of the enrollee;

“(II) has a high risk of hospitalization or other adverse health outcomes; and
“(III) requires intensive care coordination.”

(b) GAO STUDY AND REPORT.—

(1) STUDY.—The Comptroller General of the United States (in subsection referred to as the ‘‘Comptroller General’’) shall conduct a study on supplemental benefits provided to enrollees in Medicare Advantage plans under part C of title XVIII of the Social Security Act (including specialized MA plans for special needs individuals (as defined in section 1859(b)(6) of such Act (42 U.S.C. 1395w–2(b)(6))). To the extent data are available, such study shall include an analysis of the following:

(A) The type of supplemental benefits provided to such enrollees, the total number of enrollees receiving each supplemental benefit, and whether the supplemental benefit is covered by the standard benchmark cost of the benefit or with additional premium.

(B) The frequency in which supplemental benefits are utilized by such enrollees.

(C) The impact supplemental benefits have on—

(i) indicators of the quality of care received by such enrollees, including overall health and function of enrollees;

(ii) the utilization of items and services for which benefits are available under the original Medicare fee-for-service program option under parts A and B of such title XVIII by such enrollees; and

(iii) the amount of the bids submitted by Medicare Advantage Organizations for Medicare Advantage plans under such part C.

(2) CONSULTATION.—In conducting the study under paragraph (1), the Comptroller General shall consult with the Secretary of Health and Human Services, the Administrator of the Centers for Medicare & Medicaid Services and Medicare Advantage organizations offering Medicare Advantage plans.

(3) IMPLEMENTATION.—Not later than 5 years after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report containing the results of the study conducted under paragraph (1), together with recommendations for such legislation and administrative action as the Comptroller General determines appropriate.

SEC. 50323. INCREASING CONVERSION FOR MEDICARE ADVANTAGE ENROLLEES THROUGH TELEHEALTH.

(a) IN GENERAL.—Section 1852 of the Social Security Act (42 U.S.C. 1395w–22) is amended—

(1) in subsection (a)(1)(B)(i), by inserting “, except as provided in paragraph (2) (A),” after “means”;

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

“(m) PROVISION OF ADDITIONAL TELEHEALTH BENEFITS.—

“(1) MA PLAN OPTION.—For plan year 2020 and subsequent plan years, subject to the requirements of paragraph (2), an MA plan may provide additional telehealth benefits (as defined in paragraph (2)) to individuals enrolled under this part.

“(2) ADDITIONAL TELEHEALTH BENEFITS DEFINED.—

“(A) IN GENERAL.—For purposes of this subsection, ‘additional telehealth benefits’ means—

(i) what types of items and services (including those provided through supplemental health care benefits, such as remote patient monitoring, secure messaging, store and forward technologies, and other telehealth benefits (as defined in paragraph (2))) should be considered to be additional telehealth benefits; and

(ii) the requirements for the provision of furnishing such items and services (such as training and coordination requirements).

“(B) REQUIREMENTS FOR ADDITIONAL TELEHEALTH BENEFITS.—The Secretary shall specify requirements for the provision or furnishing of additional telehealth benefits, including with respect to the following:

(A) Physician or practitioner qualifications (other than licensure) and other requirements such as specific training.

(B) Factors necessary for the coordination of such benefits with other items and services including those furnished in-person.

(C) Such other areas as determined by the Secretary.

“(4) ENROLLEE CHOICE.—If an MA plan provides a service as an additional telehealth benefit (as defined in paragraph (2)),

(A) the MA plan shall also provide access to such benefit through an in-person visit (and not only as an additional telehealth benefit); and

(B) an individual enrollee shall have discretion as to whether to receive such service through the in-person visit or as an additional telehealth benefit.

“(5) TREATMENT UNDER MA.—For purposes of this subsection and section 1854, if a plan provides additional telehealth services under such section, such additional telehealth benefits shall be treated as if they were benefits under the original Medicare fee-for-service program option.

“(6) CONSTRUCTION REGARDING INCLUSION IN BID AMOUNT.—Section 1854(a)(6)(A)(ii)(I) of the Social Security Act (42 U.S.C. 1395w–24(a)(6)(A)(ii)(I)) is amended by inserting ‘‘, in addition to the amounts described in section 1834(m),’’ before the semicolon at the end.

“(B) CLARIFICATION REGARDING INCLUSION IN BID AMOUNT.—Section 1854(a)(6)(A)(ii)(I) of the Social Security Act (42 U.S.C. 1395w–24(a)(6)(A)(ii)(I)) is amended by inserting ‘‘, in addition to the amounts described in section 1834(m),’’ before the semicolon at the end.

“(C) NO ORIGINATING SITE FEE.—No facility fee shall be paid under part B of title XIX of the Social Security Act (42 U.S.C. 1395m(m)), as amended by section 50322(b)(1), by a Medicare Advantage Organization for Medicare Advantage enrollees, the total number of enrollees in Medicare Advantage plans under part C, and the number of enrollees in Medicare Advantage Organizations for Medicare Advantage plans under such part C.

“(3) REQUIREMENTS FOR NEW SITES.—

(A) APPLICABILITY.—Sections 1834(m) and 1834(n) of the Social Security Act (42 U.S.C. 1395w–24(m) and 1395w–24(n)), as amended by section 50321(b)(1), shall not apply with respect to a Medicare Advantage plan that furnished a service as an additional telehealth benefit, except as provided in paragraph (2)(A), (B), and (C).

(B) HOME.—The term ‘home’ means, with respect to a Medicare fee-for-service beneficiary, the place of residence used as the home of the beneficiary.

“(B) MEDICARE ADVANTAGE ORGANIZATIONS FOR MEDICARE ADVANTAGE ENROLLEES.

(1) STUDY.—In the case of telehealth services described in paragraph (1) where the home of a Medicare fee-for-service beneficiary is the originating site, the following shall apply:

(A) NO MEDICAL NECESSITY DETERMINATION.—There shall be no medical necessity determination.

(B) EXCLUSION OF CERTAIN SERVICES.—No payment may be made for services that are inappropriate to furnish in the home setting such as services that are typically furnished in inpatient settings such as a hospital.

(2) STUDY AND REPORT.—

(A) IN GENERAL.—The Secretary of Health and Human Services (in this subsection referred to as the ‘‘Secretary’’) shall conduct a study on the implementation of section 1899(b) of the Social Security Act, as added by subsection (a). Such study shall include an analysis of the utilization and expenditures for telehealth services under such section.

(B) COLLECTION OF DATA.—The Secretary may collect such data as the Secretary determines necessary to carry out the study under this paragraph.

“(2) REPORT.—Not later than January 1, 2026, the Secretary shall submit to Congress a report containing the results of the study conducted under paragraph (1), together with recommendations for such legislation and administrative action as the Secretary determines appropriate.

SEC. 50325. EXPANDING THE USE OF TELEHEALTH FOR INDIVIDUALS WITH STROKE.

Section 1834(m) of the Social Security Act (42 U.S.C. 1395w–24(m)), as amended by section 50322(b)(1), is amended—

(1) in paragraph (4)(C)(i), in the matter preceding clause (1), by inserting ‘‘, except as provided in paragraph (6),’’ before ‘‘the term’’; and

(2) by adding at the end the following new paragraph:

“(G) TREATMENT OF STROKE TELEHEALTH SERVICES.—

“(A) NON-APPLICATION OF ORIGIANATING SITE REQUIREMENTS.—The requirements described in paragraph (4)(C) shall not apply with respect to telehealth services furnished on or after January 1, 2019, for purposes of diagnosis, evaluation, or treatment of symptoms of an acute stroke, as determined by the Secretary.

“(B) EXCLUSION OF CERTAIN SITES.—With respect to telehealth services described in subparagraph (A), the term ‘originating site’ shall include any hospital (as defined in section 1861(e)), critical access hospital (as defined in section 1861(mm)(1)), any mobile stroke unit (as defined by the Secretary), or any other site determined appropriate by the Secretary, at which the eligible telehealth individual is located at the time the service is furnished via a telecommunication system.

“(C) NO MEDICAL NECESSITY DETERMINATION FOR NEW SITES.—No facility fee shall be paid under paragraph (2) by a Medicare Advantage plan or a Medicare fee-for-service plan for services that are inappropriate to furnish in the home setting such as services that are typically furnished in inpatient settings such as a hospital.

“(D) NO MEDICAL NECESSITY DETERMINATION FOR NEW SITES.—No facility fee shall be paid under paragraph (2) by a Medicare Advantage plan or a Medicare fee-for-service plan for services that are inappropriate to furnish in the home setting such as services that are typically furnished in inpatient settings such as a hospital.”
**Subtitle D—Identifying the Chronically Ill Population**

SEC. 50341. PROVIDING FLEXIBILITY FOR BENEFICIARIES TO BE PART OF AN ACO ORGANIZATION.

Section 1899(c) of the Social Security Act (42 U.S.C. 1395jjj(c)) is amended—

(1) by redesignating paragraphs (1) and (2) as subsections (A) and (B), respectively, and indenting appropriately;

(2) by striking "ACOs.—The Secretary shall permit the ACO to choose to provide for the retrospective assignment of Medicare fee-for-service beneficiaries to the ACO, the Secretary shall permit the ACO to choose to have Medicare fee-for-service beneficiaries assigned prospectively, rather than retrospectively, under an agreement period.

(3) by adding at the end the following new paragraph:

"(2) PROVIDING FLEXIBILITY.—

"(A) CHOICE OF PROSPECTIVE ASSIGNMENT.—For each agreement period (effective for agreements commenced on or after January 1, 2020), in the case where an ACO established under the program is in a Track that provides for the retrospective assignment of Medicare fee-for-service beneficiaries to the ACO, the Secretary shall permit the ACO to choose to have Medicare fee-for-service beneficiaries assigned prospectively, rather than retrospectively, under an agreement period.

"(B) ASSIGNMENT BASED ON VOLUNTARY IDENTIFICATION BY MEDICARE FEER-FOR-SERVICE BENEFICIARIES.—

"(i) In general.—For performance year 2018 and each subsequent performance year, if a system is available for electronic designation, the Secretary shall permit Medicare fee-for-service beneficiaries to voluntarily identify an ACO professional as the primary care provider of the beneficiary for purposes of assigning such beneficiary to an ACO, as determined by the Secretary.

"(ii) Notification process.—The Secretary shall establish a process under which a Medicare fee-for-service beneficiary may make and change such identification.

"(iii) Superseding claims-based assignment.—A voluntary identification by a Medicare fee-for-service beneficiary under subsection (b)(6)(B) shall supersede any claims-based assignment otherwise determined by the Secretary.

Subtitle E—Empowering Individuals and Families to Obtain Care in Such a Way as to Longitudinal and Comprehensive Care Delivery

SEC. 50342. ELIMINATING BARRIERS TO CARE IN COORDINATION UNDER ACCOUNTABLE CARE ORGANIZATIONS.

(a) In General.—Section 1899(c) of the Social Security Act (42 U.S.C. 1395jjj), as amended by section 5032(a), is amended—

(1) in subsection (b)(2), by adding at the end the following new subparagraph:

"(A) An ACO that seeks to operate an ACO Beneficiary Incentive Program pursuant to subsection (b)(2) of paragraph (1), together with recommendations containing the results of the evaluation under paragraph (1), may require, including the amount and frequency of incentive payments made and the requirements of such subsection and meets such other conditions as the Secretary may establish.

(b) In paragraphs (2), (3), and (4), by striking "and" at the end of subparagraph (D) and inserting ", and"; and

(c) In paragraph (5), by striking "." and inserting ". and";

(d) In subsection (c), by striking "a beneficiary who is furnished qualifying services by the ACO, as described in subsection (b)(1)" and inserting "a beneficiary who is furnished qualifying services by the ACO, as described in subsection (b)(2)"; and

(e) In subsection (b)(6), by striking "or of an ACO Beneficiary Incentive Program established under subsection (m) of section 1899, if the payment is made in accordance with the requirements of such subsection and meets such other conditions as the Secretary may establish.".

SEC. 50343. GAO STUDY AND REPORT ON LONGITUDINAL, COMPREHENSIVE CARE PLANNING SERVICES UNDER MEDI-CARE PART B.

(a) Study.—The Comptroller General shall conduct a study on the establishment under part B of the Medicare program under title XVIII of the Social Security Act of a payment code for a visit for longitudinal comprehensive care planning services. Such study shall include an analysis of the following to the extent such information is available:

(1) The frequency with which services similar to such services are furnished to Medicare beneficiaries, which providers of services and suppliers are
furnishing those services, whether Medicare reimbursement is being received for those services, and, if so, through which codes those services are being reimbursed.

(2) The extent to which, longitudinal comprehensive care planning services would overlap, and could therefore result in duplicative payment, with services covered under the Medicare program, and if so, through which codes those services are being reimbursed.

(3) In addition, the extent to which, longitudinal comprehensive care planning services are furnished through interdisciplinary teams; and

(b) Meets such other requirements as the Secretary may determine to be appropriate.

(2) COMPTROLLER GENERAL.—The term "comprehensive care plan" means a plan to furnish longitudinal comprehensive care planning services through an interdisciplinary team.

(c) INTERDISCIPLINARY TEAM.—The term "interdisciplinary team" means a group that includes all of the following:

(A) the type of training and education needed to provide care for the beneficiary;

(B) the types of providers of services and suppliers that should be included in the interdisciplinary team of an applicable provider; and

(C) the characteristics of Medicare beneficiaries that would be most appropriate to receive longitudinal comprehensive care planning services, such as individuals with advanced disease and functional limitations who need assistance with multiple activities of daily living.

(9) Stakeholder's views on the quality metrics used by Medicare prescription drug plans or other payors.

(10) What is known about the impact of these obesity drugs on patient health and on health care spending.

(b) The extent to which, longitudinal comprehensive care planning services are furnished through interdisciplinary teams; and

(c) Meets such other requirements as the Secretary may determine to be appropriate.

(2) COMPTROLLER GENERAL.—The term "comprehensive care plan" means a plan to furnish longitudinal comprehensive care planning services through an interdisciplinary team.

(c) INTERDISCIPLINARY TEAM.—The term "interdisciplinary team" means a group that includes all of the following:

(A) the type of training and education needed to provide care for the beneficiary;

(B) the types of providers of services and suppliers that should be included in the interdisciplinary team of an applicable provider; and

(C) the characteristics of Medicare beneficiaries that would be most appropriate to receive longitudinal comprehensive care planning services, such as individuals with advanced disease and functional limitations who need assistance with multiple activities of daily living.

(9) Stakeholder's views on the quality metrics used by Medicare prescription drug plans or other payors.

(10) What is known about the impact of these obesity drugs on patient health and on health care spending.

SEC. 50352. GAO STUDY AND REPORT ON IMPACT OF OBESITY DRUGS ON PATIENT HEALTH AND SPENDING.

(a) STUDY.—The Comptroller General of the United States (in this section referred to as the "Comptroller General") shall, to the extent data are available, conduct a study on the use of prescription drugs to manage the weight of obese individuals with obesity and the impact of coverage of such drugs on patient health and on health care spending. Such study shall examine the use and impact of these obesity drugs in the non-Medicare population and for Medicare beneficiaries who have such drugs covered through a MA–PD plan (as defined in section 1860D–1(a)(3)(C) of the Social Security Act (42 U.S.C. 1395w–101(a)(3)(C))) as a supplemental health care benefit. The study shall include an analysis of the following:

(1) The prevalence of obesity in the Medicare and non-Medicare population.

(2) The utilization of obesity drugs.

(3) The distribution of Body Mass Index by individuals taking obesity drugs, to the extent practicable.

(4) What is known about the use of obesity drugs in conjunction with the receipt of other items or services, such as behavioral counseling, and how these compare to items and services received by obese individuals who do not take obesity drugs.

(5) Physician considerations and attitudes related to prescribing obesity drugs.

(6) The extent to which, prescription policies cease to provide adequate coverage for individuals who fail to receive clinical benefit.

(7) What is known about the extent to which individuals who take obesity drugs adhere to the prescribed regimen.

(8) What is known about the extent to which individuals who take obesity drugs maintain weight loss over time.

(9) What is known about the subsequent impact such drugs have on medical services that are directly related to obesity, including with respect to subpopulations determined based on the extent of obesity.

(10) What is known about the spending associated with the care of individuals who take obesity drugs, compared to the spending associated with the care of individuals who do not take such drugs.

(b) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report containing the results of the study conducted under subsection (a), together with recommendations for such legislation and administrative action as the Comptroller General determines appropriate.
SEC. 50534. PROVIDING PRESCRIPTION DRUG PLANS WITH PARTS A AND B CLAIMS DATA TO PROMOTE THE APPROPRIATE USE OF MEDICATIONS AND IMPROVE HEALTH OUTCOMES.

Section 1860D-4(c) of the Social Security Act (42 U.S.C. 1395w-55c) is amended by adding at the end the following new paragraph:

“(6) PROVIDING PRESCRIPTION DRUG PLANS WITH PARTS A AND B CLAIMS DATA TO PROMOTE THE APPROPRIATE USE OF MEDICATIONS AND IMPROVE HEALTH OUTCOMES.—

“(A) PROCESS.—Subject to subparagraph (B), the Secretary shall establish a process under which the sponsor of a prescription drug plan may submit a request for the Secretary to provide the sponsor, on a periodic basis and in an electronic format, beginning in plan year 2020, with a payment category (D) with respect to enrollees in such plan. Such data shall be provided without regard to whether such enrollees are described in clause (ii) of paragraph (2)(A).

“(B) PURPOSES.—A PDP sponsor may use the data provided to the sponsor pursuant to subparagraph (A) for any of the following purposes:

“(i) To optimize therapeutic outcomes through improved medication use, as such phrase is used in clause (i) of paragraph (2)(A).

“(ii) To conduct retroactive reviews of medically accepted indications determinations.

“(iii) To facilitate enrollment changes to a different prescription drug plan or an MA-PD plan offered by the same parent organization.

“(iv) To inform marketing of benefits.

“(v) For any other purpose determined appropriate by the Secretary.

“(C) LIMITATIONS ON DATA USE.—A PDP sponsor shall not use data provided to the sponsor pursuant to subparagraph (A) for any of the following purposes:

“(i) To inform coverage determinations under this part.

“(ii) To conduct routine reviews of medically accepted indications determinations.

“(D) DATA DESCRIBED.—The data described in this clause are standardized extracts (as determined by the Secretary) of claims data under parts A and B and services furnished under such parts for time periods specified by the Secretary. Such data shall include data as current as practicable.

TITLE V—PART A IMPROVEMENT ACT AND OTHER PART B ENHANCEMENTS

Subtitle A—Medicare Part B Improvement Act

SEC. 50401. HOME INFUSION THERAPY SERVICES TEMPORARY TRANSITIONAL PAYMENT—

(a) IN GENERAL.—Section 1834(u) of the Social Security Act (42 U.S.C. 1395u(a)) is amended, by adding at the end the following new paragraph:

“(3) home infusion drug administration calendar day in the individual's home for drugs assigned to such category.

“(C) PAYMENT AMOUNTS.—

“(1) IN GENERAL.—Under the payment methodology, the Secretary shall—

“(i) create the three payment categories described in clauses (i), (ii), and (iii) of subparagraph (C) (as follows): J0133, J0285, J0287, J0288, J0289, J0865, J1170, J1250, J1265, J1255, J1455, J1570, J1575, J1576, J1220, J1270, J2274, J1278, J1513, or J1519.

“(ii) create the three payment categories described in clauses (i), (ii), and (iii) of subparagraph (C) (as follows): J0133, J0285, J0287, J0288, J0289, J0865, J1170, J1250, J1265, J1255, J1455, J1570, J1575, J1576, J1220, J1270, J2274, J1278, J1513, or J1519.

“(ii) PAYMENT AMOUNT FOR CATEGORY 1.—The Secretary shall create a payment category 1 and assign to such category drugs which are covered under the Local Coverage Determination on External Infusion Pumps (LCD number L33794) and billed with the following HCPCS codes (as identified by the Secretary): J1333, J1352, J1367, J0288, J0289, J0865, J1170, J1250, J1265, J1255, J1455, J1570, J1575, J1576, J1220, J1270, J2274, J1278, J1513, or J1519.

“(iii) PAYMENT AMOUNT FOR CATEGORY 2.—The Secretary shall create a payment category 2 and assign to such category drugs which are covered under such local coverage determination and billed with the following HCPCS codes (as identified by the Secretary): J1555 JB, J1559 JB, J1561 JB, J1562 JB, J1569 JB, or J1575 JB.

“(iii) PAYMENT AMOUNT FOR CATEGORY 3.—The Secretary shall create a payment category 3 and assign to such category drugs which are covered under such local coverage determination and billed with the following HCPCS codes (as identified by the Secretary): J1200 JB, J1209 JB, J1210 JB, J1215 JB, J1250 JB, J1265 JB, J1270 JB, J2274 JB, J1278 JB, J1513 JB, or J1519 JB.

“(iii) INFUSION DRUGS NOT OTHERWISE INCLUDED.—With respect to drugs that are not included in payment category 1, 2, or 3 under clause (i), (ii), or (iii), respectively, the Secretary shall assign to the most appropriate of such categories, as determined by the Secretary, drugs which are:

“(i) covered under such local coverage determination and billed under HCPCS codes J7799 or J7999 (as identified as of July 1, 2017, and as subsequently modified by the Secretary); or

“(ii) billed under the following code that is implemented after the date of the enactment of this paragraph and included in such local coverage determination or, if included in subcategory guidance as a home infusion drug described in subparagraph (A)(ii).

“(D) PAYMENT AMOUNTS.—

“(1) IN GENERAL.—Under the payment methodology, the Secretary shall pay eligible home infusion suppliers, with respect to items and services described in subparagraph (A)(ii) furnished to an individual by an eligible home infusion supplier or a qualified home infusion therapy supplier, a payment equal to the amount of payment under this paragraph for the drugs so furnished to such individual during such calendar year, for the highest payment that would be made under this paragraph.

“(E) IMPLEMENTATION.—Notwithstanding any other provision of law, the Secretary may implement this paragraph by program instruction or otherwise.

“(F) ELIGIBLE HOME INFUSION SUPPLIERS.—In this paragraph, the term ‘eligible home infusion supplier’ means a supplier that is enrolled under this part as a pharmacy that provides external infusion pumps and related supplies and that maintains all pharmacy licensure requirements in the State in which the applicable infusion drugs are administered.

“(G) IMPLEMENTING AMENDMENTS.—(1) Section 1842(b)(6)(I) of the Social Security Act (42 U.S.C. 1395u(b)(6)(I)) is amended by inserting ‘or, in the case of any program instructions made under section 1842(b)(6)(I) of the Social Security Act, in any program instruction or otherwise, any other provision of law, the Secretary may implement this paragraph by program instruction or otherwise.’.

“(2) Section 5012(d) of the 21st Century Cures Act is amended by inserting the following before
the period at the end: “, except that the amendments made by paragraphs (1) and (2) of subsection (c) shall apply to items and services furnished on or after January 1, 2019.”

SEC. 50402. DOCUMENTS CREATED BY ORTHOTIST AND PROSTHETISTS’ CLINICAL NOTES AS PART OF THE PATIENT’S MEDICAL RECORD.—

Section 1395(h)(4) of the Social Security Act (42 U.S.C. 1395(h)(4)) is amended by adding at the end the following new paragraph:

“(g) DOCUMENTATION CREATED BY ORTHOTIST AND PROSTHETISTS.—For purposes of determining eligibility and medical necessity of orthotics and prosthetics, documentation created by an orthotist or prosthetist shall be considered as part of the patient’s medical record to support documentation created by eligible professionals described in section 1848(k)(3)(B).”

SEC. 50403. INDEPENDENT ACCREDITATION FOR DIALYSIS FACILITIES AND ESSENTIAL AMENITIES AND SUPERVISION OF PROFESSIONALS.—

(a) ACCREDITATION AND SIGNATURE REQUIREMENTS.—

(1) IN GENERAL.—Section 1865 of the Social Security Act (42 U.S.C. 1395bb) is amended—

(A) in subsection (a)—

(i) in paragraph (1), in the matter preceding subparagraph (A), by striking “or the conditions and requirements under section 1881(h);” and

(ii) in paragraph (4), by inserting “(including a renal dialysis facility)”; and

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

“(e) With respect to an accreditation body that is accredited by an organization as an accrediting organization under subsection (a)(3)(A) for accreditation of provider entities that are required to meet the conditions and requirements under section 1881(h), in addition to review and oversight authorities otherwise applicable under this title, the Secretary shall (as the Secretary determines appropriate) conduct, with respect to such accreditation bodies, any or all of the following as frequently as is otherwise required to be conducted under this title with respect to other accreditation bodies or other provider entities:

“(i) Validation surveys referred to in subsection (d).

“(2) Accreditation program reviews as defined in section 1881(h)(6) of the Social Security Act (42 U.S.C. 1395bb) are required to be conducted under this title with respect to other accreditation bodies or other provider entities:

“(A) in subsection (a), in the matter following the last paragraph of such Act (42 U.S.C. 1395y(b));

“(B) in subsection (c), by striking “$25,000” and inserting “$100,000”;

“(C) in subsection (d), by striking “$10,000” and inserting “$100,000”;

“(D) WRITTEN REQUIREMENT CLARIFIED.—In the case of a holdover lease arrangement, the lease of office space or subparagraph (B) for the use of such equipment and that expired after a term of at least 1 year, payments made by the lessee to the lessor pursuant to such holdover lease arrangement, if—

“(i) the lease arrangement met the conditions of subparagraph (A) for the lease of office space or subparagraph (B) for the use of equipment when the arrangement expired;

“(ii) the holdover lease arrangement is on the same terms and conditions as the immediately preceding arrangement; and

“(iii) the holdover arrangement continues to satisfy the conditions of subparagraph (A) for the lease of office space or subparagraph (B) for the use of equipment;” and

(2) INCREASED CRIMINAL FINES.—Section 1128B of the Social Security Act (42 U.S.C. 1320a–7b(a)) is amended—

(A) in subsection (a), in the matter following paragraph (6), by striking “$5,000” and inserting “$25,000” and inserting “$100,000”; and

(B) in subsection (b)—

(i) in paragraph (1), in the flush text following subparagraph (B), by striking “$25,000” and inserting “$5,000” and inserting “$5,000”;

(ii) in paragraph (2), in the flush text following subparagraph (B), by striking “$25,000” and inserting “$100,000”; and

(E) in subsection (e), by striking “$2,000” and inserting “$4,000” and inserting “$4,000”.

 SEC. 50413. REDUCING THE VOLUME OF FUTURE EHR-RELATED SIGNIFICANT HARDWARE AND SOFTWARE REQUIREMENTS.—

(a) Increased Medical Equipment Penalties and Increased Sentences for Federal Health Care Program Fraud.—

(1) Increased Civil Money Penalties and Criminal Fines.—

(i) Increased Civil Money Penalties.—Section 1128A of the Social Security Act (42 U.S.C. 1320a–7a) is amended—

(A) in subsection (a), in the matter following paragraph (10), by striking “$10,000” and inserting “$20,000” each place it appears;

(by striking “$15,000” and inserting “$30,000”; and

(by striking “$50,000” and inserting “$100,000” each place it appears; and

(B) in subsection (b), in the flush text following subparagraph (B), by striking “$2,000” and inserting “$5,000”; and

(b) Indefinite Holdover for Lease Arrangements Pursuant to the Stark Rule.—

Sec. 1395nn(h)(1) of the Social Security Act (42 U.S.C. 1395nn(h)(1)) is amended by further amending by adding at the end the following new paragraph:

“(c) Holdover Lease Arrangements.—In the case of a holdover lease arrangement for the lease of office space or subparagraph (B) for the use of such equipment and that expired after a term of at least 1 year, payments made by the lessee to the lessor pursuant to such holdover lease arrangement, if—

“(i) the lease arrangement met the conditions of subparagraph (A) for the lease of office space or subparagraph (B) for the use of equipment when the arrangement expired;

“(ii) the holdover lease arrangement is on the same terms and conditions as the immediately preceding arrangement; and

“(iii) the holdover arrangement continues to satisfy the conditions of subparagraph (A) for the lease of office space or subparagraph (B) for the use of equipment;” and

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to contracts entered into after the date of the enactment of this Act.
SEC. 50414. STRENGTHENING RULES IN CASE OF COMPETITION FOR DIABETIC TESTING STRIPS.—

(a) SPECIAL RULE APPLICABLE IN CASE OF COMPETITION FOR DIABETIC TESTING STRIPS.—

(1) IN GENERAL.—Paragraph (10) of section 1841(b) of the Social Security Act (42 U.S.C. 1395w–2(b)) is amended as follows:

(A) in subparagraph (A), by striking the second sentence and inserting the following new sentence:—"With respect to bids to furnish such types of products on or after January 1, 2019, under a contract entered into, the volume for such types of products shall be determined by the Secretary through the use of multiple sources of data (from mail order and non-mail order Medicare markets), including market-based data measuring sales of diabetic testing strip products that are not exclusively sold by a single retailer from such markets."; and

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

(11) DEMONSTRATION OF ABILITY TO FURNISH TYPES OF DIABETIC TESTING STRIP PRODUCTS.—With respect to bids to furnish diabetic testing strip products on or after January 1, 2019, an entity shall attest to the Secretary that the entity has the ability to obtain an inventory of the types and quantities of diabetic testing strip products that will allow the entity to furnish such products in a manner consistent with its bid and—

(i) demonstrate to the Secretary, through letters of intent with manufacturers, wholesalers, or other evidence as the Secretary may specify, such ability; or

(ii) demonstrate to the Secretary that it made a good faith attempt to obtain such a letter of intent or such other evidence.

(12) USE OF UNLISTED TYPES IN CALCULATION OF PERCENTAGE.—With respect to bids to furnish diabetic testing strip products on or after January 1, 2019, under a subparagraph under which a whether a bid submitted by an entity under such subparagraph covers 50 percent (or such higher percentage as the Secretary may specify) of all types of diabetic testing strip products, the Secretary may not attribute a percentage to types of diabetic testing strip products that the Secretary does not identify by brand, model, and market share volume.

(13) ADHERENCE TO DEMONSTRATION.—

(1) IN GENERAL.—In the case of an entity that is furnishing diabetic testing strip products on or after January 1, 2019, under a paragraph under which a bid was submitted by an entity under the competition conducted pursuant to paragraph (11), the Secretary shall establish a process to monitor, on an ongoing basis, to the extent practicable, such entity's compliance with the provisions, and amendments made by, this section.

(2) NON-APPLICATION OF THE PAPERWORK REDUCTION ACT.—In section 510 of the Social Security Act (42 U.S.C. 1395w–2(a)), as amended by subsection (a), in clause (v), by striking ''and'' at the end and inserting ‘‘; and’’; and in clause (vii), by striking ''and'' at the end and inserting ‘‘; and’’; and

(b) CODIFYING AND EXPANDING ANTI-SWITCHING RULE.—Section 1841(b) of the Social Security Act (42 U.S.C. 1395w–2(b)), as amended by subsection (a)(1), is further amended—

(A) by redesigning paragraph (11) as paragraph (12); and

(B) by amending after paragraph (10) the following new paragraph:

(11) ADDITIONAL SPECIAL RULES IN CASE OF COMPETITION FOR DIABETIC TESTING STRIPS.—

(A) With respect to an entity that is furnishing diabetic testing strip products to individuals under a contract entered into under the competitive acquisition program established under this section, the entity shall furnish to such a retail location of such products that is compatible with the home blood glucose monitor selected by such individual.

(B) PROHIBITION ON INFLUENCING AND INCENTIVIZING.—An entity described in subparagraph (A) may not attempt to influence or incentivize such individual with the brand of glucose monitor or diabetic testing strip product selected by the individual, including by—

(i) persuading, pressuring, or advising the individual to switch the brand of such product; or

(ii) furnishing information about alternative brands to the individual where the individual has not requested such information.

(C) PROVISION OF INFORMATION.—

(1) STANDARDIZED INFORMATION.—Not later than January 1, 2019, the Secretary shall develop and make available to entities described in subparagraph (A) standardized information that describes the rights of an individual with respect to such an entity. The information described in the preceding sentence shall include information regarding—

(I) the requirements established under subparagraphs (A) and (B); and

(II) the right of the individual to purchase diabetic testing strip products from another mail order supplier of such products or a retail pharmacy, if the individual elects to ‘‘unpair’’ the brand of such product that is compatible with the home blood glucose monitor selected by the individual; and

(III) the right of the individual to return diabetic testing strip products furnished to the individual by the entity.

(2) ORDER REFILLS.—With respect to diabetic testing strip products furnished on or after January 1, 2019, the Secretary shall require an entity furnishing diabetic testing strip products to an individual to contact and receive a request from the individual for such products not more than 14 days prior to dispensing a refill of such products to the individual.

(3) IMPLEMENTATION.—Except for research under paragraph (5) and informing individuals of the availability of the provisions of, and amendments made by, this section, the Secretary of Health and Human Services may implement the provisions of this section through the use of other provision of law, the Secretary of Health and Human Services may implement the provisions of, and amendments made by, this section through the use of

(TITLE V—OTHER HEALTH EXTENDERS

SEC. 50501. EXTENSION FOR FAMILY-TO-FAMILY HEALTH INFORMATION CENTERS.

Section 501(c) of the Social Security Act (42 U.S.C. 7501(c)), as amended by—

(A) in paragraph (1)(A)—

(A) in clause (v), by striking ‘‘end’’ at the end and inserting ‘‘; and’’; and

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

(viii) $6,000,000 for each of fiscal years 2018 and 2019.;

(3) in paragraph (1)(C), by inserting before the period the following: ‘‘, and with respect to fiscal years 2018 and 2019, such centers shall also be developed in all territories and at least one such center shall be developed for Indian tribes and’’;

(3) by amending paragraph (5) to read as follows:

(3) For purposes of this subsection—

(A) the term ‘‘Indian tribe’’ has the meaning given such term in section 4 of the Indian Health Care Improvement Act (25 U.S.C. 1395d); and

(B) the term ‘‘tribe’’ means Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Northern Mariana Islands.”

SEC. 50502. EXTENSION FOR SEXUAL RISK AVOIDANCE EDUCATION.

(a) IN GENERAL.—Section 510 of the Social Security Act (42 U.S.C. 710) is amended to read as follows:

SEC. 510. SEXUAL RISK AVOIDANCE EDUCATION.

(a) IN GENERAL.—

(1) ALLOTMENTS TO STATES.—For the purpose described in subsection (b), the Secretary shall, for each of fiscal years 2018 and 2019, allot to each State which has transmitted an application for the fiscal year under section 505(a) an amount equal to the product of—

(A) the amount appropriated pursuant to subsection (e)(1) for the fiscal year, minus the amount reserved under subsection (e)(2) for the fiscal year; and

(B) the proportion that the number of low-income children in the State bears to the total of such numbers of children for all the States.

(2) OTHER ALLOTMENTS.—(A) OTHER ENTITIES.—For the purpose described in subsection (b), the Secretary shall, for each of fiscal years 2018 and 2019, allot to each State which has not transmitted an application for the fiscal year under section 505(a), allot to one or more entities in the State the amount that would have been allotted to the State under paragraph (1) if the State had submitted such an application.

(B) PROCESS.—The Secretary shall select the recipients of allotments under paragraph (a) from a pool of competitive grant process under which—

(1) not later than 30 days after the deadline for the State involved to submit an application for the fiscal year under section 505(a), the Secretary publishes a notice soliciting grant applications; and

(2) not later than 120 days after such deadline, all such applications must be submitted.

(b) PURPOSE.—

(1) IN GENERAL.—Except for research under paragraph (5) and informing individuals of the availability of the provisions of, and amendments made by, this section, the purpose of an allotment under subsection (a) to a State (or to another entity in the State pursuant to subsection (b)) is to enable the State or other entity to implement education exclusively on sexual risk avoidance (meaning voluntarily refraining from sexual activity).

(2) TOPICS.—In implementing sexual risk avoidance pursuant to an allotment under this section shall—

(A) ensure that the unambiguous and primary emphasis and context for each topic described in paragraph (1) is a message to youth that normalizes the optimal health behavior of avoiding nonmarital sexual activity;

(B) be medically accurate and complete;

(C) be age-appropriate;

(D) be based on adolescent learning and developmental theories for the age group receiving the education; and

(E) be culturally appropriate, recognizing the experiences of youth from diverse communities, backgrounds, and experiences.

(3) TOPICS.—In implementing sexual risk avoidance pursuant to an allotment under this section shall address each of the following topics:

(A) The holistic individual and societal benefits associated with personal responsibility, self-regulation, goal setting, healthy decision-making, and a focus on the future.

(B) The advantage of refraining from nonmarital sexual activity to increase the future prospects and physical and emotional health of youth.
“(C) The increased likelihood of avoiding poverty when youth attain self-sufficiency and emotional maturity before engaging in sexual activity.

“(D) The foundational components of healthy relationships and their impact on the formation of healthy marriages and safe and stable families.

“(E) How other youth risk behaviors, such as drug and alcohol usage, increase the risk for teen sex.

“(F) How to resist and avoid, and receive help regarding, sexual coercion and dating violence, recognizing that even with consent teen sex remains a youth risk behavior.

“(4) DELIVERY.—Education on sexual risk avoidance pursuant to an allotment under this section shall ensure that—

“(A) any information provided on contraception is medically accurate and complete and ensures that students understand that contraception offers physical risk reduction, but does not risk elimination; and

“(B) the education does not include demonstrations, simulations, or distribution of contraceptive devices.

“(5) IN GENERAL.—A State or other entity receiving an allotment pursuant to subsection (a) may use up to 20 percent of such allotment to build an evidence base for sexual risk avoidance education by conducting or supporting research.

“(B) REQUIREMENTS.—Any research conducted or supported pursuant to subparagraph (A) shall be—

“(i) rigorous;

“(ii) evidence-based; and

“(iii) designed and conducted by independent researchers who have experience in conducting and publishing research in peer-reviewed outlets.

“(6) INFORMATION COLLECTION AND REPORTING.—A State or other entity receiving an allotment pursuant to subsection (a) shall, as specified by the Secretary, collect data from such programs and activities.

“(A) A C E N T R A LIZED.—A State or other entity shall report to the Secretary, through this section and associated data; and

“(B) SUBSEQUENT YEARS.—Section 511(d)(1) of such Act (42 U.S.C. 711(d)(1)) is amended—

“(B) comprising information that leading programs and the Secretary to be appropriate.

“(1) IN GENERAL.—To carry out this section, there is appropriated, out of any money in the Treasury not otherwise appropriated, $75,500,000 for each of fiscal years 2018 and 2019.

“(2) RESERVATION.—The Secretary shall reserve, for each of fiscal years 2018 and 2019, not more than 20 percent of the amount appropriated pursuant to paragraph (1) for administering the program under this section, including the conducting of national evaluations and the provision of technical assistance to the recipients of allotments.

“(B) EFFECTIVE DATE.—The amendment made by this section shall take effect as if enacted on October 1, 2017.

SEC. 50503. EXTENSION FOR PERSONAL RESPONSIBILITY EDUCATION.

“(A) IN GENERAL.—Section 513 of the Social Security Act (42 U.S.C. 713) is amended—

“(1) in subsection (a)(1)(A), by striking “2017” and inserting “2019”; and

“(2) in subsection (a)(4)

“(A) in subparagraph (A), by striking “2017” and inserting “2019”; and

“(B) in subparagraph (B)—

“(i) in the subparagraph heading, by striking “3-YEAR GRANTS” and inserting “COMPETITIVE PREP GRANTS”;

“(ii) in clause (i), by striking solicitation for award 3-year grants in each of fiscal years 2012 through 2017 and inserting “continue through fiscal year 2019 grants awarded for any of fiscal years 2015 through 2017”;

“(iii) in clause (ii), by striking “youth with HIV/AIDS,” the following: “victims of human trafficking,” and

“(iv) in subsection (f), by striking “2017” and inserting “2019.”

“(B) EFFECTIVE DATE.—The amendments made by this section shall take effect as if enacted on October 1, 2017.

TITLE VI—CHILD AND FAMILY SERVICES AND SUPPORT EXTENDERS

Subtitle B—Continuing the Child, Infant, and Early Childhood Home Visiting Program

SEC. 50601. CONTINUING EVIDENCE-BASED HOME VISITING PROGRAM.

Section 511(h)(1)(H) of the Social Security Act (42 U.S.C. 711(h)(1)(H)) is amended by striking “fiscal year 2017” and inserting “each of fiscal years 2017 through 2022”.

SEC. 50602. CONTINUING TO DEMONSTRATE RESOURCES.

“(a) REQUIRE SERVICE DELIVERY MODELS TO DEMONSTRATE IMPROVEMENT IN APPLICABLE BENCHMARK AREAS.—Section 511 of the Social Security Act (42 U.S.C. 711) is amended in subsections (d)(1)(A) and (h)(4)(A) by striking “each of”.

“(b) DEMONSTRATION OF IMPROVEMENTS IN SUBSEQUENT YEARS.—For fiscal years 2017 and 2018, the Secretary is authorized, by demonstrating improvements for eligible families,” before the period.

“Section 511(h)(1)(A) of such Act (42 U.S.C. 711(h)(1)(A)) is amended by striking “Not later than” and all that follows through “subsequent years” and inserting “improvements for eligible families”, as a condition of receiving payments from an allotment for the State under section 502, conduct a statewide needs assessment (which may be separable, but in coordination with the statewide needs assessment required under section 505(a) and which shall be reviewed and updated by the State not later than October 1, 2020.”

SEC. 50603. REVIEWING STATEWIDE NEEDS TO PROVIDE EVIDENCE-BASED HOME VISITING PROGRAM.

“(1) IN GENERAL.—Section 511(h)(1)(B) of the Social Security Act (42 U.S.C. 711(h)(1)(B)) is amended by striking “fiscal year 2017” and inserting “fiscal year 2018”.

“(2) IN GENERAL.—Section 511(h)(1)(C) of such Act (42 U.S.C. 711(h)(1)(C)) is amended by inserting “that the State is continuing to use the evidence-based home visiting program for the benefit of eligible families” before the period.

“(3) IN GENERAL.—Section 511(h)(1)(D) of such Act (42 U.S.C. 711(h)(1)(D)) is amended by striking “Not later than” and all that follows through “subsequent years” and inserting “improvements for eligible families”, as a condition of receiving payments from an allotment for the State under section 502, conduct a statewide needs assessment (which may be separable, but in coordination with the statewide needs assessment required under section 505(a) and which shall be reviewed and updated by the State not later than October 1, 2020.”

SEC. 50604. IMPROVING THE LIKELIHOOD OF SUCCESS IN HIGH-RISK COMMUNITIES.

“(1) IN GENERAL.—Section 511(d)(4)(A) of the Social Security Act (42 U.S.C. 711(d)(4)(A)) is amended by inserting “taking into account the staffing, community resource, and other requirements to operate at least one approved model of home visiting and demonstrated improvements for eligible families” before the period.

SEC. 50605. OPTION TO FUND EVIDENCE-BASED HOME VISITING ON A PAY FOR OUTCOME BASIS.

“(a) IN GENERAL.—Section 511(c) of the Social Security Act (42 U.S.C. 711(c)) is amended by redesignating paragraphs (2) and (4) as paragraphs (3) and (5), respectively, and by inserting after paragraph (2) the following:

“(2) AUTHORITY TO USE GRANT FOR A PAY FOR OUTCOME INITIATIVE.—The eligible entity to which a grant is made under paragraph (1) may use up to 25 percent of the grant for outcomes or success payments related to a pay for outcomes initiative for the eligible entity under a childhood home visitation program

“of fiscal year 2020 and every 3 years thereafter, information demonstrating that the program results in improvements for the eligible families participating in the program in at least 4 of the areas specified in subparagraphs (A) and (B) of subsection (a), and that the service delivery model or models selected by the entity are intended to improve.”

“(B) DELIVERING ON THE PROMISE.—If the eligible entity fails to demonstrate improvement in at least 4 of the areas specified in subparagraph (A), as compared to eligible families who do not receive services under an early childhood home visitation program, the entity shall develop and implement a plan to improve outcomes in each of the areas specified in subparagraph (A) that the delivery model or models selected by the entity are intended to improve, subject to approval by the Secretary. The plan shall include provisions for the Secretary to monitor implementation of the plan and conduct continued oversight of the program, including through submission by the entity of regular reports to the Secretary.
under this section while the eligible entity develops or operates such an initiative.").

(b) DEFINITION OF PAY FOR OUTCOMES INITIATIVE.—Section 511(k) of such Act (42 U.S.C. 711(h)) is amended by adding at the end the following:

"(4) PAY FOR OUTCOMES INITIATIVE.—The term 'pay for outcomes initiative' means a performance-based grant, contract, cooperative agreement, or other agreement awarded by a public entity in which a commitment is made to pay for improvements in a result of the intervention that result in social benefit and direct cost savings or cost avoidance to the public sector. Such an initiative shall include—

(A) a description of how the proposed intervention is based on evidence of effectiveness;

(B) a rigorous, third-party evaluation that uses experimental or quasi-experimental design or other research methodologies that allow for the strongest possible causal inferences to determine whether the initiative has met its proposed outcomes as a result of the intervention;

(C) an annual, publicly available report on the progress of the initiative; and

(D) an agreement that the contributions made to the recipient of a grant, contract, or cooperative agreement only when agreed upon outcomes are achieved, except that this requirement shall not apply to requirements to a third party conducting the evaluation described in subparagraph (B)."

(c) EXTENDED AVAILABILITY OF FUNDS.—Section 511(c) of such Act (42 U.S.C. 711(h)(3)) is amended—

(1) by striking "(3) AVAILABILITY.—Funds" and inserting the following:

"(3) AVAILABILITY.—

(A) IN GENERAL.—Except as provided in subparagraph (B), funds; and

(B) FUNDS PAY FOR OUTCOMES INITIATIVES.—Funds made available to an eligible entity under this section for a fiscal year (or portion thereof) for a pay for outcomes initiative shall remain available for expenditure by the eligible entity for not more than 10 years after the funds are so made available.".

SEC. 50060. DATA EXCHANGE STANDARDS FOR IMPROVED INTEROPERABILITY.

(a) IN GENERAL.—Section 511(h) of the Social Security Act (42 U.S.C. 711(h)) is amended by adding at the end the following:

"(5) DATA EXCHANGE STANDARDS FOR IMPROVED INTEROPERABILITY.—

(A) DESIGNATION AND USE OF DATA EXCHANGE STANDARDS.—

(i) DESIGNATION.—The head of the department or agency responsible for administering a program funded under this section shall, in consultation with an interagency work group established by the Office of Management and Budget, and considering State government perspectives, designate data exchange standards for necessary categories of information that a State agency operating the program is required to electronically exchange with another State agency under applicable Federal law.

(ii) NONPROPRIETARY AND INTEROPERABLE.—The data exchange standards designated under clause (i) shall, to the extent practicable, be nonproprietary and interoperable.

(B) OTHER REQUIREMENTS.—In designating data exchange standards under this paragraph, the Secretary shall, to the extent practicable, incorporate existing nonproprietary standards, such as the eXtensible Markup Language.

(4) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed as requiring a State to use data exchange standards for Federal reporting about a program referred to in this section, if the head of the department or agency responsible for administering the program finds the standards to be effective and efficient.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date that is 2 years after the date of enactment of this Act.

SEC. 500607. ALLOCATION OF FUNDS.

Section 511(j) of the Social Security Act (42 U.S.C. 711(j)) is amended by adding at the end the following:

"(4) Allocation of Funds.—To the extent that the amount awarded under this section to an eligible entity is determined on the basis of relative population or poverty considerations, the Secretary shall make the determination using the most accurate Federal data available for the eligible entity.".

Subtitle B—Extension of Health Professions and Workforce Demonstration Projects

Title VII—Family First Prevention Services Act

Subtitle A—Investing in Prevention and Supporting Families

SEC. 50701. SHORT TITLE.

This subtitle may be cited as the "Bipartisan Budget Act of 2014".

SEC. 50702. PURPOSE.

The purpose of this subtitle is to enable States to use Federal funds available under parts B and E of title IV of the Social Security Act to provide enhanced support to children and families and prevent foster care placements through the provision of health and substance abuse prevention and treatment services, in-home parent skill-based programs, and kinship navigator services.

PART I—PREVENTION ACTIVITIES UNDER TITLE IV-E

SEC. 50711. FOSTER CARE PREVENTION SERVICES AND PROGRAMS.

(a) STATE OPTION.—Section 471 of the Social Security Act (42 U.S.C. 671) is amended—

(1) in subparagraph (a)(1), by striking "and" and all that follows through the semicolon and inserting "; adoption assistance in accordance with section 473, and, at the option of the State, services or programs specified in subsection (e)(1) of this section for children who are candidates for foster care or are living with a kin provider and receiving foster youth services or programs while awaiting adoption; or", and

(2) by striking the following:

"(e) PREVENTION AND FAMILY SERVICES AND PROGRAMS.—

(1) IN GENERAL.—Subject to the succeeding provisions of this subsection, the Secretary may make a payment to a State for providing the following services or programs for a child described in paragraph (2) and other caregivers of the child when the need of the child, such a parent, or such a caregiver for the services or programs are directly related to the safety, permanence, or well-being of the child or to preventing the child from entering foster care:

(A) MENTAL HEALTH AND SUBSTANCE ABUSE PREVENTION AND TREATMENT SERVICES.—Mental health and substance abuse prevention and treatment services provided by a qualified clinician for not more than a 12-month period that begins on any date described in paragraph (3) with respect to the child;

(B) IN-HOME PARENT SKILL-BASED PROGRAMS.—In-home parent skill-based programs for not more than a 12-month period that begins on any date described in paragraph (3) with respect to the child;

(C) CHILD DESCRIBED.—For purposes of paragraph (1), a child described in this paragraph is the following:

(i) A child who is a candidate for foster care (as defined in section 471(i)) but can remain safely at home or in a kinship placement with receipt of services or programs specified in paragraph (2),

(ii) A child in foster care who is a pregnant or parenting foster youth.

(2) DATE DESCRIBED.—For purposes of paragraph (1), the dates described in this paragraph are the following:

(A) The date on which a child is identified in a prevention plan maintained under paragraph (4) as a child who is a candidate for foster care (as defined in section 471(i)); or

(B) The date on which a child is identified in a prevention plan maintained under paragraph (4) as a child who is a candidate for foster care (as defined in section 471(i)) but can remain safely at home or in a kinship placement with receipt of services or programs specified in paragraph (2).

"(3) REQUIREMENTS RELATED TO PROVIDING SERVICES OR PROGRAMS.—

(A) THE STATE PLAN.—In the case of a child who is a pregnant or parenting foster youth described in paragraph (2)(B), the prevention plan shall—

(i) be included in the child’s case plan required under section 473;

(ii) list the services or programs to be provided to or on behalf of the child to ensure the safety, permanence, or well-being of the child or to prevent the child from entering foster care; and
the youth is prepared (in the case of a pregnant foster youth) or able (in the case of a parenting foster youth) to be a parent; and

(III) describe the foster care prevention strategy for the child, including—

(1) how a child will be included in their foster care plan;

(2) the nature, extent, and time frame of the activities that will be conducted to implement the foster care prevention strategy;

(3) how the child will be supported to access and deliver the needed trauma-informed services, including professional child welfare workforce development;

(4) the nature, extent, and time frame of services, including—

(a) services and programs provided during a 12-month period beginning on the date the child is determined by the State to be a child described in paragraph (2);

(b) specific services or programs provided and the total expenditures for each of the services or programs;

(c) the duration of the services or programs provided;

(d) the target population for the services or programs;

(e) how each service or program is implemented and evaluated through a well-designed and rigorous process, which may consist of an ongoing, cross-site evaluation approved by the Secretary; and

(f) developing appropriate prevention plans, and conducting the risk assessments required under clause (iii).

(2) A description of how the State is prepared (in the case of a pregnant or parenting foster youth) to be a parent;

(i) how the State plans to implement the services or programs, including how implementation of the services or programs will be—

(a) established to ensure that the specific preventive services or programs that are consistent with the promising, supported, or well-supported practice models selected; and

(b) evaluated to determine the performance measures associated with the promising, supported, or well-supported practices used are promising, supported, or well-supported;

(ii) how the State will monitor and oversee the safety of children who receive services and programs specified in paragraph (1), including in order to determine whether the performance measures for the State under paragraph (6) and compliance with paragraph (7); and

(iii) how the State will provide training and support for foster care workers in assessing what children and their families need, connecting to the families served, learning how to access and deliver the needed trauma-informed services, and evaluating and revising the effectiveness of the services.

(iv) A description of how the State will provide training and support for foster care workers in assessing what children and their families need, connecting to the families served, learning how to access and deliver the needed trauma-informed services, and evaluating and revising the effectiveness of the services.

(v) An assurance that the State will report to the Secretary such information and data as the Secretary shall require under clause (iii).

(3) A description of how the State will develop and implement plans to provide and assess the effectiveness of promising, supported, or well-supported practice models selected, including—

(a) the practice is superior to an appropriate comparison practice using conventional standards of statistical significance (in terms of demonstrated meaningful improvements in validated measures of important child and parent outcomes, such as mental health, substance abuse, and child safety and well-being), as established by the results or outcomes of at least one study that—

(1) was rated by an independent systematic review for the quality of the study design and execution and determined to be well-designed and well-executed;

(2) was conducted by a rigorous random-controlled trial (or, if not available, a study using a rigorous quasi-experimental research design); and

(b) was carried out in a usual care or practice setting; and

(c) were carried out in a usual care or practice setting, unless the study described in subparagraph (i) is an evidence-based services model designed and executed to determine whether the practices used are promising, supported, or well-supported;

(iii) PROMISING PRACTICE.—A practice shall be considered to be a ‘promising practice’ if—

(I) the practice is superior to an appropriate comparison practice using conventional standards of statistical significance (in terms of demonstrated meaningful improvements in validated measures of important child and parent outcomes, such as mental health, substance abuse, and child safety and well-being), as established by the results or outcomes of at least two studies that—

(aa) were rated by an independent systematic review for the quality of the study design and execution and determined to be well-designed and well-executed;

(bb) were rigorous random-controlled trials (or, if not available, a study using a rigorous quasi-experimental research design); and

(cc) were carried out in a usual care or practice setting; and

(ii) at least one of the studies described in subclause (I) established that the practice has a sustained effect (when compared to a control group) for at least 1 year beyond the end of treatment.

(D) GUIDANCE ON PRACTICE CRITERIA AND PRE-APPROVED SERVICES AND PROGRAMS.—

(i) IN GENERAL.—Not later than October 1, 2018, the Secretary shall issue guidance to the States regarding the practice criteria required for services or programs provided to a child who is in foster care or who is at risk of being determined a child in need of services, including—

(aa) what is meant by ‘promising’ practices, ‘promising practice models’, ‘promising practice settings’, ‘promising practices’, ‘promising practice models’, and ‘promising practice settings’; and

(bb) specific criteria and guidance for promising practices, promising practice models, promising practice settings, promising practices, promising practice models, and promising practice settings.

(ii) UPDATES.—The Secretary shall issue updates to the guidance required by clause (i) as often as the Secretary determines necessary.

(E) OUTCOME ASSESSMENT AND REPORTING.—The State shall—

(i) collect and report to the Secretary outcome data that are specific to each child for whom, or on whose behalf, each child and family services and evidence-based services, and over- and professional child welfare workforce to deliver trauma-informed and evidence-based serv-ices, including—

(a) programs that are consistent with the promising, supported, or well-supported practice models selected; and

(b) programs that are consistent with the promising, supported, or well-supported practice models selected; and

(c) overseeing the standards for the quality of the state child and family services, including—

(1) the nature, extent, and time frame of services, including—

(A) developing appropriate prevention plans, and conducting the risk assessments required under clause (iii).

(B) Prevention services and programs plan components, to meet the requirements of this subparagraph, a prevention services and programs plan component, with respect to each 5-year period for which the plan components are provided.

(C) An independent systematic review for the quality of the study design and execution and determined to be well-designed and well-executed;

(D) A description of how the State is prepared (in the case of a pregnant or parenting foster youth) to be a parent;

(i) how the State will monitor and oversee the safety of children who receive services and programs specified in paragraph (1), including in order to determine whether the performance measures for the State under paragraph (6) and compliance with paragraph (7); and

(ii) a description of how the State will provide training and support for foster care workers in assessing what children and their families need, connecting to the families served, learning how to access and deliver the needed trauma-informed services, and evaluating and revising the effectiveness of the services.

(v) An assurance that the State will report to the Secretary such information and data as the Secretary shall require under clause (iii).

(3) Evaluating the performance measures for the State under paragraph (6) and compliance with paragraph (7).
payment under this part for a given promising, supported, or well-supported practice unless (in accordance with subparagraph (B)(iii)(V)(i)) the plan includes a well-designed and rigorous evaluation of the effectiveness of the practice.

"(i) WAIVER OF LIMITATION.—The Secretary may waive the requirement for a well-designed and rigorous evaluation of any well-supported practice if the Secretary determines that the evaluation of the effectiveness of the practice to be compelling and the State meets the continuous quality improvement requirements included in subparagraph (B)(iii)(II) with regard to the practice.

"(6) PREVENTION SERVICES MEASURES.—

"(A) ESTABLISHMENT; ANNUAL UPDATES.—Beginning in fiscal year 2021 and annually thereafter, the Secretary shall establish the following prevention services measures based on information and data reported by States that elect to provide services and programs specified in paragraph (1):

"(i) PERCENTAGE OF CANDIDATES FOR FOSTER CARE WHO DO NOT ENTER FOSTER CARE.—The percentage of candidates for foster care for whom, or on whose behalf, the services or programs are provided who do not enter foster care, including those placed with a kin caregiver outside of foster care, for the reimbursement period in which the services or programs are provided and through the end of the succeeding 12-month period.

"(ii) PER-CHILD SPENDING.—The total amount of expenditures made for mental health and substance abuse prevention and treatment services or in-home parent skill-based programs, respectively, or, in the case of (B)(i), each child described in paragraph (2).

"(B) DATA.—The Secretary shall establish and annually update the prevention services measures—

"(i) based on the median State values of the information reported under each clause of subparagraph (A) for the 3 most recent years; and

"(ii) taking into account State differences in the price levels of consumption goods and services using the most recent regional price parities published by the Bureau of Economic Analysis of the Department of Commerce or other data as the Secretary determines appropriate.

"(C) PUBLICATION OF STATE PREVENTION SERVICES MEASURES.—The Secretary shall annually make available to the public the prevention services measures of each State.

"(7) MANDATORY SUPPORT FOR STATE FOSTER CARE PREVENTION EXPENDITURES.—

"(A) IN GENERAL.—If a State elects to provide services and programs specified in paragraph (1) for a fiscal year, the State's foster care prevention expenditures for the fiscal year shall not be less than the amount of the expenditures for fiscal year 2014 (or, at the option of a State described in subparagraph (E), fiscal year 2015 or fiscal year 2016 (whichever the State elects)).

"(B) STATE FOSTER CARE PREVENTION EXPENDITURES.—The term 'State foster care prevention expenditures' means all State or local funds that are matched or reimbursed by the Federal Government and State or local funds that are not matched or reimbursed by the Federal Government.

"(8) PROHIBITION AGAINST USE OF STATE FOSTER CARE PREVENTION EXPENDITURES AND FEDERAL-IV-E PREVENTION FUNDS FOR MATCHING OR EXPENDITURE REQUIREMENT.—A State that elects to provide services and programs specified in paragraph (1) shall not use any State foster care prevention expenditures for a fiscal year for the State share of expenditures under section 474(a)(6) for a fiscal year.

"(9) ADMINISTRATIVE COSTS.—Expenditures described in—

"(A) shall not be eligible for payment under subparagraph (A), (B), or (E) of section 474(a)(3); and

"(B) shall be eligible for payment under section 474(a)(6)(B) without regard to whether the expenditures are incurred on behalf of a child who is, or is potentially, eligible for foster care maintenance payments under this part.

"(10) APPLICATION.—

"(A) IN GENERAL.—The provision of services or programs under subparagraph (D) of subsection (a) or on behalf of a child described in paragraph (2) shall not be considered to be receipt of aid or assistance under the State plan under this part for purposes for which the expenditures are incurred on behalf of a child described in paragraph (2) for whom such services or programs are provided for more than 6 months while in the home of a kin caregiver, and who would satisfy the AFDC eligibility requirement of section 476(a)(6)(A) of the Social Security Act (42 U.S.C. 676) for the period during which the child resides in the home of the caregiver for more than 6 months, is deemed to satisfy that requirement for purposes of determining whether the child is eligible for foster care maintenance payments under section 472.

"(B) DEFINITION.—Section 475 of such Act (42 U.S.C. 675) is amended by adding at the end the following:

"(13) The term 'child who is a candidate for foster care' means a child who is identified in a prevention plan under section 471(e)(4)(A) as being at risk of entry into foster care (without regard to whether the child would be eligible for foster care maintenance payments under section 472 or is or would be eligible for adoption or guardianship assistance payments under section 473) but who can remain safely in the child's home or in a kinship placement as long as services or programs specified in paragraph (3)(A) are necessary to prevent the entry of the child into foster care are provided. The term includes a child whose adoption or guardianship arrangement is at risk of a disruption that would result in a foster care placement.

"(14) PAYMENTS UNDER TITLE IV-E.—Section 474(a)(4) of such Act (42 U.S.C. 674(a)) is amended—

"(i) subject to clause (ii);

"(ii) beginning after September 30, 2019, and before October 1, 2026, an amount equal to 50 percent of the total amount expended during the preceding quarter in support of prevention programs specified in subparagraph (A) or (B) of section 471(e)(1) that are provided in accordance with well-supported, supported, or well-supported practices that meet the applicable criteria specified for the practices in section 471(e)(4)(C); and

"(iii) beginning after September 30, 2026, an amount equal to the Federal medical assistance percentage (which shall be as defined in section 1902(b), in the case of a State other than the State of Columbia, or 70 percent, in the case of the District of Columbia) of the total amount expended during the quarter for the provision of services or programs specified in subparagraph (A) or (B) of section 471(e)(1) that are provided in accordance with well-supported, supported, or well-supported practices that meet the applicable criteria specified for the practices in section 471(e)(4)(C) or, with respect to that payment made during the second quarter under a cooperative agreement or contract entered into by the State and an Indian tribe, tribal organization, or tribally operated agency providing services to children described in section 471(e)(1), including expenditures for activities approved by the Secretary that promote the development of necessary processes and procedures to establish and implement the provision of the services and programs for individuals who are eligible for Federal medical assistance payments and programs attributable to data collection and reporting; and

"(15) payment of so much of the expenditures with respect to the provisions of services or programs specified in section 471(e)(1) as are for training of personnel employed or preparing for employment by the State agency or by the local agency administering the plan in the political subdivision and of the members of the staff of State-licensed or State-approved child welfare agencies providing services to children described in section 471(e)(2) and their parents or kin caregivers, including on how to determine who are individuals eligible for the services or programs provided under the provisions of section 471(e)(1) and (2) and (3), and in what amounts, and how to oversee and evaluate the ongoing appropriateness of the services and programs.

"(B) TECHNICAL ASSISTANCE AND BEST PRACTICES, CLEARINGHOUSE, AND DATA COLLECTION AND EVALUATION.—Section 476 of such Act (42 U.S.C. 676) is amended by adding at the end the following:

"(D) TECHNICAL ASSISTANCE AND BEST PRACTICES.—

"(i) beginning after September 30, 2019, and before October 1, 2026, an amount equal to 50 percent of the total amount expended during the preceding quarter in support of prevention programs specified in subparagraph (A) or (B) of section 471(e)(1) that are provided in accordance with well-supported, supported, or well-supported practices that meet the applicable criteria specified for the practices in section 471(e)(4)(C); and

"(ii) beginning after September 30, 2026, an amount equal to the Federal medical assistance percentage (which shall be as defined in section 1902(b), in the case of a State other than the State of Columbia, or 70 percent, in the case of the District of Columbia) of the total amount expended during the quarter for the provision of services or programs specified in subparagraph (A) or (B) of section 471(e)(1) that are provided in accordance with well-supported, supported, or well-supported practices that meet the applicable criteria specified for the practices in section 471(e)(4)(C) or, with respect to that payment made during the second quarter under a cooperative agreement or contract entered into by the State and an Indian tribe, tribal organization, or tribally operated agency providing services to children described in section 471(e)(1), including expenditures for activities approved by the Secretary that promote the development of necessary processes and procedures to establish and implement the provision of the services and programs for individuals who are eligible for Federal medical assistance payments and programs attributable to data collection and reporting; and

"(16) payment of so much of the expenditures with respect to the provisions of services or programs specified in section 471(e)(1) as are for training of personnel employed or preparing for employment by the State agency or by the local agency administering the plan in the political subdivision and of the members of the staff of State-licensed or State-approved child welfare agencies providing services to children described in section 471(e)(2) and their parents or kin caregivers, including on how to determine who are individuals eligible for the services or programs provided under the provisions of section 471(e)(1) and (2) and (3), and in what amounts, and how to oversee and evaluate the ongoing appropriateness of the services and programs.
programs described in section 471(e)(1) and shall disseminate best practices with respect to the provision of the services and programs, including how to plan and implement a well-designed and robust case-processing system necessary for a promising, supported, or well-supported service and program that meets the requirements described in section 471(e)(2) and their parents or kin caregivers under the plan, the Secretary shall specify the requirements applicable to the provision of the services and programs that shall allow for the greatest extent practicable, be consistent with the requirements applicable to States under section 471(e) and shall permit the provision of the services and programs that are adapted to the culture and context of the tribal communities served.

(ii) PERFORMANCE MEASURES.—The Secretary shall establish performance measures for each tribe, organization, or consortium that elects to provide services and programs specified in section 471(e)(1) to children described in subsection (d) before the end and inserting "and" after "the period that begins on the date that the child entered foster care" and inserting "family".
case-processing system shall not apply to an Indian tribe, tribal organization, or tribal consortium that elects to operate a program under this part.

(c) FUNDING FOR THE DEVELOPMENT OF AN ELECTRONIC INTERSTATE CASE-PROCESSING SYSTEM TO EXPEDITE THE INTERSTATE PLACEMENT OF CHILDREN IN FOSTER CARE OR GUARDIANSHIP, OR FOR ADOPTION.—Section 437 of such Act (42 U.S.C. 629g) is amended by adding at the end the following:

“(g) FUNDING FOR THE DEVELOPMENT OF AN ELECTRONIC INTERSTATE CASE-PROCESSING SYSTEM TO EXPEDITE THE INTERSTATE PLACEMENT OF CHILDREN IN FOSTER CARE OR GUARDIANSHIP, OR FOR ADOPTION.—

(1) PURPOSE.—The purpose of this subsection is to facilitate the development of an electronic interstate case-processing system for the exchange of data and documents to expedite the placements of children in foster, guardianship, or adoptive homes across State lines.

(2) REQUIREMENTS.—A State that seeks funding under this subsection shall submit to the Secretary the following:

(A) A description of the goals and outcomes to be achieved, which goals and outcomes must result in—

(i) reducing the time it takes for a child to be provided with a safe and appropriate permanent living arrangement across State lines;

(ii) improving administrative processes and reducing costs in the foster care system; and

(iii) the secure exchange of relevant case files and other necessary materials in real time, and timely communications and placement decisions regarding interstate placements of children.

(B) A description of the activities to be funded in whole or in part with the funding, including the sequencing of the activities.

(C) A description of the strategies for integrating programs and services for children who are placed across State lines.

(D) Such other information as the Secretary may require.

(3) FUNDING AUTHORITY.—The Secretary may provide funds to a State that complies with paragraph (2). In providing funds under this subsection, the Secretary shall prioritize States that are not yet connected with the electronic interstate case-processing system referred to in paragraph (1).

(4) USE OF FUNDS.—A State to which funding is provided under this subsection shall use the funding to support the State in connecting with, or enhancing or expanding services provided under, the electronic interstate case-processing system, by each State in each year.

(5) EVALUATIONS.—Not later than 1 year after the final year in which funds are awarded under this subsection, the Secretary shall submit to the Congress, and make available to the general public by posting on a website, a report that contains the following information:

(A) How using the electronic interstate case-processing system reduces costs and delay; and pursuant to paragraph (4) has changed the time it takes for children to be placed across State lines.

(B) Cases subject to the Interstate Compact on the Placement of Children that were processed through the electronic interstate case-processing system, and the number of interstate child placement cases that were processed outside the electronic interstate case-processing system, by each State in each year.

(C) The progress made by States in implementing the electronic interstate case-processing system.

(D) How using the electronic interstate case-processing system has affected various metrics related to safety and well-being, including the time it takes for children to be placed across State lines.

(E) How using the electronic interstate case-processing system affects administrative costs and caseworker time spent on placing children across State lines.

(6) DATA INTERCEPTION.—The Secretary, in consultation with the Secretariat for the Interstate Compact on the Placement of Children and the States, shall assess how the electronic interstate case-processing system in paragraph (4) could be used to better serve and protect children that come to the attention of the child welfare system, by—

(A) comparing the electronic interstate case-processing system with other data systems (such as systems operated by State law enforcement and judicial agencies, systems operated by the Federal Bureau of Investigation for the purpose of the Interstate Lost National Initiative, and other systems);

(B) simplifying and improving reporting related to paragraphs (3) and (5) of section 471(a) regarding children or youth who have been identified as being a sex trafficking victim or children missing from foster care; and

(C) ensuring the ability of States to quickly comply with background check requirements of section 471(a)(20), including checks of child abuse and neglect registries as required by section 8(b)(20)(B).

(D) RESERVATION OF FUNDS TO IMPROVE THE INTERSTATE PLACEMENT OF CHILDREN.—Section 437(b) of such Act (42 U.S.C. 629g(b)) is amended by adding at the end the following:

“(4) IMPROVING THE INTERSTATE PLACEMENT OF CHILDREN.—The Secretary shall reserve $5,000,000 of the amount made available for fiscal year 2022 under subparagraph (a), and the amount so reserved shall remain available through fiscal year 2022.”.

SEC. 50723. ENHANCEMENTS TO GRANTS TO IMPROVE THE WELFARE OF FAMILIES AFFECTED BY SUBSTANCE ABUSE.

Section 471(i) of the Social Security Act (42 U.S.C. 629g(i)) is amended—

(1) in the subsection heading, by striking “INCREASE THE WELL-BEING OF, AND TO IMPROVE THE PERMANENCY OUTCOMES FOR, CHILDREN AFFECTED BY SUBSTANCE ABUSE, USE DISORDER TREATMENT AND OTHER SERVICES” and inserting “BEING OF , AND IMPROVE PERMANENCY OUTCOMES FOR, CHILDREN AFFECTED BY SUBSTANCE ABUSE, USE DISORDER TREATMENT, OR OTHER SUBSTANCE USE DISORDER TREATMENT”;

(2) by striking paragraph (1); and

(3) by adding at the end the following:

“FIVE-YEAR—No payment shall be made under subparagraph (A) or (C) for a fiscal year after the final year in which funds are awarded under such subsection, the Secretary shall submit to the Congress, and make available to the general public by posting on a website, a report that contains the following information:

(A) How using the electronic interstate case-processing system reduces costs and delay; and pursuant to paragraph (4) has changed the time it takes for children to be placed across State lines.

(B) Cases subject to the Interstate Compact on the Placement of Children that were processed through the electronic interstate case-processing system, and the number of interstate child placement cases that were processed outside the electronic interstate case-processing system, by each State in each year.

(C) The progress made by States in implementing the electronic interstate case-processing system.

(D) How using the electronic interstate case-processing system has affected various metrics related to safety and well-being, including the time it takes for children to be placed across State lines.

(E) How using the electronic interstate case-processing system affects administrative costs and caseworker time spent on placing children across State lines.

(F) Additional information needed by the Secretary to determine whether proposed activities and implementation will be consistent with research or evaluations showing which practices and approaches are most effective; and

(G) by adding at the end the following:

“(i) may (but is not required to) include the State child welfare agency as a partner in the collaborative agreement;

(ii) may not enter into a collaborative agreement only with tribal child welfare agencies (or a consortium of the agencies); and

(iii) if the condition described in paragraph (2) is not met, may include by statute organizations in lieu of other judicial partners.”.

(3) in paragraph (3)—

(A) in subparagraph (A) by striking “2016” and inserting “2017 through 2021”;

(b) in paragraph (B)—

(B) in subparagraph (i) by striking “$500,000 and not more than” and inserting “$2,000,000”.

(c) in paragraph (d) the language added by section 113(a) of the Family First Prevention Services Act is amended by—

(A) in subparagraph (B)—

(B) in clause (i) by striking “$500,000 and not more than” and inserting “$1,000,000”;

(C) by striking “$500,000 and not more than” and inserting “$1,000,000”.

(d) in paragraph (d) the language added by section 113(a) of the Family First Prevention Services Act is amended by—

(A) in subparagraph (B)—

(i) in clause (i) by inserting “, parents, and families” after “children”;

(ii) in clause (ii), by striking “safety and permanence for such children” and inserting “safe, permanent caregiving relationships for the children”;

(iii) in clause (ii), by striking “or” and inserting “increase reunification rates for children who have been placed in out-of-home care, or decrease”; and

(iv) by redesignating clause (iv) as clause (v) and inserting after clause (iv) the following:

“improve the substance abuse treatment outcomes for parents including retention in treatment and successful completion of treatment;

facilitate the implementation, delivery, and effectiveness of prevention services and programs under section 471(e); and

By striking paragraph (D), by striking “where appropriate,” and

By striking subparagraphs (E) and (F) and inserting the following:

“(E) A description of a plan for sustaining the services provided by or activities funded under the grant after the conclusion of the grant period, including through the use of prevention services and programs under section 471(e) and other funds provided to the State for child welfare and substance abuse prevention and treatment services.

(F) Additional information needed by the Secretary to determine whether proposed activities and implementation will be consistent with relevant research or evaluations showing which practices and approaches are most effective.”. 
and in-home substance abuse disorder treatment and recovery;
(6) in paragraph (7)—
(A) by striking “and” at the end of subparagraph (B); and
(B) by redesignating subparagraph (D) as subparagraph (E) and inserting after subparagraph (C) the following:
“(D) demonstrate a track record of successful collaboration among child welfare, substance abuse disorder treatment and mental health agencies; and”;
(7) in paragraph (8)—
(A) in subparagraph (A)—
(i) by striking “establish indicators that will be” and inserting “review indicators that are”; and
(ii) by striking “in using funds made available under such grants to achieve the purpose of this subsection” and inserting “and establish a set of core indicators related to child safety, parental recovery, parent capacity, and family well-being. In developing the core indicators, to the extent possible, indicators shall be consistent with the outcome measures described in section 471(e)(6)”; and
(B) in subparagraph (B)—
(i) in the matter preceding clause (i), by inserting “base the performance measures on lessons learned from prior rounds of regional partnership grants under this subsection, and” before “consult”;
and
(ii) by striking clauses (iii) and (iv) and inserting the following:
“(ii) Other stakeholders or constituencies as determined by the Secretary;.”;
(B) in paragraph (9)(A), by striking clause (i) and inserting the following:
“(i) SEMI-ANNUAL REPORTS.—Not later than September 30 of each fiscal year in which a recipient of a grant under this subsection is paid funds under the grant, and every 6 months thereafter, the grant recipient shall submit to the Secretary a report on the services provided and activities carried out during the reporting period, progress made in achieving the goals of the program, the number of children, adults, and families receiving services, and such additional information as the Secretary determines is necessary. The report due no later than September 30 of the last such fiscal year shall include, at a minimum, data on each of the performance indicators included in the evaluation of the report.”;
(9) in paragraph (10), by striking “2012 through 2016” and inserting “2017 through 2021”.

PART III—MISCELLANEOUS

SEC. 50731. REVIEWING AND IMPROVING LICENSING STANDARDS FOR PLACEMENT IN A RELATIVE FOSTER FAMILY HOME.

(a) IDENTIFICATION OF REPUTABLE MODEL LICENSING STANDARDS.—Not later than October 1, 2018, the Secretary of Health and Human Services shall identify reputable model licensing standards with respect to the licensing of foster family homes (as defined in section 472(i)(1) of the Social Security Act).

(b) STATE PLAN REQUIREMENT.—Section 471(a) of the Social Security Act (42 U.S.C. 671) is amended—

(1) in paragraph (3)(B), by striking “and” after the semicolon;

(2) in paragraph (3)(B), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:
“(3) provides that, not later than April 1, 2018, the Secretary submit to the Secretary information addressing—
“(A) whether the State licensing standards are in accord with model standards identified by the Secretary; and if not, the reason for the specified deviation and a description as to why having a standard that is reasonably in accord with the corresponding national model standards is not appropriate;
“(B) whether the State has elected to waive standards established in 471(a)(10)(A) for relative foster family homes (pursuant to waiver authority provided by 471(a)(10)(D)), a description of which standards the State most commonly waives, and if the State has not elected to waive the standards, the reason for not waiving these standards;
“(C) if the State has elected to waive standards specified in subparagraph (B), how case- management, county, or tribal authorities in the State determine whether the waiver is necessary, and whether the State has developed a process or provided tools to assist caseworkers in waiving nonsafety standards per the authority provided in 471(a)(10)(D) to quickly place children with relatives; and
“(D) a description of the steps the State is taking to improve caseworker training or the process, if any, and;

SEC. 50732. DEVELOPMENT OF A STATEWIDE PLAN TO PREVENT CHILD ABUSE AND NEGLECT FATALITIES.

Section 422(b)(19) of the Social Security Act (42 U.S.C. 622(b)(19)) is amended to read as follows:
“(9) document steps taken to track and prevent child maltreatment deaths by including—
“(A) a description of the steps the State is taking to compile complete and accurate information on the deaths required by Federal law to be reported by the State agency referred to in paragraph (1), including gathering relevant information from relevant organizations in the State including entities such as State vital statistics department, child death review teams, law enforcement agencies, offices of medical examiners, and coroners; and
“(B) a description of the steps the State is taking to develop and implement a comprehensive, statewide plan to prevent the fatalities that involves and engages relevant public and private agency partners, including those in public health, law enforcement, and the courts.”.

SEC. 50733. MODERNIZING THE TITLE AND PURPOSE.

(a) PART HEADING.—The heading for part E of title IV of the Social Security Act (42 U.S.C. 670 et seq.) is amended to read as follows:
“(PART E—FEDERAL PAYMENTS FOR FOSTER CARE, PREVENTION, AND PERMANENCY.”

(b) PURPOSE.—The first sentence of section 470 of such Act (42 U.S.C. 670) is amended—

(1) by striking “1995)” and inserting “1995”;

(2) by inserting “kinship guardianship assistance, and prevention programs specified in section 471(e)(1)(A)”, after “welfare”,; and

(3) by striking “(commencing with the fiscal year which begins October 1, 1980)”.

SEC. 50734. EFFECTIVE DATES.

(a) IN GENERAL.—Except as provided in paragraph (b), the amendments made by parts I through III of this title shall take effect on October 1, 2018.

(b) EXCEPTIONS.—The amendments made by sections 50711(d), 50731, and 50733 shall take effect on the date of the enactment of this Act.

(c) TRANSITION RULE.—

(1) IN GENERAL.—In the case of a State plan under part B or E of title IV of the Social Security Act which the Secretary of Health and Human Services determines requires State legislation (other than legislation appropriating funds) in order for the plan to meet the additional requirements imposed by the amendments made by parts I through III of this title, the State plan shall not be regarded as failing to comply with any requirement of such part solely on the basis of the failure of the plan to meet such additional requirements before the first day of the first calendar quarter beginning after the close of the first regular session of the State legislature that begins after the date of enactment of this Act. For purposes of the previous sentence, in the case of a State that has a 2-year legislative session, if the session shall be deemed to be a separate regular session of the State legislature.

(2) APPLICATION TO PROGRAMS OPERATED BY INDIAN TRIBAL ORGANIZATIONS.—In the case of an Indian tribe, tribal organization, or tribal consortium which the Secretary of Health and Human Services determines requires time to take action necessary to comply with the additional requirements imposed by the amendments made by parts I through III of this title (whether the tribe, organization, or consortium has a plan under section 479B of the Social Security Act or a cooperative agreement or contract entered into with a State), the Secretary shall provide the tribe, organization, or tribal consortium to take the action to comply with such additional time as the Secretary determines is necessary for the tribe, organization, or tribal consortium to take the action to comply with such additional time before being regarded as failing to comply with the requirements.

PART IV—ENSURING THE NECESSITY OF A PLACEMENT THAT IS NOT IN A FOSTER FAMILY HOME

SEC. 50741. LIMITATION ON FEDERAL FINANCIAL PARTICIPATION FOR PLACEMENTS THAT ARE NOT IN FOSTER FAMILY HOMES.

(a) LIMITATION ON FEDERAL FINANCIAL PARTICIPATION.—

(1) IN GENERAL.—Section 472 of the Social Security Act (42 U.S.C. 672), as amended by section 5072(a), is amended—

(A) in subsection (a)(2)(C), by inserting “,” but only to the extent part B or E of title IV of the Social Security Act (42 U.S.C. 672), as amended by section 5072(a), is amended—

(B) by adding at the end the following:
“(k) LIMITATION ON FEDERAL FINANCIAL PARTICIPATION:—
“(1) IN GENERAL.—Beginning with the third week for which foster care maintenance payments are made under this section on behalf of a child placed in a child-care institution, no Federal payment shall be made to the State under section 474(a)(1) for amounts expended for foster care maintenance payments on behalf of a child unless—
“(A) the child is placed in a child-care institution that is a setting specified in paragraph (2) (or is placed in a licensed residential family-based treatment facility consistent with subsection (j)); and
“(B) in the case of a child placed in a qualified residential treatment program (as defined in section 474(a)(11)), the required Federal payment is made under paragraph (3) and section 474(a)(2) are met.

(2) SPECIFIED SETTINGS FOR PLACEMENT.—The settings for placement specified in this paragraph are the following:
“(A) A qualified residential treatment program (as defined in paragraph (4)).
“(B) A setting specializing in providing prenatal, post-partum, or parenting supports for youth.
“(C) In the case of a child who has attained 18 years of age, a supervised setting in which the child is living independently.
“(D) A setting providing high-quality residential care and supportive services to children and youth who have been found to be, or are at risk of, being trafficked or victims, in accordance with section 471(a)(9)(C).

(3) ASSESSMENT TO DETERMINE APPROPRIATENESS OF PLACEMENT IN A QUALIFIED RESIDENTIAL TREATMENT PROGRAM.—
“(A) DEADLINE FOR ASSESSMENT.—In the case of a child who is placed in a qualified residential treatment program, if the assessment required under section 473a(c)(1) is not completed within 30 days after the placement is made, no Federal payment shall be made to the State under section 474(a)(1) for any amounts expended for foster care maintenance payments on behalf of the child during the placement.
“(B) DEADLINE FOR TRANSITION OUT OF PLACEMENT.—If the assessment required under section 473a(c)(1) determines that the placement of a child in a qualified residential treatment program is not appropriate, a court disapproves
such a placement under section 475A(c)(2), or a child who has been in an approved placement in a qualified residential treatment program is going to return home or be placed with a fit and willing relative, a legal guardian, or an adoptive parent, or in a foster family home, Federal payments shall be made to the State under section 474(a)(1) for amounts expended for foster care maintenance payments on behalf of the child while the child remains in the qualified residential treatment program only during the period necessary for the child to transition home or to so other placement that shall a State receive Federal payments under section 474(a)(1) for amounts expended for foster care maintenance payments on behalf of a child who remains in the qualified residential treatment program after the end of the 30-day period that begins on the date a determination is made that the placement is no longer the recommended or approved placement for the child. 

(4) QUALIFIED RESIDENTIAL TREATMENT PROGRAM.—For purposes of this part, the term ‘qualified residential treatment program’ means a program that—

(A) has a trauma-informed treatment model that is designed to address the needs, including clinical needs, of children with serious emotional or behavioral disorders or disturbances and, with respect to a child, is able to implement the treatment identified for the child by the following of the child required under section 475A(c); 

(B) subject to paragraphs (5) and (6), has registered or licensed nursing staff and other licensed clinical staff who—

(i) provide care within the scope of their practice as defined by State law; 

(ii) in accordance with the treatment model referred to in subparagraph (A), and 

(iii) are available 24 hours a day and 7 days a week; 

(C) to extent appropriate, and in accordance with the child’s best interests, facilitates participation of family members in the child’s treatment program; 

(D) facilitates outreach to the family members of the child, including siblings, documents how the outreach is made (including contact information), and maintains contact information for any known biological family and fictive kin of the child; 

(E) documents how family members are integrated into the treatment process for the child, including post-discharge, and how sibling connections are maintained; 

(F) provides discharge planning and family-based aftercare support for at least 6 months post-discharge; and 

(G) is licensed in accordance with section 471(a)(2) and, as appropriate, of children with serious emotional or behavioral disorders or disturbances and, with respect to a child, is able to implement the treatment identified for the child by the following of the child required under section 475A(c). 

(i) assess the strengths and needs of the child; 

(ii) in accordance with the treatment model referred to in subparagraph (A), and 

(iii) at the option of the State, for any of the following reasons: 

(A) to allow a parenting youth in foster care to remain with the child during the parenting youth; 

(B) to allow siblings to remain together; 

(C) to allow a child with an established meaningful relationship with the family to remain with the family; 

(D) to allow a family with special training or skills to provide care to a child who has a severe disability; 

(E) RULE OF CONSTRUCTION.—Subparagraph (A) shall not be construed as prohibiting a foster parent from renting the home in which the parent cares for a foster child placed in the parent’s care. 

(2) CHILD-CARE INSTITUTION.—

(A) IN GENERAL.—The term ‘child-care institution’ means a private child-care institution, or a public child-care institution which accommo-dates no more than 2 children, which is lic-ensed by the State in which it is situated or has been approved by the agency of the State respon-sible for licensing or approval of institu-tions of this type as meeting the standards es-tablished for the approval or the license of such institutions as the Secretary shall establish in regulations. 

(B) SUPERVISED SETTINGS.—In the case of a child who has attained 18 years of age, the term shall include a supervised setting in which the individual is living independently, in accordance with the requirements as the Secretary shall establish in regulations. 

(C) EXCLUSIONS.—The term shall not include detention facilities, forestry camps, training schools, or any other facility operated primarily for the detention of children who are determined to be delinquent. 

(3) TRAINING FOR STATE JUDGES, ATTORNEYS, AND OTHER LEGAL PERSONNEL IN CHILD WELFARE CASES.—Section 438(b)(1) of such Act (42 U.S.C. 629h(b)(1)) is amended in the matter preceding subparagraph (A) by inserting ‘‘shall provide for the training of judges, attorneys, and other legal personnel in child welfare cases on Federal child welfare policies and payment limitations with respect to children in foster care who are placed in settings that are not a foster family home,’’ after ‘‘with respect to the child.’’ 

(4) RULE OF CONSTRUCTION.—Subparagraph (B) shall not be con-strued as requiring a qualified residential treatment program to acquire nursing and behavioral health services from means of a direct em-ployee to employer relationship. 

(5) ADMINISTRATIVE COSTS.—The prohibition in paragraph (1) on Federal payments under section 474(a)(1) shall not be construed as prohibiting Federal payments for administrative expenditure on behalf of a child placed in a child-care institution and for which payment is available under section 474(a)(3). 

(6) RULE OF CONSTRUCTION.—Subparagraph (B) shall not be con-strued as requiring a qualified residential treatment program to require nursing and behavioral health services from means of a direct em-ployee to employer relationship. 

(7) LEAVE OF ABSENCE.—(1) DEFINITION OF FOSTER FAMILY HOME, CHILD-CARE INSTITUTION.—Section 472(c) of such Act (42 U.S.C. 672(c)) is amended to read as follows: 

(1) FOSTER FAMILY HOME.—

(A) IN GENERAL.—The term ‘foster family home’ means the home of an individual or family for the purpose of the need for placement in a qualified residential treatment program or to be delinquent. 

(B) RULE OF CONSTRUCTION.—Subparagraph (A) shall not be construed as prohibiting a foster family home that meets the standards established for the li-encing or approval of 

(i) in which a child in foster care has been placed in the care of an individual, or who resides with the child licensed or app-roved by the State to be a foster parent; 

(ii) that the State deems capable of adhering to the reasonable and prudent parent standard; 

(iii) that provide care for children placed away from their parents or other caretakers; and 

(iv) that provides the care for not more than six children in foster care. 

(C) STATE FLEXIBILITY.—The number of foster children that may be cared for in a home subparagraph (A) may exceed the numeric limit of subparagraph (A) if the State deems it necessary that the State are placed in a facility under the jurisdic-tion of the juvenile justice system and whether the lack of any available congregate care placement is a contributing factor to that result. 

(8) SEC. 5074. ASSESSMENT AND DOCUMENTATION OF THE NEED FOR PLACEMENT IN A QUALIFIED RESIDENTIAL TREATMENT PROGRAM. 

Section 475A of the Social Security Act (42 U.S.C. 675a) is amended by adding at the end thereof: 

(“C) ASSESSMENT, DOCUMENTATION, AND JUDI-CIAL DETERMINATION REQUIREMENTS FOR PLACEMENT IN A QUALIFIED RESIDENTIAL TREATMENT PROGRAM.—In the case of a child who is placed in a qualified residential treatment program (as defined in section 472(3)(d)), the following requirements shall apply for purposes of approving the case plan for the child and the case system review procedure for the child: 

(1)(A) Within 30 days of the start of each placement in such a setting for an individual (as defined in subparagraph (D)) shall—

(i) assess the strengths and needs of the child using an age-appropriate, evidence-based, validated, and functional assessment tool approved by the Secretary; 

(ii) determine whether the needs of the child can be met with family members or through other resources. 

(2) The State shall assemble a family and permanency team for the child in accordance with the requirements of clauses (i) and (ii). 

(3) The qualified individual conducting the assessment required under subparagraph (A) shall work in conjunction with the family of, and per-sonal caregivers, while conducting and making the assessment. 

(4) The family and permanency team shall consist of all appropriate biological family mem-bers, relatives, and fictive kin of the child, as well as, as appropriate, professionals who are a resource to the family of the child, such as teachers, medical or mental health providers who have treated the child, or clergy. 

(iii) in the case of a child who has attained age 14, the family and permanency team shall include the members of the permanency planning team for the child that are selected by the child in accordance with section 475(c)(4)(ii). 

(B) The State shall document in the child’s case plan the following:

(i) the reasonable and good faith effort of the State to identify and include all the individ-uals described in clause (ii) on the child’s family and permanency team; 

(ii) all contact information for members of the family and permanency team, as well as
contact information for other family members and fictive kin who are not part of the family and permanency team; and

(III) evidence that meetings of the family and permanency team including meetings relating to the assessment required under subparagraph (A), are held at a time and place convenient for family;

and
determination is the goal, evidence demonstrating that the parent from whom the child was removed provided input on the members of the family and permanency team;

(V) evidence that the assessment required under subparagraph (A) is determined in conjunction with the family and permanency team;

(VI) the placement preferences of the family and permanency team relative to the assessment that recognizes children should be placed with their siblings unless there is a finding by the court that placement is contrary to their best interest; and

(VII) if the placement preferences of the family and permanency team and child are not the placement setting recommended by the qualified individual conducting the assessment under subparagraph (A), the reasons why the preferences of the team and of the child were not recommended;

(C) In the case of a child who the qualified individual conducting the assessment under subparagraph (A) determines should not be placed in a foster family home, the qualified individual shall specify in writing the reasons why the needs of the child cannot be met by the family of the child or in a foster family home. A shortage or lack of foster family homes shall not be an acceptable reason for determining that the needs of the child cannot be met in a foster family home. The qualified individual also shall specify in writing the recommendations and documentation specified in paragraph (4);

(E) the most recent versions of the evidence and documentation specified in paragraph (4);

and

(F) the signed approval of the head of the State agency for the continued placement of the child in that setting.

SEC. 50745. CRIMINAL RECORDS CHECKS AND PROTOCOLS TO PREVENT INAPPROPRIATE BEHAVIOR.

(b) EVALUATION.—Section 476(b)(15)(A) of the Social Security Act (42 U.S.C. 622(b)(15)(A)) is amended—

(1) in clause (vi), by striking “and” after the semicolon;

and

(2) in subparagraph (B), by striking “and” after the semicolon;

(3) in subparagraph (C), by adding “and” after the semicolon; and

(4) by inserting after subparagraph (C), the following new subparagraph:

“(D) provides for procedures for any child-care institution, including a child-care treatment center, shelter, or other congregate care setting, to conduct criminal records checks, including fingerprint-based checks of national crime information databases (as defined in section 534(f)(3)(A) of title 28, United States Code), and checks described in subparagraph (B) of this paragraph, on any adult working in a child-care institution, including a group home, residential treatment center, shelter, or other congregate care setting, unless the State reports to the Secretary the alternative criminal records checks and the State conducts on any adult working in a child-care institution, including a group home, residential treatment center, shelter, or other congregate care setting, the reasons why the checks specified in this subparagraph are not appropriate for the State;”.

SEC. 50746. EFFECTIVE DATES; APPLICATION TO WAIVERS.

(a) EFFECTIVE DATES.—In general.—Subject to paragraph (2) and subsections (b), (c), and (d), the amendments made by this part shall take effect as if enacted on January 1, 2018.

(b) TRANSITION RULE.—In the case of a State plan under part B or E of title IV of the Social Security Act which the Secretary of Health and Human Services determines requires State legislation (other than legislation appropriating funds) in order for the plan to meet the additional requirements imposed by the amendments made by this part, the State plan shall not be regarded as failing to comply with the requirements of part B or E of title IV of such Act solely on the basis of the failure of the plan to meet the additional requirements before the first day of the first calendar quarter beginning after the close of the first regular session of the State legislature that begins after the date of enactment.
of this Act. For purposes of the previous sentence, in the case of a State that has a 2-year legislative session, each year of the session shall be deemed to be a separate regular session of the State legislature.

(b) Limitation on Federal Financial Participation for Placements That Are Not in Foster Family Homes and Related Provisions.

(1) In general.—The amendments made by sections 5071(a), 5071(b), 5071(d), and 5072 shall apply with respect to placements made on or after November 1, 2019.

(2) State option to delay effective date for not more than 2 years.—If a State requests a delay in the effective date, the Secretary, in consultation with the Human Services branch of the Department, may delay the effective date provided for in paragraph (1) with respect to the State for the amount of time requested by the State, not to exceed 2 years of the effective date is so delayed for a period with respect to a State under the preceding sentence, then—

(A) notwithstanding section 50734, the date that the amendments made by section 5071(c) take effect with respect to the State shall be delayed for the period; and

(B) in applying section 474(g)(6) of the Social Security Act, the term ‘State’ shall be read as the State, ‘on or after the date this paragraph takes effect with respect to the State’ is deemed to be substituted for ‘on or after the date this paragraph takes effect under this subparagraph’ in subparagraph (A)(1) of such section.

(c) Criminal Records Checks and Checks of Child Abuse and Neglect Registries for Adult and Child-Care Institutions and Other Group Care Settings.—Subject to subsection (a)(2), the amendments made by section 50745 shall take effect on October 1, 2018.

(d) Application to States With Waivers.—In the case of a State that, on the date of enactment of this Act, has in effect a waiver approved under section 1106 of the Social Security Act (42 U.S.C. 1320a–7), the amendments made by this act shall not apply with respect to the State before the expiration (determined without regard to any extensions) of the waiver to the extent the amendments are inconsistent with the terms of the waiver.

PART V.—CONTINUING SUPPORT FOR CHILD AND FAMILY SERVICES

SEC. 50751. SUPPORTING AND RETAINING FOSTER FAMILIES FOR CHILDREN.

(a) Supporting and Retaining Foster Parents as a Family Support Service.—Section 421(a) of the Social Security Act (42 U.S.C. 631(a)(2)(B)) is amended by redesignating clauses (ii) through (vi) as clauses (iv) through (vii), respectively, and inserting after clause (ii) the following new clause (iii):

‘‘(iii) To support and retain foster families so they can provide quality family-based settings for children in foster care.’’

(b) Support for Foster Family Homes.—Section 436 of such Act (42 U.S.C. 629i) is amended by adding at the end the following:

‘‘(c) Extension of Foster Family Homes.—Out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated to the Secretary for fiscal year 2018, $8,000,000 for the Secretary to make competitive grants to States, Indian tribes, or tribal consortia to support the recruitment and retention of high-quality foster families to increase their capacity to place more children in family settings, focused on States, Indian tribes, or tribal consortia with the highest percentage of children in non-family settings. The amount appropriated under this paragraph shall remain available through fiscal year 2022.’’

SEC. 50752. EXTENSION OF CHILD AND FAMILY SERVICES PROGRAMS.

(a) Extension of the Tubbs Jones Child Welfare Services Program.—Section 425 of the Social Security Act (42 U.S.C. 625) is amended by striking ‘‘2012 through 2016’’ and inserting ‘‘2012 through 2019.’’

(b) Extension of Promoting Safe and Stable Families Program Authorization.—

(1) In general.—Section 436(a) of such Act (42 U.S.C. 629a(a)) is amended by striking all that follows ‘‘$35,000,000’’ and inserting ‘‘for each of fiscal years 2017 through 2021.’’

(2) Section 437 of such Act (42 U.S.C. 629g(a)) is amended by—

(A) in paragraph (2), by striking ‘‘2012 through 2016’’ and inserting ‘‘2017 through 2021’’; and

(B) by striking at the end of the section the heading ‘‘REAUTHORIZATION OF FUNDING FOR STATE COURTS’’ and inserting ‘‘(1) in paragraph (5), by striking ‘‘2012 through 2016’’ and inserting ‘‘2017 through 2021’’.

(d) Reauthorization of Funding for State Courts.—

(1) In general.—Section 438(c)(1) of such Act (42 U.S.C. 629h(c)(1)) is amended by striking ‘‘2012 through 2016’’ and inserting ‘‘2017 through 2021’’.

(2) Extension of Federal Share.—Section 438(d) of such Act (42 U.S.C. 629h(d)) is amended by—

(A) in paragraph (2), by inserting ‘‘2012 through 2016’’ and inserting ‘‘2017 through 2021’’;

(B) repeal of Expired Provisions.—Section 438(e) of such Act (42 U.S.C. 629h(e)) is repealed.

SEC. 50753. IMPROVEMENTS TO THE JOINT FOSTER CARE PLACEMENTS PROGRAM AND RELATED PROVISIONS.

(a) Authority to Serve Former Foster Youth Up to Age 23.—Section 477 of the Social Security Act (42 U.S.C. 677) is amended—

(1) in subsection (a)(5), by inserting ‘‘(or 23 years of age, in the case of a State with a certification under subsection (b)(3)(A)(i) to provide services and assistance to youths who have aged out of foster care and have not attained such age, in accordance with such subsection))’’ after ‘‘21 years of age’’;

(2) in subsection (b)(3)(A)(i), by striking ‘‘(i) before ‘‘A certification’’; ‘‘(B) by striking ‘‘children who have left foster care’’ and all that follows the period and inserting ‘‘youths who have aged out of foster care and have not attained 21 years of age’’; and

(3) by adding at the end the following:

‘‘(ii) If the State has elected under section 477(c)(2) to extend eligibility for foster care to youths who have aged out of foster care at age 14 or older, the Secretary shall and is encouraged to —

(a) describe the extent to which the State is likely to remain in foster care until 18 years of age and to help these children make the transition to self-sufficiency by providing services and supporting all youth who have experienced foster care at age 14 or older achieve meaningful, permanent connections with a caring adult’’;

(b) in paragraph (3), by striking ‘‘who are likely to remain in foster care until 18 years of age’’ and inserting ‘‘who are likely to remain in foster care until 18 years of age and to help these children make the transition to self-sufficiency by providing services and supporting all youth who have experienced foster care at age 14 or older achieve meaningful, permanent connections with a caring adult’’;

(c) in paragraph (5), by striking ‘‘who are likely to remain in foster care until 18 years of age’’ and inserting ‘‘who are likely to remain in foster care until 18 years of age and to help these children make the transition to self-sufficiency by providing services and supporting all youth who have experienced foster care at age 14 or older achieve meaningful, permanent connections with a caring adult’’.

(b) Fostering Involvement of Parents and Guardians.—Subsection (a) of such section is amended—

(1) in paragraph (1), by inserting ‘‘or does not’’ after ‘‘is eligible’’;

(2) in paragraph (3), by striking ‘‘(C)(ii)’’; and

(3) in paragraph (6), by striking ‘‘(ii)’’.

(2) Extension of Federal Share.—Section 477(c)(2) of such Act (42 U.S.C. 677(c)(2)) is amended by striking ‘‘2012 through 2016’’ and inserting ‘‘2017 through 2021’’.

(c) Extension of Funding Reservations for Certain States.—Section 477(e)(2) of such Act (42 U.S.C. 677(e)(2)) is amended by striking ‘‘2012 through 2016’’ and inserting ‘‘2017 through 2021’’.

(d) Repeal of Expired Provisions.—Section 477(e)(3) of such Act (42 U.S.C. 677(e)(3)) is amended—

(1) by striking ‘‘2012 through 2016’’ and inserting ‘‘2017 through 2021’’;

(2) by striking paragraph (2) and inserting the following:

‘‘(2) DISCRETIONARY GRANTS.—Section 477(f) of such Act (42 U.S.C. 677(f)) is amended—

(A) in paragraph (1), by striking ‘‘(C) in paragraph (3), by striking ‘‘(B) by striking ‘‘(ii)’’ and ‘‘(C) by striking ‘‘(ii)’’; and

(b) in paragraph (5), by striking ‘‘who are likely to remain in foster care until 18 years of age’’ and inserting ‘‘who are likely to remain in foster care until 18 years of age and to help these children make the transition to self-sufficiency by providing services and supporting all youth who have experienced foster care at age 14 or older achieve meaningful, permanent connections with a caring adult’’;”
which States are complying with the following
requirements under section 473(a)(8)(D) of the Social Security Act:

1. The requirement to spend an amount equal to
the amount of the savings (if any) in State
expenditures under part E of title IV of the Social
Security Act resulting from phasing out the
APDC income eligibility requirements for adop-
tion assistance payments under section 473 of
such Act to provide to children of families any
service that may be provided under part B or E
of title IV of such Act.

2. The requirement that a State shall spend
not less than 30 percent of the amount of any
savings described in paragraph (1) on post-
adoption services, post-guardianship services,
and services approved under this part which are
required under applicable Federal law to elec-
tronically exchange with another State agency;
and

"(2) Federal reporting and data exchange re-
quired under applicable Federal law.

"(b) REQUIREMENTS.—The data exchange
standards required by paragraph (1) shall, to the
degree practicable:

"(1) incorporate a widely accepted, non-pro-
prietary, searchable, computer-readable format,
such as the Extensible Markup Language;

"(2) contain interoperable standards devel-
oped and maintained by Federal partnerships
such as the National Information Exchange Model;

"(3) incorporate interoperable standards de-
veloped and maintained by Federal partnerships
with authority over contracting and financial assis-
tance;

"(4) be consistent with and implement appli-
cable accounting principles;

"(5) be implemented in a manner that is cost-
effective and improves program efficiency and
effectiveness; and

"(6) be capable of being continually upgraded
as necessary.

"(c) RULES OF CONSTRUCTION.—Nothing in this
subsection shall be construed to require a
change to existing data exchange standards
found to be effective and efficient.

(b) EFFECTIVE DATE.—Not later than the date
that is 24 months after the date of the enact-
ment of this section, the Secretary of Health and
Human Services shall issue a proposed rule that—

1. identifies federally required data ex-
changes, include specification and timing of ex-
changes, such as length of stay, number of place-
ment settings, case goal, and discharge reason
for 17-year-olds who are surveyed by the Na-
tional Youth in Transition Database and an
analysis of the comparison of that description
with the reasons for entry and foster care expe-
riences of children of other ages who exit from
foster care before attaining age 17.

2. A description of the reasons for entry into
foster care experience, such as length of stay,
number of placement settings, case goal, and dis-
charge reason for 17-year-olds who are surveyed
by the National Youth in Transition Database
and an analysis of the comparison of that descrip-
tion with the reasons for entry and foster care expe-
riences of children of other ages who exit from
foster care before attaining age 17.

3. A description of the characteristics of the
individuals who report poor outcomes at ages 19
and 21 to the National Youth in Transition Databasen

4. Benchmarks for determining what consti-
tuents a poor outcome for youth who remain in
2017 through 2023
2
2024
2 (or, in the case of a child for whom an adoption assistance agreement is entered into under this section on or after July 1, 2024, any age)
2025 or thereafter

(b) REPORT.—The Comptroller General of the United States shall submit to the Committee on Ways and Means of the House of Representatives, and the Secretary of Health and Human Services a report that contains the results of the study re-
quired by subsection (a), including recommenda-
tions to ensure compliance with laws referred to in
subsection (a).

TITLE VIII—SUPPORTING SOCIAL IMPACT
PARTNERSHIPS TO PAY FOR RESULTS
SEC. 50801. SHORT TITLE
This subtitle may be cited as the “Social Impact
Partnerships to Pay for Results Act”.
SEC. 50802. SOCIAL IMPACT PARTNERSHIPS TO PAY FOR RESULTS
Title XX of the Social Security Act (42 U.S.C. 1397 et seq.) is amended—
(1) in the title heading, by striking “TO STATES” and inserting “AND PROGRAMS”;

(2) by adding at the end the following:

"(a) IN GENERAL.—The table in section 475(e)(1)(B) of the Social Security Act (42 U.S.C. 675(e)(1)(B)) is amended by striking the last 2 rows and inserting the following:

"2017 through 2023
2
2024
2 (or, in the case of a child for whom an adoption assistance agreement is entered into under this section on or after July 1, 2024, any age)
2025 or thereafter

SEC. 50781. REAUTHORIZING ADOPTION AND LEGAL GUARDIANSHIP INCENTIVE PROGRAMS.
(a) IN GENERAL.—Section 473A of the Social Security Act (42 U.S.C. 673A) is amended—

"(1) in subsections (f) and (h), by striking "2013" and inserting "2016";

"(2) in subsection (i), by striking paragraph (1) and inserting the following:

"(I) by inserting "the following:

"(II) by striking paragraphs (2) and (3) and inserting the following:

"(D) by striking paragraphs (4) through (8) and inserting the following:

"(I) by striking "adolescents preparing for a successful transition to adulthood and
independent living'' and all that follows
"who have experienced foster care at age 14 or
2025 or thereafter

"(b) EFFECTIVE DATE.—The amendments made
by subsection (a) shall take effect as if enacted
on October 1, 2017.

PART VII—TECHNICAL CORRECTIONS
SEC. 50771. TECHNICAL CORRECTIONS TO DATA EXCHANGE STANDARDS TO IMPROVE PROGRAM COORDINATION.
(a) IN GENERAL.—Section 440 of the Social Security Act (42 U.S.C. 629n) is amended to read as follows:

"SEC. 440. DATA EXCHANGE STANDARDS FOR IMPROVED INTEROPERABILITY.

"(a) DESIGNATION.—The Secretary shall, in consultation with an interagency work group established by the Office of Management and Budget and considering State government
perspectives, by rule, designate data exchange standards to govern, under this part and part E—

1. necessary categories of information that
State agencies operating programs under State
plans approved under this part are required
to provide to children of families any
service under applicable Federal law to elec-
tronically exchange with another State agency;
and

2. requirements that the Comptroller General shall analyze the extent to which States are complying with the following

(b) R EQUIREMENTS.—The data exchange
standards required by paragraph (1) shall, to the
degree practicable:

1. incorporate a widely accepted, non-pro-
prietary, searchable, computer-readable format,
such as the Extensible Markup Language;

2. contain interoperable standards devel-
oped and maintained by Federal partnerships
such as the National Information Exchange Model;

3. incorporate interoperable standards de-
veloped and maintained by Federal partnerships
with authority over contracting and financial assis-
tance;

4. be consistent with and implement appli-
cable accounting principles;

5. be implemented in a manner that is cost-
effective and improves program efficiency and
effectiveness; and

6. be capable of being continually upgraded
as necessary.

(c) RULES OF CONSTRUCTION.—Nothing in this
subsection shall be construed to require a
change to existing data exchange standards
found to be effective and efficient.

(b) EFFECTIVE DATE.—Not later than the date
that is 24 months after the date of the enact-
ment of this section, the Secretary of Health and
Human Services shall issue a proposed rule that—

1. identifies federally required data ex-
changes, include specification and timing of ex-
changes, such as length of stay, number of place-
ment settings, case goal, and discharge reason
for 17-year-olds who are surveyed by the Na-
tional Youth in Transition Database and an
analysis of the comparison of that description
with the reasons for entry and foster care expe-
riences of children of other ages who exit from
foster care before attaining age 17.

2. A description of the reasons for entry into
foster care experience, such as length of stay,
number of placement settings, case goal, and dis-
charge reason for 17-year-olds who are surveyed
by the National Youth in Transition Database
and an analysis of the comparison of that descrip-
tion with the reasons for entry and foster care expe-
riences of children of other ages who exit from
foster care before attaining age 17.

3. A description of the characteristics of the
individuals who report poor outcomes at ages 19
and 21 to the National Youth in Transition Databasen

4. Benchmarks for determining what consti-
tuents a poor outcome for youth who remain in
2017 through 2023
2
2024
2 (or, in the case of a child for whom an adoption assistance agreement is entered into under this section on or after July 1, 2024, any age)
2025 or thereafter

SEC. 50782. GAO STUDY AND REPORT ON STATE REINVESTMENT OF SAVINGS RESULTING FROM INCREASE IN ADOPTION ASSISTANCE.
(a) STUDY.—The Comptroller General of the United States shall submit to the Committee on Ways and Means of the House of Representatives, and the Secretary of Health and Human Services a report that contains the results of the study re-
quired by subsection (a), including recommenda-
tions to ensure compliance with laws referred to in
subsection (a).

TITLE VIII—SUPPORTING SOCIAL IMPACT
PARTNERSHIPS TO PAY FOR RESULTS
SEC. 50801. SHORT TITLE
This subtitle may be cited as the “Social Impact
Partnerships to Pay for Results Act”.
SEC. 50802. SOCIAL IMPACT PARTNERSHIPS TO PAY FOR RESULTS
Title XX of the Social Security Act (42 U.S.C. 1397 et seq.) is amended—
(1) in the title heading, by striking “TO STATES” and inserting “AND PROGRAMS”;

(2) by adding at the end the following:

"(a) IN GENERAL.—The table in section 475(e)(1)(B) of the Social Security Act (42 U.S.C. 675(e)(1)(B)) is amended by striking the last 2 rows and inserting the following:

"2017 through 2023
2
2024
2 (or, in the case of a child for whom an adoption assistance agreement is entered into under this section on or after July 1, 2024, any age)
2025 or thereafter

SEC. 50781. DELAY OF ADOPTION ASSISTANCE PHASE-IN.
(a) IN GENERAL.—The table in section 475(e)(1)(B) of the Social Security Act (42 U.S.C. 675(e)(1)(B)) is amended by striking the last 2 rows and inserting the following:

"2017 through 2023
2
2024
2 (or, in the case of a child for whom an adoption assistance agreement is entered into under this section on or after July 1, 2024, any age)
2025 or thereafter

SEC. 50782. GAO STUDY AND REPORT ON STATE REINVESTMENT OF SAVINGS RESULTING FROM INCREASE IN ADOPTION ASSISTANCE.
(a) STUDY.—The Comptroller General of the United States shall submit to the Committee on Ways and Means of the House of Representatives, and the Secretary of Health and Human Services a report that contains the results of the study re-
quired by subsection (a), including recommenda-
tions to ensure compliance with laws referred to in
subsection (a).
it is determined that it is in the interest of the child's long-term health, safety, or psycho-
logical well-being to not be placed in a family foster home.

(13) Reducing the number of children returning
to foster care.

(14) Reducing recidivism among juvenile of-
fenders, individuals released from prison, or other high-risk populations.

(15) Reducing the rate of homelessness
among our most vulnerable populations.

(16) Improving the well-being of those with mental, emotional, and behavioral
health needs.

(17) Improving the educational outcomes of
special-needs or low-income children.

(18) Improving the employment and well-
being of returning United States military mem-
bers.

(19) Increasing the financial stability of low-
income families.

(20) Increasing the independence and em-
ployment of individuals who are physically or mentally disabled.

(21) Other measurable outcomes defined
by the State or local government that result in posi-
tive social outcomes and Federal savings.

(22) The metrics that will be used in the eval-
uation to determine whether the outcomes have
been achieved as a result of the intervention and how the metrics will be measured.

(23) The purpose of this subtitle is to
increase employment and earnings of individ-
uals receiving Federal disability benefits.

(24) A description of whether and how
the State or local government and service providers plan to sustain the intervention, if it is
timely and appropriate to do so, to ensure that success-
ful interventions continue to operate after the
period of the social impact partnership.

(25) The metrics used in the evalu-
ation to determine whether the inter-
course achieved as a result of the intervention are independent, objective indicators of impact
and are not subject to manipulation by the serv-
vice provider, intermediary, or investor.

(26) The mechanism and goals.

(27) Information on whether the intermediary is already working with service providers that
provide this intervention or an explanation of the likelihood of the intermediary working
with service providers to provide the inter-
cervention.

(28) Experience working in a collaborative en-
vironment across government and nongovern-
mental entities.

(29) Previous experience collaborating with
public or private entities to implement evidence-
based programs.

(30) Ability to raise or provide funding to
cover operating costs (if applicable to the inter-
cvention).

(31) Capacity and infrastructure to track out-
comes and measure results, including—

(A) capacity to track and analyze program
performance and assess program impact; and

(B) experience with performance-based awards or performance-based contracting and
achieving project milestones and targets.

(32) Role in delivering the intervention.

(33) How the intermediary would monitor pro-
gram success, including a description of the in-
terim benchmarks and outcome measures.

(34) The feasibility study funded through oth-
er sources.

The notice described in sub-
section (a) shall permit a State or local govern-
ment to submit an application for social impact partnership funding that contains information
from a feasibility study developed for purposes other than applying for funding under this sub-
title.

**AWARDING SOCIAL IMPACT PARTNERSHIP
AGREEMENTS**

**SEC. 2053. (a) TIMELINE IN AWARDED AGREE-
MENT.—Not later than 6 months after receiving

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an application in accordance with section 2052, the Secretary, in consultation with the Federal Interagency Council on Social Impact Partnerships, shall determine whether to enter into an agreement for a social impact partnership project with a State or local government.

(2) CONSIDERATIONS IN AWARDING AGREEMENT.—In determining whether to enter into an agreement for a social impact partnership project (the application for which was submitted under section 2052) the Secretary, in consultation with the Federal Interagency Council on Social Impact Partnerships and the head of any Federal agency administering a similar intervention or serving a population similar to that served by the project, shall consider each of the following:

(1) The recommendations made by the Commission on Social Impact Partnerships.

(2) Whether the Federal Government of the outcomes expected to be achieved if the outcomes specified in the agreement are achieved as a result of the intervention.

(3) The likelihood, based on evidence provided in the application and other evidence, that the State or local government in collaboration with the intermediary and the service providers will achieve the outcomes.

(4) The savings to the Federal Government if the outcomes specified in the agreement are achieved as a result of the intervention.

(5) The value to the State and local governments if the outcomes specified in the agreement are achieved as a result of the intervention.

(6) The expected quality of the evaluation that would be conducted with respect to the agreement.

(7) The capacity and commitment of the State or local government to sustain the intervention, if appropriate and timely and if the intervention is successful, beyond the period of the social impact partnership agreement.

(c) AGREEMENT AUTHORITY.—

(1) AGREEMENT REQUIREMENTS.—In accordance with this section, the Secretary, in consultation with the Federal Interagency Council on Social Impact Partnerships and the head of any Federal agency administering a similar intervention or serving a population similar to that served by the project, may enter into an agreement for a social impact partnership project with a State or local government if the Secretary, in consultation with the Federal Interagency Council on Social Impact Partnerships, determines that each of the following requirements are met:

(A) The State or local government agrees to achieve one or more outcomes as a result of the intervention, as specified in the agreement and validated by independent evaluation, in order to receive payments.

(B) The Federal payment to the State or local government for each specified outcome achieved as a result of the intervention is less than or equal to the value of the outcome to the Federal Government, on a period not to exceed 10 years, as determined by the Secretary, in consultation with the State or local government.

(C) The duration of the project does not exceed 10 years.

(D) The State or local government has demonstrated, through the application submitted under section 2052, that, based on prior rigorous experimental evaluations or rigorous quasi-experimental studies, the intervention can be expected to achieve each outcome specified in the agreement.

(E) The State, local government, intermediary, or service provider has experience raising private or philanthropic capital to fund social service investments (if applicable to the project).

(F) The State or local government has shown that each service provider has experience delivering or evaluating a similar intervention, or has otherwise demonstrated the expertise necessary to deliver the intervention.

(2) PAYMENT.—The Secretary shall pay the State or local government only if the independent evaluator described in section 2055 determines that the social impact partnership project described in the agreement and achieved an outcome as a result of the intervention, as specified in the agreement and validated by independent evaluation.

(3) NOT LATER THAN 30 DAYS.—Not later than 30 days after entering into an agreement under this section the Secretary shall publish a notice in the Federal Register that includes, with regard to the agreement, the following:

(a) The outcome goals of the social impact partnership project.

(b) A description of each intervention in the project.

(c) The target population that will be served by the project.

(d) The expected social benefits to participants who receive the intervention and others who may be impacted.

(e) The detailed roles, responsibilities, and purposes of each Federal, State, or local government entity, intermediary, service provider, independent evaluator, investor, or other stakeholder.

(f) The payment terms, the methodology used to calculate outcome payments, the payment schedule, and performance thresholds.

(g) The project budget.

(h) The project timeline.

(i) The project eligibility criteria.

(j) The evaluation design.

(k) The metrics that will be used in the evaluation to determine whether the outcomes have been achieved as a result of each intervention and how these metrics will be measured.

(l) The estimate of the savings to the Federal, State, and local governments, on a program-by-program basis and in the aggregate, if the agreement is entered into and implemented and the outcomes are achieved as a result of each intervention.

(m) AUTHORITY TO TRANSFER ADMINISTRATION OF AGREEMENT.—The Secretary may transfer to the head of another Federal agency the authority to administer (including making payments under) an agreement entered into under subsection (c), and any funds necessary to do so.

(n) REQUIREMENT ON FUNDING USED TO BENEFIT CHILDREN.—Not less than 50 percent of all Federal payments made to carry out agreements under this section shall be used for initiatives that directly benefit children.

(3) FEASIBILITY STUDY FUNDING.

SEC. 2054. (a) REQUESTS FOR FUNDING FOR FEASIBILITY STUDIES.—The Secretary shall receive a payment made available to carry out a feasibility study for a social impact partnership project.

(b) APPLICATION.—To be eligible to receive funding to assist with completing a feasibility study, a State or local government shall submit an application for feasibility study funding addressing the following:

(1) A description of the outcome goals of the social impact partnership project.

(2) A description of the intervention, including anticipated program design, target population, an estimate regarding the number of individuals to be served, and setting for the intervention.

(3) Evidence to support the likelihood that the intervention will produce the desired outcomes.

(4) A description of the potential metrics to be used.

(5) The expected social benefits to participants who receive the intervention and others who may be impacted.

(6) Estimated costs to conduct the project.

(7) Estimates of Federal, State, and local government savings and other savings if the project is implemented and the outcomes are achieved as a result of each intervention.

(8) An estimated timeline for implementation and completion of the project, which shall not exceed 1 year.

(9) With respect to a project for which the State or local government selects an intermediary to operate the project, any partnerships entered into with the intermediary and the ability of the intermediary to foster the partnership.

(10) The expected resources needed to complete the feasibility study for the State or local government to apply for social impact partnership funding under section 2052.

(2) FEDERAL SELECTION OF APPLICATIONS FOR FEASIBILITY STUDY.—Not later than 6 months after receiving an application for feasibility study funding under subsection (a), the Secretary, in consultation with the Federal Interagency Council on Social Impact Partnerships and the head of any Federal agency administering a similar intervention or serving a population under this section, shall select State or local government feasibility study proposals for funding based on the following:

(1) The recommendations made by the Commission on Social Impact Partnerships.

(2) The likelihood that the proposal will achieve the desired outcomes.

(3) The value of the outcomes expected to be achieved as a result of each intervention.

(4) The potential savings to the Federal Government if the social impact partnership project is successful.

(5) The potential savings to the State and local governments if the project is successful.

(c) PUBLIC DISCLOSURE.—Not later than 30 days after selecting a State or local government for feasibility study funding under this section, the Secretary shall cause to be published on the website of the Federal Interagency Council on Social Impact Partnerships information explaining why a State or local government was granted feasibility study funding.

(3) FUNDING RESTRICTION.—

(1) FEASIBILITY STUDY RESTRICTION.—The Secretary may not provide feasibility study funding to States or local governments under this section.

(2) AGGREGATE LIMIT.—Not later than 30 days after selecting a State or local government for feasibility study funding under this section, the Secretary shall submit an application for feasibility study funding addressing the following:

(a) A description of the outcome goals of the social impact partnership project.

(b) A description of the intervention, including anticipated program design, target population, an estimate regarding the number of individuals to be served, and setting for the intervention.

(c) Evidence to support the likelihood that the intervention will produce the desired outcomes.

(d) A description of the potential metrics to be used.

(e) The expected social benefits to participants who receive the intervention and others who may be impacted.

(f) Estimated costs to conduct the project.

(g) The Secretary shall pay the State or local government only if the independent evaluator described in section 2055 determines that the social impact partnership project described in the agreement and achieved an outcome as a result of the intervention, as specified in the agreement and validated by independent evaluation.

(h) With respect to a project for which the State or local government selects an intermediary to operate the project, any partnerships entered into with the intermediary and the ability of the intermediary to foster the partnership.

(i) The expected resources needed to complete the feasibility study for the State or local government to apply for social impact partnership funding under section 2052.

(j) FEDERAL SELECTION OF APPLICATIONS FOR FEASIBILITY STUDY.—Not later than 6 months after receiving an application for feasibility study funding under subsection (a), the Secretary, in consultation with the Federal Interagency Council on Social Impact Partnerships and the head of any Federal agency administering a similar intervention or serving a population under this section, shall select State or local government feasibility study proposals for funding based on the following:

(1) The recommendations made by the Commission on Social Impact Partnerships.

(2) The likelihood that the proposal will achieve the desired outcomes.

(3) The value of the outcomes expected to be achieved as a result of each intervention.

(4) The potential savings to the Federal Government if the social impact partnership project is successful.

(5) The potential savings to the State and local governments if the project is successful.

(k) PUBLIC DISCLOSURE.—Not later than 30 days after selecting a State or local government for feasibility study funding under this section, the Secretary shall cause to be published on the website of the Federal Interagency Council on Social Impact Partnerships information explaining why a State or local government was granted feasibility study funding.

(3) NO GUARANTEE OF FUNDING.—The Secretary shall have the option to award no funding in response to a feasibility study project.

(l) SUBMISSION OF FEASIBILITY STUDY REQUIRED.—Not later than 9 months after the receipt of feasibility study funding under this section, a State or local government shall submit an application for feasibility study funding addressing the following:

(a) A description of the outcome goals of the social impact partnership project.

(b) A description of the intervention, including anticipated program design, target population, an estimate regarding the number of individuals to be served, and setting for the intervention.

(c) Evidence to support the likelihood that the intervention will produce the desired outcomes.

(d) A description of the potential metrics to be used.

(e) The expected social benefits to participants who receive the intervention and others who may be impacted.

(f) Estimated costs to conduct the project.

(g) The Secretary shall pay the State or local government only if the independent evaluator described in section 2055 determines that the social impact partnership project approved by the Secretary under this subtitle, the head of the relevant agency, as recommended by the Federal Interagency Council on Social Impact Partnerships, in consultation with the Federal Interagency Council on Social Impact Partnerships, in a determination by the Secretary, shall enter into an agreement with the State or local government to pay for all or part of the independent evaluation to determine whether the Social Impact Partnership project has met the requirements specified in the agreement and achieved an outcome as a result of each intervention, as specified in the agreement and validated by independent evaluation.

(2) AUTHORITY TO ENTER INTO AGREEMENTS.—For each State or local government that is awarded funding under this section, the Secretary, in consultation with the Federal Interagency Council on Social Impact Partnerships and determined by the Secretary, may transfer to the head of another Federal agency the authorities provided in this section and any funds necessary to exercise the authorities.

(3) EVALUATIONS.

SEC. 2055. (a) AUTHORITY TO ENTER INTO AGREEMENTS.—For each State or local government that is awarded funding under this section, the Secretary, in consultation with the Federal Interagency Council on Social Impact Partnerships and determined by the Secretary, may enter into an agreement with the State or local government to pay for all or part of the independent evaluation to determine whether the Social Impact Partnership project has met the requirements specified in the agreement and achieved an outcome as a result of each intervention, as specified in the agreement and validated by independent evaluation.
local government to receive outcome payments under this subtitle.

"(b) EVALUATOR QUALIFICATIONS.—The head of the relevant agency may not enter into an agreement with a local government unless the head determines that the evaluator is independent of the other parties to the agreement and has demonstrated substantial experience in evaluating the effectiveness of program effectiveness including, where available and appropriate, well-implemented randomized controlled trials on the intervention or similar interventions.

"(c) METHODOLOGIES TO BE USED.—The evaluation shall use rigorous, independent data and evidence—based research methodologies, as certified by the Federal Interagency Council on Social Impact Partnerships, that allow for the strongest possible causal inferences when random assignment is not feasible.

"(d) PROGRESS REPORT.—

"(1) SUBMISSION OF REPORT.—The independent evaluator shall—

(A) not later than 2 years after a project has been approved by the head of the relevant agency, submit a report summarizing the progress that has been made in achieving each outcome specified in the agreement; and

(B) before the scheduled time of the first outcome payment and the scheduled time of each subsequent payment, submit to the head of the relevant agency and the Federal Interagency Council on Social Impact Partnerships a written report that includes the results of the evaluation conducted to determine whether an outcome payment should be made along with information on the unique factors that contributed to achieving or failing to achieve the outcome, the challenges faced in attempting to achieve the outcome, and information on the improved future delivery of this or similar interventions.

"(2) SUBMISSION TO THE SECRETARY AND CONGRESS.—Not later than 30 days after receipt of the written report pursuant to paragraph (1)(B), the Federal Interagency Council on Social Impact Partnerships shall submit the report to the Secretary and each committee of jurisdiction in the House of Representatives and the Senate.

"(e) FINAL REPORT.—

"(1) SUBMISSION OF REPORT.—Within 6 months after the social impact partnership project is completed, the independent evaluator shall—

(A) evaluate the effects of the activities undertaken pursuant to the agreement with regard to each outcome specified in the agreement; and

(B) submit to the head of the relevant agency and the Federal Interagency Council on Social Impact Partnerships a written report that includes the results of the evaluation and the conclusion of the evaluator as to whether the State or local government has fulfilled each obligation, along with information on the unique factors that contributed to the success or failure of the project, the challenges faced in attempting to achieve the outcome, and information on the improved future delivery of this or similar interventions.

"(2) SUBMISSION TO THE SECRETARY AND CONGRESS.—Not later than 30 days after receipt of the written report pursuant to paragraph (1)(B), the Federal Interagency Council on Social Impact Partnerships shall submit the report to the Secretary and each committee of jurisdiction in the House of Representatives and the Senate.

"(f) LIMITATION ON COST OF EVALUATIONS.—Of the amount made available under this subtitle for social impact partnership projects, the Secretary shall not obligate more than 15 percent to evaluate the implementation and outcomes of the projects.

"(g) DELEGATION OF AUTHORITY.—The Secretary may transfer to the head of another Federal agency the authorities provided in this section and any funds necessary to exercise the authorities.

"FEDERAL INTERAGENCY COUNCIL ON SOCIAL IMPACT PARTNERSHIPS

"SEC. 2056. (a) ESTABLISHMENT.—There is established the Federal Interagency Council on Social Impact Partnerships (in this section referred to as the ‘Council’).—

"(1) coordinate with the Secretary on the effects of social impact partnership projects funded under this subtitle;

"(2) advise and assist the Secretary in the development and implementation of the projects;

"(3) advise the Secretary on specific programmatic and policy matters related to the projects;

"(4) provide subject-matter expertise to the Secretary with regard to the projects;

"(5) certify to the Secretary that each State or local government that has entered into an agreement with the Secretary for a social impact partnership project under this subtitle and each evaluator selected by the head of the relevant agency under section 2055 has access to Federal administrative data to assist the State or local government in evaluating the performance and outcomes of the project; and

"(6) address issues that will influence the future of social impact partnership projects in the United States.

"(b) DUTIES.—The duties of the Council shall be to—

"(1) assist the Secretary and the Federal Interagency Council on Social Impact Partnership Projects in reviewing applications for funding under this subtitle;

"(2) make recommendations to the Secretary and the Federal Interagency Council on Social Impact Partnerships regarding the funding of social impact partnership agreements and feasibility studies; and

"(3) provide other assistance and information as requested by the Secretary or the Federal Interagency Council on Social Impact Partnerships.

"(c) COMPOSITION.—The Council shall be composed of nine members, of whom—

"(1) one shall be appointed by the President, who shall serve as the ‘Chair;’

"(2) one shall be appointed by the Majority Leader of the Senate;

"(3) one shall be appointed by the Minority Leader of the Senate;

"(4) one shall be appointed by the Speaker of the House of Representatives;

"(5) one shall be appointed by the Minority Leader of the House of Representatives;

"(6) one shall be appointed by the Chairman of the Committee on Finance of the Senate;

"(7) one shall be appointed by the ranking member of the Committee on Finance of the Senate;

"(8) one member shall be appointed by the Chairman of the Committee on Ways and Means of the House of Representatives; and

"(9) one shall be appointed by the ranking member of the Committee on Ways and Means of the House of Representatives.

"(d) QUALIFICATIONS OF COMMISSION MEMBERS.—The members of the Council shall—

"(1) be experienced in finance, economics, pay for performance, or program evaluation;

"(2) have experience in a field related to one or more of the outcomes listed in this subtitle; or

"(3) be qualified to review applications for social impact partnership projects to determine whether the proposed metrics and evaluation methodologies are appropriately rigorous and reliant upon independent data and evidence—based research.

"(e) TIMING OF APPOINTMENTS.—The appointments of the members of the Commission shall be made not later than 120 days after the date of enactment of this subtitle, or, in the event of a vacancy, not later than 90 days after the date the vacancy arises. If a member of Congress fails to appoint a member to the Council, the President may fill a vacancy in the Commission by appointing a person of the President’s choice on behalf of the member of Congress. Notwithstanding the preceding sentence, if not all appointments have been made to the Commission as of the date of enactment, the Commission may operate with no fewer than five members until all appointments have been made.

"(f) TERM OF APPOINTMENTS.—

"(1) IN GENERAL.—The members appointed under subsection (c) shall serve as follows:

(A) Three members shall serve for 2 years.

(B) Three members shall serve for 3 years.

(C) Three members (one of which shall be Chair of the Commission appointed by the President) shall serve for 4 years.

"(2) ASSIGNMENT OF TERMS.—The Commission shall designate the term length that each member appointed under subsection (c) shall serve by unanimous agreement. In the event that unanimous agreement cannot be reached, term lengths shall be assigned to the members by a random process.

"(g) VACANCIES.—Subject to subsection (e), in the event of a vacancy in the Commission, whether due to the resignation of a member, the expiration of a member’s term, or any other reason, the vacancy shall be filled in the manner in which the original appointment was made and shall not affect the powers of the Commission.
...(Continued from previous page...)
use the services provided by the applicants is not less than two to three or greater than three to two.

(iv) SERVICES AREA OVERLAP.—If in carrying out clause (i), the applicant proposes to serve an area that is currently served by another health center funded under this section, the Secretary may consider whether the award of funding to an additional health center in the area can be justified based on the unmet need for additional services within the catchment area.

(B) APPROVAL OF EXPANDED SERVICE APPLICATIONS—

‘‘(i) IN GENERAL.—The Secretary may approve applications for grants under subparagraph (A) or (B) of paragraph (1) to expand the capacity of the health center to provide required primary health services described in subsection (b)(1) or additional health services described in subsection (b)(2).

(ii) PRIORITY EXPANSION PROJECTS.—In carrying out clause (i), the Secretary may give special consideration to expanded service applications that seek to address emerging public health or behavioral health, mental health, or substance abuse issues through increasing the availability of additional health services described in subsection (b)(2) in an area in which there are significant barriers to accessing care.

(iii) CONSIDERATION OF APPLICATIONS.—In carrying out clause (i), the Secretary shall approve applications for grants in such a manner that the ratio of the medically underserved populations in rural areas which may be expected to use the services provided by the applicants involved to use similarly underserved populations in urban areas which may be expected to use the services provided by such applicants is not less than two to three or greater than three to two.

(C) REPORTING.—In carrying out clause (i), the Secretary shall, at the end and inserting ‘‘; and’’; and

(iv) in subparagraph (M), by striking the period at the end and inserting ‘‘; and’’; and

(v) in subparagraph (M), by striking ‘‘and any other health’’ and inserting ‘‘and other health care providers that provide care within the catchment area, local hospitals, and specialty providers in the catchment area of the center to provide access to services not available through the health center and to reduce the non-urgent use of hospital emergency departments’’;

(vi) in subparagraph (H)(ii), by inserting ‘‘who shall be appropriately employed by the center after approves the selection of a director for the center’’;

(vii) in subparagraph (I), by striking ‘‘and’’ at the end;

(viii) in subparagraph (M), by striking the period and inserting ‘‘; and’’; and

(ix) by inserting after subparagraph (M), the following:

‘‘(N) the center has written policies and procedures in place to ensure the appropriate use of Federal funds in compliance with applicable Federal statutes, regulations, and the terms and conditions of the Federal award.’’; and

(C) by striking subparagraph (C) (as so redesignated) and

(C) by striking ‘‘and the rationale for any substantial changes in the distribution of funds.’’; and

(D) by striking ‘‘and the number and reason for any grants awarded pursuant to subparagraph (e)(1)(B); and’’;

(E) the number of visits by patients treated in the catchment area; and

(F) the distribution of awards and funding for new or expanded services by rural areas and urban areas; and

(G) the distribution of awards and funding to qualified teaching health centers that are located in a rural area (as defined in section 306A(g)(2) of the Social Security Act).’’.}

(2) FUNDING.—(Parapraph (1) of section 340H of the Public Health Service Act (42 U.S.C. 256g), as amended by section 301 of Public Law 115–96, is amended by striking ‘‘and $30,000,000 for the period of the first and second quarters of fiscal year 2018’’ and inserting ‘‘and $126,500,000 for each of fiscal years 2018 and 2019’’.}

(3) ANNUAL REPORTING.—Subsection (b)(1) of section 340H of the Public Health Service Act (42 U.S.C. 256g) is amended by striking (D) and inserting the following:

‘‘(D) The number of patients treated by residents described in paragraph (4).’’;

(E) The number of visits by patients treated by residents described in paragraph (4).

(4) REPORT ON GRADUATE MEDICAL EDUCATION PROGRAMS.—(Parapraph (j) of section 340H of the Public Health Service Act (42 U.S.C. 256g), as amended by section 301 of Public Law 115–96, is amended to read as follows:

‘‘(J) GRADUATE MEDICAL EDUCATION PROGRAMS.—

(A) in paragraph (1), by striking ‘‘and chil-
(A) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and
(B) by inserting after paragraph (1) the following:

"(2) NEW APPROVED GRADUATE MEDICAL RESIDENCY TRAINING PROGRAM.—The term ‘new approved graduate medical residency training program’ means an approved graduate medical residency training program for which the sponsoring qualified teaching center has not received a payment under this section for a previous fiscal year (other than pursuant to subsection (c)(2))."

(6) TECHNICAL CORRECTION.—Subsection (f) of section 340H (42 U.S.C. 256h) is amended by striking ‘‘hospital’’ each place it appears and inserting ‘‘center’’.

(7) PAYMENTS FOR PREVIOUS FISCAL YEARS.—The provisions of section 340H of the Public Health Service Act (42 U.S.C. 256h), as in effect on the day before the date of enactment of Public Law 115–96, shall continue to apply with respect to payments under such section for fiscal years before fiscal year 2018.

(e) APPLICATION.—Amounts appropriated pursuant to this section for fiscal year 2018 or 2019 are subject to the requirements contained in Public Law 112–170, as amended by section 202 of Public Law 115–96, as amended to read as follows:

"(7) PAYMENTS FOR PREVIOUS FISCAL YEARS.—Amounts appropriated pursuant to this section for fiscal year 2018 or 2019 are subject to the requirements contained in Public Law 112–170, as amended by section 202 of Public Law 115–96, as amended to read as follows:

"(f) CONFORMING AMENDMENTS.—Paragraph (4) of section 330 of the Public Health Service Act (42 U.S.C. 254c(b)(2)), as amended by section 301 of Public Law 115–96, is amended by striking ‘‘and section 3101(d) of the CHIP and Public Health Funding Extension Act of 2017’’ and inserting ‘‘section 3009(e) of the Advancing Chronic Care, Extenders, and Social Services Act’’.

SEC. 50902. EXTENSION FOR SPECIAL DIABETES PROGRAMS

(a) SPECIAL DIABETES PROGRAM FOR TYPE I DIABETES.—Section 330B(b)(2)(D) of the Public Health Service Act (42 U.S.C. 254c–2(b)(2)(D)), as amended by section 301 of Public Law 115–96, is amended to read as follows:

"(D) $150,000,000 for each of fiscal years 2018 and 2019, to remain available until expended.”.

(b) SPECIAL DIABETES PROGRAM FOR INDIGENOUS POPULATIONS.—Subparagraph (D) of section 330C(c)(2) of the Public Health Service Act (42 U.S.C. 254c–3(c)(2)), as amended by section 302 of Public Law 115–96, is amended to read as follows:

"(D) $150,000,000 for each of fiscal years 2018 and 2019, to remain available until expended."

TITLE X—MISCELLANEOUS HEALTH CARE POLICIES

SEC. 51001. HOME HEALTH PAYMENT REFORM

(a) BUDGET NEUTRAL TRANSITION TO A 30-DAY UNIT OF PAYMENT FOR HOME HEALTH SERVICES.—Section 1854(b) of the Social Security Act (42 U.S.C. 1395fff(b)(1)) is amended—

(1) in paragraph (2)—

(A) by striking ‘‘PAYMENT.—In ‘‘defining’’ and inserting ‘‘PAYMENT.—‘‘

(B) by adding the end the following new subparagraph:

"(B) 30-DAY UNIT OF SERVICE.—For purposes of implementing the payment system authorized under sections 330 through 340 of the Public Health Service Act (42 U.S.C. 254c–254s), the provisions of section 340H of the Public Health Service Act (42 U.S.C. 256h) shall be applied before (and not affect the application of) paragraph (2)(B) and the case-mix adjustment factors established under paragraph (4)(B) shall be applied before (and not affect the application of) paragraph (3)(B). In calculating such aggregate amounts (or amounts), the Secretary shall make estimates about behavior changes that could result from the implementation of paragraph (2)(B), and such estimates shall include home health providers, patient representatives, and other relevant stakeholders. The technical expert panel shall identify and prioritize payment adjustments within the prospective payment system for home health services under section 1854(b) of the Social Security Act (42 U.S.C. 1395fff(b)(1)), on the following:

(A) The Medicare Payment Advisory Commission, as described in the proposed rule ‘‘Medicare and Medicaid Programs; CY 2018 Home Health Prospective Payment System Rate Update and Prospective Payment System for Home Health Services; Proposed Rule’’ (82 Fed. Reg. 35294 through 35332 (July 27, 2017)).

(B) Alternative case-mix models to the Home Health Groupings Model that were submitted as comments in response to proposed rule making, including patient-focused factors that consider the risks of hospitalization and readmission to a hospital, improvement or maintenance of functional status of individuals to increase the capacity for self-care, quality of care, and resource utilization.

(2) INAPPLICABILITY OF FACA.—The provisions of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the technical expert panel under paragraph (1).

(3) REPORT.—Not later than April 1, 2019, the Secretary of Health and Human Services shall submit to the Committee on Ways and Means and the Committee on Energy and Commerce of the House of Representatives and the Committee on Finance of the Senate a report on the recommendations of such panel described in such paragraph.

(4) NOTICE AND COMMENT RULEMAKING.—Not later than December 31, 2018, the Secretary of Health and Human Services shall pursue notice and comment rulemaking on a case-specific system with respect to the prospective payment system for home health services under section 1854(b) of the Social Security Act (42 U.S.C. 1395fff(b)).

(b) REPORTS.—

(1) INTERIM REPORT.—Not later than March 15, 2020, the Medicare Payment Advisory Commission shall submit to Congress an interim report on the application of a 30-day unit of service as the unit of service applied under section 1854(b) of the Social Security Act (42 U.S.C. 1395fff(b)), as amended by subsection (a), including an analysis of the level of payments provided to home health agencies as compared to payments for other home health services, and any unintended consequences, including with respect to behavioral changes and quality.

(2) FINAL REPORT.—Not later than March 15, 2021, the Medicare Payment Advisory Commission shall submit to Congress a final report on such application and any such consequences.

SEC. 51002. INFORMATION TO SATISFY DOCUMENTATION OF MEDICARE ELIGIBILITY FOR HOME HEALTH SERVICES.

(a) PART A.—Section 1814(a) of the Social Security Act (42 U.S.C. 1395a(a)) is amended by inserting after ‘‘For purposes of paragraph (2)(C),’’ the following new sentence: ‘‘For purposes of documentation for physician certification and recertification made under paragraph (2) on or after January 1, 2019, and made with respect to home health services furnished by a home health agency, in addition to using documentation in the medical record of the physician who so certifies or the medical record of the acute or post-acute care facility (in the case that home health services were furnished to an individual who was directly admitted to the home health agency from such a facility), the Secretary may use documentation in the medical record of the home health agency as supporting medical records as appropriate to the case involved.’’.

(b) PART B.—Section 1833(a) of the Social Security Act (42 U.S.C. 1395aa(a)) is amended by inserting after ‘‘For purposes of paragraph (2)(A),’’ the following new sentence: ‘‘For purposes of documentation for physician certification and recertification made under paragraph (2) on or after January 1, 2019, and made with respect to home health services furnished by a home health agency, in addition to using documentation in the medical record of the physician who so certifies or the medical record of the acute or post-acute care facility (in the case that home health services were furnished to an individual who was directly admitted to the home health agency from such a facility), the Secretary may use documentation in the medical record of the home health agency as supporting material, as appropriate to the case involved.’’.
SEC. 51003. TECHNICAL AMENDMENTS TO PUBLIC LAW 114–10.

(a) MIPS TRANSITION.—Section 1868 of the Social Security Act (42 U.S.C. 1395s–4) is amended—

(I) in subsection (q)—

(A) in paragraph (1), in subparagraph (B), by striking “items and services” and inserting “covered professional services (as defined in subsection (k)(3)(A))”; and

(B) in paragraph (2)(A), by striking “Subject to clauses (ii), (iii), and (iv) of paragraph (1)” and inserting “In the first sentence, by striking “5 YEARS” and inserting “FIRST 5 YEARS”; and

(ii) in paragraph (C)(i)—

(I) by amending subclause (I) to read as follows:

‘‘(I) The minimum number (as determined by the Secretary) of—

‘‘(aa) for performance periods beginning before January 1, 2018, individuals enrolled under this part who are treated by the eligible professional for the performance period involved; and

‘‘(bb) for performance periods beginning on or after January 1, 2018, individuals enrolled under this part who are furnished covered professional services (as defined in subsection (k)(3)(A)) by the eligible professional for the performance period involved;’’;

(ii) in the clause (II), by striking “items and services” and inserting “covered professional services (as defined in subsection (k)(3)(A))”; and

(iii) by amending subclause (III) to read as follows:

‘‘(III) The minimum amount (as determined by the Secretary) of—

‘‘(aa) for performance periods beginning before January 1, 2018, allowed charges billed by such professional under this part for such performance period, and

‘‘(bb) for performance periods beginning on or after January 1, 2018, allowed charges for covered professional services (as defined in subsection (k)(3)(A)) billed by such professional for such performance period.’’;

(b) P HYSICIAN-FOCUSED PAYMENT MODEL.—Section 1868 of the Social Security Act (42 U.S.C. 1395ww(d)(2)(C)) is amended—

(I) in the heading, by striking ‘‘FIRST 5 YEARS’’ and inserting ‘‘FIRST 5 YEARS’’; and

(II) by inserting ‘‘subject to clause (iii), after clauses (i) and (ii) of paragraph (2)(A),’’; and

(ii) by adding at the end the following new clause:

‘‘(iii) TRANSITION YEARS.—For each of the second, third, fourth, and fifth years for which the MIPS applies to payments, the performance score for each professional is determined on performance with respect to the category described in subsection (k)(3)(A) and determined without regard to this clause after December 31st of each year (beginning with 2018), post on the Internet website of the Centers for Medicare & Medicaid Services on or before December 31 of each year (beginning with 2018), and such performance score determined without regard to this clause shall be reduced by 4.6 percent.’’.}

SEC. 51004. EXPANDED ACCESS TO MEDICARE INTENSIVE CARDIAC REHABILITATION (IRC) PROGRAM.

Section 1861(eee)(4)(B) of the Social Security Act (42 U.S.C. 1395zz–4(e)(4)(B)) is amended—

(I) in clause (i), by striking “(beginning with 2019 and ending with 2024)” after “for each year of the MIPS”; and

(ii) in clause (ii), by inserting subject to clause (iii), after “For each such year,”;

(iii) in clause (iii), in the preceding paragraph, by striking “10 percent” and inserting “12 percent”; and

(iv) by adding at the end the following new clause:

‘‘(iv) ADDITIONAL SPECIAL RULE FOR THIRD, FOURTH AND FIFTH YEARS OF MIPS.—For purposes of determining MIPS adjustment factors under paragraph (A), in addition to the requirements specified in clause (iii), the Secretary shall increase the performance threshold with respect to each of the third, fourth, and fifth years to which the MIPS applies to ensure a gradual and incremental transition to the performance threshold described in clause (i) (as estimated by the Secretary) with respect to the sixth year to which the MIPS applies.’’;

(b) B LENDED SITE NEUTRAL PAYMENT RATE FOR CERTAIN LONG–TERM CARE HOSPITAL DISCHARGES; TEMPORARY ADJUSTMENT TO SITE NEUTRAL PAYMENT RATES.—Section 1886(m)(6)(B) of the Social Security Act (42 U.S.C. 1395ww(m)(6)(B)) is amended—

(I) in clause (i), by striking “fiscal year 2015 or fiscal year 2017” and inserting “fiscal years 2016 through 2019”;

(ii) in clause (ii), by striking “2018” and inserting “2019”;

(iii) by striking the following new subsection:

‘‘(v) TEMPORARY ADJUSTMENT TO SITE NEUTRAL PAYMENT RATES.—Section 1886(m)(6)(B) of the Social Security Act (42 U.S.C. 1395ww(m)(6)(B)) is amended—

(I) in clause (ii), in the matter preceding subclause (I), by striking “In this paragraph” and inserting “Subject to clause (ii), in this paragraph”; and

(ii) by adding at the end the following new clause:

‘‘(iv) ADJUSTMENT.—For each of fiscal years 2018 through 2026, the amount that would otherwise apply under clause (ii) for the year determined without regard to this clause shall be reduced by 4.6 percent.’’;

SEC. 51005. IMPROVEMENT OF BLENDED SITE NEUTRAL PAYMENT RATE FOR CERTAIN LONG–TERM CARE HOSPITAL DISCHARGES; TEMPORARY ADJUSTMENT TO SITE NEUTRAL PAYMENT RATES.

SEC. 51006. EXTENSION OF BLENDED SITE NEUTRAL PAYMENT RATE FOR CERTAIN LONG–TERM CARE HOSPITAL DISCHARGES; TEMPORARY ADJUSTMENT TO SITE NEUTRAL PAYMENT RATES.

SEC. 51007. EXTENSION OF ENFORCEMENT INSTRUCTION ON SUPERVISION REQUIREMENTS FOR OUTPATIENT THERAPEUTIC SERVICES IN CRITICAL ACCESS AND SMALL RURAL HOSPITALS THROUGH 2017.

SEC. 51008. ALLOWING PHYSICIAN ASSISTANTS, NURSE PRACTITIONERS, AND CLINICAL NURSE SPECIALISTS TO SUPERVISE PHYSICIAN ASSISTANTS AS ATTENDING PHYSICIANS TO SERVE HOSPICE PATIENTS.

SEC. 51009. EXTENSION OF BLENDED SITE NEUTRAL PAYMENT RATE FOR CERTAIN LONG–TERM CARE HOSPITAL DISCHARGES; TEMPORARY ADJUSTMENT TO SITE NEUTRAL PAYMENT RATES.

SEC. 51010. EXTENSION OF BLENDED SITE NEUTRAL PAYMENT RATE FOR CERTAIN LONG–TERM CARE HOSPITAL DISCHARGES; TEMPORARY ADJUSTMENT TO SITE NEUTRAL PAYMENT RATES.

SEC. 51011. EXTENSION OF BLENDED SITE NEUTRAL PAYMENT RATE FOR CERTAIN LONG–TERM CARE HOSPITAL DISCHARGES; TEMPORARY ADJUSTMENT TO SITE NEUTRAL PAYMENT RATES.

SEC. 51012. TECHNICAL AMENDMENTS TO PUBLIC LAW 114–10.

SEC. 51013. TECHNICAL AMENDMENTS TO PUBLIC LAW 114–10.

SEC. 51014. TECHNICAL AMENDMENTS TO PUBLIC LAW 114–10.

SEC. 51015. TECHNICAL AMENDMENTS TO PUBLIC LAW 114–10.

SEC. 51016. TECHNICAL AMENDMENTS TO PUBLIC LAW 114–10.

SEC. 51017. TECHNICAL AMENDMENTS TO PUBLIC LAW 114–10.

SEC. 51018. TECHNICAL AMENDMENTS TO PUBLIC LAW 114–10.

SEC. 51019. TECHNICAL AMENDMENTS TO PUBLIC LAW 114–10.

SEC. 51020. TECHNICAL AMENDMENTS TO PUBLIC LAW 114–10.

SEC. 51021. TECHNICAL AMENDMENTS TO PUBLIC LAW 114–10.
(1) in paragraph (1)—
(A) by striking “physician-supervised”; and
(B) by inserting “under the supervision of a physician (as defined in subsection (r)(1)) or a physician assistant, nurse practitioner, or clinical nurse specialist (as those terms are defined in subsection (aa)(5))” before the period at the end;

(2) in paragraph (2)—
(A) in subparagraph (A)(iii), by striking the period at the end and inserting a semicolon; and
(B) in subparagraph (B), by striking “a physician” and inserting “a physician (as defined in subsection (r)(1)) or a physician assistant, nurse practitioner, or clinical nurse specialist (as those terms are defined in subsection (aa)(5))” after “paragraph (3)”;

(b) PULMONARY REHABILITATION PROGRAMS.—Section 1861(fff)(1) of the Social Security Act (42 U.S.C. 1395w–4) is amended—

(1) by striking “physician-supervised”; and
(2) by striking “the supervision of a physician (as defined in subsection (r)(1)) or a physician assistant, nurse practitioner, or clinical nurse specialist (as those terms are defined in subsection (aa)(5))” before the period at the end;

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to items and services furnished on or after January 1, 2024.

SEC. 52100. TRANSITIONAL PAYMENT RULES FOR CERTAIN RADIATION THERAPY SERVICES UNDER THE PHYSICIAN FEE SCHEDULE.

SEC. 52101. REPEAL OF THE INDEPENDENT PAYMENT ADVISORY BOARD.

(a) REPEAL.—Section 1899A of the Social Security Act (42 U.S.C. 1395kkk) is repealed.

(b) TRANSITIONAL PROVISIONS.—

(1) LOBBYING COOLING-OFF PERIOD.—Paragraph (3) of section 207(c) of title 18, United States Code, is repealed.

(2) GAO STUDY AND REPORT.—Section 3403(b) of the Patient Protection and Affordable Care Act (42 U.S.C. 13991–1) is repealed.

(3) MEDPAC REVIEW AND COMMENT.—Section 1805(b) of the Social Security Act (42 U.S.C. 1395b–6(b)) is amended—

(A) by striking paragraph (4);
(B) by redesignating paragraphs (5) through (8) as paragraphs (4) through (7), respectively; and
(C) by redesigning the paragraph (9) that was redesignated by section 3403(c)(1) of the Patient Protection and Affordable Care Act (Public Law 111–149) as paragraph (8);

(4) NAME CHANGE.—Section 10320(b) of the Patient Protection and Affordable Care Act (Public Law 111–149) is repealed.

(5) RULE OF CONSTRUCTION.—Section 10320(c) of the Patient Protection and Affordable Care Act (Public Law 111–149) is repealed.

SEC. 53100. OFFSETS.

SEC. 53101. MODIFYING REDUCTIONS IN MEDICAID DSHEALOWS.


(1) by striking “in the matter preceding subclause (I), by striking “2018” and inserting “2020” and

(2) in clause (ii), by striking subclauses (I) through (VIII) and inserting the following:

“(I) $4,000,000,000 for fiscal year 2020; and

“(II) $8,000,000,000 for each of fiscal years 2021 through 2025.”.

SEC. 53102. THIRD PARTY LIABILITY IN MEDICAID.

(a) MODIFICATION OF THIRD PARTY LIABILITY RULES RELATED TO SPECIAL TREATMENT OF CERTAIN TYPES OF CARE AND PAYMENTS.—

(1) IN GENERAL.—Section 1902(a)(25)(E) of the Social Security Act (42 U.S.C. 1396a(a)(25)(E)) is amended, in the matter preceding clause (i), by striking “prevalent or”.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on the date of enactment of this Act.

(b) DELAY IN EFFECTIVE DATE AND REPEAL OF CERTAIN BIPARTISAN BUDGET ACT OF 2013 AMENDMENTS.—

(1) REPEAL.—Effective as of September 30, 2017, subsection (b) of section 202 of the Bipartisan Budget Act of 2013 (Public Law 114–74; 128 Stat. 556) (including any amendments made by such subsection) is repealed.

(2) DELAY IN EFFECTIVE DATE.—Subsection (c) of section 202 of the Bipartisan Budget Act of 2013 (Public Law 114–74; 128 Stat. 556) is amended to read as follows:

“(d) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 2019.”.

(3) EFFECTIVE DATE; TREATMENT.—The repeal and amendment made by this Act shall apply and be administered as if such amendments had never been enacted.

(c) GAO STUDY AND REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to the Committee on Finance of the Senate, the Committee on Energy and Commerce of the House of Representatives and the Committee on Finance of the Senate on the impacts of the amendments made by subsections (a)(1) and (b)(2), including—

(1) the impact, or potential effect, of such amendments on access to prenatal and preventive pediatric care (including early and periodic screening, diagnostic, and treatment services) covered under State plans under such title (or waivers of such plans);

(2) the impact, or potential effect, of such amendments on access to services covered under such plans or waivers on individuals on whose behalf such services are being carried out by a State agency under part D of title IV of such Act; and

(3) the impact, or potential effect, on providers of services under such plans or waivers of delays in payment or related issues that result from such amendments.

(d) APPLICATION TO CHIP.—

(1) IN GENERAL.—Section 2107(e)(1) of the Social Security Act (42 U.S.C. 1397gg(e)(1)) is amended—

(A) by redesignating subparagraphs (B) through (R) as subparagraphs (C) through (S), respectively; and
(B) by inserting after subparagraph (S) the following new subparagraph:

“(B) Section 1902(a)(25) (relating to third party liability).”.


(A) by striking “medical assistance under the State plan” and inserting “medical assistance under a State plan (or under a waiver of the plan)”;

(B) by striking “(and, at State option, child)” and inserting “(and)”;

(C) by striking “title XXI” and inserting “title XXI”.

SEC. 53103. TREATMENT OF LOTTERY WINNINGS AND OTHER LUMP-SUM INCOME FOR PURPOSES OF INCOME ELIGIBILITY UNDER MEDICAID.

(a) IN GENERAL.—Section 1902 of the Social Security Act (42 U.S.C. 1396a) is amended—

(1) in subsection (a)(17), by striking “(e)(14) and (e)(15)” and inserting “(e)(14)”;

(2) in subsection (e)(14), by adding at the end the following new subparagraph:

“(K) TREATMENT OF CERTAIN LOTTERY WINNINGS AND INCOME RECEIVED AS A LUMP SUM.—

“(1) In general.—In the case of an individual who is the recipient of qualified lottery winnings (pursuant to lotteries occurring on or after January 1, 2018) or qualified lump sum income (received on or after such date) and whose eligibility for medical assistance is determined on the application of modified gross income under subparagraph (A), a State shall, in determining such eligibility, include such winnings or income (as applicable) as income—

“(i) in the month in which such winnings or income (as applicable) is received if the amount of such winnings or income is less than or equal to $10,000; and

“(ii) over a period of 2 months if the amount of such winnings or income (as applicable) is greater than but not more than $20,000;

“(iii) over a period of 3 months if the amount of such winnings or income (as applicable) is greater than or equal to $30,000, and

“(iv) over a period of 3 months plus 1 additional month for each increment of $10,000 of such winnings or income (as applicable) received, not to exceed a period of 12 months (for winnings or income of $260,000 or more), if the amount of such winnings or income is greater than or equal to $100,000;

“(ii) COUNTING IN EQUAL INSTALLMENTS.—For purposes of subclauses (II), (III), and (IV) of clause (i), winnings or income to which such subclause applies shall be counted in equal monthly installments in each period of months specified under such subclause.

“(iii) HARDSHIP EXEMPTION.—An individual whose eligibility for medical assistance (as described in clause (i)) exceeds the applicable eligibility threshold established by the State, shall continue to be eligible for medical assistance to the extent that the State determines, under procedures established by the State (in accordance with standards specified by the Secretary), that the denial of eligibility of the individual would cause undue medical or financial hardship as determined on the basis of criteria established by the Secretary.

“(iv) NOTIFICATIONS AND ASSISTANCE REQUEST CASE OF LACK OF MEDICAID.—A State shall, with respect to an individual who loses eligibility for medical assistance under the State plan (or a waiver of such plan) by reason of clause (i)—

“(I) before the date on which the individual loses eligibility, inform the individual—

“(aa) of the individual’s opportunity to enroll in a qualified health plan through an Exchange established under title I of the Patient Protection and Affordable Care Act during the special enrollment period specified in section 9001 of the Internal Revenue Code of 1986 (relating to loss of Medicaid or CHIP coverage); and

“(bb) of the State on the individual who would no longer be considered ineligible by reason of clause (i) to receive medical assistance under the State plan or under any waiver of
such plan and be eligible to reaply to receive such medical assistance; and

(‘‘(II) provide technical assistance to the individual seeking to enroll in such a qualified health plan.’’)

(2) QUALIFIED LOTTERY WINNINGS DEFINED.—In this subparagraph, the term ‘‘qualified lottery winnings’’ means winnings from a single source lottery, or pool described in paragraph (3) of section 402 of the Internal Revenue Code of 1986 or a lottery operated by a multistate or multi-province association, in which the amounts awarded are in the form of prize money awarded through a lump sum payment.

(3) QUALIFIED LUMP SUM INCOME DEFINED.—In this subparagraph, the term ‘‘qualified lump sum income’’ means any income (other than the individual who received qualified lottery winnings or qualified lump-sum income (as defined in subparagraph (A) of section 1902(e)(14) of such Act seq.) (or a waiver of such plan) made by applicants of a determination of eligibility for medical assistance furnished to the individual who received qualified lottery winnings or qualified lump-sum income (as defined in subparagraph (K) of such section 1902(e)(14) as added by subsection (a)(2) of this section).

SEC. 53104. REBATE OBLIGATION WITH RESPECT TO LINE EXTENSION DRUGS.

(a) In General.—Section 1927(c)(2)(C) of the Social Security Act (42 U.S.C. 1395ww(d)(5)(J)) is amended by striking ‘‘(C) TREATMENT OF NEW FORMULATIONS. In the case of a drug that is a line extension of a single source drug or an innovator multiple source drug that is an oral solid dosage form, the rebate obligation for a rebate period with respect to such drug under this subsection shall be the greater of the amount described in clause (ii) for such drug or the amount described in clause (iii) for such drug.’’

(b) Amendment.—In purposes of clause (ii), the amount described in this clause with respect to a drug described in clause (i) and rebate period is the amount computed under paragraph (1) for either the amount computed under subparagraph (A) and, as applicable, subparagraph (B) for such drug and rebate period.

(3) AMOUNT 2.—For purposes of clause (i), the amount described in this clause with respect to a drug described in clause (i) and rebate period is the amount computed under paragraph (1) for purposes of clause (ii) increased by the product of:

(1) the average manufacturer price for the rebate period of the line extension of a single source drug or innovator multiple source drug that is an oral solid dosage form;

(2) the highest additional rebate (calculated as a percentage of average manufacturer price) under this paragraph for the rebate period for any strength of the original single source drug or innovator multiple source drug; and

SEC. 53106. PHYSICIAN FEE SCHEDULE UPDATE.

(a) In General.—Section 1848(b)(18) of the Social Security Act (42 U.S.C. 1395r(b)(18)) is amended by striking ‘‘paragraph (1)’’ and all that follows and inserting the following: ‘‘(1) In the case of an outpatient physical therapy service or outpatient occupational therapy service furnished by a therapist assistant.’’

(b) Rule of Construction.—(I) In the case of an outpatient physical therapy service or outpatient occupational therapy service furnished by a therapist assistant, the payment otherwise applicable for the service under this part. Nothing in the preceding sentence shall be construed to change applicable requirements under this part. Nothing in the previous sentence shall be construed to change applicable requirements under this part. Nothing in the previous sentence shall be construed to change applicable requirements under this part. Nothing in the previous sentence shall be construed to change applicable requirements under this part. Nothing in the previous sentence shall be construed to change applicable requirements under this part.

(c) Use of Modifier.—‘‘(A) Establishment.—Not later than January 1, 2019, the Secretary shall establish a modifier to indicate (in a form and manner specified by the Secretary), in the case of an outpatient physical therapy service or outpatient occupational therapy service furnished by a therapist assistant, the amount equal to 85 percent of the amount of payment otherwise applicable for the service under this part. Nothing in the preceding sentence shall be construed to change applicable requirements under this part.

(d) Payment for Outpatient Physical Therapy Services and Outpatient Occupational Therapy Services Furnished by a Therapist Assistant.

SEC. 53107. PAYMENT FOR OUTPATIENT PHYSICAL THERAPY SERVICES AND OUTPATIENT OCCUPATIONAL THERAPY SERVICES FURNISHED BY A THERAPY ASSISTANT.

Section 1848(b)(18) of the Social Security Act (42 U.S.C. 1395r(b)(18)) is amended by adding at the end the following new subsection:

‘‘(e) PAYMENT FOR OUTPATIENT PHYSICAL THERAPY SERVICES AND OUTPATIENT OCCUPATIONAL THERAPY SERVICES FURNISHED BY A THERAPY ASSISTANT.—

(1) In general.—In the case of an outpatient physical therapy service or outpatient occupational therapy service furnished on or after January 1, 2023, for which payment is made under section 1848 or subsection (k), that is furnished in whole or in part by a therapy assistant, the amount otherwise applicable for the service under this part. Nothing in the preceding sentence shall be construed to change applicable requirements under this part.

(2) Use of Modifier.—

‘‘(A) Establishment.—Not later than January 1, 2019, the Secretary shall establish a modifier to indicate (in a form and manner specified by the Secretary), in the case of an outpatient physical therapy service or outpatient occupational therapy service furnished on or after January 1, 2022, for which payment is made under section 1848 or subsection (k), that is furnished in whole or in part by a therapy assistant (as defined by the Secretary), the amount otherwise applicable for the service submitted under paragraph (1) for such services furnished on or after January 1, 2020, shall include the modifier established under subparagraph (a) for each such service.

(3) Implementation.—The Secretary shall implement such a modifier through notice and comment rulemaking.’’.  

SEC. 53108. REDUCTION FOR NON-EMERGENCY ELDERSHARE TRANSPORTS.

Section 1834(d)(15) of the Social Security Act (42 U.S.C. 1395m(d)(15)) is amended by striking ‘‘on or after October 1, 2013’’ and inserting ‘‘during the period beginning on October 1, 2013, and ending on September 30, 2014, and by 23 percent for such services furnished on or after October 1, 2014.’’

SEC. 53109. HOSPITAL TRANSFER POLICY FOR EARLY DISCHARGES TO HOSPICE CARE.

(a) In General.—Section 1886(d)(5)(J) of the Social Security Act (42 U.S.C. 1395ww(d)(5)(J)) is amended by striking—

(1) in clause (ii),

(2) in paragraph (3), by striking ‘‘$980,000,000’’ and inserting ‘‘$900,000,000’’;

(3) in subparagraph (A), by striking ‘‘$980,000,000’’ and inserting ‘‘$900,000,000’’;

(b) in subsection (I), by striking ‘‘(and III)’’ and inserting ‘‘(III)’’; and

(c) by inserting after subparagraph (III) the following new subclause:

‘‘(IV) for discharges occurring on or after October 1, 2018, is provided hospice care by a hospice program.’’.  

SEC. 53110. MEDICARE PAYMENT UPDATE FOR HOME HEALTH SERVICES.

Section 1881(b)(3)(B) of the Social Security Act (42 U.S.C. 1395l(b)(3)(B)) is amended—

(1) in clause (iii), in the last sentence, by inserting ‘‘and for 2020 shall be 1.5 percent’’; and

(2) in clause (iv), by inserting ‘‘and 2020’’ after ‘‘except 2018’’.

SEC. 53111. MEDICARE PAYMENT UPDATE FOR SKILLED NURSING FACILITIES.

Section 1881(b)(5)(B) of the Social Security Act (42 U.S.C. 1395l(b)(5)(B)) is amended—

(1) in clause (i), by striking ‘‘and (iii)’’ and inserting ‘‘, (iii), and (iv)’’;

(2) in clause (ii), by striking ‘‘clause (iii)’’ and inserting ‘‘clauses (iii) and (iv)’’; and

(3) by adding at the end the following new clause:

‘‘(iv) SPECIAL RULE FOR FISCAL YEAR 2019.—For fiscal year 2019 (or other similar annual period specified in clause (i), the skilled nursing facility had a market basket percentage, after application of clause (ii), is equal to 2.4 percent.’’.  

SEC. 53112. PREVENTING THE ARTIFICIAL INFLATION OF STAR RATINGS AFTER THE CONSOLIDATION OF MEDICARE ADVANTAGE PLANS OFFERED BY THE SAME ORGANIZATION.

Section 1833(o)(4) of the Social Security Act (42 U.S.C. 1395w–23(o)(4)) is amended by adding at the end the following new subparagraph:

‘‘(D) SPECIAL RULE TO PREVENT THE ARTIFICIAL INFLATION OF STAR RATINGS AFTER THE CONSOLIDATION OF MEDICARE ADVANTAGE PLANS OFFERED BY A SINGLE ORGANIZATION.—

‘‘(1) IN GENERAL.—(I) A Medicare Advantage organization has entered into more than one contract with the Secretary with respect to the offering of Medicare Advantage plans; and

(II) on or after January 1, 2019, the Secretary approves a request from the organization...’’
to consolidate the plans under one or more contracts (in this subparagraph referred to as a ‘closed contract’) with the plans offered under a separate contract (in this subparagraph referred to as the ‘continuing contract’), clause (i) of the Social Security Act (42 U.S.C. 1395w–114(a)(2)(A)) is amended by inserting before the dollar amounts applied in the last row of the table under subsection (III) of such clause (and the second dollar amount specified in the second column of such table), clause (i) shall be applied by substituting dollar amounts which are 150 percent of such dollar amounts for the calendar year”;

section 1838(i)(5) of the Social Security Act (42 U.S.C. 1395w–114(a)(2)(A)) is amended—

(1) in subparagraph (A), by striking ‘‘In the case’’ and inserting ‘‘Subject to subparagraph (C), in the case’’;

(2) in subparagraph (B), by striking ‘‘subparagraph (A)’’ and inserting ‘‘subparagraph (A) or (C)’’;

(3) by adding at the end the following new subparagraph:

‘‘(C) TREATMENT OF ADJUSTMENTS FOR CERTAIN HIGHER INCOME INDIVIDUALS.—

(i) IN GENERAL.—Subparagraph (A) shall not apply with respect to each dollar amount in paragraph (3) of $500,000.

(ii) ADJUSTMENT BEGINNING 2028.—In the case of any calendar year beginning after 2027, each dollar amount in paragraph (3) of $500,000 shall be increased by $150,000.

(iii) SUCH DOLLAR AMOUNT, MULTIPLIED BY—

(1) the percentage (if any) by which the average of the Consumer Price Index for all urban consumers (base year 1982–84) for the 12-month period ending with August of the preceding calendar year exceeds such average for the 12-month period ending with August 2026.’’.

SEC. 53113. SUNSETTING EXCLUSION OF HIGHER INCOME INDIVIDUALS FROM MEDICARE PART D COVERAGE GAP DISCOUNT PROGRAM.

Section 1860D–14A(a)(2)(A) of the Social Security Act (42 U.S.C. 1395w–114(a)(2)(A)) is amended by inserting ‘‘with respect to a plan year before 2019, after “other than”’’.

SEC. 53114. ADJUSTMENTS TO MEDICARE PART B AND PART D PREMIUM SUBSIDIES FOR HIGHER INCOME INDIVIDUALS.

(a) IN GENERAL.—Section 1839B(i)(3)(C)(i) of the Social Security Act (42 U.S.C. 1395w–114a(g)(3)(C)(i)) is amended—

(1) in subclause (I), in the matter preceding the table, by striking ‘‘years beginning with’’; and

(2) by adding at the end the following new subclause:

‘‘(III) Subject to paragraph (5), for years beginning with 2019:

SEC. 53117. MODERNIZING CHILDREN’S HEALTH ENFORCEMENT FEES.

(a) IN GENERAL.—(1) The amendments made by subsection (a) shall take effect on the 1st day of the 1st fiscal year that begins on or after the date of the enactment of this Act.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the 1st day of the 1st fiscal year that begins on or after the date of the enactment of this Act.

SEC. 53119. PREVENTION AND PUBLIC HEALTH FUND.

Section 4002(b) of the Patient Protection and Affordable Care Act (42 U.S.C. 300u–11(b)), as amended by section 3101 of Public Law 115–96, is amended by inserting paragraphs (4) through (9) and inserting the following:

‘‘(4) for fiscal years 2020 and 2021, $950,000,000;’’.

EC. 53118. INCREASING EFFICIENCY OF PRISON DATA REPORTING.

(a) IN GENERAL.—Section 1511(a)(1)(D)(i)(II) of the Social Security Act (42 U.S.C. 13302(a)(1)(D)(i)(II)) is amended by striking ‘‘30 days’’ each place it appears and inserting ‘‘15 days’’.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) apply with respect to any payment made by the Commissioner of Social Security pursuant to section 1611(e)(1)(I)(i)(II) of the Social Security Act (42 U.S.C. 1382c(a)(1)(I)(i)(II)) as amended by such subsection (on or after the date that is 6 months after the date on which the Secretary determines the amount of the payment yield for upland cotton for the farm, as provided in subsection (d), for the purpose of calculating the payment yield for upland cotton for the farm, as described in paragraph (1), for the year, after the date of the enactment of this paragraph, the Secretary shall require the owner of a farm

 SEC. 60101. (a) TREATMENT OF SEED COTTON.—

(1) DESIGNATION OF SEED COTTON AS A COVERED COMMODITY.—Section 1111(h) of the Agricultural Act of 2014 (7 U.S.C. 9011(h)) is amended—

(A) by striking ‘‘The term’’ and inserting the following:

‘‘(A) IN GENERAL.—The term’’;

and

(B) by adding at the end the following:

‘‘(B) INCLUSION.—Effective beginning with the 2018 crop year, the term ‘covered commodity’ includes both lint and seed.’’.

SEC. 60102. (a) TREATMENT OF UNIVERSITY LANDS.—

The applicable percentage is:

More than $160,000 but less than $500,000 ...................................................................................... ............................................. 80 percent

More than $133,500 but not more than $160,000 .................................................................................. ......................................... 65 percent

More than $107,000 but not more than $133,500 .................................................................................. ......................................... 50 percent

More than $85,000 but not more than $107,000 ................................................................................... .......................................... 35 percent
to allocate all generic base acres on the farm under subparagraph (B) or (C), or both.

"(B) NO RECENT HISTORY OF COVERED COMMODITIES.—In the case of a farm on which no covered commodity is necessary for dairy operations, the producers on the farm shall be deemed to have elected price loss coverage under section (a), the producers on the farm shall be deemed to have elected price loss coverage under section (a) to reflect the designation of seed cotton base acres on a farm, all of the provinces on the farm shall be deemed to have elected to allocate generic base acres on the farm—

"(i) to base acres for covered commodities (including seed cotton), by applying subparagraphs (B), (D), (E), and (F) of section 1112(a)(3).

"(D) TREATMENT OF RESIDUAL GENERIC BASE ACRES ALLOCATED AS UNASSIGNED CROP BASE.—In the case of a farm not described in subparagraph (B), the owner of such farm shall allocate generic base acres on the farm—

"(1) to be used to seed in paragraph (D), to seed cotton base acres in a quantity equal to the greater of—

"(i) 80 percent of the generic base acres on the farm; or

"(ii) the average number of seed cotton acres planted or prevented from being planted on the farm during the 2009 through 2012 crop years (not to exceed the total generic base acres on the farm); or

"(ii) to base acres for covered commodities (including seed cotton), by applying subparagraphs (B), (D), (E), and (F) of section 1112(a)(3).

"(D) TREATMENT OF RESIDUAL GENERIC BASE ACRES ALLOCATED AS UNASSIGNED CROP BASE.—In the case of a farm not described in subparagraph (B), the owner of such farm shall allocate generic base acres on the farm—

"(1) to be used to seed in paragraph (D), to seed cotton base acres in a quantity equal to the greater of—

"(i) 80 percent of the generic base acres on the farm; or

"(ii) the average number of seed cotton acres planted or prevented from being planted on the farm during the 2009 through 2012 crop years (not to exceed the total generic base acres on the farm); or

"(ii) to base acres for covered commodities (including seed cotton), by applying subparagraphs (B), (D), (E), and (F) of section 1112(a)(3).

"(D) TREATMENT OF RESIDUAL GENERIC BASE ACRES ALLOCATED AS UNASSIGNED CROP BASE.—In the case of a farm not described in subparagraph (B), the owner of such farm shall allocate generic base acres on the farm—

"(1) to be used to seed in paragraph (D), to seed cotton base acres in a quantity equal to the greater of—

"(i) 80 percent of the generic base acres on the farm; or

"(ii) the average number of seed cotton acres planted or prevented from being planted on the farm during the 2009 through 2012 crop years (not to exceed the total generic base acres on the farm); or

"(ii) to base acres for covered commodities (including seed cotton), by applying subparagraphs (B), (D), (E), and (F) of section 1112(a)(3).
year 2019 in the case of the program specified in paragraph (5)); and
(B) in paragraph (5)(E), by striking “fiscal year 2018” and inserting “each of fiscal years 2018 through 2019”;
(2) in subsection (b), by striking “2018” and inserting “2018 and fiscal year 2019 in the case of the program specified in subsection (a)(5))’’.
This report cited the greater environmental and economic impacts resulting from the discontinuation of funding to programs under the Food and Agriculture Program Act of 2018.

DIVISION G—BUDGETARY EFFECTS
SEC. 70101. BUDGETARY EFFECTS.
(a) In General.—The budgetary effects of division A, subdivision 2 of division B, and division C and each succeeding division shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.
(b) PAYGO SCORECARDS.—The budgetary effects of division A, subdivision 2 of division B, and division C and each succeeding division shall not be entered on any PAYGO scorecard maintained for purposes of section 419 of H. Con. Res. 71 (115th Congress).
(c) CLASSIFICATION OF BUDGETARY EFFECTS.—Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the conference accompanying Conference Report 105–217 and section 250(c)(6) of the Balanced Budget and Emergency Deficit Control Act of 1985, the budgetary effects of division A, subdivision 2 of division B, and division C and each succeeding division shall not be entered—
(1) in section 251 of such Act; and
(2) for purposes of paragraph (4)(C) of section 3 of the Statutory Pay-As-You-Go Act of 2010 as being included in an appropriation Act.

MOTION TO CONCUR
Mr. FRELINGHUYSEN. Mr. Speaker, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will designate the motion. The text of the motion is as follows:
Mr. Frelinghuysen moves that the House concur in the Senate amendment to the House amendment to the Senate amendment to H.R. 1892.

The SPEAKER pro tempore. Pursuant to House Resolution 734, the motion shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations.

The gentleman from New Jersey (Mr. FRELINGHUYSEN) and the gentlewoman from New York (Mrs. LOWEY) each will control 30 minutes.

The Chair recognizes the gentleman from New Jersey.
Mr. FRELINGHUYSEN. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise this morning to present the Senate amendment to the House amendment to the Senate amendment to H.R. 1892, a bipartisan, bicameral bill outlining the funding for the next 2 fiscal years and funding for the government through March 23, providing much needed emergency supplemental funding for disaster recovery, and raising the Nation’s debt ceiling.

This legislation will help our Nation move forward without the threat of a shutdown or default and with greater budget scrutiny. This bill will also allow the President to adopt the second of a two-tiered cycle of continuing resolutions, which undermine the appropriations process and promotes only more uncertainty and doubt about our government’s and this Congress’ ability to function and to meet the needs of those we represent.

I am pleased that this legislation includes an agreement reached on a bipartisan basis by House and Senate Leaders on spending caps for both fiscal year 2018 and fiscal year 2019.

Especially important is a substantial increase in funds for national defense. Our Nation faces multiple security challenges and increasingly aggressive, not to mention, migraine adversaries. We must be prepared to meet these challenges, and we must take care of our men and women in uniform who truly do the work of freedom.

After years of reduction in military funding and months of uncertainty caused by continuing resolutions, it is time we provide our Armed Forces with what they need to rebuild and keep our Nation safe.

The agreement also outlines investments in important bipartisan domestic priorities such as fighting the opioid abuse epidemic, supporting veterans, and rebuilding and renewing our infrastructure across the Nation.

These top line spending levels will enable us to immediately on our 12 appropriations bills to wrap up the fiscal year 2018 and quickly turn our attention to fiscal year 2019.

This legislation also includes a short term continuing resolution, our last for this year, which will fund the Federal Government through March 23. This will maintain programs and services that all Americans depend on until all of the annual appropriations bills can be enacted. I look forward to working with our Senate counterparts to negotiate and complete all of these bills ahead of that deadline.

In addition to these critical pieces of government funding, this legislation also provides $89.3 billion in emergency disaster recovery funding that has been urgently needed since this House passed its version in December. This funding will provide the residents of Texas, Florida, Puerto Rico, the Virgin Islands, and Western States with the resources to rebuild their lives after last year’s historic and devastating natural disasters.

Lastly, this bill increases the debt limit through March 1, 2019, so we can pay our bills and avoid the economic damage of a default.

Mr. Speaker, the Senate has just passed this bill, and now it is up to this House to do the same and to send this legislation to the President for his signature.

I urge a “yes” vote on the bill and receive the balance of my time.

Mrs. LOWEY, Mr. Speaker, I yield myself such time as I may consume.

It is a basic constitutional responsibility of Congress to fund the Federal Government and Republican majorities in the House and the Senate are just turning the process into an embarrassing spectacle, running from one crisis directly into the next.

It has been clear for 9 months that a bipartisan budget agreement would be needed to enact appropriations law, yet it has taken five continuing resolutions, two lapses in funding, countless hours of effort to take even this first step toward full-year funding bills, more than 4 months into the fiscal year.

I am pleased with many aspects of the budget agreement. Increasing statutory spending caps would allow the Appropriations Committee to write responsible, bipartisan spending bills that will invest in this Nation’s families, communities, and national security.

I am also pleased the legislation would provide funding for families and communities in Texas, Florida, California, Puerto Rico, and the U.S. Virgin Islands to rebuild their lives following natural disasters.

Unfortunately, this legislation cannot be considered in a vacuum. The Speaker of the House’s refusal to commit to considering bipartisan legislation to protect teenagers and young adults from deportation is unjustifiable and maddening.

DREAMers are sons, daughters, parents. They are students and teachers. They serve with distinction in our Armed Forces. They pay taxes and contribute to their communities.

President Trump and the Republican majority hold the lives and futures of these children and young adults in their hands, yet their only concern seems to be how much they can extract and exchange for doing what a decent human being should do simply because it is right.

I cannot vote in good conscience to provide Immigration and Customs Enforcement, the very funding that could be used to deport the DREAMers. I cannot vote to continue the appropriations process while an unthinkably tragic fate hangs over the head of 1.6 million young people.

I do hope that in the weeks ahead a bipartisan bill for DREAMers can pass the Senate and enough pressure can be brought to bear on House Republicans to History was written by these Republican majorities if they fail to do what is right.

Mr. Speaker, I reserve the balance of my time.
Mr. FRELINGHUYSEN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from West Virginia (Mr. JENKINS), a member of our Appropriations Committee.

Mr. JENKINS of West Virginia, Mr. Speaker, West Virginia is literally ground zero in the opioid epidemic. Our overdose rate is not just a little bit higher than the national average of the No. 2 State. It is actually 30 percent higher than the No. 2 State. When we passed the 21st Century Cures legislation, dedicating $1 billion to fight this horrific epidemic, it gave us hope; it gave it hope.

The hope was particularly strong in rural States like West Virginia, that finally we might see real resources where it really counts, in rural
I ask you, I beg you, I implore you: Do your job. Save these DREAMers, and until we do, I urge a "no" on this vote.

Mr. FRELINGHUYSEN. Mr. Speaker, I reserve the balance of my time.

Mrs. LOWEY, Mr. Speaker, I am very pleased to yield to the gentlewoman from California (Mr. AGUILAR), a member of the Committee on Appropriations.

Mr. AGUILAR. Mr. Speaker, we have a choice today.

I want to complement the work that the committees have done to reach an agreement on these funding levels. I am not here to quibble with those funding levels.

What I am here to ask for is a chance. If this is the people's House, we deserve an opportunity to address these issues. I have never said this is a bad deal. I have just said this is an incomplete deal. It is incomplete because we haven't had the commitment that we need from the House leadership that issues that are important to our communities. We have addressed some in this: opioids, community health centers. Those are important issues in all of our communities.

But, we haven't addressed issues that are important to everyone. Like Leti Herrera who was my guest to the State of the Union who lost her sister in December, who is scared, who wants to know when her priorities are going to be her priorities. She wants to know when we are going to bring up these issues.

And I can tell her, the Senate has a commitment; they are going to talk about these issues. But the people's House has not said that we are going to talk about these issues. We are going to say, well, when the President signs off, then we will have a conversation. He doesn't have a card that votes in these machines. He has a voice. He should be consulted. He doesn't have a voice in people's House. He doesn't have a vote here with me and you.

All we want is a commitment to bring up a bipartisan, bicameral bill that addresses these issues. All we want is a chance. All we want is an opportunity to address issues that are important to our communities. Please, please, please give us that opportunity to have that conversation.

Mr. FRELINGHUYSEN. Mr. Speaker, I have the right to close, and I reserve the balance of my time.

Mrs. LOWEY. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the Democratic leader.

Ms. PELOSI. Mr. Speaker, I thank the gentlewoman for yielding to me.

Mr. Speaker, the Speaker of the House is supposed to be the Speaker of this entire House. And the entire will of this House on the Democratic side and Republican side is to pass a DACA bill but we are running out of time.

Instead of following the bipartisan consensus of the majority in this House, Mr. Speaker, you are yielding to the will of the majority party's anti-immigration fringe unilaterally, and that fringe is led by this President. If we continue to bend to this fringe, this body, this shiny beacon on a hill, this helpfulness in this country will go dark.

The Senate was able to pass the bipartisan agreement due to the hard promise of Leader McCONNELL and the good work of our Democratic leadership to allow—simply allow—the body to vote on a DACA bill. We, however, have no such commitment on this side.

22,000 dreamers in the State of New Jersey: they are doctors, they are lawyers, they are teachers, they are business owners. I spent time in a church where a Christian, tithe-paying immigrant was taken from his family and put in detention, yet not a vote for him.

My constituents did not send me here to deport young people who are American and know no other country.
many different people. Yet they established a Constitution that enabled everyone the right to life, liberty, and the pursuit of happiness. It is a beautiful thing. Our country has become a more diverse country over time, but still, a pluribus unum.

In this vote today, we are just saying to pay respect to the fact that we are a nation of immigrants, constantly reinvigorated by newcomers coming with their hopes, dreams, aspirations, courage to make the future better for their families.

That is what America is about. That is what the optimism of our Founders was based on, that every generation would take on responsibility. So these newcomers have made America more American.

Who is America?

America is our great Constitution of the United States, a great Constitution, which we take an oath to support.

And what else is America?

America is a great patrimony, this beautiful land that God has given us to be stewards of. It is important to know that, in the 50 States, the District of Columbia, and our territories.

In respect for that, I am very pleased that, in this bill, we were successful in the negotiations to get more funding for the territories, especially Puerto Rico and the Virgin Islands, an increase over what was in the original disaster bill.

But there are other things that are important to note that are in this bill. Again, opioids, mental health, National Institutes of Health, these are Democratic priorities that we fought for.

That is why this took so long to come to fruition, because there was a resistance on the Republican side to invest on the domestic side.

So they have been increasing the defense number, which we go along with, but wanted commensurate increase on the domestic side, recognizing the domestic side for us and our budget—apart from the defense number, which we go along with, the President, the White House, not the Speaker of the House, wants to see that the House, the Speaker wants to see that we will allow the House of Representatives to work its will.

Let the chips fall where they may, but give us a chance to allay fear, to build confidence, to honor the vows of our Founders that we could have done is to say: We, the United States of America, in order to form a more perfect Union, to ensure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity.

I yield my balance of my time.

Mr. LOWEY. Mr. Speaker, I yield my balance of my time.

Mr. FRELINGHUYSEN. Mr. Speaker, I reserve the balance of my time.

Mr. LOWEY. Mr. Speaker, I yield myself the balance of my time to close.

A fifth CR—a fifth CR—while one party controls all levers of government, shows the Republicans’ inability to govern.

Even more upsetting is their refusal to put a bipartisan DREAMer bill on the House floor. While there are provisions in the Senate amendment that governs the budget, in this bipartisan agreement, we are able to work with our colleagues on the other side of the aisle to do what is right and to permit a vote on a bipartisan DREAMer bill.

Mr. Speaker, I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Wisconsin (Mr. RYAN), the Speaker of the House.

Mr. RYAN of Wisconsin. Mr. Speaker, I will be brief.

A few hours ago, the Senate passed this agreement with a very big bipartisan vote: 75 percent of the Senate Democrats, 68 percent of the Senate Republicans. Republicans and Democrats together on a true compromise measure. I think that is a thing to celebrate.

It accomplishes what so many of us had been fighting for. First and foremost, this agreement accomplishes what we needed to get the federal government back to work and to rebuild our military. Also, this includes long-delayed disaster funding to aid recovery from the hurricanes and the wildfires; money to fight opioids, something that knows no partisan boundaries; and the extension of important healthcare programs.

This agreement will also allow us to step off this carousel of short-term funding bills that do nothing but hurt our military and stymie our ability to focus on other important agenda items. And I think that has been noted here tonight.

You know, most Americans are not even aware yet, or they are just getting up for the first shift. By the time they catch up with the news this morning, they will see one of two things, depending upon what choice we make here right now.

Either Congress will have done its most basic responsibility: funding the government and taking care of our brave men and women in uniform. I really believe that that is what the majority of this people in this body want to see happen.

Or they will see a second needless shutdown in a matter of weeks. Entirely needless.

Republicans will deliver more than our share of votes this morning. I urge my friends in the minority to stand with us on this bipartisan agreement.

My commitment to working together on an immigration measure that we can make law is a sincere commitment. Let me repeat. My commitment to working together on an immigration measure that we can make law is a sincere commitment. We will solve this DACA problem.

Once we get this budget agreement done—and we will get this done, no matter how long it takes—our votes will be focused on bringing that debate to this floor and finding a solution. But we cannot do that unless we pass this budget agreement.

Our military can no longer be held hostage in this process. So, for this morning, let’s honor our troops. Let’s do our most basic job and let’s pass this bill.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield back the balance of my time.

Mr. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, after much consideration, I will reluctantly vote for this legislation. The bipartisan agreement included $6 billion to combat opioid abuse and improving mental health, $2 billion for research at the National Institutes of Health and $4 billion for college affordability. The measure extends one of my legislative priorities, the Children’s Health Insurance Program for 10 years.

Since Hurricane Harvey’s landfall in late August, I have worked tirelessly with the Texas Governor, the Texas Congressional delegations, mayors, counties and police and fire chiefs to identify and meet the needs of impacted Texans. The agreement increases overall disaster relief from $81 billion to $89 billion which means it will increase Texas’s share of that relief and to significantly increase the funding for critical Army Corps flood management projects that help Texas to take necessary measures against future flooding events.

Additionally, I have fought hard for many years to fund the needs of our veterans, and our transportation infrastructure. This bill provides $4 billion to reduce the VA’s healthcare maintenance backlog. There will be $20 billion to invest in infrastructure, including programs related to rural water and wastewater, clean
and safe drinking water, rural broadband, energy, innovative capital projects, and surface transportation.

The agreement includes funding for child care, including the bipartisan Child Care Development Block Grant program and funding for student-centered programs that aid college completion and affordability, including those that help police officers, teachers and firefighters.

Mr. Speaker, I will vote yes on this bill because it closes the Medicare Part D "donut hole" for seniors in 2019. I will continue to work to make sure that Congress follows through on this deal, and that Texas' 30th District gets what it needs to move our communities, our state and the Nation forward.

Ms. JACKSON LEE. Mr. Speaker, I rise to explain the importance of the pending legislation, which extends the Continuing Resolution passed by Congress on January 26, 2018 but expired at midnight, February 8, 2018, by an additional six weeks, or until March 23, 2018. This crucial legislation rests upon three pillars.

First, the legislation before us provides $89.3 billion in aid to respond to the damage caused by Hurricanes Harvey, Irma and Maria, and the wildfires in California.

Second, the Continuing Resolution pending before us is necessary to finalize and implement a bipartisan and bicameral budget agreement gives parity to defense and non-defense discretionary funding and provides $117 billion more funding for needed non-defense investments in the areas of education, public health, infrastructure, community development, and disaster relief than proposed under the Trump FY 2018 budget.

Third, I will be advocating for a nay vote on the Previous Question in order to bring to the floor a crucial legislative fix for debate and vote that will provide permanent legal residency and a path to citizenship to the more than 800,000 Dreamers, including the 124,000 who live in Texas, and until January 20, 2018.

That is why right now my highest priority is to ensure that funding that has been made available to the hallowed expenditures gets to the hands of local governments so that relief can deliver the resources and services so desperately needed.

That is why I am working with the Texas General Land Office Commissioner and have advocated for the immediate release of the $5 billion that was approved in September 2017 and wrote the HUD Secretary to expedite promulgation of the proposed regulations necessary to release the funds, which finally were published this week in the Federal Register for notice and comment.

And that is why on September 6, 2017, ten days after Hurricane Harvey struck, I introduced the first Hurricane Harvey disaster recovery legislation.

I was joined by 44 colleagues in introducing H.R. 3686, the "Hurricane Harvey Supplemental Appropriations Act of 2017," which provides $174 billion in disaster relief for the areas affected by Hurricane Harvey, the worst superstorm ever to strike the mainland United States.

The $174 billion in funding provided by H.R. 3686 represents a comprehensive response commensurate to the challenge; specifically that legislation would provide relief in the following amounts:

1. Housing and Community Development Fund: $50 billion
2. FEMA Disaster Relief Fund: $35 billion
3. Army Corps of Engineers—Construction: $15 billion
4. Flood Control and Coastal Emergencies: $13 billion
5. Public Transportation Emergency Relief Program: $33 billion
6. Small Business Disaster Loans Program: $2 billion
7. Emergency Conservation Activities: $650 million
9. National Aeronautics and Space Administration: $50 million
10. Legal Services Corporation: $10 million
11. Army National Guard: $10 million
12. Army Corps of Engineers—Civil Investigations: $150 million
13. Coast Guard: $450 million
15. EPA Environmental Programs and Management: $2.5 billion
16. EPA Hazardous Substance Superfund: $7 million
17. Leaking Underground Storage Tank Fund: $15 million
18. State and Tribal Assistance Grants: $600 million
19. Employment and Training Services: $100 million
20. Public Health and Social Services Emergency Fund: $2.5 billion
21. Airport and Airway Trust Fund: $90 million
22. Federal-Aid Highways Emergency Relief Program: $6.5 billion

Although, the disaster relief funding provided in the legislation before us is not as robust as the package I have proposed, it is a significant improvement over what was initially offered by the Administration and will provide much needed assistance to disaster victims in desperate need of help.

I wish to thank the leadership of the Appropriations Committee, in particular T-HUD Appropriations Subcommittee Chairman Diaz-Balart, and Energy and Water Appropriations Ranking Member Kaptur for including in the legislation before us the following beneficial measures that I requested, including:

1. Authority to establish and implement a $1 billion pilot program to provide small business disaster recovery grants, modeled on H.R. 3930, the "Hurricane Harvey Small Business Recovery Grants Act," legislation I introduced on October 3, 2017 and is co-sponsored by 16 of my colleagues.
2. $75 million for the U.S. Army Corps of Engineers' Investigations account, which is to be used in areas affected by Hurricanes Harvey, Irma, and Maria, and can be used to finance the $3 million Houston-Area Watershed Assessment Study.
3. This is a highly successful conclusion to the multi-year struggle I waged to secure House approval of this project and funding with the Jackson Lee Amendments to the Energy and Water Appropriations Act for Fiscal Years 2016, 2017, and 2018.
4. The bill also includes helpful legislative language to ensure that in awarding CBGB-Disaster Relief funds to states, the Secretary of HUD should to the maximum extent practicable award grants to units of local government and public housing authorities that have the financial and administrative capacity to manage a grant awarded under the program.
5. The bill also includes a provision for which I advocated expressly providing that religious nonprofit organizations and houses of worship have the same opportunity to qualify for disaster assistance as their secular counterparts.

Let me describe briefly some of the major provisions contained in this disaster relief funding package before us:

FEMA Disaster Relief Fund: $28 billion to provide critical funding to assist the ongoing federal disaster response to allow up to $4 billion to be provided for Community Disaster Loans (CDLs).

Emergency Food Assistance Program: $24 million to provide an additional 35 million pounds of food for food banks in states affected by natural disasters.

$7.6 million to repair 12 Food and Drug Administration sites damaged by Hurricanes Harvey, Irma, and Maria, including repair of scientific equipment such as those used to test foods for chemical contamination.

Economic Development Assistance Programs, in addition to providing grants to communities directly impacted by Hurricane Harvey, Irma, and Maria, as well as other disasters declared in 2017. This funding will support immediate relief efforts and long-term recovery projects, including repairing and replacing basic infrastructure needs that are vital for local economic recovery.

National Oceanic and Atmospheric Administration: $400 million, with $100 million allocated to improving weather forecasting capabilities and data collection efforts to better protect lives and property in the wake of future hurricanes, and with $200 million for fishery disasters causing severe economic harm in coastal communities following Hurricanes Harvey, Irma, and Maria.

National Aeronautics and Space Administration: $81 million to repair facilities damaged at the Kennedy and Johnson Space Centers.

Legal Services Corporation: $15 million for mobile resources, technology, and disaster coordination to provide storm-related services to the population in affected areas.

U.S. Army Corps of Engineers: $17.39 billion, including $15 billion for flood control and storm damage reduction construction projects and $135 million for high-priority investigation studies for risk reduction from future floods and hurricanes.

Of this $135 million, $75 million is to be allocated for the Army Corps of Engineers’ Investigations account, which is to be used in areas affected by Hurricanes Harvey, Irma, and Maria, and can be used to finance the $3 million Houston-Area Watershed Assessment Study I have worked to secure and which has been previously approved by the House.

The bill also included $608 million to finance needed federal dredging projects, such as Houston Shipping Channel and $810 million to prepare for and mitigate future flood, hurricane, and other natural disasters.

The Department of Housing and Urban Development (HUD), will receive $28 billion allocated to the Community Development Fund to repair homes, support local business, and rebuild infrastructure while mitigating future risk.

Also included in the legislation is authority for HUD to adjust Section 8 voucher funding for public housing agencies adversely affected by disasters in 2017.

Mr. Speaker, George Bush Intercontinental Airport, located in my congressional district, will benefit from the $10.3 million to repair Transportation and Security Administration facilities, security equipment, and access control equipment at airports damaged by the hurricanes.

The Texas Gulf Coast will benefit from the $835 million allocated to the U.S. Coast Guard; $4 million of which for site assessments to determine environmental compliance and reclamation needs.

Federal Emergency Management Agency (FEMA) will receive $23.5 billion for the Disaster Relief Fund to support response and recovery efforts.

Other important provisions in the FEMA appropriations:

1. Ensure that religious nonprofit organizations are given the same opportunity to qualify for certain disaster assistance as their secular counterparts.
2. Extend the period of time that local government revenue loss as a result of Hurricanes Harvey, Irma, and Maria can be considered for the purpose of Community Disaster Loans.
3. Authorize the President to increase the federal cost share for certain disaster assistance from 75 to 85 percent if recipients have taken steps to make themselves more resilient against disasters.
4. The Environmental Protection Agency will receive $6.2 million for the Superfund program to help repair damage sustained to remedies at Superfund sites; $7 million for the Leaking Underground Storage Tank program to repair damage to storage tanks to prevent spills and contaminants from leaking into the environment; and $50 million for debris removal and technical assistance to inspect and clean up hazardous waste facilities.

Department of Labor: $100 million for disaster response economic recovery through the Dislocated Worker National Reserve.

Department of Health and Human Services:

1. $200 million for Centers for Disease Control and Prevention;
2. $50 million for National Institutes of Health;
3. $650 million for Head Start; and
4. $162 million for the Public Health and Social Services Emergency Fund, including $60 million for Community Health Centers and $20 million for Substance Abuse and Mental Health Administration.

Department of Education will receive $2.7 billion for Hurricane Education Recovery, including:

1. $2.46 billion to restart operations at elementary and secondary schools;
2. $100 million for institutions of higher education, and students at those institutions;
3. $25 million for education services for homeless children; and
4. $35 million for Project SERV for education-related services to help students recover from traumatic events, including natural disasters.

Notably, this legislation forgives loans made to four Historically Black Colleges and Universities in response to Hurricane Katrina.

Also notably, the CR allocates $14 million for the Government Accountability Office to conduct oversight and evaluate distribution and use of disaster funding across agencies to ensure responsible use of taxpayer funds.

Department of Veterans Affairs: $4.1 million to repair damages to the Veterans Benefits Administration Office in Houston, Texas, and the Puerto Rico National Cemetery.

Department of Transportation: $30 billion to repair damaged infrastructure and help communities recover from natural disasters.

Federal Highway Administration will receive $1.3 billion and the Federal Transit Administration will receive $330 million, both for their Emergency Relief Programs.

Mr. Speaker, there is much more work to be done in my city of Houston, and across the areas affected by the terrible, awesome storm that will be forever known simply as Hurricane Harvey, and by Hurricanes Irma and Maria.

But the initial funding package before us today represents a solid start toward completing the necessary work that must be undertaken to restore the affected communities to their previous greatness.

As I conclude, I am remembering a heroic DREAMER, Alonso Guillen, who came to the U.S. from Mexico as a child, and died in my congressional district when his boat capsized while he was rescuing survivors of the flooding caused by Hurricane Harvey in the Houston area.

There is no heart in ending DACA and leaving the fate of 800,000 young persons in limbo and constant fear of deportation from the only country they have ever known, and the only nation to which they have ever pledged allegiance.

The way to end this crisis is to bring H.R. 3440, the Dream Act of 2017, to the floor right now and vote for it so it can pass both houses of Congress with a veto-proof majority.

A Dreamer seeking to earn her college degree and aspiring to attend medical school to better herself and her new community is not a threat to the nation’s security.

Law abiding but unauthorized immigrants doing honest work to support their families pose far less danger to society than human traffickers, drug smugglers, or those who have committed a serious crime.

President Obama was correct in concluding that exercising his discretion regarding the implementation of DACA enhances the safety of all members of the public, serves national security interests, and furthers the public interest in keeping families together.

According to numerous studies conducted by the Congressional Budget Office, Social Security Administration, and Council of Economic Advisors, DACA generates substantial economic benefits to our nation.

For example, expanding DACA is estimated to increase GDP by $230 billion and create an average of 28,814 jobs per year over the next 10 years.

That is a lot of jobs.

In exercising his broad discretion in the area of removal proceedings, President Obama acted responsibly and reasonably in determining the circumstances in which it makes sense to pursue removal and when it does not.

Because of President Obama’s leadership and visionary executive action, 124,000 undocumented immigrants in my home state of Texas have received deferred action. 91 percent of these immigrants are employed or in school and contribute $6.3 billion annually to the Texas economy and $460.3 billion to the national economy.

Instead of wasting time scoping out DREAMERS, we should instead seize the opportunity to pass legislation that secures our borders, preserves America’s character as the most open and welcoming country in the history of the world, and with hundreds of billions of dollars in economic growth.

THE SPEAKER pro tempore (Mr. COLLINS of Georgia). All time for debate has expired.

Pursuant to House Resolution 734, the previous question is ordered.

The question is on the motion by the gentleman from New Jersey (Mr. FRELINGHUYSEN).

The question was taken: and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. FRELINGHUYSEN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.
The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to concur will be followed by a 5-minute vote on suspending the rules and concurring in the Senate amendment to H.R. 582, if ordered.

The vote was taken by electronic device, and there were—an ayes 240, noes 186, not voting 5, as follows:

(Roll No. 69)

AYE—240

Abraham
Aderholt
Allen
Amodei
Arrington
Babin
Bass
Bass (GA)
Bates (TN)
Beatty
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