AN ACT

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2020, and for other purposes.

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,
3 SECTION 1. SHORT TITLE.
4 This Act may be cited as the “Labor, Health and
5 Human Services, Education, Defense, State, Foreign Op-
6 erations, and Energy and Water Development Appropria-
7 tions Act, 2020”.

Calendar No. 140

116TH CONGRESS 1ST SESSION

H. R. 2740

IN THE SENATE OF THE UNITED STATES

JUNE 24, 2019
Received
JULY 9, 2019
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DIVISION A—DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES

APPROPRIATIONS ACT, 2020

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2020, and for other purposes, namely:

TITLE I

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

For necessary expenses of the Workforce Innovation and Opportunity Act (referred to in this Act as “WIOA”) and the National Apprenticeship Act, $3,977,615,000, plus reimbursements, shall be available. Of the amounts provided:

(1) for grants to States for adult employment and training activities, youth activities, and dislocated worker employment and training activities, $2,967,360,000 as follows:

(A) $900,000,000 for adult employment and training activities, of which $188,000,000 shall be available for the period July 1, 2020
through June 30, 2021, and of which $712,000,000 shall be available for the period October 1, 2020 through June 30, 2021;

(B) $964,000,000 for youth activities, which shall be available for the period April 1, 2020 through June 30, 2021; and

(C) $1,103,360,000 for dislocated worker employment and training activities, of which $243,360,000 shall be available for the period July 1, 2020 through June 30, 2021, and of which $860,000,000 shall be available for the period October 1, 2020 through June 30, 2021:

Provided, That the funds available for allotment to outlying areas to carry out subtitle B of title I of the WIOA shall not be subject to the requirements of section 127(b)(1)(B)(ii) of such Act; and

(2) for national programs, $1,010,255,000 as follows:

(A) $370,859,000 for the dislocated workers assistance national reserve, of which $170,859,000 shall be available for the period July 1, 2020 through September 30, 2021, and of which $200,000,000 shall be available for the period October 1, 2020 through September 30, 2021: Provided, That funds provided to carry
out section 132(a)(2)(A) of the WIOA may be used to provide assistance to a State for statewide or local use in order to address cases where there have been worker dislocations across multiple sectors or across multiple local areas and such workers remain dislocated; coordinate the State workforce development plan with emerging economic development needs; and train such eligible dislocated workers: *Provided further*, That funds provided to carry out sections 168(b) and 169(e) of the WIOA may be used for technical assistance and demonstration projects, respectively, that provide assistance to new entrants in the workforce and incumbent workers: *Provided further*, That notwithstanding section 168(b) of the WIOA, of the funds provided under this subparagraph, the Secretary of Labor (referred to in this title as “Secretary”) may reserve not more than 7 percent of such funds to provide technical assistance and carry out additional activities related to the transition to the WIOA: *Provided further*, That of the funds provided under this subparagraph, $150,000,000 shall be for training and employment assistance under sections 168(b), 169(e)
(notwithstanding the 10 percent limitation in such section) and 170 of the WIOA for the purpose of developing, offering, or improving educational or career training programs at community colleges, defined as public institutions of higher education, as described in section 101(a) of the Higher Education Act and at which the associate’s degree is primarily the highest degree awarded, with other eligible institutions of higher education, as defined in section 101(a) of the Higher Education Act, eligible to participate through consortia, with community colleges as the lead grantee: Provided further, That the Secretary shall follow the requirements for the program in the committee report accompanying this Act: Provided further, That any grant funds used for apprenticeships shall be used to support only apprenticeship programs registered under the National Apprenticeship Act and as referred to in Section 3(7)(B) of the Workforce Innovation and Opportunity Act;

(B) $55,000,000 for Native American programs under section 166 of the WIOA, which shall be available for the period July 1, 2020 through June 30, 2021;
(C) $98,896,000 for migrant and seasonal farmworker programs under section 167 of the WIOA, including $91,722,000 for formula grants (of which not less than 70 percent shall be for employment and training services), $6,588,000 for migrant and seasonal housing (of which not less than 70 percent shall be for permanent housing), and $586,000 for other discretionary purposes, which shall be available for the period April 1, 2020 through June 30, 2021: Provided, That notwithstanding any other provision of law or related regulation, the Department of Labor shall take no action limiting the number or proportion of eligible participants receiving related assistance services or discouraging grantees from providing such services;

(D) $127,500,000 for YouthBuild activities as described in section 171 of the WIOA, which shall be available for the period April 1, 2020 through June 30, 2021;

(E) $100,000,000 for ex-offender activities, under the authority of section 169 of the WIOA, which shall be available for the period April 1, 2020 through June 30, 2021: Provided,
That of this amount, $25,000,000 shall be for competitive grants to national and regional intermediaries for activities that prepare young, formerly incarcerated individuals, including those who have dropped out of school or other educational programs, with a priority for projects serving high-crime, high-poverty areas;

(F) $8,000,000 for the Workforce Data Quality Initiative, under the authority of section 169 of the WIOA, which shall be available for the period July 1, 2020 through June 30, 2021; and

(G) $250,000,000, to expand opportunities through apprenticeships only registered under the National Apprenticeship Act and as referred to in section 3(7)(B) of the WIOA, to be available to the Secretary to carry out activities through grants, cooperative agreements, contracts and other arrangements, with States and other appropriate entities, which shall be available for the period July 1, 2020 through June 30, 2021: Provided further, That of the funds provided to carry out this subparagraph, not less than 20 percent shall be for making competitive contracts, grants, and cooperative
agreements to national apprenticeship inter-
mediaries, not less than 20 percent shall be for
competitive contracts, grants, and cooperative
agreements to local apprenticeship inter-
mediaries, and not less than 50 percent shall be
used to fund grants to States.

JOB CORPS

(INCLUDING TRANSFER OF FUNDS)

To carry out subtitle C of title I of the WIOA, includ-
ing Federal administrative expenses, the purchase and
hire of passenger motor vehicles, the construction, alter-
ation, and repairs of buildings and other facilities, and the
purchase of real property for training centers as author-
ized by the WIOA, $1,868,655,000, plus reimbursements,
as follows:

(1) $1,603,325,000 for Job Corps Operations,
which shall be available for the period July 1, 2020
through June 30, 2021;

(2) $233,000,000 for construction, rehabilita-
tion and acquisition of Job Corps Centers, which
shall be available for the period July 1, 2020
through June 30, 2023, and which may include the
acquisition, maintenance, and repair of major items
of equipment: Provided, That the Secretary may
transfer up to 15 percent of such funds to meet the
operational needs of such centers or to achieve administrative efficiencies: \textit{Provided further}, That any funds transferred pursuant to the preceding provision shall not be available for obligation after June 30, 2021: \textit{Provided further}, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer; and

(3) \$32,330,000 for necessary expenses of Job Corps, which shall be available for obligation for the period October 1, 2019 through September 30, 2020:

\textit{Provided}, That no funds from any other appropriation shall be used to provide meal services at or for Job Corps centers.

COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

To carry out title V of the Older Americans Act of 1965 (referred to in this Act as \textquoteleft\textquoteleft OAA\textquoteright\textquoteright), \$463,800,000, which shall be available for the period April 1, 2020 through June 30, 2021, and may be recaptured and reobligated in accordance with section 517(c) of the OAA.

FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

For payments during fiscal year 2020 of trade adjustment benefit payments and allowances under part I
of subchapter B of chapter 2 of title II of the Trade Act of 1974, and section 246 of that Act; and for training, employment and case management services, allowances for job search and relocation, and related State administrative expenses under part II of subchapter B of chapter 2 of title II of the Trade Act of 1974, and including benefit payments, allowances, training, employment and case management services, and related State administration provided pursuant to section 231(a) of the Trade Adjustment Assistance Extension Act of 2011 and section 405(a) of the Trade Preferences Extension Act of 2015, $680,000,000 together with such amounts as may be necessary to be charged to the subsequent appropriation for payments for any period subsequent to September 15, 2020: Provided, That notwithstanding section 502 of this Act, any part of the appropriation provided under this heading may remain available for obligation beyond the current fiscal year pursuant to the authorities of section 245(c) of the Trade Act of 1974 (19 U.S.C. 2317(c)).

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

For authorized administrative expenses, $84,066,000, together with not to exceed $3,381,695,000 which may be expended from the Employment Security
Administration Account in the Unemployment Trust Fund ("the Trust Fund"), of which:

(1) $2,618,230,000 from the Trust Fund is for grants to States for the administration of State unemployment insurance laws as authorized under title III of the Social Security Act (including not less than $175,000,000 to carry out reemployment services and eligibility assessments under section 306 of such Act, any claimants of regular compensation, as defined in such section, including those who are profiled as most likely to exhaust their benefits, may be eligible for such services and assessments: Provided, That of such amount, $117,000,000 is specified for grants under section 306 of the Social Security Act and is provided to meet the terms of section 251(b)(2)(E)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, and $58,000,000 is additional new budget authority specified for purposes of section 251(b)(2)(E)(i)(II) of such Act; and $9,000,000 for continued support of the Unemployment Insurance Integrity Center of Excellence), the administration of unemployment insurance for Federal employees and for ex-service members as authorized under 5 U.S.C. 8501–8523, and the administration of trade readjustment allow-
ances, reemployment trade adjustment assistance, and alternative trade adjustment assistance under the Trade Act of 1974 and under section 231(a) of the Trade Adjustment Assistance Extension Act of 2011 and section 405(a) of the Trade Preferences Extension Act of 2015, and shall be available for obligation by the States through December 31, 2020, except that funds used for automation shall be available for Federal obligation through December 31, 2020, and for State obligation through September 30, 2022, or, if the automation is being carried out through consortia of States, for State obligation through September 30, 2026, and for expenditure through September 30, 2027, and funds for competitive grants awarded to States for improved operations and to conduct in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews and provide reemployment services and referrals to training, as appropriate, shall be available for Federal obligation through December 31, 2020, and for obligation by the States through September 30, 2022, and funds for the Unemployment Insurance Integrity Center of Excellence shall be available for obligation by the State through September 30, 2021, and funds used
for unemployment insurance workloads experienced through September 30, 2020 shall be available for Federal obligation through December 31, 2020: Provided further, That of the funds available under this paragraph for grants to States for administering claims under State unemployment compensation laws that remain unallocated at the end of the fiscal year as a result of state workloads in administering such claims not supporting the allocation, the Secretary shall use such funds (other than funds specified for other activities in this paragraph) for supplemental grant funding opportunities to States in order to improve operations and modernize State Unemployment Insurance systems and such funds shall remain available for Federal obligation through December 31, 2020;

(2) $12,000,000 from the Trust Fund is for national activities necessary to support the administration of the Federal-State unemployment insurance system;

(3) $658,587,000 from the Trust Fund, together with $21,413,000 from the General Fund of the Treasury, is for grants to States in accordance with section 6 of the Wagner-Peyser Act, and shall
be available for Federal obligation for the period July 1, 2020 through June 30, 2021;

(4) $22,318,000 from the Trust Fund is for national activities of the Employment Service, including administration of the work opportunity tax credit under section 51 of the Internal Revenue Code of 1986, and the provision of technical assistance and staff training under the Wagner-Peyser Act;

(5) $70,560,000 from the Trust Fund is for the administration of foreign labor certifications and related activities under the Immigration and Nationality Act and related laws, of which $56,278,000 shall be available for the Federal administration of such activities, and $14,282,000 shall be available for grants to States for the administration of such activities; and

(6) $62,653,000 from the General Fund is to provide workforce information, national electronic tools, and one-stop system building under the Wagner-Peyser Act and shall be available for Federal obligation for the period July 1, 2020 through June 30, 2021:

Provided, That to the extent that the Average Weekly Insured Unemployment ("AWIU") for fiscal year 2020 is projected by the Department of Labor to exceed
1,758,000, an additional $28,600,000 from the Trust Fund shall be available for obligation for every 100,000 increase in the AWIU level (including a pro rata amount for any increment less than 100,000) to carry out title III of the Social Security Act: Provided further, That funds appropriated in this Act that are allotted to a State to carry out activities under title III of the Social Security Act may be used by such State to assist other States in carrying out activities under such title III if the other States include areas that have suffered a major disaster declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act: Provided further, That the Secretary may use funds appropriated for grants to States under title III of the Social Security Act to make payments on behalf of States for the use of the National Directory of New Hires under section 453(j)(8) of such Act: Provided further, That the Secretary may use funds appropriated for grants to States under title III of the Social Security Act to make payments on behalf of States to the entity operating the State Information Data Exchange System: Provided further, That funds appropriated in this Act which are used to establish a national one-stop career center system, or which are used to support the national activities of the Federal-State unemployment insurance, employment service, or
immigration programs, may be obligated in contracts, grants, or agreements with States and non-State entities: Provided further, That States awarded competitive grants for improved operations under title III of the Social Security Act, or awarded grants to support the national activities of the Federal-State unemployment insurance system, may award subgrants to other States and non-State entities under such grants, subject to the conditions applicable to the grants: Provided further, That funds appropriated under this Act for activities authorized under title III of the Social Security Act and the Wagner-Peyser Act may be used by States to fund integrated Unemployment Insurance and Employment Service automation efforts, notwithstanding cost allocation principles prescribed under the final rule entitled “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards” at part 200 of title 2, Code of Federal Regulations: Provided further, That the Secretary, at the request of a State participating in a consortium with other States, may reallocate funds allotted to such State under title III of the Social Security Act to other States participating in the consortium or to the entity operating the Unemployment Insurance Information Technology Support Center in order to carry out activities that benefit the administration of the unemployment compensation law of the State.
making the request: Provided further, That the Secretary
may collect fees for the costs associated with additional
data collection, analyses, and reporting services relating
to the National Agricultural Workers Survey requested by
State and local governments, public and private institu-
tions of higher education, and nonprofit organizations and
may utilize such sums, in accordance with the provisions
of 29 U.S.C. 9a, for the National Agricultural Workers
Survey infrastructure, methodology, and data to meet the
information collection and reporting needs of such entities,
which shall be credited to this appropriation and shall re-
main available until September 30, 2021, for such pur-
poses.

ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND
OTHER FUNDS

For repayable advances to the Unemployment Trust
Fund as authorized by sections 905(d) and 1203 of the
Social Security Act, and to the Black Lung Disability
Trust Fund as authorized by section 9501(c)(1) of the In-
ternal Revenue Code of 1986; and for nonrepayable ad-
vances to the revolving fund established by section 901(e)
of the Social Security Act, to the Unemployment Trust
Fund as authorized by 5 U.S.C. 8509, and to the “Federal
Unemployment Benefits and Allowances” account, such
sums as may be necessary, which shall be available for
obligation through September 30, 2021.

PROGRAM ADMINISTRATION

For expenses of administering employment and train-
ing programs, $108,674,000, together with not to exceed
$49,982,000 which may be expended from the Employ-
ment Security Administration Account in the Unemploy-
ment Trust Fund.

EMPLOYEE BENEFITS SECURITY ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Employee Benefits
Security Administration, $183,155,000, of which up to
$3,000,000 shall be made available through September 30,
2021, for the procurement of expert witnesses for enforce-
ment litigation.

PENSION BENEFIT GUARANTY CORPORATION

PENSION BENEFIT GUARANTY CORPORATION FUND

The Pension Benefit Guaranty Corporation ("Cor-
poration") is authorized to make such expenditures, in-
cluding financial assistance authorized by subtitle E of
title IV of the Employee Retirement Income Security Act
of 1974, within limits of funds and borrowing authority
available to the Corporation, and in accord with law, and
to make such contracts and commitments without regard
to fiscal year limitations, as provided by 31 U.S.C. 9104,
as may be necessary in carrying out the program, including associated administrative expenses, through September 30, 2020, for the Corporation: Provided, That none of the funds available to the Corporation for fiscal year 2020 shall be available for obligations for administrative expenses in excess of $452,858,000: Provided further, That to the extent that the number of new plan participants in plans terminated by the Corporation exceeds 100,000 in fiscal year 2020, an amount not to exceed an additional $9,200,000 shall remain available until expended for obligations for administrative expenses for every 20,000 additional terminated participants: Provided further, That obligations in excess of the amounts provided for administrative expenses in this paragraph may be incurred and shall remain available until expended for obligation for unforeseen and extraordinary pre-termination or termination expenses or extraordinary multiemployer program related expenses after approval by the Office of Management and Budget and notification of the Committees on Appropriations of the House of Representatives and the Senate: Provided further, That to the extent the Corporation’s expenses exceed $250,000 for the provision of credit or identity monitoring to affected individuals upon suffering a security incident or privacy breach, an additional amount shall remain available until expended
for obligations for such expenses, not to exceed an additional $100 per affected individual.

**Wage and Hour Division**

**Salaries and Expenses**

For necessary expenses for the Wage and Hour Division, including reimbursement to State, Federal, and local agencies and their employees for inspection services rendered, $298,131,000.

**Office of Labor-Management Standards**

**Salaries and Expenses**

For necessary expenses for the Office of Labor-Management Standards, $40,187,000 (reduced by $4,000,000).

**Office of Federal Contract Compliance Programs**

**Salaries and Expenses**

For necessary expenses for the Office of Federal Contract Compliance Programs, $120,000,000.

**Office of Workers’ Compensation Programs**

**Salaries and Expenses**

For necessary expenses for the Office of Workers’ Compensation Programs, $118,609,000, together with $2,173,000 which may be expended from the Special Fund in accordance with sections 39(c), 44(d), and 44(j) of the Longshore and Harbor Workers’ Compensation Act.
SPECIAL BENEFITS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation, benefits, and expenses (except administrative expenses) accruing during the current or any prior fiscal year authorized by 5 U.S.C. 81; continuation of benefits as provided for under the heading “Civilian War Benefits” in the Federal Security Agency Appropriation Act, 1947; the Employees’ Compensation Commission Appropriation Act, 1944; section 5(f) of the War Claims Act (50 U.S.C. App. 2012); obligations incurred under the War Hazards Compensation Act (42 U.S.C. 1701 et seq.); and 50 percent of the additional compensation and benefits required by section 10(h) of the Longshore and Harbor Workers’ Compensation Act, $234,600,000, together with such amounts as may be necessary to be charged to the subsequent year appropriation for the payment of compensation and other benefits for any period subsequent to August 15 of the current year, for deposit into and to assume the attributes of the Employees’ Compensation Fund established under 5 U.S.C. 8147(a): Provided, That amounts appropriated may be used under 5 U.S.C. 8104 by the Secretary to reimburse an employer, who is not the employer at the time of injury, for portions of the salary of a re-employed, disabled beneficiary: Provided further, That balances of reimbursements
unobligated on September 30, 2019, shall remain available
until expended for the payment of compensation, benefits,
and expenses: Provided further, That in addition there
shall be transferred to this appropriation from the Postal
Service and from any other corporation or instrumentality
required under 5 U.S.C. 8147(c) to pay an amount for
its fair share of the cost of administration, such sums as
the Secretary determines to be the cost of administration
for employees of such fair share entities through Sep-
tember 30, 2020: Provided further, That of those funds
transferred to this account from the fair share entities to
pay the cost of administration of the Federal Employees’
Compensation Act, $74,777,000 shall be made available
to the Secretary as follows:

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

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

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

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

(5) The remaining funds shall be paid into the
Treasury as miscellaneous receipts:
Provided further, That the Secretary may require that any person filing a notice of injury or a claim for benefits under 5 U.S.C. 81, or the Longshore and Harbor Workers’ Compensation Act, provide as part of such notice and claim, such identifying information (including Social Security account number) as such regulations may prescribe.

SPECIAL BENEFITS FOR DISABLED COAL MINERS

For carrying out title IV of the Federal Mine Safety and Health Act of 1977, as amended by Public Law 107–275, $20,970,000, to remain available until expended.

For making after July 31 of the current fiscal year, benefit payments to individuals under title IV of such Act, for costs incurred in the current fiscal year, such amounts as may be necessary.

For making benefit payments under title IV for the first quarter of fiscal year 2021, $14,000,000, to remain available until expended.

ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION FUND

For necessary expenses to administer the Energy Employees Occupational Illness Compensation Program Act, $59,846,000, to remain available until expended: Provided, That the Secretary may require that any person filing a claim for benefits under the Act provide as part of
such claim such identifying information (including Social
Security account number) as may be prescribed.

BLACK LUNG DISABILITY TRUST FUND
(INCLUDING TRANSFER OF FUNDS)

Such sums as may be necessary from the Black Lung
Disability Trust Fund (the “Fund”), to remain available
until expended, for payment of all benefits authorized by
section 9501(d)(1), (2), (6), and (7) of the Internal Rev-
ene Code of 1986; and repayment of, and payment of
interest on advances, as authorized by section 9501(d)(4)
of that Act. In addition, the following amounts may be
expended from the Fund for fiscal year 2020 for expenses
of operation and administration of the Black Lung Bene-
fits program, as authorized by section 9501(d)(5): not to
exceed $38,246,000 for transfer to the Office of Workers’
Compensation Programs, “Salaries and Expenses”; not to
exceed $32,844,000 for transfer to Departmental Manage-
ment, “Salaries and Expenses”; not to exceed $330,000
for transfer to Departmental Management, “Office of In-
spector General”; and not to exceed $356,000 for pay-
ments into miscellaneous receipts for the expenses of the
Department of the Treasury.
For necessary expenses for the Occupational Safety and Health Administration, $660,908,000, including not to exceed $123,233,000 which shall be the maximum amount available for grants to States under section 23(g) of the Occupational Safety and Health Act (the “Act”), which grants shall be no less than 50 percent of the costs of State occupational safety and health programs required to be incurred under plans approved by the Secretary under section 18 of the Act; and, in addition, notwithstanding 31 U.S.C. 3302, the Occupational Safety and Health Administration may retain up to $499,000 per fiscal year of training institute course tuition and fees, otherwise authorized by law to be collected, and may utilize such sums for occupational safety and health training and education: Provided, That notwithstanding 31 U.S.C. 3302, the Secretary is authorized, during the fiscal year ending September 30, 2020, to collect and retain fees for services provided to Nationally Recognized Testing Laboratories, and may utilize such sums, in accordance with the provisions of 29 U.S.C. 9a, to administer national and international laboratory recognition programs that ensure the safety of equipment and products used by workers in the workplace: Provided further, That $12,690,000 shall
be available for Susan Harwood training grants, of which not less than $4,500,000 is for Susan Harwood Training Capacity Building Developmental grants, as described in Funding Opportunity Number SHTG–FY–16–02 (referenced in the notice of availability of funds published in the Federal Register on May 3, 2016 (81 Fed. Reg. 30568)) for program activities starting not later than September 30, 2020 and lasting for a period of 12 months: Provided further, That not more than $3,500,000 shall be for Voluntary Protection Programs.

MINE SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Mine Safety and Health Administration, $417,290,000, including purchase and bestowal of certificates and trophies in connection with mine rescue and first-aid work, and the hire of passenger motor vehicles, including up to $2,000,000 for mine rescue and recovery activities and not less than $10,537,000 for State assistance grants: Provided, That notwithstanding 31 U.S.C. 3302, not to exceed $750,000 may be collected by the National Mine Health and Safety Academy for room, board, tuition, and the sale of training materials, otherwise authorized by law to be collected, to be available for mine safety and health education and training activities: Provided further, That notwithstanding
31 U.S.C. 3302, the Mine Safety and Health Administration is authorized to collect and retain up to $2,499,000 from fees collected for the approval and certification of equipment, materials, and explosives for use in mines, and may utilize such sums for such activities: Provided further, That the Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private: Provided further, That the Mine Safety and Health Administration is authorized to promote health and safety education and training in the mining community through cooperative programs with States, industry, and safety associations: Provided further, That the Secretary is authorized to recognize the Joseph A. Holmes Safety Association as a principal safety association and, notwithstanding any other provision of law, may provide funds and, with or without reimbursement, personnel, including service of Mine Safety and Health Administration officials as officers in local chapters or in the national organization: Provided further, That any funds available to the Department of Labor may be used, with the approval of the Secretary, to provide for the costs of mine rescue and survival operations in the event of a major disaster.
BUREAU OF LABOR STATISTICS

SALARIES AND EXPENSES

For necessary expenses for the Bureau of Labor Statistics, including advances or reimbursements to State, Federal, and local agencies and their employees for services rendered, $600,800,000 (reduced by $1,000,000) (increased by $1,000,000) (increased by $1) (reduced by $1), together with not to exceed $65,000,000 which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

In addition, $10,000,000 to remain available until September 30, 2024, for costs associated with the physical move of the Bureau of Labor Statistics’ headquarters, including replication of space, furniture, fixtures, equipment, and related costs, as well as relocation of the data center to a shared facility.

OFFICE OF DISABILITY EMPLOYMENT POLICY

SALARIES AND EXPENSES

For necessary expenses for the Office of Disability Employment Policy to provide leadership, develop policy and initiatives, and award grants furthering the objective of eliminating barriers to the training and employment of people with disabilities, $38,500,000.
DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for Departmental Management, including the hire of three passenger motor vehicles, $382,631,000, together with not to exceed $308,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund: Provided, That $89,825,000 for the Bureau of International Labor Affairs shall be available for obligation through December 31, 2020: Provided further, That funds available to the Bureau of International Labor Affairs may be used to administer or operate international labor activities, bilateral and multilateral technical assistance, and microfinance programs, by or through contracts, grants, subgrants and other arrangements: Provided further, That not more than $53,825,000 shall be for programs to combat exploitative child labor internationally and not less than $36,000,000 shall be used to implement model programs that address worker rights issues through technical assistance in countries with which the United States has free trade agreements or trade preference programs: Provided further, That $8,040,000 shall be used for program evaluation and shall be available for obligation through September 30, 2021: Provided further, That
funds available for program evaluation may be used to administer grants for the purpose of evaluation: *Provided further*, That grants made for the purpose of evaluation shall be awarded through fair and open competition: *Provided further*, That funds available for program evaluation may be transferred to any other appropriate account in the Department for such purpose: *Provided further*, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer: *Provided further*, That the funds available to the Women’s Bureau may be used for grants to serve and promote the interests of women in the workforce: *Provided further*, That of the amounts made available to the Women’s Bureau, not less than $4,994,000 shall be used for grants authorized by the Women in Apprenticeship and Nontraditional Occupations Act.

**VETERANS EMPLOYMENT AND TRAINING**

Not to exceed $256,341,000 may be derived from the Employment Security Administration account in the Unemployment Trust Fund to carry out the provisions of chapters 41, 42, and 43 of title 38, United States Code, of which:

(1) $180,000,000 is for Jobs for Veterans State grants under 38 U.S.C. 4102A(b)(5) to support dis-
abled veterans’ outreach program specialists under
section 4103A of such title and local veterans’ em-
ployment representatives under section 4104(b) of
such title, and for the expenses described in section
4102A(b)(5)(C), which shall be available for obliga-
tion by the States through December 31, 2020, and
not to exceed 3 percent for the necessary Federal ex-
penditures for data systems and contract support to
allow for the tracking of participant and perform-
ance information: Provided, That, in addition, such
funds may be used to support such specialists and
representatives in the provision of services to
transitioning members of the Armed Forces who
have participated in the Transition Assistance Pro-
gram and have been identified as in need of inten-
sive services, to members of the Armed Forces who
are wounded, ill, or injured and receiving treatment
in military treatment facilities or warrior transition
units, and to the spouses or other family caregivers
of such wounded, ill, or injured members;

(2) $29,379,000 is for carrying out the Transi-
tion Assistance Program under 38 U.S.C. 4113 and
10 U.S.C. 1144;

(3) $43,548,000 is for Federal administration
of chapters 41, 42, and 43 of title 38, and sections
2021, 2021A and 2023 of title 38, United States Code: *Provided*, That, up to $500,000 may be used to carry out the Hire VETS Act (division O of Public Law 115–31); and

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

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

In addition, from the General Fund of the Treasury, $60,000,000 is for carrying out programs to assist homeless veterans and veterans at risk of homelessness who are transitioning from certain institutions under sections 2021, 2021A, and 2023 of title 38, United States Code: *Provided*, That notwithstanding subsections (c)(3) and (d) of section 2023, the Secretary may award grants through September 30, 2020, to provide services under such section: *Provided further*, That services provided under sections 2021 or under 2021A may include, in addition to services to homeless veterans described in section 2002(a)(1), services to veterans who were homeless at some point within the 60 days prior to program entry or veterans who are at risk of homelessness within the next
60 days, and that services provided under section 2023 may include, in addition to services to the individuals described in subsection (e) of such section, services to veterans recently released from incarceration who are at risk of homelessness: Provided further, That notwithstanding paragraph (3) under this heading, funds appropriated in this paragraph may be used for data systems and contract support to allow for the tracking of participant and performance information: Provided further, That notwithstanding sections 2021(e)(2) and 2021A(f)(2) of title 38, United States Code, such funds shall be available for expenditure pursuant to 31 U.S.C. 1553.

In addition, fees may be assessed and deposited in the HIRE Vets Medallion Award Fund pursuant to section 5(b) of the HIRE Vets Act, and such amounts shall be available to the Secretary to carry out the HIRE Vets Medallion Award Program, as authorized by such Act, and shall remain available until expended: Provided, That such sums shall be in addition to any other funds available for such purposes, including funds available under paragraph (3) of this heading: Provided further, That section 2(d) of division O of the Consolidated Appropriations Act, 2017 (Public Law 115–31; 38 U.S.C. 4100 note) shall not apply.
INFORMATION TECHNOLOGY MODERNIZATION

For necessary expenses for Department of Labor centralized infrastructure technology investment activities related to support systems and modernization, $37,000,000, which shall be available through September 30, 2021.

OFFICE OF INSPECTOR GENERAL

For salaries and expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $90,461,000, together with not to exceed $5,660,000 which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

GENERAL PROVISIONS

Sec. 101. None of the funds appropriated by this Act for the Job Corps shall be used to pay the salary and bonuses of an individual, either as direct costs or any proration as an indirect cost, at a rate in excess of Executive Level II.

(TRANSFER OF FUNDS)

Sec. 102. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985) which are appropriated for the current fiscal year for the Department of Labor in this Act may be transferred between a program, project, or activity, but no such program, project, or activ-
ity shall be increased by more than 3 percent by any such transfer: *Provided*, That the transfer authority granted by this section shall be available only to meet emergency needs and shall not be used to create any new program or to fund any project or activity for which no funds are provided in this Act: *Provided further*, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

**SEC. 103.** In accordance with Executive Order No. 13126, none of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended for the procurement of goods mined, produced, manufactured, or harvested or services rendered, in whole or in part, by forced or indentured child labor in industries and host countries already identified by the United States Department of Labor prior to enactment of this Act.

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

Sec. 105. None of the funds made available by this
Act under the heading “Employment and Training Ad-
ministration” shall be used by a recipient or subrecipient
of such funds to pay the salary and bonuses of an indi-
vidual, either as direct costs or indirect costs, at a rate
in excess of Executive Level II. This limitation shall not
apply to vendors providing goods and services as defined
in Office of Management and Budget Circular A–133.

Where States are recipients of such funds, States may es-
tablish a lower limit for salaries and bonuses of those re-
ceiving salaries and bonuses from subrecipients of such
funds, taking into account factors including the relative
cost-of-living in the State, the compensation levels for
comparable State or local government employees, and the
size of the organizations that administer Federal pro-
grams involved including Employment and Training Ad-
ministration programs.

(TRANSFER OF FUNDS)

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

(b) Notwithstanding section 102, the Secretary may
transfer not more than 0.5 percent of each discretionay
appropriation made available to the Employment and
Training Administration by this Act to “Program Admin-
istration” in order to carry out program integrity activities
relating to any of the programs or activities that are fund-
ed under any such discretionay appropriations: Provided,
That notwithstanding section 102 and the preceding pro-
viso, the Secretary may transfer not more than 0.5 percent
of funds made available in paragraphs (1) and (2) of the
“Office of Job Corps” account to paragraph (3) of such
account to carry out program integrity activities related
to the Job Corps program: Provided further, That funds
transferred under the authority provided by this sub-
section shall be available for obligation through September
30, 2021.

(TRANSFER OF FUNDS)

SEC. 107. (a) The Secretary may reserve not more
than 0.75 percent from each appropriation made available
in this Act identified in subsection (b) in order to carry
out evaluations of any of the programs or activities that
are funded under such accounts. Any funds reserved under 
this section shall be transferred to “Departmental Man-
agement” for use by the Office of the Chief Evaluation 
Officer within the Department of Labor, and shall be 
available for obligation through September 30, 2021: Pro-
vided, That such funds shall only be available if the Chief 
Evaluation Officer of the Department of Labor submits 
a plan to the Committees on Appropriations of the House 
of Representatives and the Senate describing the evalua-
tions to be carried out 15 days in advance of any transfer. 
(b) The accounts referred to in subsection (a) are: 
“Training and Employment Services”, “Job Corps”, 
“Community Service Employment for Older Americans”, 
“State Unemployment Insurance and Employment Service 
Operations”, “Employee Benefits Security Administra-
tion”, “Office of Workers’ Compensation Programs”, 
“Wage and Hour Division”, “Office of Federal Contract 
Compliance Programs”, “Office of Labor Management 
Standards”, “Occupational Safety and Health Adminis-
tration”, “Mine Safety and Health Administration”, “Of-
fice of Disability Employment Policy”, funding made 
available to the “Bureau of International Labor Affairs” 
and “Women’s Bureau” within the “Departmental Man-
agement, Salaries and Expenses” account, and “Veterans 
Employment and Training”.
SEC. 108. Notwithstanding any other provision of law, the Secretary may furnish through grants, cooperative agreements, contracts, and other arrangements, up to $2,000,000 of excess personal property, at a value determined by the Secretary, to apprenticeship programs for the purpose of training apprentices in those programs.

SEC. 109. Funds made available in prior Acts under the heading “Department of Labor—Employment and Training Administration—State Unemployment Insurance and Employment Service Operations” for fiscal years 2015 through 2019 for automation acquisitions that are being carried out through consortia of States shall be available for expenditure for 6 fiscal years after the final fiscal year that such funds are available to incur new obligations.

SEC. 110. (a) The Act entitled “An Act to create a Department of Labor”, approved March 4, 1913 (37 Stat. 736, chapter 141) shall be applied as if the following text is part of such Act:

“(a) IN GENERAL.—The Secretary of Labor is authorized to employ law enforcement officers or special agents to—

“(1) provide protection for the Secretary of Labor during the workday of the Secretary and during any activity that is preliminary or postliminary
to the performance of official duties by the Secretary;

“(2) provide protection, incidental to the protection provided to the Secretary, to a member of the immediate family of the Secretary who is participating in an activity or event relating to the official duties of the Secretary;

“(3) provide continuous protection to the Secretary (including during periods not described in paragraph (1)) and to the members of the immediate family of the Secretary if there is a unique and articulable threat of physical harm, in accordance with guidelines established by the Secretary; and

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

“(b) AUTHORITIES.—The Secretary of Labor may authorize a law enforcement officer or special agent employed under subsection (a), for the purpose of performing the duties authorized under subsection (a), to—

“(1) carry firearms;
“(2) make arrests without a warrant for any offense against the United States committed in the presence of such officer or special agent;

“(3) perform protective intelligence work, including identifying and mitigating potential threats and conducting advance work to review security matters relating to sites and events;

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

“(5) initiate criminal and other investigations into potential threats to the security of the Secretary, in coordination with the Inspector General of the Department of Labor.

“(c) COMPLIANCE WITH GUIDELINES.—A law enforcement officer or special agent employed under subsection (a) shall exercise any authority provided under this section in accordance with any—

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

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

(b) This section shall be effective on the date of enactment of this Act.

SEC. 111. The Secretary is authorized to dispose of or divest, by any means the Secretary determines appro-
appropriate, including an agreement or partnership to construct a new Job Corps center, all or a portion of the real property on which the Treasure Island Job Corps Center is situated. Any sale or other disposition will not be subject to any requirement of any Federal law or regulation relating to the disposition of Federal real property, including but not limited to subchapter III of chapter 5 of title 40 of the United States Code and subchapter V of chapter 119 of title 42 of the United States Code. The net proceeds of such a sale shall be transferred to the Secretary, which shall be available until expended to carry out the Job Corps Program on Treasure Island.

SEC. 112. Notwithstanding the Federal Assets Sale and Transfer Act of 2016 (Public Law 114–287), the proceeds from the sale of any Job Corps facility under such Act shall be transferred to the Secretary pursuant to section 158(g) of the WIOA.

This title may be cited as the “Department of Labor Appropriations Act, 2020”.
TITLE II

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

PRIMARY HEALTH CARE

For carrying out titles II and III of the Public Health Service Act (referred to in this Act as the “PHS Act”) with respect to primary health care and the Native Hawaiian Health Care Act of 1988, $1,676,522,000 (increased by $5,000,000): Provided, That no more than $1,000,000 shall be available until expended for carrying out the provisions of section 224(o) of the PHS Act: Provided further, That no more than $120,000,000 shall be available until expended for carrying out subsections (g) through (n) and (q) of section 224 of the PHS Act, and for expenses incurred by the Department of Health and Human Services (referred to in this Act as “HHS”) pertaining to administrative claims made under such law.

HEALTH WORKFORCE

For carrying out titles III, VII, and VIII of the PHS Act with respect to the health workforce, sections 1128E and 1921 of the Social Security Act, and the Health Care Quality Improvement Act of 1986, $1,244,942,000 (reduced by $1) (increased by $1) (increased by $5,000,000): Provided, That sections 751(j)(2) and 762(k) of the PHS
Act and the proportional funding amounts in paragraphs (1) through (4) of section 756(f) of the PHS Act shall not apply to funds made available under this heading: Provided further, That for any program operating under section 751 of the PHS Act on or before January 1, 2009, the Secretary of Health and Human Services (referred to in this title as the “Secretary”) may hereafter waive any of the requirements contained in sections 751(d)(2)(A) and 751(d)(2)(B) of such Act for the full project period of a grant under such section: Provided further, That no funds shall be available for section 340G–1 of the PHS Act: Provided further, That fees collected for the disclosure of information under section 427(b) of the Health Care Quality Improvement Act of 1986 and sections 1128E(d)(2) and 1921 of the Social Security Act shall be sufficient to recover the full costs of operating the programs authorized by such sections and shall remain available until expended for the National Practitioner Data Bank: Provided further, That funds transferred to this account to carry out section 846 and subpart 3 of part D of title III of the PHS Act may be used to make prior year adjustments to awards made under such section and subpart: Provided further, That $120,000,000 shall remain available until expended for the purposes of providing primary health services, assigning National Health
Service Corps ("NHSC") members to expand the delivery of substance use disorder treatment services, notwithstanding the assignment priorities and limitations under sections 333(a)(1)(D), 333(b), and 333A(a)(1)(B)(ii) of the PHS Act, and making payments under the NHSC Loan Repayment Program under section 338B of such Act: Provided further, That, within the amount made available in the previous proviso, $15,000,000 shall remain available until expended for the purposes of making payments under the NHSC Loan Repayment Program under section 338B of the PHS Act to individuals participating in such program who provide primary health services in Indian Health Service facilities, Tribally-Operated 638 Health Programs, and Urban Indian Health Programs (as those terms are defined by the Secretary), notwithstanding the assignment priorities and limitations under section 333(b) of such Act: Provided further, That for purposes of the previous two provisos, section 331(a)(3)(D) of the PHS Act shall be applied as if the term "primary health services" includes clinical substance use disorder treatment services, including those provided by masters level, licensed substance use disorder treatment counselors: Provided further, That of the funds made available under this heading, $20,000,000 shall be available to make grants to establish or expand optional com-
community-based nurse practitioner fellowship programs that are accredited or in the accreditation process, with a preference for those in Federally Qualified Health Centers, for practicing postgraduate nurse practitioners in primary care or behavioral health.

Of the funds made available under this heading, $40,000,000 shall remain available until expended for grants to public institutions of higher education to expand or support graduate education for physicians provided by such institutions: Provided, That, in awarding such grants, the Secretary shall give priority to public institutions of higher education located in States with a projected primary care provider shortage in 2025, as determined by the Secretary: Provided further, That grants so awarded are limited to such public institutions of higher education in States in the top quintile of States with a projected primary care provider shortage in 2025, as determined by the Secretary: Provided further, That the minimum amount of a grant so awarded to such an institution shall be not less than $1,000,000 per year: Provided further, That such a grant may be awarded for a period not to exceed 5 years: Provided further, That such a grant awarded with respect to a year to such an institution shall be subject to a matching requirement of non-Federal funds in an amount that is not less than 10 percent of the total
amount of Federal funds provided in the grant to such
institution with respect to such year.

MATERNAL AND CHILD HEALTH

For carrying out titles III, XI, XII, and XIX of the
PHS Act with respect to maternal and child health, title
V of the Social Security Act, $972,751,000 (increased by
$7,000,000): Provided, That notwithstanding sections
502(a)(1) and 502(b)(1) of the Social Security Act, not
more than $119,593,000 (increased by $7,000,000) shall
be available for carrying out special projects of regional
and national significance pursuant to section 501(a)(2) of
such Act and $10,276,000 shall be available for projects
described in subparagraphs (A) through (F) of section
501(a)(3) of such Act.

RYAN WHITE HIV/AIDS PROGRAM

For carrying out title XXVI of the PHS Act with
respect to the Ryan White HIV/AIDS program,
$2,435,157,000, of which $2,009,200,000 shall remain
available to the Secretary through September 30, 2022,
for parts A and B of title XXVI of the PHS Act, and
of which not less than $912,017,000 shall be for State
AIDS Drug Assistance Programs under the authority of
section 2616 or 311(c) of such Act: Provided, That of the
funds made available under this heading, $175,000,000
shall be for the Minority AIDS Initiative under section
2693 of such Act, of which $56,664,000 shall be allocated
under subsection (b)(2)(A) of such section and
$74,376,000 shall be allocated under subsection (b)(2)(C)
of such section: Provided further, That of the funds made
available under this heading, $70,000,000, to remain
available until expended, shall be available to the Secretary
for carrying out a program of grants and contracts under
title XXVI or section 311(c) of such Act focused on ending
the nationwide HIV/AIDS epidemic, with any grants
issued under such section 311(c) administered in conjunc-
tion with title XXVI of the PHS Act, including the limitation on administrative expenses.

HEALTH CARE SYSTEMS

For carrying out titles III and XII of the PHS Act
with respect to health care systems, and the Stem Cell
Therapeutic and Research Act of 2005, $123,693,000, of
which $122,000 shall be available until expended for facili-
ties renovations at the Gillis W. Long Hansen’s Disease
Center.

RURAL HEALTH

For carrying out titles III and IV of the PHS Act
with respect to rural health, section 427(a) of the Federal
Coal Mine Health and Safety Act of 1969, and sections
711 and 1820 of the Social Security Act, $317,794,000
(increased by $1,000,000), of which $59,000,000 from
general revenues, notwithstanding section 1820(j) of the
Social Security Act, shall be available for carrying out the
Medicare rural hospital flexibility grants program: Pro-
vided, That of the funds made available under this heading
for Medicare rural hospital flexibility grants, $19,942,000
shall be available for the Small Rural Hospital Improve-
ment Grant Program for quality improvement and adop-
tion of health information technology and up to
$1,000,000 shall be to carry out section 1820(g)(6) of the
Social Security Act, with funds provided for grants under
section 1820(g)(6) available for the purchase and imple-
mentation of telehealth services, including pilots and dem-
onstrations on the use of electronic health records to co-
ordinate rural veterans care between rural providers and
the Department of Veterans Affairs electronic health
record system: Provided further, That notwithstanding
section 338J(k) of the PHS Act, $12,500,000 shall be
available for State Offices of Rural Health: Provided fur-
ther, That $10,000,000 shall remain available through
September 30, 2022, to support the Rural Residency De-
velopment Program.

FAMILY PLANNING

For carrying out the program under title X of the
PHS Act to provide for voluntary family planning
projects, $400,000,000: Provided, That the Secretary shall
carry out section 1001 of the PHS Act solely in accordance with any regulations or other conditions or instructions established by the Secretary pursuant to the authority under section 1006 of the PHS Act that applied as of January 18, 2017, to grants and contracts awarded under section 1001 of the PHS Act: Provided further, that amounts provided to said projects under such title shall not be expended for abortions, that all pregnancy counseling shall be nondirective, and that such amounts shall not be expended for any activity (including the publication or distribution of literature) that in any way tends to promote public support or opposition to any legislative proposal or candidate for public office.

PROGRAM MANAGEMENT

For program support in the Health Resources and Services Administration, $155,250,000 (reduced by $7,000,000) (reduced by $1,000,000) (increased by $1,000,000) (increased by $1,000,000): Provided, That funds made available under this heading may be used to supplement program support funding provided under the headings “Primary Health Care”, “Health Workforce”, “Maternal and Child Health”, “Ryan White HIV/AIDS Program”, “Health Care Systems”, and “Rural Health”.
For payments from the Vaccine Injury Compensation Program Trust Fund (the “Trust Fund”), such sums as may be necessary for claims associated with vaccine-related injury or death with respect to vaccines administered after September 30, 1988, pursuant to subtitle 2 of title XXI of the PHS Act, to remain available until expended: Provided, That for necessary administrative expenses, not to exceed $11,200,000 shall be available from the Trust Fund to the Secretary.

Centers for Disease Control and Prevention

Immunization and Respiratory Diseases

For carrying out titles II, III, XVII, and XXI, and section 2821 of the PHS Act, titles II and IV of the Immigration and Nationality Act, and section 501 of the Refugee Education Assistance Act, with respect to immunization and respiratory diseases, $499,758,000.

HIV/AIDS, Viral Hepatitis, Sexually Transmitted Diseases, and Tuberculosis Prevention

For carrying out titles II, III, XVII, and XXIII of the PHS Act with respect to HIV/AIDS, viral hepatitis, sexually transmitted diseases, and tuberculosis prevention, $1,335,197,000 (increased by $15,000,000).
EMERGING AND ZOONOTIC INFECTIOUS DISEASES

For carrying out titles II, III, and XVII, and section 2821 of the PHS Act, titles II and IV of the Immigration and Nationality Act, and section 501 of the Refugee Education Assistance Act, with respect to emerging and zoonotic infectious diseases, $592,622,000 (increased by $1,000,000) (increased by $1,000,000): Provided, That of the funds made available under this heading to pay for the transportation, medical care, treatment, and other related costs of persons quarantined or isolated under Federal or State quarantine law, up to $1,000,000 shall remain available until expended.

CHRONIC DISEASE PREVENTION AND HEALTH PROMOTION

For carrying out titles II, III, XI, XV, XVII, and XIX of the PHS Act with respect to chronic disease prevention and health promotion, $1,080,121,000 (increased by $500,000) (increased by $3,000,000): Provided, That funds made available under this heading may be available for making grants under section 1509 of the PHS Act for not less than 21 States, tribes, or tribal organizations: Provided further, That of the funds made available under this heading, $15,000,000 shall be available to continue and expand community specific extension and outreach programs to combat obesity in counties with the highest
levels of obesity: *Provided further,* That the proportional
funding requirements under section 1503(a) of the PHS
Act shall not apply to funds made available under this
heading.

**BIRTH DEFECTS, DEVELOPMENTAL DISABILITIES, DISABILITIES AND HEALTH**

For carrying out titles II, III, XI, and XVII of the PHS Act with respect to birth defects, developmental dis-
abilities, disabilities and health, $161,560,000 (increased
by $2,000,000) (increased by $2,000,000).

**PUBLIC HEALTH SCIENTIFIC SERVICES**

For carrying out titles II, III, and XVII of the PHS Act with respect to health statistics, surveillance, health
informatics, and workforce development, $603,897,000.

**ENVIRONMENTAL HEALTH**

For carrying out titles II, III, and XVII of the PHS Act with respect to environmental health, $226,350,000.

**INJURY PREVENTION AND CONTROL**

For carrying out titles II, III, and XVII of the PHS Act with respect to injury prevention and control,
$697,559,000 (increased by $4,500,000) (increased by
$5,570,000) (reduced by $5,000,000) (increased by
$5,000,000) (increased by $2,000,000), of which
$25,000,000 is provided for firearm injury and mortality
prevention research.
NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND
HEALTH

For carrying out titles II, III, and XVII of the PHS Act, sections 101, 102, 103, 201, 202, 203, 301, and 501 of the Federal Mine Safety and Health Act, section 13 of the Mine Improvement and New Emergency Response Act, and sections 20, 21, and 22 of the Occupational Safety and Health Act, with respect to occupational safety and health, $346,300,000 (increased by $900,000).

ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM

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

GLOBAL HEALTH

For carrying out titles II, III, and XVII of the PHS Act with respect to global health, $523,621,000, of which: (1) $128,421,000 shall remain available through September 30, 2021, for international HIV/AIDS; and (2) $99,762,000 shall be available for global public health protection: Provided, That funds may be used for purchase
1 and insurance of official motor vehicles in foreign coun-
	ries.

PUBLIC HEALTH PREPAREDNESS AND RESPONSE

For carrying out titles II, III, and XVII of the PHS Act with respect to public health preparedness and re-

response, and for expenses necessary to support activities related to countering potential biological, nuclear, radi-

ological, and chemical threats to civilian populations,

$880,200,000: Provided, That the Director of the Centers for Disease Control and Prevention (referred to in this title as “CDC”) or the Administrator of the Agency for Toxic Substances and Disease Registry may detail staff without reimbursement for up to 180 days to support an activation of the CDC Emergency Operations Center, so long as the Director or Administrator, as applicable, pro-

vides a notice to the Committees on Appropriations of the House of Representatives and the Senate within 15 days of the use of this authority and a full report within 30 days after use of this authority which includes the number of staff and funding level broken down by the originating center and number of days detailed.

BUILDINGS AND FACILITIES

(INCLUDING TRANSFER OF FUNDS)

For acquisition of real property, equipment, construc-
tion, installation, demolition, and renovation of facilities,
$30,000,000, which shall remain available until September 30, 2024: Provided, That in addition to the amount provided, for a new CDC research support building and all related material handling, utility, transportation, and personnel support infrastructure at the Chamblee campus, including necessary acquisition of real property, equipment, construction, demolition, installation, activation, renovation, and improvements, $225,000,000, which shall be derived by transfer from the Fund established by Public Law 110–161, division G, title II, section 223 and shall remain available until September 30, 2024: Provided further, That funds previously set aside by CDC for repair and upgrade of the Lake Lynn Experimental Mine and Laboratory shall be used to acquire a replacement mine safety research facility: Provided further, That in addition, the prior year unobligated balance of any amounts assigned to former employees in accounts of CDC made available for Individual Learning Accounts shall be credited to and merged with the amounts made available under this heading to support the replacement of the mine safety research facility.

CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT

(INCLUDING TRANSFER OF FUNDS)

For carrying out titles II, III, XVII and XIX, and section 2821 of the PHS Act and for cross-cutting activi-
ties and program support for activities funded in other appropriations included in this Act for the Centers for Disease Control and Prevention, $163,570,000 (reduced by $500,000), of which up to $10,000,000 (reduced by $500,000) may be transferred to the reserve of the Working Capital Fund authorized under this heading in division F of Public Law 112–74: Provided, That paragraphs (1) through (3) of subsection (b) of section 2821 of the PHS Act shall not apply to funds appropriated under this heading and in all other accounts of the CDC: Provided further, That of the amounts made available under this heading, $50,000,000 shall be transferred to and merged with the Infectious Diseases Rapid Response Reserve Fund established by section 231 of division B of Public Law 115–245: Provided further, That any funds made available by this Act to the Centers for Disease Control and Prevention may be used to support the purchase, hire, maintenance, and operation of an aircraft for use and support of the activities of CDC: Provided further, That employees of CDC or the Public Health Service, both civilian and commissioned officers, detailed to States, municipalities, or other organizations under authority of section 214 of the PHS Act, or in overseas assignments, shall be treated as non-Federal employees for reporting purposes only and shall not be included within any personnel ceiling applica-
ble to the Agency, Service, or HHS during the period of detail or assignment: Provided further, That CDC may use up to $10,000 from amounts appropriated to CDC in this Act for official reception and representation expenses when specifically approved by the Director of CDC: Provided further, That in addition, such sums as may be derived from authorized user fees, which shall be credited to the appropriation charged with the cost thereof: Provided further, That with respect to the previous proviso, authorized user fees from the Vessel Sanitation Program and the Respirator Certification Program shall be available through September 30, 2021.

NATIONAL INSTITUTES OF HEALTH

NATIONAL CANCER INSTITUTE

For carrying out section 301 and title IV of the PHS Act with respect to cancer, $6,249,165,000 (reduced by $1,000,000) (increased by $1,000,000), of which up to $30,000,000 may be used for facilities repairs and improvements at the National Cancer Institute—Frederick Federally Funded Research and Development Center in Frederick, Maryland.

NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

For carrying out section 301 and title IV of the PHS Act with respect to cardiovascular, lung, and blood diseases, and blood and blood products, $3,658,822,000.
NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL RESEARCH

For carrying out section 301 and title IV of the PHS Act with respect to dental and craniofacial diseases, $484,350,000.

NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND KIDNEY DISEASES

For carrying out section 301 and title IV of the PHS Act with respect to diabetes and digestive and kidney disease, $2,129,027,000 (reduced by $10,000,000) (increased by $10,000,000).

NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND STROKE

For carrying out section 301 and title IV of the PHS Act with respect to neurological disorders and stroke, $2,315,571,000.

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

For carrying out section 301 and title IV of the PHS Act with respect to allergy and infectious diseases, $5,808,268,000 (increased by $3,000,000).

NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

For carrying out section 301 and title IV of the PHS Act with respect to general medical sciences, $3,033,183,000, of which $1,146,821,000 shall be from
funds available under section 241 of the PHS Act: Provided, That not less than $381,573,000 is provided for the Institutional Development Awards program.

EUNICE KENNEDY SHRIVER NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

For carrying out section 301 and title IV of the PHS Act with respect to child health and human development, $1,580,084,000.

NATIONAL EYE INSTITUTE

For carrying out section 301 and title IV of the PHS Act with respect to eye diseases and visual disorders, $835,465,000.

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For carrying out section 301 and title IV of the PHS Act with respect to environmental health sciences, $812,570,000 (reduced by $6,250,000) (increased by $6,250,000).

NATIONAL INSTITUTE ON AGING

For carrying out section 301 and title IV of the PHS Act with respect to aging, $3,286,107,000 (increased by $70,000,000).
NATIONAL INSTITUTE OF ARTHRITIS AND
MUSCULOSKELETAL AND SKIN DISEASES
For carrying out section 301 and title IV of the PHS
Act with respect to arthritis and musculoskeletal and skin
diseases, $634,637,000.

NATIONAL INSTITUTE ON DEAFNESS AND OTHER
COMMUNICATION DISORDERS
For carrying out section 301 and title IV of the PHS
Act with respect to deafness and other communication dis-
orders, $497,590,000.

NATIONAL INSTITUTE OF NURSING RESEARCH
For carrying out section 301 and title IV of the PHS
Act with respect to nursing research, $170,958,000.

NATIONAL INSTITUTE ON ALCOHOL ABUSE AND
ALCOHOLISM
For carrying out section 301 and title IV of the PHS
Act with respect to alcohol abuse and alcoholism,
$551,278,000.

NATIONAL INSTITUTE ON DRUG ABUSE
For carrying out section 301 and title IV of the PHS
Act with respect to drug abuse, $1,489,237,000.

NATIONAL INSTITUTE OF MENTAL HEALTH
For carrying out section 301 and title IV of the PHS
Act with respect to mental health, $1,891,704,000.
NATIONAL HUMAN GENOME RESEARCH INSTITUTE

For carrying out section 301 and title IV of the PHS Act with respect to human genome research, $603,710,000.

NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND BIOENGINEERING

For carrying out section 301 and title IV of the PHS Act with respect to biomedical imaging and bioengineering research, $408,498,000.

NATIONAL CENTER FOR COMPLEMENTARY AND INTEGRATIVE HEALTH

For carrying out section 301 and title IV of the PHS Act with respect to complementary and integrative health, $153,632,000.

NATIONAL INSTITUTE ON MINORITY HEALTH AND HEALTH DISPARITIES

For carrying out section 301 and title IV of the PHS Act with respect to minority health and health disparities research, $341,244,000.

JOHN E. FOGARTY INTERNATIONAL CENTER

For carrying out the activities of the John E. Fogarty International Center (described in subpart 2 of part E of title IV of the PHS Act), $84,926,000.
NATIONAL LIBRARY OF MEDICINE

For carrying out section 301 and title IV of the PHS Act with respect to health information communications, $463,599,000: Provided, That of the amounts available for improvement of information systems, $4,000,000 shall be available until September 30, 2021: Provided further, That in fiscal year 2020, the National Library of Medicine may enter into personal services contracts for the provision of services in facilities owned, operated, or constructed under the jurisdiction of the National Institutes of Health (referred to in this title as “NIH”).

NATIONAL CENTER FOR ADVANCING TRANSLATIONAL SCIENCES

For carrying out section 301 and title IV of the PHS Act with respect to translational sciences, $845,783,000: Provided, That up to $80,000,000 shall be available to implement section 480 of the PHS Act, relating to the Cures Acceleration Network.

OFFICE OF THE DIRECTOR

For carrying out the responsibilities of the Office of the Director, NIH, $2,049,992,000 (reduced by $3,000,000): Provided, That funding shall be available for the purchase of not to exceed 29 passenger motor vehicles for replacement only: Provided further, That all funds credited to the NIH Management Fund shall remain avail-
able for 1 fiscal year after the fiscal year in which they are deposited: Provided further, That $165,000,000 shall be for the Environmental Influences on Child Health Outcomes study: Provided further, That $617,761,000 shall be available for the Common Fund established under section 402A(c)(1) of the PHS Act: Provided further, That of the funds provided, $10,000 shall be for official reception and representation expenses when specifically approved by the Director of the NIH: Provided further, That the Office of AIDS Research within the Office of the Director of the NIH may spend up to $8,000,000 to make grants for construction or renovation of facilities as provided for in section 2354(a)(5)(B) of the PHS Act: Provided further, That $25,000,000 shall be used to carry out section 404I of the PHS Act (42 U.S.C. 283K), relating to biomedical and behavioral research facilities.

In addition to other funds appropriated for the Common Fund established under section 402A(c) of the PHS Act, $12,600,000 is appropriated to the Common Fund from the 10-year Pediatric Research Initiative Fund described in section 9008 of title 26, United States Code, for the purpose of carrying out section 402(b)(7)(B)(ii) of the PHS Act (relating to pediatric research), as authorized in the Gabriella Miller Kids First Research Act.
BUILDINGS AND FACILITIES

For the study of, construction of, demolition of, renovation of, and acquisition of equipment for, facilities of or used by NIH, including the acquisition of real property, $200,000,000, to remain available through September 30, 2024.

NIH INNOVATION ACCOUNT, CURES ACT

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the purposes described in section 1001(b)(4) of the 21st Century Cures Act, in addition to amounts available for such purposes in the appropriations provided to the NIH in this Act, $492,000,000, to remain available until expended: Provided, That such amounts are appropriated pursuant to section 1001(b)(3) of such Act, are to be derived from amounts transferred under section 1001(b)(2)(A) of such Act, and may be transferred by the Director of the National Institutes of Health to other accounts of the National Institutes of Health solely for the purposes provided in such Act: Provided further, That upon a determination by the Director that funds transferred pursuant to the previous proviso are not necessary for the purposes provided, such amounts may be transferred back to the Account: Provided further, That the transfer authority pro-
vided under this heading is in addition to any other transfer authority provided by law.

**Substance Abuse and Mental Health Services Administration**

MENTAL HEALTH

For carrying out titles III, V, and XIX of the PHS Act with respect to mental health, the Protection and Advocacy for Individuals with Mental Illness Act, and section 224 of the Protecting Access to Medicare Act of 2014, $1,622,974,000 (increased by $5,000,000) (reduced by $5,000,000) (increased by $6,500,000) (reduced by $1) (increased by $1) (reduced by $500,000) (increased by $500,000) (increased by $2,000,000): Provided, That of the funds made available under this heading, $70,887,000 shall be for the National Child Traumatic Stress Initiative: Provided further, That notwithstanding section 520A(f)(2) of the PHS Act, no funds appropriated for carrying out section 520A shall be available for carrying out section 1971 of the PHS Act: Provided further, That in addition to amounts provided herein, $21,039,000 shall be available under section 241 of the PHS Act to supplement funds otherwise available for mental health activities and to carry out subpart I of part B of title XIX of the PHS Act to fund section 1920(b) technical assistance, national data, data collection and evaluation activities, and further
that the total available under this Act for section 1920(b) activities shall not exceed 5 percent of the amounts appropriated for subpart I of part B of title XIX: Provided further, That up to 10 percent of the amounts made available to carry out the Children’s Mental Health Services program may be used to carry out demonstration grants or contracts for early interventions with persons not more than 25 years of age at clinical high risk of developing a first episode of psychosis: Provided further, That section 520E(b)(2) of the PHS Act shall not apply to funds appropriated in this Act for fiscal year 2020: Provided further, That of the total amount each State receives for carrying out section 1911 of the PHS Act, the State shall expend at least 10 percent of such total amount to support evidence-based programs that address the needs of individuals with early serious mental illness, including psychotic disorders, regardless of the age at onset, and shall expend at least 5 percent of such total amount for evidence-based crisis care programs addressing the needs of individuals with serious mental illnesses and children with serious mental and emotional disturbances: Provided further, That $150,000,000 shall be available until September 30, 2022, for grants to communities and community organizations who meet criteria for Certified Community Behavioral Health Clinics pursuant to section 223(a) of Public Law
113–93: Provided further, That none of the funds provided for section 1911 of the PHS Act shall be subject to section 241 of such Act.

SUBSTANCE ABUSE TREATMENT

For carrying out titles III and V of the PHS Act with respect to substance abuse treatment, title XIX of such Act with respect to substance abuse treatment and prevention, and section 3203 of the Support for Patients and Communities Act, $3,761,056,000 (increased by $1) (reduced by $1) (increased by $10,000,000) (increased by $1,000,000) (increased by $20,000,000): Provided, That $1,500,000,000 shall be for State Opioid Response Grants for carrying out activities pertaining to opioids undertaken by the State agency responsible for administering the substance abuse prevention and treatment block grant under subpart II of part B of title XIX of the PHS Act (42 U.S.C. 300x–21 et seq.): Provided further, That of such amount $50,000,000 shall be made available to Indian Tribes or tribal organizations: Provided further, That 15 percent of the remaining amount shall be for the States with the highest mortality rate related to opioid use disorders: Provided further, That of the amounts provided for State Opioid Response Grants not more than 2 percent shall be available for Federal administrative expenses, training, technical assistance, and evaluation: Provided
further, That of the amount not reserved by the previous three provisos, the Secretary shall make allocations to States, territories, and the District of Columbia according to a formula using national survey results that the Secretary determines are the most objective and reliable measure of drug use and drug-related deaths: Provided further, That the Secretary shall submit the formula methodology to the Committees on Appropriations of the House of Representatives and the Senate not less than 15 days prior to publishing a Funding Opportunity Announcement: Provided further, That prevention and treatment activities funded through such grants may include education, treatment (including the provision of medication), behavioral health services for individuals in treatment programs, referral to treatment services, recovery support, and medical screening associated with such treatment: Provided further, That each State, as well as the District of Columbia, shall receive not less than $4,000,000: Provided further, That in addition to amounts provided herein, the following amounts shall be available under section 241 of the PHS Act: (1) $79,200,000 to carry out subpart II of part B of title XIX of the PHS Act to fund section 1935(b) technical assistance, national data, data collection and evaluation activities, and further that the total available under this Act for section 1935(b) activities shall not ex-
ceed 5 percent of the amounts appropriated for subpart II of part B of title XIX; and (2) $2,000,000 to evaluate substance abuse treatment programs: Provided further, That none of the funds provided for section 1921 of the PHS Act or State Opioid Response Grants shall be subject to section 241 of such Act: Provided further, That of the amount made available under this heading and not reserved by the preceding provisos, $10,000,000 shall be made available to carry out section 7091 of the SUPPORT for Patients and Communities Act (Public Law 115–271).

SUBSTANCE ABUSE PREVENTION

For carrying out titles III and V of the PHS Act with respect to substance abuse prevention, $212,469,000 (increased by $2,000,000).

HEALTH SURVEILLANCE AND PROGRAM SUPPORT

For program support and cross-cutting activities that supplement activities funded under the headings “Mental Health”, “Substance Abuse Treatment”, and “Substance Abuse Prevention” in carrying out titles III, V, and XIX of the PHS Act and the Protection and Advocacy for Individuals with Mental Illness Act in the Substance Abuse and Mental Health Services Administration, $128,830,000 (reduced by $10,000,000) (reduced by $1,000,000) (reduced by $6,500,000) (reduced by
Provided, That in addition to amounts provided herein, $31,428,000 shall be available under section 241 of the PHS Act to supplement funds available to carry out national surveys on drug abuse and mental health, to collect and analyze program data, and to conduct public awareness and technical assistance activities: Provided further, That, in addition, fees may be collected for the costs of publications, data, data tabulations, and data analysis completed under title V of the PHS Act and provided to a public or private entity upon request, which shall be credited to this appropriation and shall remain available until expended for such purposes: Provided further, That amounts made available in this Act for carrying out section 501(o) of the PHS Act shall remain available through September 30, 2021: Provided further, That funds made available under this heading may be used to supplement program support funding provided under the headings “Mental Health”, “Substance Abuse Treatment”, and “Substance Abuse Prevention”.

AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

HEALTHCARE RESEARCH AND QUALITY

For carrying out titles III and IX of the PHS Act, part A of title XI of the Social Security Act, and section 1013 of the Medicare Prescription Drug, Improvement,
and Modernization Act of 2003, $339,809,000: *Provided,*

That in addition to amounts provided herein, $18,408,000 shall be available from amounts available under section 241 of the PHS Act: *Provided further,* That section 947(c) of the PHS Act shall not apply in fiscal year 2020: *Provided further,* That in addition, amounts received from Freedom of Information Act fees, reimbursable and inter-agency agreements, and the sale of data shall be credited to this appropriation and shall remain available until September 30, 2021.

**Centers for Medicare and Medicaid Services**

**Grants to States for Medicaid**

For carrying out, except as otherwise provided, titles XI and XIX of the Social Security Act, $273,188,478,000, to remain available until expended.

In addition, for carrying out such titles after May 31, 2020, for the last quarter of fiscal year 2020 for unanticipated costs incurred for the current fiscal year, such sums as may be necessary, to remain available until expended.

In addition, for carrying out such titles for the first quarter of fiscal year 2021, $139,903,075,000, to remain available until expended.

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

PAYMENTS TO THE HEALTH CARE TRUST FUNDS

For payment to the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund, as provided under sections 217(g), 1844, and 1860D–16 of the Social Security Act, sections 103(c) and 111(d) of the Social Security Amendments of 1965, section 278(d)(3) of Public Law 97–248, and for administrative expenses incurred pursuant to section 201(g) of the Social Security Act, $410,796,100,000.

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

PROGRAM MANAGEMENT

For carrying out, except as otherwise provided, titles XI, XVIII, XIX, and XXI of the Social Security Act, titles XIII and XXVII of the PHS Act, the Clinical Laboratory Improvement Amendments of 1988, and other responsibilities of the Centers for Medicare & Medicaid Services, not to exceed $3,984,744,000 (reduced by $4,500,000) (reduced by $5,000,000), to be transferred from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund, as authorized by
section 201(g) of the Social Security Act; together with all funds collected in accordance with section 353 of the PHS Act and section 1857(e)(2) of the Social Security Act, funds retained by the Secretary pursuant to section 1893(h) of the Social Security Act, and such sums as may be collected from authorized user fees and the sale of data, which shall be credited to this account and remain available until expended: Provided, That all funds derived in accordance with 31 U.S.C. 9701 from organizations established under title XIII of the PHS Act shall be credited to and available for carrying out the purposes of this appropriation: Provided further, That the Secretary is directed to collect fees in fiscal year 2020 from Medicare Advantage organizations pursuant to section 1857(e)(2) of the Social Security Act and from eligible organizations with risk-sharing contracts under section 1876 of that Act pursuant to section 1876(k)(4)(D) of that Act: Provided further, That amounts available under this heading for quality improvement organizations (as defined in section 1152 of the Social Security Act) may not exceed the amount provided under this heading in division H of the Consolidated Appropriations Act, 2018 (Public Law 115–141) for such organizations.

In addition, the Secretary shall obligate not less than $100,000,000 in fiscal year 2020 out of amounts collected
through the user fees on participating health insurance issuers pursuant to section 156.50 of title 45, Code of Federal Regulations (or any successor regulations) to carry out the navigator program (as described in section 1311(i) of the Patient Protection and Affordable Care Act (42 U.S.C. 18031(i)), and to carry out outreach and educational activities, for purposes of informing potential enrollees in qualified health plans (as defined in section 1301(a) of such Act (42 U.S.C. 18021(a)) offered through an Exchange established or operated by the Secretary within a State, of the availability of coverage under such plans and financial assistance for coverage under such plans: Provided, That awards under such program shall be based solely on an entity’s demonstrated capacity to carry out each of the duties specified in section 1311(i)(3) of such Act: Provided further, That not less than $15,000,000 shall be obligated for national television and not less than $15,000,000 shall be obligated for internet search advertising for purposes of carrying out such outreach and educational activities: Provided further, That not less than $30,000,000 of the funds made available in this paragraph shall be obligated for advertising during the final 2 weeks of the open enrollment period specified by the Secretary pursuant to section 1311(c)(6)(B) of such Act occurring during 2019: Provided further, That no
amounts collected through such user fees shall be available for expenditures for promoting health insurance coverage or a group health plan (as such terms are defined in section 2791 of the PHS Act (42 U.S.C. 300gg–91)) that is not a qualified health plan.

HEALTH CARE FRAUD AND ABUSE CONTROL ACCOUNT

In addition to amounts otherwise available for program integrity and program management, $786,000,000, to remain available through September 30, 2021, to be transferred from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund, as authorized by section 201(g) of the Social Security Act, of which $610,000,000 shall be for the Centers for Medicare & Medicaid Services program integrity activities, of which $93,000,000 shall be for the Department of Health and Human Services Office of Inspector General to carry out fraud and abuse activities authorized by section 1817(k)(3) of such Act, and of which $83,000,000 shall be for the Department of Justice to carry out fraud and abuse activities authorized by section 1817(k)(3) of such Act: Provided, That the report required by section 1817(k)(5) of the Social Security Act for fiscal year 2020 shall include measures of the operational efficiency and impact on fraud, waste, and abuse in the Medicare, Medicaid, and CHIP programs for the
funds provided by this appropriation: Provided further, That of the amount provided under this heading, $311,000,000 is provided to meet the terms of section 251(b)(2)(C)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, and $475,000,000 is additional new budget authority specified for purposes of section 251(b)(2)(C) of such Act: Provided further, That the Secretary shall provide not less than $18,000,000 (increased by $2,000,000) from amounts made available under this heading and amounts made available for fiscal year 2020 under section 1817(k)(3)(A) of the Social Security Act for the Senior Medicare Patrol program to combat health care fraud and abuse.

ADMINISTRATION FOR CHILDREN AND FAMILIES
PAYMENTS TO STATES FOR CHILD SUPPORT
ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

For carrying out, except as otherwise provided, titles I, IV–D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960, $2,890,000,000, to remain available until expended; and for such purposes for the first quarter of fiscal year 2021, $1,400,000,000, to remain available until expended.

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

LOW INCOME HOME ENERGY ASSISTANCE

For making payments under subsections (b) and (d) of section 2602 of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621 et seq.), $3,840,304,000: Provided, That notwithstanding section 2609A(a) of such Act, not more than $2,988,000 may be reserved by the Secretary of Health and Human Services for technical assistance, training, and monitoring of program activities for compliance with internal controls, policies and procedures and the Secretary may, in addition to the authorities provided in section 2609A(a)(1), use such funds through contracts with private entities that do not qualify as nonprofit organizations: Provided further, That $3,637,316,000 of the amount appropriated under this heading shall be allocated to each State and territory in amounts equal to the amount each State and territory was allocated in fiscal year 2018 pursuant to allocations made from amounts appropriated under this heading in the Consolidated Appropriations Act, 2018 (Public Law 115–141): Provided further, that $37,280,000 of the amount appropriated under this heading shall be allocated
as though the total appropriation for such payments for fiscal year 2020 was less than $1,975,000,000.

REFUGEE AND ENTRANT ASSISTANCE

For necessary expenses for refugee and entrant assistance activities authorized by section 414 of the Immigration and Nationality Act and section 501 of the Refugee Education Assistance Act of 1980, and for carrying out section 462 of the Homeland Security Act of 2002, section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008, the Trafficking Victims Protection Act of 2000 (“TVPA”), and the Torture Victims Relief Act of 1998, $2,411,701,000 (reduced by $500,000) (increased by $500,000) (increased by $100,000,000), of which $2,364,446,000 (increased by $100,000,000) shall remain available through September 30, 2022 for carrying out such sections 414, 501, 462, and 235: Provided, That amounts available under this heading to carry out the TVPA shall also be available for research and evaluation with respect to activities under such Act: Provided further, That not less than $190,000,000 (increased by $10,000,000) shall be used for legal services, child advocates, and post-release services: Provided further, That none of the funds made available by this Act may be used to implement or enforce the Memorandum of Agreement Among the Office of Refugee
Resettlement of the Department of Health and Human Services and U.S. Immigration and Customs Enforcement and U.S. Customs and Border Protection of the Department of Homeland Security Regarding Consultation and Information Sharing in Unaccompanied Alien Children Matters, dated April 13, 2018: Provided further, That not later than 30 days after the date of enactment of this Act, the Secretary of Health and Human Services shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed spend plan of anticipated uses of funds made available in this account, including the following: costs, capacity, and timelines for existing grants and contracts; costs for expanding capacity through use of community-based residential care placements (including long-term and transitional foster care and small group homes) through new or modified grants and contracts; costs and services to be provided for legal services, child advocates, and post-release services; program administration; and the average number of weekly referrals and discharge rate assumed in the spend plan: Provided further, That such plan shall be updated to reflect changes and expenditures and submitted to the Committees every 60 days thereafter.

None of the funds made available in this Act may be used in contravention of the Homeland Security Act
of 2002, the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008, or the Adoption and Safe Families Act of 1997 (as those laws are in effect on the date of the enactment of this Act, and including provisions of other statutes amended or added by those laws, as so in effect), or the Stipulated Settlement Agreement in Flores v. Reno (U.S. District Court, Central District of California, 1997).

PAYMENTS TO STATES FOR THE CHILD CARE AND DEVELOPMENT BLOCK GRANT

For carrying out the Child Care and Development Block Grant Act of 1990 ("CCDBG Act"), $7,676,000,000 shall be used to supplement, not supplant State general revenue funds for child care assistance for low-income families: Provided, That technical assistance under section 658I(a)(3) of such Act may be provided directly, or through the use of contracts, grants, cooperative agreements, or interagency agreements: Provided further, That all funds made available to carry out section 418 of the Social Security Act (42 U.S.C. 618), including funds appropriated for that purpose in such section 418 or any other provision of law, shall be subject to the reservation of funds authority in paragraphs (4) and (5) of section 658O(a) of the CCDBG Act: Provided further, That in addition to the amounts required to be reserved
by the Secretary under section 658O(a)(2)(A) of such Act, $156,780,000 shall be for Indian tribes and tribal organizations.

SOCIAL SERVICES BLOCK GRANT

For making grants to States pursuant to section 2002 of the Social Security Act, $1,700,000,000: Provided, That notwithstanding subparagraph (B) of section 404(d)(2) of such Act, the applicable percent specified under such subparagraph for a State to carry out State programs pursuant to title XX–A of such Act shall be 10 percent.

CHILDREN AND FAMILIES SERVICES PROGRAMS

For carrying out, except as otherwise provided, the Runaway and Homeless Youth Act, the Head Start Act, the Every Student Succeeds Act, the Child Abuse Prevention and Treatment Act, sections 303 and 313 of the Family Violence Prevention and Services Act, the Native American Programs Act of 1974, title II of the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978 (adoption opportunities), part B–1 of title IV and sections 429, 473A, 477(i), 1110, 1114A, and 1115 of the Social Security Act, and the Community Services Block Grant Act (“CSBG Act”); and for necessary administrative expenses to carry out titles I, IV, V, X, XI, XIV, XVI, and XX–A of the Social Security Act, the Act of
July 5, 1960, the Low-Income Home Energy Assistance Act of 1981, the Child Care and Development Block Grant Act of 1990, the Assets for Independence Act, title IV of the Immigration and Nationality Act, and section 501 of the Refugee Education Assistance Act of 1980, $13,967,468,000 (increased by $2,000,000) (increased by $3,000,000), of which $75,000,000, to remain available through September 30, 2021, shall be for grants to States for adoption and legal guardianship incentive payments, as defined by section 473A of the Social Security Act and may be made for adoptions and legal guardianships completed before September 30, 2020: Provided, That $11,563,095,000 shall be for making payments under the Head Start Act, of which, notwithstanding section 640 of such Act:

(1) $217,000,000 shall be available for a cost of living adjustment, and with respect to any continuing appropriations act, funding available for a cost of living adjustment shall not be construed as an authority or condition under this Act;

(2) $25,000,000 shall be available for allocation by the Secretary to supplement activities described in paragraphs (7)(B) and (9) of section 641(c) of the Head Start Act under the Designation Renewal System, established under the authority of sections
641(c)(7), 645A(b)(12), and 645A(d) of such Act, and such funds shall not be included in the calculation of “base grant” in subsequent fiscal years, as such term is used in section 640(a)(7)(A) of such Act;

(3) $1,330,000,000, in addition to funds otherwise available under such section 640 for such purposes, shall be available through March 31, 2021, for Early Head Start programs as described in section 645A of such Act, for conversion of Head Start services to Early Head Start services as described in section 645(a)(5)(A) of such Act, for discretionary grants for high quality infant and toddler care through Early Head Start-Child Care Partnerships, to entities defined as eligible under section 645A(d) of such Act, for training and technical assistance for such activities, and for up to $26,000,000 in Federal costs of administration and evaluation;

(4) $750,000,000 shall be available for quality improvement consistent with section 640(a)(5) of such Act; and

(5) $8,000,000 shall be available for the purposes of re-establishing the Tribal Colleges and Universities Head Start Partnership Program consistent with section 648(g) of such Act:
Provided further, That the Secretary may reduce the reservation of funds under section 640(a)(2)(C) of such Act in lieu of reducing the reservation of funds under sections 640(a)(2)(B), 640(a)(2)(D), and 640(a)(2)(E) of such Act: Provided further, That $350,000,000 shall be available until December 31, 2020 for carrying out sections 9212 and 9213 of the Every Student Succeeds Act: Provided further, That up to 3 percent of the funds in the preceding proviso shall be available for technical assistance and evaluation related to grants awarded under such section 9212: Provided further, That $796,000,000 shall be for making payments under the CSBG Act: Provided further, That $36,000,000 shall be for sections 680 and 678E(b)(2) of the CSBG Act, of which not less than $25,000,000 shall be for section 680(a)(2) and not less than $11,000,000 shall be for section 680(a)(3)(B) of such Act: Provided further, That, notwithstanding section 675C(a)(3) of such Act, to the extent Community Services Block Grant funds are distributed as grant funds by a State to an eligible entity as provided under such Act, and have not been expended by such entity, they shall remain with such entity for carryover into the next fiscal year for expenditure by such entity consistent with program purposes: Provided further, That the Secretary shall establish procedures regarding the disposition of intangible assets
and program income that permit such assets acquired with, and program income derived from, grant funds authorized under section 680 of the CSBG Act to become the sole property of such grantees after a period of not more than 12 years after the end of the grant period for any activity consistent with section 680(a)(2)(A) of the CSBG Act: Provided further, That intangible assets in the form of loans, equity investments and other debt instruments, and program income may be used by grantees for any eligible purpose consistent with section 680(a)(2)(A) of the CSBG Act: Provided further, That these procedures shall apply to such grant funds made available after November 29, 1999: Provided further, That funds appropriated for section 680(a)(2) of the CSBG Act shall be available for financing construction and rehabilitation and loans or investments in private business enterprises owned by community development corporations: Provided further, That $175,000,000 shall be for carrying out section 303(a) of the Family Violence Prevention and Services Act, of which $5,000,000 shall be allocated notwithstanding section 303(a)(2) of such Act for carrying out section 309 of such Act: Provided further, That the percentages specified in section 112(a)(2) of the Child Abuse Prevention and Treatment Act shall not apply to funds appropriated under this heading: Provided further, That
$1,864,000 shall be for a human services case management system for federally declared disasters, to include a comprehensive national case management contract and Federal costs of administering the system: **Provided further**, That up to $2,000,000 shall be for improving the Public Assistance Reporting Information System, including grants to States to support data collection for a study of the system’s effectiveness.

**PROMOTING SAFE AND STABLE FAMILIES**

For carrying out, except as otherwise provided, section 436 of the Social Security Act, $345,000,000 and, for carrying out, except as otherwise provided, section 437 of such Act, $79,765,000: **Provided**, That of the funds available to carry out section 437, $59,765,000 shall be allocated consistent with subsections (b) through (d) of such section: **Provided further**, That of the funds available to carry out section 437, to assist in meeting the requirements described in section 471(e)(4)(C), $20,000,000 shall be for grants to each State, territory, and Indian tribe operating title IV–E plans for developing, enhancing, or evaluating kinship navigator programs, as described in section 427(a)(1) of such Act: **Provided further**, That section 437(b)(1) shall be applied to amounts in the previous proviso by substituting “5 percent” for “3.3 percent”, and notwithstanding section 436(b)(1), such reserved amounts
may be used for identifying, establishing, and disseminating practices to meet the criteria specified in section 471(e)(4)(C): *Provided further*, That the reservation in section 437(b)(2) and the limitations in section 437(d) shall not apply to funds specified in the second proviso: *Provided further*, That the minimum grant award for kinship navigator programs in the case of States and territories shall be $200,000, and, in the case of tribes, shall be $25,000: *Provided further*, That section 437(b)(4) of such Act shall be applied by substituting “fiscal year 2020” for “fiscal year 2018”.

**PAYMENTS FOR FOSTER CARE AND PERMANENCY**

For carrying out, except as otherwise provided, title IV–E of the Social Security Act, $5,744,000,000.

For carrying out, except as otherwise provided, title IV–E of the Social Security Act, for the first quarter of fiscal year 2021, $3,000,000,000.

For carrying out, after May 31 of the current fiscal year, except as otherwise provided, section 474 of title IV–E of the Social Security Act, for the last 3 months of the current fiscal year for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.
For carrying out, to the extent not otherwise provided, the Older Americans Act of 1965 ("OAA"), the RAISE Family Caregivers Act, the Supporting Grandparents Raising Grandchildren Act, titles III and XXIX of the PHS Act, sections 1252 and 1253 of the PHS Act, section 119 of the Medicare Improvements for Patients and Providers Act of 2008, title XX–B of the Social Security Act, the Developmental Disabilities Assistance and Bill of Rights Act, parts 2 and 5 of subtitle D of title II of the Help America Vote Act of 2002, the Assistive Technology Act of 1998, titles II and VII (and section 14 with respect to such titles) of the Rehabilitation Act of 1973, and for Department-wide coordination of policy and program activities that assist individuals with disabilities, $2,294,343,000 (increased by $4,500,000) (increased by $2,000,000), together with $55,000,000 to be transferred from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund to carry out section 4360 of the Omnibus Budget Reconciliation Act of 1990: Provided, That amounts appropriated under this heading may be used for grants to States under section 361 of the OAA only for
disease prevention and health promotion programs and activities which have been demonstrated through rigorous evaluation to be evidence-based and effective: *Provided further*, That of amounts made available under this heading to carry out sections 311, 331, and 336 of the OAA, up to 1 percent of such amounts shall be available for developing and implementing evidence-based practices for enhancing senior nutrition, including medically-tailored meals: *Provided further*, That notwithstanding any other provision of this Act, funds made available under this heading to carry out section 311 of the OAA may be transferred to the Secretary of Agriculture in accordance with such section: *Provided further*, That $2,000,000 shall be for competitive grants to support alternative financing programs that provide for the purchase of assistive technology devices, such as a low-interest loan fund; an interest buy-down program; a revolving loan fund; a loan guarantee; or an insurance program: *Provided further*, That applicants shall provide an assurance that, and information describing the manner in which, the alternative financing program will expand and emphasize consumer choice and control: *Provided further*, That State agencies and community-based disability organizations that are directed by and operated for individuals with disabilities shall be eligible to compete: *Provided further*, That none
of the funds made available under this heading may be
used by an eligible system (as defined in section 102 of
the Protection and Advocacy for Individuals with Mental
Illness Act (42 U.S.C. 10802)) to continue to pursue any
legal action in a Federal or State court on behalf of an
individual or group of individuals with a developmental
disability (as defined in section 102(8)(A) of the Develop-
mental Disabilities and Assistance and Bill of Rights Act
of 2000 (20 U.S.C. 15002(8)(A)) that is attributable to
a mental impairment (or a combination of mental and
physical impairments), that has as the requested remedy
the closure of State operated intermediate care facilities
for people with intellectual or developmental disabilities,
unless reasonable public notice of the action has been pro-
vided to such individuals (or, in the case of mental inca-
pacitation, the legal guardians who have been specifically
awarded authority by the courts to make healthcare and
residential decisions on behalf of such individuals) who are
affected by such action, within 90 days of instituting such
legal action, which informs such individuals (or such legal
guardians) of their legal rights and how to exercise such
rights consistent with current Federal Rules of Civil Pro-
cedure: Provided further, That the limitations in the imme-
diately preceding proviso shall not apply in the case of an
individual who is neither competent to consent nor has a
legal guardian, nor shall the proviso apply in the case of individuals who are a ward of the State or subject to public guardianship.

**DEPARTMENTAL MANAGEMENT**

**GENERAL DEPARTMENTAL MANAGEMENT**

For necessary expenses, not otherwise provided, for general departmental management, including hire of six passenger motor vehicles, and for carrying out titles III, XVII, XXI, and section 229 of the PHS Act, functions of the Departmental Appeals Board authorized in title XVIII of the Social Security Act, the United States-Mexico Border Health Commission Act, and research studies under section 1110 of the Social Security Act, $474,169,000 (reduced by $1,000,000) (reduced by $900,000) (reduced by $5,000,000) (reduced by $5,000,000) (increased by $5,000,000) (reduced by $1,000,000) (reduced by $1,000,000) (reduced by $3,000,000) (reduced by $15,000,000) (reduced by $2,000,000) (reduced by $1,000,000) (reduced by $3,000,000) (reduced by $1,000,000), together with $64,828,000 from the amounts available under section 241 of the PHS Act to carry out national health or human
services research and evaluation activities: Provided, That
of the funds made available under this heading, $60,000,000 (increased by $5,000,000) shall be for minority AIDS prevention and treatment activities: Provided further, That of the funds made available under this heading, $20,000,000 shall be for the Departmental Appeals Board: Provided further, That of the funds made available under this heading, $110,000,000 shall be for making competitive grants to public and private entities, as well as continuing to fund through fiscal year 2020 grants awarded for fiscal years 2015 through 2019, to fund medically accurate and age appropriate programs that reduce teen pregnancy and for the Federal costs associated with administering and evaluating such grants, of which not more than 10 percent of the available funds shall be for training and technical assistance, outreach, and additional program support activities, and of the remaining amount 75 percent shall be for replicating programs that have been proven effective through rigorous evaluation to reduce teenage pregnancy, behavioral risk factors underlying teenage pregnancy, or other associated risk factors, and 25 percent shall be available for research and demonstration grants to develop, replicate, refine, and test additional models and innovative strategies for preventing teenage pregnancy: Provided further, That amounts made available
under this heading for programs to reduce teen pregnancy
shall not be made available by interagency agreement or
otherwise to any agency within the Department of Health
and Human Services other than the Office of the Sec-
retary to carry out or support such programs: Provided
further, That of the amounts provided under this heading
from amounts available under section 241 of the PHS Act,
$6,800,000 shall be available to carry out evaluations (in-
cluding longitudinal evaluations) of teenage pregnancy
prevention approaches: Provided further, That funds pro-
vided in this Act for embryo adoption activities may be
used to provide to individuals adopting embryos, through
grants and other mechanisms, medical and administrative
services deemed necessary for such adoptions: Provided
further, That such services shall be provided consistent
with 42 CFR 59.5(a)(4).

For an additional amount for prize competitions (as
authorized by section 24 of the Stevenson-Wydler Tech-
$10,000,000.

OFFICE OF MEDICARE HEARINGS AND APPEALS

For expenses necessary for the Office of Medicare
Hearings and Appeals, $182,381,000 shall remain avail-
able until September 30, 2021, to be transferred in appro-
priate part from the Federal Hospital Insurance Trust
Fund and the Federal Supplementary Medical Insurance
Trust Fund.

OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH
INFORMATION TECHNOLOGY
For expenses necessary for the Office of the National Coordinator for Health Information Technology, including grants, contracts, and cooperative agreements for the development and advancement of interoperable health information technology, $60,367,000 shall be available from amounts available under section 241 of the PHS Act.

OFFICE OF INSPECTOR GENERAL
For expenses necessary for the Office of Inspector General, including the hire of passenger motor vehicles for investigations, in carrying out the provisions of the Inspector General Act of 1978, $85,000,000: Provided, That of such amount, necessary sums shall be available for providing protective services to the Secretary and investigating non-payment of child support cases for which non-payment is a Federal offense under 18 U.S.C. 228.

OFFICE FOR CIVIL RIGHTS
For expenses necessary for the Office for Civil Rights, $38,798,000.
REtIREMENT PAY AND MEDICAL BENEFITS FOR
COMMISSIONED OFFICERS

For retirement pay and medical benefits of Public Health Service Commissioned Officers as authorized by law, for payments under the Retired Serviceman’s Family Protection Plan and Survivor Benefit Plan, and for medical care of dependents and retired personnel under the Dependents’ Medical Care Act, such amounts as may be required during the current fiscal year.

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

For expenses necessary to support activities related to countering potential biological, nuclear, radiological, chemical, and cybersecurity threats to civilian populations, and for other public health emergencies, $1,083,458,000 (increased by $1,000,000), of which $566,700,000 shall remain available through September 30, 2021, for expenses necessary to support advanced research and development pursuant to section 319L of the PHS Act and other administrative expenses of the Biomedical Advanced Research and Development Authority: Provided, That funds provided under this heading for the purpose of acquisition of security countermeasures shall be in addition to any other funds available for such purpose: Provided further, That products purchased with funds provided
under this heading may, at the discretion of the Secretary, be deposited in the Strategic National Stockpile pursuant to section 319F–2 of the PHS Act: Provided further, That $5,000,000 of the amounts made available to support emergency operations shall remain available through September 30, 2022.

For expenses necessary for procuring security countermeasures (as defined in section 319F–2(c)(1)(B) of the PHS Act), $735,000,000, to remain available until expended.

For expenses necessary to carry out section 319F–2(a) of the PHS Act, $920,000,000, to remain available until expended.

For an additional amount for expenses necessary to prepare for or respond to an influenza pandemic, $270,000,000, of which $225,000,000 shall be available until expended, for activities including the development and purchase of vaccine, antivirals, necessary medical supplies, diagnostics, and other surveillance tools: Provided, That notwithstanding section 496(b) of the PHS Act, funds may be used for the construction or renovation of privately owned facilities for the production of pandemic influenza vaccines and other biologies, if the Secretary finds such construction or renovation necessary to secure sufficient supplies of such vaccines or biologies.
Sec. 201. Funds appropriated in this title shall be available for not to exceed $50,000 for official reception and representation expenses when specifically approved by the Secretary.

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

Sec. 203. None of the funds appropriated in this Act may be expended pursuant to section 241 of the PHS Act, except for funds specifically provided for in this Act, or for other taps and assessments made by any office located in HHS, prior to the preparation and submission of a report by the Secretary to the Committees on Appropriations of the House of Representatives and the Senate detailing the planned uses of such funds.

Sec. 204. Notwithstanding section 241(a) of the PHS Act, such portion as the Secretary shall determine, but not more than 2.5 percent, of any amounts appropriated for programs authorized under such Act shall be made available for the evaluation (directly, or by grants or contracts) and the implementation and effectiveness of programs funded in this title.
Sec. 205. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985) which are appropriated for the current fiscal year for HHS in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: Provided, That the transfer authority granted by this section shall be available only to meet emergency needs and shall not be used to create any new program or to fund any project or activity for which no funds are provided in this Act: Provided further, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

Sec. 206. In lieu of the timeframe specified in section 338E(c)(2) of the PHS Act, terminations described in such section may occur up to 60 days after the effective date of a contract awarded in fiscal year 2020 under section 338B of such Act, or at any time if the individual who has been awarded such contract has not received funds due under the contract.

Sec. 207. None of the funds appropriated in this Act may be made available to any entity under title X of the PHS Act unless the applicant for the award certifies to
the Secretary that it encourages family participation in
the decision of minors to seek family planning services and
that it provides counseling to minors on how to resist at-
tempts to coerce minors into engaging in sexual activities.

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

Sec. 209. None of the funds appropriated by this Act
(including funds appropriated to any trust fund) may be
used to carry out the Medicare Advantage program if the
Secretary denies participation in such program to an oth-
erwise eligible entity (including a Provider Sponsored Or-
ganization) because the entity informs the Secretary that
it will not provide, pay for, provide coverage of, or provide
referrals for abortions: Provided, That the Secretary shall
make appropriate prospective adjustments to the capita-
tion payment to such an entity (based on an actuarially
sound estimate of the expected costs of providing the serv-
ice to such entity’s enrollees): Provided further, That noth-
ing in this section shall be construed to change the Medi-
care program’s coverage for such services and a Medicare
Advantage organization described in this section shall be
responsible for informing enrollees where to obtain information about all Medicare covered services.

SEC. 210. None of the funds made available in this title may be used, in whole or in part, to advocate or promote gun control.

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

SEC. 212. In order for HHS to carry out international health activities, including HIV/AIDS and other infectious disease, chronic and environmental disease, and other health activities abroad during fiscal year 2020:

    (1) The Secretary may exercise authority equivalent to that available to the Secretary of State in section 2(c) of the State Department Basic Authorities Act of 1956. The Secretary shall consult with the Secretary of State and relevant Chief of Mission to ensure that the authority provided in this section is exercised in a manner consistent with section 207 of the Foreign Service Act of 1980 and other appli-
cable statutes administered by the Department of State.

(2) The Secretary is authorized to provide such funds by advance or reimbursement to the Secretary of State as may be necessary to pay the costs of acquisition, lease, alteration, renovation, and management of facilities outside of the United States for the use of HHS. The Department of State shall cooperate fully with the Secretary to ensure that HHS has secure, safe, functional facilities that comply with applicable regulation governing location, setback, and other facilities requirements and serve the purposes established by this Act. The Secretary is authorized, in consultation with the Secretary of State, through grant or cooperative agreement, to make available to public or nonprofit private institutions or agencies in participating foreign countries, funds to acquire, lease, alter, or renovate facilities in those countries as necessary to conduct programs of assistance for international health activities, including activities relating to HIV/AIDS and other infectious diseases, chronic and environmental diseases, and other health activities abroad.

(3) The Secretary is authorized to provide to personnel appointed or assigned by the Secretary to
serve abroad, allowances and benefits similar to those provided under chapter 9 of title I of the Foreign Service Act of 1980, and 22 U.S.C. 4081 through 4086 and subject to such regulations prescribed by the Secretary. The Secretary is further authorized to provide locality-based comparability payments (stated as a percentage) up to the amount of the locality-based comparability payment (stated as a percentage) that would be payable to such personnel under section 5304 of title 5, United States Code if such personnel’s official duty station were in the District of Columbia. Leaves of absence for personnel under this subsection shall be on the same basis as that provided under subchapter I of chapter 63 of title 5, United States Code, or section 903 of the Foreign Service Act of 1980, to individuals serving in the Foreign Service.

(TRANSFER OF FUNDS)

Sec. 213. The Director of the NIH, jointly with the Director of the Office of AIDS Research, may transfer up to 3 percent among institutes and centers from the total amounts identified by these two Directors as funding for research pertaining to the human immunodeficiency virus: Provided, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.
Sec. 214. Of the amounts made available in this Act for NIH, the amount for research related to the human immunodeficiency virus, as jointly determined by the Director of NIH and the Director of the Office of AIDS Research, shall be made available to the “Office of AIDS Research” account. The Director of the Office of AIDS Research shall transfer from such account amounts necessary to carry out section 2353(d)(3) of the PHS Act.

Sec. 215. (a) Authority.—Notwithstanding any other provision of law, the Director of NIH (“Director”) may use funds authorized under section 402(b)(12) of the PHS Act to enter into transactions (other than contracts, cooperative agreements, or grants) to carry out research identified pursuant to or research and activities described in such section 402(b)(12).

(b) Peer Review.—In entering into transactions under subsection (a), the Director may utilize such peer review procedures (including consultation with appropriate scientific experts) as the Director determines to be appropriate to obtain assessments of scientific and technical merit. Such procedures shall apply to such transactions in lieu of the peer review and advisory council review procedures that would otherwise be required under sections

Sec. 216. Not to exceed $45,000,000 of funds appropriated by this Act to the institutes and centers of the National Institutes of Health may be used for alteration, repair, or improvement of facilities, as necessary for the proper and efficient conduct of the activities authorized herein, at not to exceed $3,500,000 per project.

(TRANSFER OF FUNDS)

Sec. 217. Of the amounts made available for NIH, 1 percent of the amount made available for National Research Service Awards ("NRSA") shall be made available to the Administrator of the Health Resources and Services Administration to make NRSA awards for research in primary medical care to individuals affiliated with entities who have received grants or contracts under sections 736, 739, or 747 of the PHS Act, and 1 percent of the amount made available for NRSA shall be made available to the Director of the Agency for Healthcare Research and Quality to make NRSA awards for health service research.

Sec. 218. (a) The Biomedical Advanced Research and Development Authority ("BARDA") may enter into a contract, for more than one but no more than 10 program years, for purchase of research services or of security countermeasures, as that term is defined in section 319F–
2(c)(1)(B) of the PHS Act (42 U.S.C. 247d–6b(c)(1)(B)), if—

(1) funds are available and obligated—

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

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

(2) the Secretary determines that a multi-year contract will serve the best interests of the Federal Government by encouraging full and open competition or promoting economy in administration, performance, and operation of BARDA’s programs.

(b) A contract entered into under this section—

(1) shall include a termination clause as described by subsection (c) of section 3903 of title 41, United States Code; and

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

Sec. 219. (a) The Secretary shall publish in the fiscal year 2021 budget justification and on Departmental Web sites information concerning the employment of full-time equivalent Federal employees or contractors for the purposes of implementing, administering, enforcing, or otherwise carrying out the provisions of the ACA, and the
amendments made by that Act, in the proposed fiscal year
and each fiscal year since the enactment of the ACA.

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

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

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

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

(1) are supported through appropriations en-
acted in laws other than the ACA and work on pro-
grams that existed prior to the passage of the ACA;
(2) spend less than 50 percent of their time on activities funded by or newly authorized in the ACA; or

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

SEC. 220. The Secretary shall publish, as part of the fiscal year 2021 budget of the President submitted under section 1105(a) of title 31, United States Code, information that details the uses of all funds used by the Centers for Medicare & Medicaid Services specifically for Health Insurance Exchanges for each fiscal year since the enactment of the ACA and the proposed uses for such funds for fiscal year 2021. Such information shall include, for each such fiscal year, the amount of funds used for each activity specified under the heading “Health Insurance Exchange Transparency” in the committee report accompanying this Act.

SEC. 221. None of the funds made available by this Act from the Federal Hospital Insurance Trust Fund or the Federal Supplemental Medical Insurance Trust Fund, or transferred from other accounts funded by this Act to the “Centers for Medicare & Medicaid Services—Program Management” account, may be used for payments under
section 1342(b)(1) of Public Law 111–148 (relating to risk corridors).

(TRANSFER OF FUNDS)

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

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

(c) Funds transferred for activities authorized under section 2821 of the PHS Act shall be made available without reference to section 2821(b) of such Act.

Sec. 223. Effective during the period beginning on November 1, 2015 and ending January 1, 2022, any provision of law that refers (including through cross-reference to another provision of law) to the current recommendations of the United States Preventive Services Task Force with respect to breast cancer screening, mammography, and prevention shall be administered by the Secretary involved as if—

(1) such reference to such current recommendations were a reference to the recommendations of such Task Force with respect to breast cancer
screening, mammography, and prevention last issued before 2009; and

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

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

(TRANSFER OF FUNDS)

SEC. 225. The NIH Director may transfer funds spe-
cifically appropriated for opioid addiction, opioid alter-
natives, pain management, and addiction treatment to other Institutes and Centers of the NIH to be used for
the same purpose 15 days after notifying the Committees
on Appropriations: Provided, That the transfer authority
provided in the previous proviso is in addition to any other
transfer authority provided by law.

Sec. 226. (a) The Secretary shall provide to the
Committees on Appropriations of the House of Represent-
atives and the Senate:

(1) Detailed monthly enrollment figures from
the Exchanges established under the Patient Protec-
tion and Affordable Care Act of 2010 pertaining to
enrollments during the open enrollment period, in-
cluding State enrollment figures disaggregated by
race, ethnicity, preferred language, age, and sex.

(2) Notification of any new or competitive grant
awards, including supplements, authorized under
section 330 of the Public Health Service Act.

(b) The Committees on Appropriations of the House
and Senate must be notified at least 2 business days in
advance of any public release of enrollment information
or the award of such grants.

Sec. 227. Not later than the 15th day of each month,
the Department of Health and Human Services shall pro-
vide the Committees on Appropriations of the House of
Representatives and Senate a report on staffing described
in the committee report accompanying this Act.
SEC. 228. Funds appropriated in this Act that are available for salaries and expenses of employees of the Department of Health and Human Services shall also be available to pay travel and related expenses of such an employee or of a member of his or her family, when such employee is assigned to duty, in the United States or in a U.S. territory, during a period and in a location that are the subject of a determination of a public health emergency under section 319 of the Public Health Service Act and such travel is necessary to obtain medical care for an illness, injury, or medical condition that cannot be adequately addressed in that location at that time. For purposes of this section, the term “U.S. territory” means Guam, the Commonwealth of Puerto Rico, the Northern Mariana Islands, the Virgin Islands, American Samoa, or the Trust Territory of the Pacific Islands.

SEC. 229. The Department of Health and Human Services may accept donations from the private sector, nongovernmental organizations, and other groups independent of the Federal Government for the care of unaccompanied alien children (as defined in section 462(g)(2) of the Homeland Security Act of 2002 (6 U.S.C. 279(g)(2))) in the care of the Office of Refugee Resettlement of the Administration for Children and Families, including medical goods and services, which may include
early childhood developmental screenings, school supplies, 
toys, clothing, and any other items intended to promote 
the wellbeing of such children.

(RESCISSION)

Sec. 230. Of the unobligated balances made available 
by section 301(b)(3) of Public Law 114–10, 
$4,300,000,000 are hereby permanently rescinded.

Sec. 231. None of the funds made available by this 
Act may be used to prevent a United States Senator or 
Member of the House of Representatives from entering, 
for the purpose of conducting oversight, any facility in the 
United States used for the purpose of maintaining custody 
of, or otherwise housing, unaccompanied alien children (as 
defined in section 462(g)(2) of the Homeland Security Act 
of 2002 (6 U.S.C. 279(g)(2))). Nothing in this section 
shall be construed to require such a Senator or Member 
to provide prior notice of the intent to enter such a facility 
for such purpose.

Sec. 232. To the extent practicable, and so long as 
it is appropriate and in the best interest of the child, in 
cases where the Office of Refugee Resettlement of the De-
partment of Health and Human Services is responsible for 
the care of siblings who are unaccompanied alien children 
(as defined in section 462(g)(2) of the Homeland Security 
Act of 2002 (6 U.S.C. 279(g)(2)), the Director of the Of-

ICE shall place the siblings—
(1) in the same facility; or
(2) with the same sponsor.

SEC. 233. (a) None of the funds provided by this Act or provided by any accounts in the Treasury of the United States derived by the collection of fees available to the Secretary of Health and Human Services, or to any other official of a Federal agency funded by this Act may be used to facilitate the Secretary of Homeland Security placing in detention, removing, referring for a decision whether to initiate removal proceedings, or initiating removal proceedings against a sponsor, potential sponsor, or member of a household of a sponsor or potential sponsor of an unaccompanied alien child (as defined in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))) based on information shared by the Secretary of Health and Human Services, or information shared by an unaccompanied alien child himself or herself with the Department of Homeland Security or the Department of Health and Human Services.

(b) Subsection (a) shall not apply if a background check of a sponsor, potential sponsor, or member of a household of a sponsor or potential sponsor reveals—

(1) a felony conviction or pending felony charge that relates to—
(A) an aggravated felony (as defined in section 101(a)(43) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)));
(B) child abuse;
(C) sexual violence or abuse; or
(D) child pornography;
(2) an association with any business that employs a minor who—
(A) is unrelated to the sponsor, potential sponsor, or member of a household of a sponsor or potential sponsor; and
(B) is—
(i) not paid a legal wage; or
(ii) unable to attend school due to employment; or
(3) an association with the organization or implementation of prostitution.

Sec. 234. None of the funds made available in this Act may be used to house unaccompanied alien children (as such term is defined in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))) in—
(a) soft-sided dormitories; or
(b) an influx facility that is not State-licensed for the care of dependent minors, except in the case that the Secretary of Health and Human Services determines that
housing unaccompanied alien children in such a facility is necessary on a temporary basis due to an influx of such children or an emergency, provided that—

(1) any such influx facility that remains in operation for more than 3 consecutive months shall fully comply with the requirements listed in Exhibit 1 of the Flores Settlement Agreement, regardless of the status of the underlying settlement agreement, as well as the standard staffing ratio requirements for youth care workers, mental health providers, and clinicians to children that permanent facilities are required to meet, including those in section 4.4.1 of the Office of Refugee Resettlement’s (ORR) Policies and Procedures Guide for “Children Entering the United States Unaccompanied”;

(2) the Secretary of Health and Human Services may grant a 1-month waiver for an influx facility’s non-compliance with paragraph (1) if the Secretary certifies and provides a report to Congress on the facility’s good-faith efforts and progress towards compliance;

(3) not more than three consecutive waivers under paragraph (2) may be granted to any one facility;

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(4) ORR shall ensure full adherence to the monitoring requirements set forth in sections 5.5 and 3.3.16 of its Policies and Procedures Guide; and

(5) for any such influx facility in operation for more than 3 consecutive months, ORR shall conduct a minimum of one comprehensive monitoring visit during the first 3 months of operation, with quarterly monitoring visits thereafter.

Sec. 235. Not later than 14 days after the date of enactment of this Act, and weekly thereafter, the Secretary of Health and Human Services shall submit to the Committees on Appropriations of the House of Representatives and the Senate, and make publicly available online, a report with respect to children who were separated from their parents or legal guardians by the Department of Homeland Security (DHS) (regardless of whether or not such separation was pursuant to an option selected by the children, parents, or guardians), subsequently classified as unaccompanied alien children, and transferred to the care and custody of the Office of Refugee Resettlement of the Department of Health and Human Services (ORR) during the previous week. Each report shall contain the following information:
(1) The number and ages of children so separated at or between ports of entry, to be reported by sector where separation occurred.

(2) The documented cause of separation, as reported by DHS when each child was referred.

(3) The custody status of the parents or legal guardians from whom the child was separated.

Sec. 236. (a) None of the funds made available by this Act may be awarded to any organization, including under the Federal Foster Care program under part E of title IV of the Social Security Act, that does not comply with subsections (c) and (d) of section 75.300 of title 45, Code of Federal Regulations (prohibiting discrimination on the basis of age, disability, sex, race, color, national origin, religion, gender identity, or sexual orientation).

(b) None of the funds made available by this Act may be used by the Department of Health and Human Services to grant an exception from either such subsection for any Federal grantee.

Sec. 237. Funds appropriated under this Act, any previous appropriations Act, or the Patient Protection and Affordable Care Act that are available for salaries and expenses of employees of the Department of Health and Human Services shall also remain available for obligation for the primary and secondary schooling of eligible de-
pendents of HHS personnel stationed in the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and other territories or possessions of the United States at costs not in excess of those paid for or reimbursed by the Department of Defense.

SEC. 238. None of the funds made available by this Act may be used to implement, enforce, or otherwise give effect to the revision to section 447.10 of title 42, Code of Federal Regulations, contained in the proposed rule entitled “Medicaid Program; Reassignment of Medicaid Provider Claims” (83 Fed. Reg. 32252 (July 12, 2018)).

SEC. 239. None of the funds appropriated in this bill or otherwise made available to the Department of Health and Human Services shall be used to publish the proposed regulation in the Fall 2018 Unified Agenda of Regulatory and Deregulatory Actions relating to the Medicaid Non-emergency Medical Transportation benefit for Medicaid beneficiaries expected to be published for comment in May 2019 and promulgated in Fall 2019 (RIN: 0938–AT81).

SEC. 240. None of the funds made available by this Act may be used to finalize, implement, or enforce the rule entitled “Protecting Statutory Conscience Rights in Health Care; Delegations of Authority” issued by the Department of Health and Human Services (RIN 0945–AA10).
This title may be cited as the “Department of Health
and Human Services Appropriations Act, 2020”.

TITLE III

DEPARTMENT OF EDUCATION

EDUCATION FOR THE DISADVANTAGED

For carrying out title I and subpart 2 of part B of
title II of the Elementary and Secondary Education Act
of 1965 (referred to in this Act as “ESEA”) and section
418A of the Higher Education Act of 1965 (referred to
in this Act as “HEA”), $17,563,802,000 (increased by
$1,000,000) (reduced by $1,000,000), of which
$6,638,625,000 shall become available on July 1, 2020,
and shall remain available through September 30, 2021,
and of which $10,841,177,000 shall become available on
October 1, 2020, and shall remain available through Sep-
tember 30, 2021, for academic year 2020–2021: Provided,
That $6,459,401,000 shall be for basic grants under sec-
tion 1124 of the ESEA: Provided further, That up to
$5,000,000 of these funds shall be available to the Sec-
retary of Education (referred to in this title as “Sec-
retary”) on October 1, 2019, to obtain annually updated
local educational agency-level census poverty data from
the Bureau of the Census: Provided further, That
$1,362,301,000 shall be for concentration grants under
section 1124A of the ESEA: Provided further, That
$4,519,050,000 shall be for targeted grants under section 1125 of the ESEA: *Provided further,* That $4,519,050,000 shall be for education finance incentive grants under section 1125A of the ESEA: *Provided further,* That $224,000,000 shall be for carrying out subpart 2 of part B of title II: *Provided further,* That $50,000,000 shall be for carrying out section 418A of the HEA.

**Impact Aid**

For carrying out programs of financial assistance to federally affected schools authorized by title VII of the ESEA, $1,498,112,000, of which $1,351,242,000 shall be for basic support payments under section 7003(b), $48,316,000 shall be for payments for children with disabilities under section 7003(d), $17,406,000, shall be for construction under section 7007(a), $76,313,000 shall be for Federal property payments under section 7002, and $4,835,000, to remain available until expended, shall be for facilities maintenance under section 7008: *Provided,* That for purposes of computing the amount of a payment for an eligible local educational agency under section 7003(a) for school year 2019–2020, children enrolled in a school of such agency that would otherwise be eligible for payment under section 7003(a)(1)(B) of such Act, but due to the deployment of both parents or legal guardians, or a parent or legal guardian having sole custody of such
children, or due to the death of a military parent or legal guardian while on active duty (so long as such children reside on Federal property as described in section 7003(a)(1)(B)), are no longer eligible under such section, shall be considered as eligible students under such section, provided such students remain in average daily attendance at a school in the same local educational agency they attended prior to their change in eligibility status.

SCHOOL IMPROVEMENT PROGRAMS

For carrying out school improvement activities authorized by part B of title I, part A of title II, subpart 1 of part A of title IV, part B of title IV, part B of title V, and parts B and C of title VI of the ESEA; the McKinney-Vento Homeless Assistance Act; section 203 of the Educational Technical Assistance Act of 2002; the Compact of Free Association Amendments Act of 2003; and the Civil Rights Act of 1964, $6,016,470,000, of which $4,174,902,000 shall become available on July 1, 2020, and remain available through September 30, 2021, and of which $1,681,441,000 shall become available on October 1, 2020, and shall remain available through September 30, 2021, for academic year 2020–2021: Provided, That $378,000,000 shall be for part B of title I: Provided further, That $1,321,673,000 shall be for part B of title IV: Provided further, That $40,000,000 shall be for part B
of title VI and may be used for construction, renovation, and modernization of any elementary school, secondary school, or structure related to an elementary school or secondary school, run by the Department of Education of the State of Hawaii, that serves a predominantly Native Hawaiian student body: Provided further, That $36,453,000 shall be for part C of title VI and shall be awarded on a competitive basis, and also may be used for construction: Provided further, That $60,400,000 shall be available to carry out section 203 of the Educational Technical Assistance Act of 2002 and the Secretary shall make such arrangements as determined to be necessary to ensure that the Bureau of Indian Education has access to services provided under this section: Provided further, That $16,699,000 shall be available to carry out the Supplemental Education Grants program for the Federated States of Micronesia and the Republic of the Marshall Islands: Provided further, That the Secretary may reserve up to 5 percent of the amount referred to in the previous proviso to provide technical assistance in the implementation of these grants: Provided further, That $180,840,000 shall be for part B of title V: Provided further, That $1,320,000,000 shall be available for grants under subpart 1 of part A of title IV.
INDIAN EDUCATION

For expenses necessary to carry out, to the extent not otherwise provided, title VI, part A of the ESEA, $186,374,000, of which $67,993,000 shall be for subpart 2 of part A of title VI and $13,000,000 shall be for subpart 3 of part A of title VI.

INNOVATION AND IMPROVEMENT

For carrying out activities authorized by subparts 1, 3 and 4 of part B of title II, and parts C, D, and E and subparts 1 and 4 of part F of title IV of the ESEA, $1,223,815,000 (increased by $500,000): Provided, That $304,815,000 (increased by $500,000) shall be for subparts 1, 3 and 4 of part B of title II and shall be made available without regard to sections 2201, 2231(b) and 2241: Provided further, That $619,000,000 (reduced by $1,000,000) (increased by $1,000,000) shall be for parts C, D, and E and subpart 4 of part F of title IV, and shall be made available without regard to sections 4311, 4409(a), and 4601 of the ESEA: Provided further, That notwithstanding section 4601(b), $300,000,000 shall be available through December 31, 2020 for subpart 1 of part F of title IV, of which $170,000,000 shall be for social and emotional learning grants, and $125,000,000 shall be used for science, technology, engineering, arts,
and mathematics, including computer science education grants.

SAFE SCHOOLS AND CITIZENSHIP EDUCATION

For carrying out activities authorized by subparts 2 and 3 of part F of title IV of the ESEA, $240,000,000 (reduced by $5,000,000) (increased by $5,000,000) (increased by $80,000,000): Provided, That $120,000,000 (increased by $80,000,000) shall be available for section 4631, of which up to $10,000,000, to remain available until expended, shall be for the Project School Emergency Response to Violence (Project SERV) program: Provided further, That $40,000,000 shall be available for section 4625: Provided further, That $80,000,000 shall be available through December 31, 2020, for section 4624.

ENGLISH LANGUAGE ACQUISITION

For carrying out part A of title III of the ESEA, $980,000,000, which shall become available on July 1, 2020, and shall remain available through September 30, 2021, except that 6.5 percent of such amount shall be available on October 1, 2019, and shall remain available through September 30, 2021, to carry out activities under section 3111(c)(1)(C).

SPECIAL EDUCATION

For carrying out the Individuals with Disabilities Education Act (IDEA) and the Special Olympics Sport
and Empowerment Act of 2004, $14,523,544,000 (reduced by $1,000,000) (increased by $1,000,000), of which $4,975,709,000 shall become available on July 1, 2020, and shall remain available through September 30, 2021, and of which $9,283,383,000 shall become available on October 1, 2020, and shall remain available through September 30, 2021, for academic year 2020–2021: Provided, That the amount for section 611(b)(2) of the IDEA shall be equal to the lesser of the amount available for that activity during fiscal year 2019, increased by the amount of inflation as specified in section 619(d)(2)(B) of the IDEA, or the percent change in the funds appropriated under section 611(i) of the IDEA, but not less than the amount for that activity during fiscal year 2019: Provided further, That the Secretary shall, without regard to section 611(d) of the IDEA, distribute to all other States (as that term is defined in section 611(g)(2)), subject to the third proviso, any amount by which a State’s allocation under section 611, from funds appropriated under this heading, is reduced under section 612(a)(18)(B), according to the following: 85 percent on the basis of the States’ relative populations of children aged 3 through 21 who are of the same age as children with disabilities for whom the State ensures the availability of a free appropriate public education under this part, and 15 percent to States on the
basis of the States’ relative populations of those children who are living in poverty. Provided further, That the Secretary may not distribute any funds under the previous proviso to any State whose reduction in allocation from funds appropriated under this heading made funds available for such a distribution. Provided further, That the States shall allocate such funds distributed under the second proviso to local educational agencies in accordance with section 611(f). Provided further, That the amount by which a State’s allocation under section 611(d) of the IDEA is reduced under section 612(a)(18)(B) and the amounts distributed to States under the previous provisos in fiscal year 2012 or any subsequent year shall not be considered in calculating the awards under section 611(d) for fiscal year 2013 or for any subsequent fiscal years. Provided further, That, notwithstanding the provision in section 612(a)(18)(B) regarding the fiscal year in which a State’s allocation under section 611(d) is reduced for failure to comply with the requirement of section 612(a)(18)(A), the Secretary may apply the reduction specified in section 612(a)(18)(B) over a period of consecutive fiscal years, not to exceed five, until the entire reduction is applied. Provided further, That the Secretary may, in any fiscal year in which a State’s allocation under section 611 is reduced in accordance with section
612(a)(18)(B), reduce the amount a State may reserve under section 611(e)(1) by an amount that bears the same relation to the maximum amount described in that paragraph as the reduction under section 612(a)(18)(B) bears to the total allocation the State would have received in that fiscal year under section 611(d) in the absence of the reduction: Provided further, That the Secretary shall either reduce the allocation of funds under section 611 for any fiscal year following the fiscal year for which the State fails to comply with the requirement of section 612(a)(18)(A) as authorized by section 612(a)(18)(B), or seek to recover funds under section 452 of the General Education Provisions Act (20 U.S.C. 1234a): Provided further, That the funds reserved under 611(c) of the IDEA may be used to provide technical assistance to States to improve the capacity of the States to meet the data collection requirements of sections 616 and 618 and to administer and carry out other services and activities to improve data collection, coordination, quality, and use under parts B and C of the IDEA: Provided further, That the Secretary may use funds made available for the State Personnel Development Grants program under part D, subpart 1 of IDEA to evaluate program performance under such subpart: Provided further, That States may use funds reserved for other State-level activities under
sections 611(e)(2) and 619(f) of the IDEA to make sub-
grants to local educational agencies, institutions of higher
education, other public agencies, and private non-profit or-
ganizations to carry out activities authorized by those sec-
tions: Provided further, That, notwithstanding section
643(e)(2)(A) of the IDEA, if 5 or fewer States apply for
grants pursuant to section 643(e) of such Act, the Sec-
retary shall provide a grant to each State in an amount
equal to the maximum amount described in section
643(e)(2)(B) of such Act: Provided further, That if more
than 5 States apply for grants pursuant to section 643(e)
of the IDEA, the Secretary shall award funds to those
States on the basis of the States’ relative populations of
infants and toddlers except that no such State shall re-
ceive a grant in excess of the amount described in section
643(e)(2)(B) of such Act.

Rehabilitation Services

For carrying out, to the extent not otherwise pro-
vided, the Rehabilitation Act of 1973 and the Helen Keller
National Center Act, $3,752,076,000, of which
$3,610,040,000 shall be for grants for vocational rehabili-
tation services under title I of the Rehabilitation Act: Pro-
vided, That the Secretary may use amounts provided in
this Act that remain available subsequent to the reallo-
ment of funds to States pursuant to section 110(b) of the
Rehabilitation Act for innovative activities aimed at improving the outcomes of individuals with disabilities as defined in section 7(20)(B) of the Rehabilitation Act, including activities aimed at improving the education and post-school outcomes of children receiving Supplemental Security Income ("SSI") and their families that may result in long-term improvement in the SSI child recipient’s economic status and self-sufficiency: Provided further, That States may award subgrants for a portion of the funds to other public and private, nonprofit entities: Provided further, That any funds made available subsequent to reallocation for innovative activities aimed at improving the outcomes of individuals with disabilities shall remain available until September 30, 2021.

SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES

AMERICAN PRINTING HOUSE FOR THE BLIND

For carrying out the Act to Promote the Education of the Blind of March 3, 1879, $39,000,000.

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

For the National Technical Institute for the Deaf under titles I and II of the Education of the Deaf Act of 1986, $80,000,000: Provided, That from the total amount available, the Institute may at its discretion use
funds for the endowment program as authorized under section 207 of such Act.

GALLAUDET UNIVERSITY

For the Kendall Demonstration Elementary School, the Model Secondary School for the Deaf, and the partial support of Gallaudet University under titles I and II of the Education of the Deaf Act of 1986, $138,361,000: Provided, That from the total amount available, the University may at its discretion use funds for the endowment program as authorized under section 207 of such Act.

CAREER, TECHNICAL, AND ADULT EDUCATION

For carrying out, to the extent not otherwise provided, the Carl D. Perkins Career and Technical Education Act of 2006 (Perkins Act), and the Adult Education and Family Literacy Act (AEFLA), $2,003,133,000 (reduced by $1,000,000) (increased by $1,000,000), of which $1,212,133,000 shall become available on July 1, 2020, and shall remain available through September 30, 2021, and of which $791,000,000 shall become available on October 1, 2020, and shall remain available through September 30, 2021: Provided, That of the amounts made available for the AEFLA, $13,712,000 shall be for national leadership activities under section 242.
For carrying out subparts 1, 3, and 10 of part A, and part C of title IV of the HEA, $24,937,352,000, which shall remain available through September 30, 2021.

The maximum Pell Grant for which a student shall be eligible during award year 2020–2021 shall be $5,285.

For Federal administrative expenses to carry out part D of title I, and subparts 1, 3, 9, and 10 of part A, and parts B, C, D, and E of title IV of the HEA, and subpart 1 of part A of title VII of the Public Health Service Act, $1,678,943,000, to remain available through September 30, 2021: Provided, That the Secretary shall allocate new student loan borrower accounts to eligible student loan servicers on the basis of their past performance compared to all loan servicers, utilizing established common metrics, and on the basis of the capacity of each servicer to process new and existing accounts and compliance with Federal and State law: Provided further, That for student loan contracts awarded prior to October 1, 2017, the Secretary shall allow student loan borrowers who are consolidating Federal student loans to select from any student loan servicer to service their new consolidated student loan: Provided further, That in order to promote accountability and high-quality service to borrowers, the Secretary shall
not award funding for any contract solicitation for a new Federal student loan servicing environment, including the solicitation for the FSA Next Generation Processing and Servicing Environment, unless such an environment provides for the participation of multiple student loan servicers that contract directly with the Department of Education: Provided further, That the FSA Next Generation Processing and Servicing Environment, or any new Federal student loan servicing environment, shall include accountability measures that account for the performance of the portfolio and contractor compliance with Federal Student Aid (FSA) guidelines: Provided further, That FSA shall ensure that contracts for the Next Generation Processing and Servicing Environment, or any new Federal loan servicing environment, incentivize more support to borrowers at risk of delinquency or default: Provided further, That the Secretary shall provide quarterly briefings to the Committees on Appropriations and Education and Labor of the House of Representatives and the Committees on Appropriations and Health, Education, Labor, and Pensions of the Senate on general progress related to solicitations for Federal student loan servicing contracts.
For carrying out, to the extent not otherwise provided, titles II, III, IV, V, VI, and VII of the HEA, the Mutual Educational and Cultural Exchange Act of 1961, and section 117 of the Perkins Act, $2,748,533,000 (reduced by $10,000,000) (increased by $10,000,000) (increased by $500,000): Provided, That notwithstanding any other provision of law, funds made available in this Act to carry out title VI of the HEA and section 102(b)(6) of the Mutual Educational and Cultural Exchange Act of 1961 may be used to support visits and study in foreign countries by individuals who are participating in advanced foreign language training and international studies in areas that are vital to United States national security and who plan to apply their language skills and knowledge of these countries in the fields of government, the professions, or international development: Provided further, That of the funds referred to in the preceding proviso up to 1 percent may be used for program evaluation, national outreach, and information dissemination activities: Provided further, That up to 1.5 percent of the funds made available under chapter 2 of subpart 2 of part A of title IV of the HEA may be used for evaluation.
Howard University

For partial support of Howard University, $250,000,000, of which not less than $3,405,000 shall be for a matching endowment grant pursuant to the Howard University Endowment Act and shall remain available until expended.

College Housing and Academic Facilities Loans Program

For Federal administrative expenses to carry out activities related to existing facility loans pursuant to section 121 of the HEA, $435,000.

Historically Black College and University Capital Financing Program Account

For the cost of guaranteed loans, $20,150,000, as authorized pursuant to part D of title III of the HEA, which shall remain available through September 30, 2021: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $212,100,000: Provided further, That these funds may be used to support loans to public and private Historically Black Colleges and Universities without regard to the limitations within section 344(a) of the HEA.
In addition, $20,000,000 shall be made available to provide for the deferment of loans made under part D of title III of the HEA to eligible institutions that are private Historically Black Colleges and Universities, which apply for the deferment of such a loan and demonstrate financial need for such deferment by having a score of 2.6 or less on the Department of Education’s financial responsibility test: Provided, That during the period of deferment of such a loan, interest on the loan will not accrue or be capitalized, and the period of deferment shall be for at least a period of 3-fiscal years and not more than 6-fiscal years: Provided further, That funds available under this paragraph shall be used to fund eligible deferment requests submitted for this purpose in fiscal year 2018: Provided further, That the Secretary shall create and execute an outreach plan to work with States and the Capital Financing Advisory Board to improve outreach to States and help additional public Historically Black Colleges and Universities participate in the program.

In addition, $10,000,000 shall be made available to provide for the deferment of loans made under part D of title III of the HEA to eligible institutions that are public Historically Black Colleges and Universities, which apply for the deferment of such a loan and demonstrate financial need for such deferment, which shall be determined by the
Secretary of Education based on factors including, but not limited to, equal to or greater than 5 percent of the school’s annual revenue from the previous fiscal year relative to its debt service: Provided, That during the period of deferment of such a loan, interest on the loan will not accrue or be capitalized, and the period of deferment shall be for at least a period of 3-fiscal years and not more than 6-fiscal years.

In addition, for administrative expenses to carry out the Historically Black College and University Capital Financing Program entered into pursuant to part D of title III of the HEA, $334,000.

Institute of Education Sciences

For carrying out activities authorized by the Education Sciences Reform Act of 2002, the National Assessment of Educational Progress Authorization Act, section 208 of the Educational Technical Assistance Act of 2002, and section 664 of the Individuals with Disabilities Education Act, $650,000,000, which shall remain available through September 30, 2021: Provided, That funds available to carry out section 208 of the Educational Technical Assistance Act may be used to link Statewide elementary and secondary data systems with early childhood, postsecondary, and workforce data systems, or to further develop such systems: Provided further, That up to $6,000,000 of
the funds available to carry out section 208 of the Edu-
cational Technical Assistance Act may be used for awards
to public or private organizations or agencies to support
activities to improve data coordination, quality, and use
at the local, State, and national levels.

DEPARTMENTAL MANAGEMENT

PROGRAM ADMINISTRATION

For carrying out, to the extent not otherwise pro-
vided, the Department of Education Organization Act, in-
cluding rental of conference rooms in the District of Co-
lumbia and hire of three passenger motor vehicles,
$430,000,000 (reduced by $500,000) (reduced by
$500,000) (reduced by $5,000,000): Provided, That, not-
withstanding any other provision of law, none of the funds
provided by this Act or provided by previous Appropria-
tions Acts to the Department of Education available for
obligation or expenditure in the current fiscal year may
be used for any activity relating to implementing a reorga-
nization that decentralizes, reduces the staffing level, or
alters the responsibilities, structure, authority, or
functionality of the Budget Service of the Department of
Education, relative to the organization and operation of
the Budget Service as in effect on January 1, 2018.
OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, as authorized by section 203 of the Department of Education Organization Act, $130,000,000.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General, as authorized by section 212 of the Department of Education Organization Act, $63,418,000 (increased by $4,000,000).

GENERAL PROVISIONS

Sec. 301. No funds appropriated in this Act may be used to prevent the implementation of programs of voluntary prayer and meditation in the public schools.

(TRANSFER OF FUNDS)

Sec. 302. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985) which are appropriated for the Department of Education in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: Provided, That the transfer authority granted by this section shall be available only to meet emergency needs and shall not be used to create any new program or to fund any project or activity for which no funds are provided in this Act: Provided further, That the Committees on Appropriations of the House of Represent-
atives and the Senate are notified at least 15 days in advance of any transfer.

SEC. 303. Funds appropriated in this Act and consolidated for evaluation purposes under section 8601(c) of the ESEA shall be available from July 1, 2020, through September 30, 2021.

SEC. 304. (a) An institution of higher education that maintains an endowment fund supported with funds appropriated for title III or V of the HEA for fiscal year 2020 may use the income from that fund to award scholarships to students, subject to the limitation in section 331(c)(3)(B)(i) of the HEA. The use of such income for such purposes, prior to the enactment of this Act, shall be considered to have been an allowable use of that income, subject to that limitation.

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

SEC. 305. Section 114(f) of the HEA (20 U.S.C. 1011c(f)) is amended by striking “2019” and inserting “2020”.

SEC. 306. Section 458(a) of the HEA (20 U.S.C. 1087h(a)) is amended in paragraph (4) by striking “2019” and inserting “2020”.

SEC. 307. Funds appropriated in this Act under the heading “Student Aid Administration” may be available...
for payments for student loan servicing to an institution of higher education that services outstanding Federal Perkins Loans under part E of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087aa et seq.).

(RESCISSION)

SEC. 308. Section 401(b)(7)(A)(iv)(X) of the Higher Education Act of 1965 (20 U.S.C. 1070a(b)(7)(A)(iv)(X)) is amended by striking “$1,430,000,000” and inserting “$1,380,000,000”.

SEC. 309. (a) An institution of higher education may, with explicit written consent of an applicant who has completed a FAFSA under such section 483(a), provide such information collected from the applicant’s FAFSA as is necessary to a scholarship granting organization, including a tribal organization (defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)), or to an organization assisting the applicant in applying for and receiving Federal, State, local, or tribal assistance, that is designated by the applicant to assist the applicant in applying for and receiving financial assistance for any component of the applicant’s cost of attendance (defined in section 472 of the HEA) at that institution.

(b) An organization that receives information pursuant to subsection (a) shall not sell or otherwise share such information.
(c) This section shall be in effect until title IV of the HEA is reauthorized.

SEC. 310. For an additional amount for “Department of Education—Federal Direct Student Loan Program Account”, $350,000,000, to remain available until expended, shall be for the cost, as defined under section 502 of the Congressional Budget Act of 1974, of the Secretary of Education providing loan cancellation in the same manner as under section 455(m) of the Higher Education Act of 1965 (20 U.S.C. 1087e(m)), for borrowers of loans made under part D of title IV of such Act who would qualify for loan cancellation under section 455(m) except some, or all, of the 120 required payments under section 455(m)(1)(A) do not qualify for purposes of the program because they were monthly payments made in accordance with graduated or extended repayment plans as described under subparagraph (B) or (C) of section 455(d)(1) or the corresponding repayment plan for a consolidation loan made under section 455(g) and that were less than the amount calculated under section 455(d)(1)(A), based on a 10-year repayment period: Provided, That the total loan volume, including outstanding principal, fees, capitalized interest, or accrued interest, at application that is eligible for such loan cancellation by such borrowers shall not exceed $500,000,000: Provided further, That the Secretary
shall develop and make available a simple method for borrowers to apply for loan cancellation under this section within 60 days of enactment of this Act: Provided further, That the Secretary shall provide loan cancellation under this section to eligible borrowers on a first-come, first-serve basis, based on the date of application and subject to both the limitation on total loan volume at application for such loan cancellation specified in the first proviso and the availability of appropriations under this section: Provided further, That no borrower may, for the same service, receive a reduction of loan obligations under both this section and section 428J, 428K, 428L, or 460 of such Act: Provided further, That the Secretary shall inform all borrowers who have submitted an Employment Certification Form and are in the incorrect repayment program about the Temporary Expanded Public Service Loan Forgiveness Program and requirements for qualification under the program.

Sec. 311. Of the amounts made available under this title under the heading “Student Aid Administration”, $2,300,000 shall be used by the Secretary of Education to conduct outreach to borrowers of loans made under part D of title IV of the Higher Education Act of 1965 who may intend to qualify for loan cancellation under section 455(m) of such Act (20 U.S.C. 1087e(m)), to ensure that
borrowers are meeting the terms and conditions of such loan cancellation: Provided, That the Secretary shall specifically conduct outreach to assist borrowers who would qualify for loan cancellation under section 455(m) of such Act except that the borrower has made some, or all, of the 120 required payments under a repayment plan that is not described under section 455(m)(A) of such Act, to encourage borrowers to enroll in a qualifying repayment plan: Provided further, That the Secretary shall also communicate to all Direct Loan borrowers the full requirements of section 455(m) of such Act and improve the filing of employment certification by providing improved outreach and information such as outbound calls, electronic communications, ensuring prominent access to program requirements and benefits on each servicer’s website, and creating an option for all borrowers to complete the entire payment certification process electronically and on a centralized website.

This title may be cited as the “Department of Education Appropriations Act, 2020”.
TITLE IV

RELATED AGENCIES

Committee for Purchase From People Who Are

Blind or Severely Disabled

Salaries and Expenses

For expenses necessary for the Committee for Purchase From People Who Are Blind or Severely Disabled (referred to in this title as “the Committee”) established under section 8502 of title 41, United States Code, $9,000,000: Provided, That in order to authorize any central nonprofit agency designated pursuant to section 8503(c) of title 41, United States Code, to perform requirements of the Committee as prescribed under section 51–3.2 of title 41, Code of Federal Regulations, the Committee shall enter into a written agreement with any such central nonprofit agency: Provided further, That such agreement shall contain such auditing, oversight, and reporting provisions as necessary to implement chapter 85 of title 41, United States Code: Provided further, That such agreement shall include the elements listed under the heading “Committee For Purchase From People Who Are Blind or Severely Disabled—Written Agreement Elements” in the explanatory statement described in section 4 of Public Law 114–113 (in the matter preceding division A of that consolidated Act): Provided further, That any
such central nonprofit agency may not charge a fee under
section 51–3.5 of title 41, Code of Federal Regulations,
prior to executing a written agreement with the Com-
mitee: Provided further, That no less than $1,650,000
shall be available for the Office of Inspector General.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

OPERATING EXPENSES

For necessary expenses for the Corporation for Na-
tional and Community Service (referred to in this title as
“CNCS”) to carry out the Domestic Volunteer Service Act
of 1973 (referred to in this title as “1973 Act”) and the
National and Community Service Act of 1990 (referred
to in this title as “1990 Act”), $829,665,000, notwith-
standing sections 198B(b)(3), 198S(g), 501(a)(4)(C), and
501(a)(4)(F) of the 1990 Act: Provided, That of the
amounts provided under this heading: (1) up to 1 percent
of program grant funds may be used to defray the costs
of conducting grant application reviews, including the use
of outside peer reviewers and electronic management of
the grants cycle; (2) $17,538,000 shall be available to pro-
vide assistance to State commissions on national and com-
munity service, under section 126(a) of the 1990 Act and
notwithstanding section 501(a)(5)(B) of the 1990 Act; (3)
$33,000,000 shall be available to carry out subtitle E of
the 1990 Act; and (4) $6,400,000 shall be available for
expenses authorized under section 501(a)(4)(F) of the 
1990 Act, which, notwithstanding the provisions of section 
198P shall be awarded by CNCS on a competitive basis: 
Provided further, That for the purposes of carrying out 
the 1990 Act, satisfying the requirements in section 
122(c)(1)(D) may include a determination of need by the 
local community.

PAYMENT TO THE NATIONAL SERVICE TRUST 
(INCLUDING TRANSFER OF FUNDS) 
For payment to the National Service Trust estab-
lished under subtitle D of title I of the 1990 Act, 
$218,691,000, to remain available until expended: Pro-
vided, That CNCS may transfer additional funds from the 
amount provided within “Operating Expenses” allocated 
to grants under subtitle C of title I of the 1990 Act to 
the National Service Trust upon determination that such 
transfer is necessary to support the activities of national 
service participants and after notice is transmitted to the 
Committees on Appropriations of the House of Represent-
atives and the Senate: Provided further, That amounts ap-
propriated for or transferred to the National Service Trust 
may be invested under section 145(b) of the 1990 Act 
without regard to the requirement to apportion funds 
under 31 U.S.C. 1513(b).
For necessary expenses of administration as provided under section 501(a)(5) of the 1990 Act and under section 504(a) of the 1973 Act, including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms in the District of Columbia, the employment of experts and consultants authorized under 5 U.S.C. 3109, and not to exceed $2,500 for official reception and representation expenses, $83,737,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, $6,013,000.

ADMINISTRATIVE PROVISIONS

Sec. 401. CNCS shall make any significant changes to program requirements, service delivery or policy only through public notice and comment rulemaking. For fiscal year 2020, during any grant selection process, an officer or employee of CNCS shall not knowingly disclose any covered grant selection information regarding such selection, directly or indirectly, to any person other than an officer or employee of CNCS that is authorized by CNCS to receive such information.

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

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

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

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

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

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

(3) State Commissions on National and Community Service established pursuant to section 178 of the 1990 Act, are authorized to receive criminal history record information, consistent with Public Law 92–544.

SEC. 406. Notwithstanding sections 139(b), 146 and 147 of the 1990 Act, an individual who successfully completes a term of service of not less than 1,200 hours during a period of not more than 1 year may receive a national service education award having a value of 70 percent of the value of a national service education award determined under section 147(a) of the Act.

CORPORATION FOR PUBLIC BROADCASTING

For payment to the Corporation for Public Broadcasting ("CPB"), as authorized by the Communications Act of 1934, an amount which shall be available within limitations specified by that Act, for the fiscal year 2022, $495,000,000: Provided, That none of the funds made available to CPB by this Act shall be used to pay for receptions, parties, or similar forms of entertainment for
Government officials or employees: Provided further, That none of the funds made available to CPB by this Act shall be available or used to aid or support any program or activity from which any person is excluded, or is denied benefits, or is discriminated against, on the basis of race, color, national origin, religion, or sex: Provided further, That none of the funds made available to CPB by this Act shall be used to apply any political test or qualification in selecting, appointing, promoting, or taking any other personnel action with respect to officers, agents, and employees of CPB.

In addition, for the costs associated with replacing and upgrading the public broadcasting interconnection system and other technologies and services that create infrastructure and efficiencies within the public media system, $20,000,000.

FEDERAL MEDIATION AND CONCILIATION SERVICE

SALARIES AND EXPENSES

For expenses necessary for the Federal Mediation and Conciliation Service (“Service”) to carry out the functions vested in it by the Labor-Management Relations Act, 1947, including hire of passenger motor vehicles; for expenses necessary for the Labor-Management Cooperation Act of 1978; and for expenses necessary for the Service to carry out the functions vested in it by the Civil Service...
Reform Act, $48,200,000, including up to $900,000 to remain available through September 30, 2021, for activities authorized by the Labor-Management Cooperation Act of 1978: Provided, That notwithstanding 31 U.S.C. 3302, fees charged, up to full-cost recovery, for special training activities and other conflict resolution services and technical assistance, including those provided to foreign governments and international organizations, and for arbitration services shall be credited to and merged with this account, and shall remain available until expended: Provided further, That fees for arbitration services shall be available only for education, training, and professional development of the agency workforce: Provided further, That the Director of the Service is authorized to accept and use on behalf of the United States gifts of services and real, personal, or other property in the aid of any projects or functions within the Director’s jurisdiction.

**Federal Mine Safety and Health Review Commission**

**Salaries and Expenses**

For expenses necessary for the Federal Mine Safety and Health Review Commission, $17,184,000.
INSTITUTE OF MUSEUM AND LIBRARY SERVICES

OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS

AND ADMINISTRATION

For carrying out the Museum and Library Services Act of 1996 and the National Museum of African American History and Culture Act, $267,000,000.

MEDICAID AND CHIP PAYMENT AND ACCESS

COMMISSION

SALARIES AND EXPENSES

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

MEDICARE PAYMENT ADVISORY COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out section 1805 of the Social Security Act, $12,645,000, to be transferred to this appropriation from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund.

NATIONAL COUNCIL ON DISABILITY

SALARIES AND EXPENSES

For expenses necessary for the National Council on Disability as authorized by title IV of the Rehabilitation Act of 1973, $3,450,000.
National Labor Relations Board

Salaries and Expenses

For expenses necessary for the National Labor Relations Board to carry out the functions vested in it by the Labor-Management Relations Act, 1947, and other laws, $341,500,000.

National Mediation Board

Salaries and Expenses

For expenses necessary to carry out the provisions of the Railway Labor Act, including emergency boards appointed by the President, $15,800,000.

Occupational Safety and Health Review Commission

Salaries and Expenses

For expenses necessary for the Occupational Safety and Health Review Commission, $13,225,000.

Railroad Retirement Board

Dual Benefits Payments Account

For payment to the Dual Benefits Payments Account, authorized under section 15(d) of the Railroad Retirement Act of 1974, $16,000,000, which shall include amounts becoming available in fiscal year 2020 pursuant to section 224(c)(1)(B) of Public Law 98–76; and in addition, an amount, not to exceed 2 percent of the amount provided herein, shall be available proportional to the
amount by which the product of recipients and the average benefit received exceeds the amount available for payment of vested dual benefits: Provided, That the total amount provided herein shall be credited in 12 approximately equal amounts on the first day of each month in the fiscal year.

**FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT ACCOUNTS**

For payment to the accounts established in the Treasury for the payment of benefits under the Railroad Retirement Act for interest earned on unnegotiated checks, $150,000, to remain available through September 30, 2021, which shall be the maximum amount available for payment pursuant to section 417 of Public Law 98–76.

**LIMITATION ON ADMINISTRATION**

For necessary expenses for the Railroad Retirement Board (“Board”) for administration of the Railroad Retirement Act and the Railroad Unemployment Insurance Act, $135,500,000, to be derived in such amounts as determined by the Board from the railroad retirement accounts and from moneys credited to the railroad unemployment insurance administration fund: Provided, That notwithstanding section 7(b)(9) of the Railroad Retirement Act this limitation may be used to hire attorneys
only through the excepted service: Provided further, That the previous proviso shall not change the status under Federal employment laws of any attorney hired by the Railroad Retirement Board prior to January 1, 2013: Provided further, That notwithstanding section 7(b)(9) of the Railroad Retirement Act, this limitation may be used to hire students attending qualifying educational institutions or individuals who have recently completed qualifying educational programs using current excepted hiring authorities established by the Office of Personnel Management: Provided further, That $13,460,000, to remain available until expended, shall be used to supplement, not supplant, existing resources devoted to operations and improvements for the Board’s Information Technology Investment Initiatives.

LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General for audit, investigatory and review activities, as authorized by the Inspector General Act of 1978, not more than $11,500,000, to be derived from the railroad retirement accounts and railroad unemployment insurance account.
SOCIAL SECURITY ADMINISTRATION

PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

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

SUPPLEMENTAL SECURITY INCOME PROGRAM

For carrying out titles XI and XVI of the Social Security Act, section 401 of Public Law 92–603, section 212 of Public Law 93–66, as amended, and section 405 of Public Law 95–216, including payment to the Social Security trust funds for administrative expenses incurred pursuant to section 201(g)(1) of the Social Security Act, $41,938,540,000, to remain available until expended: Provided, That any portion of the funds provided to a State in the current fiscal year and not obligated by the State during that year shall be returned to the Treasury: Provided further, That not more than $101,000,000 shall be available for research and demonstrations under sections 1110, 1115, and 1144 of the Social Security Act, and remain available through September 30, 2022.

For making, after June 15 of the current fiscal year, benefit payments to individuals under title XVI of the Social Security Act, for unanticipated costs incurred for the current fiscal year, such sums as may be necessary.
For making benefit payments under title XVI of the Social Security Act for the first quarter of fiscal year 2021, $19,900,000,000, to remain available until expended.

LIMITATION ON ADMINISTRATIVE EXPENSES

For necessary expenses, including the hire of two passenger motor vehicles, and not to exceed $20,000 for official reception and representation expenses, not more than $12,940,945,000 may be expended, as authorized by section 201(g)(1) of the Social Security Act, from any one or all of the trust funds referred to in such section: Provided, That $2,400,000 shall be for the Social Security Advisory Board: Provided further, That $45,000,000 shall remain available until expended for information technology modernization, including related hardware and software infrastructure and equipment, and for administrative expenses directly associated with information technology modernization: Provided further, That $50,000,000 shall remain available through September 30, 2021, for activities to address the disability hearings backlog within the Office of Hearings Operations: Provided further, That unobligated balances of funds provided under this paragraph at the end of fiscal year 2020 not needed for fiscal year 2020 shall remain available until expended to invest in the Social Security Administration information tech-
ology and telecommunications hardware and software infrastructure, including related equipment and non-payroll administrative expenses associated solely with this information technology and telecommunications infrastructure:

Provided further, That the Commissioner of Social Security shall notify the Committees on Appropriations of the House of Representatives and the Senate prior to making unobligated balances available under the authority in the previous proviso: Provided further, That reimbursement to the trust funds under this heading for expenditures for official time for employees of the Social Security Administration pursuant to 5 U.S.C. 7131, and for facilities or support services for labor organizations pursuant to policies, regulations, or procedures referred to in section 7135(b) of such title shall be made by the Secretary of the Treasury, with interest, from amounts in the general fund not otherwise appropriated, as soon as possible after such expenditures are made.

Of the total amount made available in the first paragraph under this heading, not more than $1,582,000,000, to remain available through March 31, 2021, is for the costs associated with continuing disability reviews under titles II and XVI of the Social Security Act, including work-related continuing disability reviews to determine whether earnings derived from services demonstrate an in-
individual's ability to engage in substantial gainful activity,
for the cost associated with conducting redeterminations
of eligibility under title XVI of the Social Security Act,
for the cost of co-operative disability investigation units,
and for the cost associated with the prosecution of fraud
in the programs and operations of the Social Security Ad-
ministration by Special Assistant United States Attorneys:
Provided, That, of such amount, $273,000,000 is provided
to meet the terms of section 251(b)(2)(B)(ii)(III) of the
Balanced Budget and Emergency Deficit Control Act of
1985, as amended, and $1,309,000,000 is additional new
budget authority specified for purposes of section
251(b)(2)(B) of such Act: Provided further, That, of the
additional new budget authority described in the preceding
proviso, up to $10,000,000 may be transferred to the “Of-
Office of Inspector General”, Social Security Administration,
for the cost of jointly operated co-operative disability in-
vestigation units: Provided further, That such transfer au-
thority is in addition to any other transfer authority pro-
vided by law: Provided further, That the Commissioner
shall provide to the Congress (at the conclusion of the fis-
cal year) a report on the obligation and expenditure of
these funds, similar to the reports that were required by
section 103(d)(2) of Public Law 104–121 for fiscal years
In addition, $130,000,000 to be derived from administration fees in excess of $5.00 per supplementary payment collected pursuant to section 1616(d) of the Social Security Act or section 212(b)(3) of Public Law 93–66, which shall remain available until expended: Provided, That to the extent that the amounts collected pursuant to such sections in fiscal year 2020 exceed $130,000,000, the amounts shall be available in fiscal year 2021 only to the extent provided in advance in appropriations Acts.

In addition, up to $1,000,000 to be derived from fees collected pursuant to section 303(c) of the Social Security Protection Act, which shall remain available until expended.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $30,000,000, together with not to exceed $75,500,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund.

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

TITLE V
GENERAL PROVISIONS
(TRANSFER OF FUNDS)

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

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

Sec. 503. (a) No part of any appropriation contained in this Act or transferred pursuant to section 4002 of Public Law 111–148 shall be used, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, for the preparation, distribution, or use of any kit, pamphlet, booklet, publication,
electronic communication, radio, television, or video presentation designed to support or defeat the enactment of legislation before the Congress or any State or local legislature or legislative body, except in presentation to the Congress or any State or local legislature itself, or designed to support or defeat any proposed or pending regulation, administrative action, or order issued by the executive branch of any State or local government, except in presentation to the executive branch of any State or local government itself.

(b) No part of any appropriation contained in this Act or transferred pursuant to section 4002 of Public Law 111–148 shall be used to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence the enactment of legislation, appropriations, regulation, administrative action, or Executive order proposed or pending before the Congress or any State government, State legislature or local legislature or legislative body, other than for normal and recognized executive-legislative relationships or participation by an agency or officer of a State, local or tribal government in policymaking and administrative processes within the executive branch of that government.
(c) The prohibitions in subsections (a) and (b) shall include any activity to advocate or promote any proposed, pending or future Federal, State or local tax increase, or any proposed, pending, or future requirement or restriction on any legal consumer product, including its sale or marketing, including but not limited to the advocacy or promotion of gun control.

Sec. 504. The Secretaries of Labor and Education are authorized to make available not to exceed $28,000 and $20,000, respectively, from funds available for salaries and expenses under titles I and III, respectively, for official reception and representation expenses; the Director of the Federal Mediation and Conciliation Service is authorized to make available for official reception and representation expenses not to exceed $5,000 from the funds available for “Federal Mediation and Conciliation Service, Salaries and Expenses”; and the Chairman of the National Mediation Board is authorized to make available for official reception and representation expenses not to exceed $5,000 from funds available for “National Mediation Board, Salaries and Expenses”.

Sec. 505. When issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal money, all grantees receiving Federal
funds included in this Act, including but not limited to
State and local governments and recipients of Federal re-
search grants, shall clearly state—

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

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

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

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

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

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

Sec. 507. (a) The limitations established in the pre-
ceding section shall not apply to an abortion—
(1) if the pregnancy is the result of an act of
rape or incest; or

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

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

(e) Nothing in the preceding section shall be con-
strued as restricting the ability of any managed care pro-
vider from offering abortion coverage or the ability of a
State or locality to contract separately with such a pro-
vider for such coverage with State funds (other than a
State’s or locality’s contribution of Medicaid matching
funds).

(d)(1) None of the funds made available in this Act
may be made available to a Federal agency or program,
or to a State or local government, if such agency, program,
or government subjects any institutional or individual
health care entity to discrimination on the basis that the
health care entity does not provide, pay for, provide coverage of, or refer for abortions.

(2) In this subsection, the term “health care entity” includes an individual physician or other health care professional, a hospital, a provider-sponsored organization, a health maintenance organization, a health insurance plan, or any other kind of health care facility, organization, or plan.

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

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

(2) research in which a human embryo or embryos are destroyed, discarded, or knowingly subjected to risk of injury or death greater than that allowed for research on fetuses in utero under 45 CFR 46.204(b) and section 498(b) of the Public Health Service Act (42 U.S.C. 289g(b)).

(b) For purposes of this section, the term “human embryo or embryos” includes any organism, not protected as a human subject under 45 CFR 46 as of the date of the enactment of this Act, that is derived by fertilization, parthenogenesis, cloning, or any other means from one or more human gametes or human diploid cells.
SEC. 509. (a) None of the funds made available in this Act may be used for any activity that promotes the legalization of any drug or other substance included in schedule I of the schedules of controlled substances established under section 202 of the Controlled Substances Act except for normal and recognized executive-congressional communications.

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

SEC. 510. None of the funds made available in this Act may be obligated or expended to enter into or renew a contract with an entity if—

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

(2) such entity has not submitted a report as required by that section for the most recent year for which such requirement was applicable to such entity.
SEC. 511. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

SEC. 512. None of the funds made available by this Act to carry out the Library Services and Technology Act may be made available to any library covered by paragraph (1) of section 224(f) of such Act, as amended by the Children’s Internet Protection Act, unless such library has made the certifications required by paragraph (4) of such section.

SEC. 513. (a) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2020, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates new programs;

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

(3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted;
(4) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Committees on Appropriations of the House of Representatives and the Senate are consulted 15 days in advance of such reprogramming or of an announcement of intent relating to such reprogramming, whichever occurs earlier, and are notified in writing 10 days in advance of such reprogramming.

(b) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2020, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds in excess of $500,000 or 10 percent, whichever is less, that—

(1) augments existing programs, projects (including construction projects), or activities;

(2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or

(3) results from any general savings from a reduction in personnel which would result in a change
in existing programs, activities, or projects as approved by Congress;

unless the Committees on Appropriations of the House of Representatives and the Senate are consulted 15 days in advance of such reprogramming or of an announcement of intent relating to such reprogramming, whichever occurs earlier, and are notified in writing 10 days in advance of such reprogramming.

(e) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2020, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure that—

(1) relocates an office or employees;

(2) reorganizes or renames offices; or

(3) reorganizes programs or activities;

unless the relocation, renaming, or reorganization was included in the President’s fiscal year 2020 budget proposal, including the accompanying justification documents submitted to the Committees on Appropriations of the House of Representatives and the Senate, and such committees
are consulted at least 15 days in advance of such relocation, renaming, or reorganization.

Sec. 514. (a) None of the funds made available in this Act may be used to request that a candidate for appointment to a Federal scientific advisory committee disclose the political affiliation or voting history of the candidate or the position that the candidate holds with respect to political issues not directly related to and necessary for the work of the committee involved.

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

Sec. 515. Within 45 days of enactment of this Act, each department and related agency funded through this Act shall submit an operating plan that details at the program, project, and activity level any funding allocations for fiscal year 2020 that are different than those specified in this Act, the accompanying detailed table in the joint explanatory statement accompanying this Act or the fiscal year 2020 budget request.

Sec. 516. The Secretaries of Labor, Health and Human Services, and Education shall each prepare and submit to the Committees on Appropriations of the House of Representatives and the Senate a report on the number and amount of contracts, grants, and cooperative agree-
ments exceeding $500,000, individually or in total at the
program, project, or activity level, in value and awarded
by the Department on a non-competitive basis during each
quarter of fiscal year 2020, but not to include grants
awarded on a formula basis or directed by law. Such re-
port shall include the name of the contractor or grantee,
the amount of funding, the governmental purpose, includ-
ing a justification for issuing the award on a non-competi-
tive basis. Such report shall be transmitted to the Commit-
tees within 30 days after the end of the quarter for which
the report is submitted.

Sec. 517. None of the funds appropriated in this Act
shall be expended or obligated by the Commissioner of So-
cial Security, for purposes of administering Social Security
benefit payments under title II of the Social Security Act,
to process any claim for credit for a quarter of coverage
based on work performed under a social security account
number that is not the claimant’s number and the per-
formance of such work under such number has formed the
basis for a conviction of the claimant of a violation of sec-
tion 208(a)(6) or (7) of the Social Security Act.

Sec. 518. None of the funds appropriated by this Act
may be used by the Commissioner of Social Security or
the Social Security Administration to pay the compensa-
tion of employees of the Social Security Administration
to administer Social Security benefit payments, under any agreement between the United States and Mexico establishing totalization arrangements between the social security system established by title II of the Social Security Act and the social security system of Mexico, which would not otherwise be payable but for such agreement.

Sec. 519. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

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

Sec. 520. For purposes of carrying out Executive Order No. 13589, Office of Management and Budget Memorandum M–12–12 dated May 11, 2012, and requirements contained in the annual appropriations bills relating to conference attendance and expenditures:

(1) the operating divisions of HHS shall be considered independent agencies; and

(2) attendance at and support for scientific conferences shall be tabulated separately from and not included in agency totals.
SEC. 521. Federal agencies funded under this Act shall clearly state within the text, audio, or video used for advertising or educational purposes, including emails or Internet postings, that the communication is printed, published, or produced and disseminated at U.S. taxpayer expense. The funds used by a Federal agency to carry out this requirement shall be derived from amounts made available to the agency for advertising or other communications regarding the programs and activities of the agency.

SEC. 522. (a) Federal agencies may use Federal discretionary funds that are made available in this Act to carry out up to 10 Performance Partnership Pilots. Such Pilots shall be governed by the provisions of section 526 of division H of Public Law 113–76, except that in carrying out such Pilots section 526 shall be applied by substituting “Fiscal Year 2020” for “Fiscal Year 2014” in the title of subsection (b) and by substituting “September 30, 2024” for “September 30, 2018” each place it appears: Provided, That such pilots shall include communities that have experienced civil unrest.

(b) In addition, Federal agencies may use Federal discretionary funds that are made available in this Act to participate in Performance Partnership Pilots that are being carried out pursuant to the authority provided by

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

SEC. 523. Not later than 30 days after the end of each calendar quarter, beginning with the first month of fiscal year 2020, the Departments of Labor, Health and Human Services and Education and the Social Security Administration shall provide the Committees on Appropriations of the House of Representatives and Senate a report on the status of balances of appropriations: Provided, That for balances that are unobligated and uncommitted, committed, and obligated but unexpended, the monthly reports shall separately identify the amounts attributable to each source year of appropriation (beginning with fiscal year 2012, or, to the extent feasible, earlier fiscal years) from which balances were derived.

SEC. 524. Of the unobligated balances made available for purposes of carrying out section 2105(a)(3) of the So-
Sec. 525. (a)(1) The Secretary of Homeland Security, after appropriate consultation with the Secretary of Labor and appropriate employers, shall develop, through notice and comment rulemaking, a process to provide quarterly allocation of visas issued pursuant to petitions submitted by employers for individuals to be admitted under section 101(a)(15)(H)(ii)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(b)).

(2) In developing the process described in paragraph (1), the Secretary shall ensure that—

(A) all such petitions are submitted to the Secretary not later than 45 days before the first day of the quarter during which the requested beneficiaries are expected to begin their employment with the employer; and

(B) all decisions to approve or deny a petition are made not later than 15 days before the first date of employment specified in the petition.

(b) Subject to subsection (c), for fiscal year 2021, and every fiscal year thereafter, of the visas authorized under section 214(g)(1)(B) of the Immigration and Nationality Act (8 U.S.C. 1184(g)(1)(B)), the Secretary of Homeland Security shall issue—
(1) not more than 14 percent to aliens whose employment is scheduled to begin during the first quarter of the fiscal year;

(2) not more than 45 percent (plus any visas authorized, but not issued, under paragraph (1)) to aliens whose employment is scheduled to begin during the second quarter of the fiscal year;

(3) not more than 39 percent (plus any visas authorized, but not issued, under paragraphs (1) and (2)) to aliens whose employment is scheduled to begin during the third quarter of the fiscal year; and

(4) not more than 2 percent (plus any visas authorized, but not issued, under paragraph (1), (2), and (3)) to aliens whose employment is scheduled to begin during the fourth quarter of the fiscal year.

(e) Not later than 2 years after the date of the enactment of this Act, and every 2 years thereafter, the Secretary of Homeland Security, in the Secretary’s sole and unreviewable discretion, and after consultation with the Secretary of Labor, shall—

(1) compare the quarterly allocation of visas under subsection (b) to the actual need for individuals to be admitted under section 101(a)(15)(H)(ii)(b) of the Immigration and Nation-
ality Act (8 U.S.C. 1101(a)(15)(H)(ii)(b)) in each quarter; and

(2) adjust the quarterly allocation of such visas accordingly.

(d) For each calendar quarter subject to the visa allocation process set forth in subsection (b) or (c), if the total number of visas requested by employers whose petitions meet the standards for approval exceeds the total number of visas available for such employers, the Secretary shall ensure that each such petition is approved for a minimum number of visas, which shall be calculated based on the ratio between the total number of visas requested by such employers and the total number of visas available.

(e) Effective October 1, 2020, section 214(g)(10) of the Immigration and Nationality Act (8 U.S.C. 1184(g)(10)) is repealed.

(f) Section 214(c)(14)(C) of the Immigration and Nationality Act (8 U.S.C. 1184(c)(14)(C)) is amended to read as follows:

“(C) In determining the level of penalties to be assessed under subparagraph (A), the highest penalties shall be reserved for—

“(i) willful failures to meet any of the conditions of the petition that involve harm to United States workers; and
“(ii) willful misrepresentations of the number of necessary nonimmigrants in an application for temporary labor certification in support of a petition for nonimmigrants described in section 101(a)(15)(H)(ii)(b).”.

Sec. 526. None of the funds made available by this Act may be used to replace or diminish the quality of care provided by Medicare Advantage (as established in title 42, chapter 7, subchapter XVIII, part C of the United States Code) and the TRICARE program (as defined in section 1072 of title 10 of the United States Code).

Sec. 527. Except as expressly provided otherwise, any reference to “this Act” contained in this division shall be treated as referring only to the provisions of this division.

Sec. 528. Any reference to a “report accompanying this Act” contained in this division shall be treated as a reference to House Report 116–62. The effect of such Report shall be limited to this division and shall apply for purposes of determining the allocation of funds provided by, and the implementation of, this division.

Sec. 529. None of the funds made available by this Act may be used to finalize or implement the proposed rule entitled “Occupational Exposure to Beryllium and Beryllium Compounds in Construction and Shipyard Sec-
tors” published by the Department of Labor in the Federal Register on June 27, 2017 (82 Fed Reg. 29182 et seq.).

SEC. 530. None of the funds made available by this Act may be used to—

(1) alter or terminate the Interagency Agreement between the United States Department of Labor and the United States Department of Agriculture governing the funding, establishment, and operation of Job Corps Civilian Conservation Centers (or any agreement of the same substance); or

(2) close any of the following Civilian Conservation Centers:

(A) Angell Job Corps Civilian Conservation Center.

(B) Boxelder Job Corps Civilian Conservation Center.

(C) Centennial Job Corps Civilian Conservation Center.

(D) Collbran Job Corps Civilian Conservation Center.

(E) Columbia Basin Job Corps Basin Civilian Conservation Center.

(F) Curlew Job Corps Civilian Conservation Center.
(G) Great Onyx Job Corps Civilian Conservation Center.

(H) Harpers Ferry Job Corps Civilian Conservation Center.

(I) Lyndon B. Johnson Job Corps Civilian Conservation Center.

(J) Jacobs Creek Job Corps Civilian Conservation Center.

(K) Mingo Job Corps Civilian Conservation Center.

(L) Pine Ridge Job Corps Civilian Conservation Center.

(M) Schenck Job Corps Civilian Conservation Center.

(N) Trapper Creek Job Corps Civilian Conservation Center.

(O) Weber Basin Job Corps Civilian Conservation Center.

(P) Wolf Creek Job Corps Civilian Conservation Center.

(Q) Anaconda Job Corps Civilian Conservation Center.

(R) Blackwell Job Corps Civilian Conservation Center.
(S) Cass Job Corps Civilian Conservation Center.

(T) Flatwoods Job Corps Civilian Conservation Center.

(U) Fort Simcoe Job Corps Civilian Conservation Center.

(V) Frenchburg Job Corps Civilian Conservation Center.

(W) Oconaluftee Job Corps Civilian Conservation Center.

(X) Pine Knot Job Corps Civilian Conservation Center.

(Y) Timber Lake Job Corps Civilian Conservation Center.

SEC. 531. None of the funds made available by this Act may be used to implement, administer, or enforce the rule entitled “Short-Term, Limited Duration Insurance” published by the Department of the Treasury, the Department of Labor, and the Department of Health and Human Services in the Federal Register on August 3, 2018 (83 Fed. Reg. 38212).

SEC. 532. None of the funds made available by this Act may be used in contravention of section 203 of the Department of Education Organization Act (20 U.S.C. 3413).
SEC. 533. None of the funds made available by this Act may be used to convene an ethics advisory board authorized under section 492A of the Public Health Service Act with regard to research grant applications or current research projects in the competitive renewal process that propose to use human fetal tissue.

This Act may be cited as the “Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2020”.

DIVISION C—DEPARTMENT OF DEFENSE

APPROPRIATIONS ACT, 2020

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2020, for military functions administered by the Department of Defense and for other purposes, namely:

TITLE I

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty (except members of reserve compo-
ments provided for elsewhere), cadets, and aviation cadets;
for members of the Reserve Officers’ Training Corps; and
for payments pursuant to section 156 of Public Law 97–
377, as amended (42 U.S.C. 402 note), and to the Depart-
ment of Defense Military Retirement Fund,
$42,314,762,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence,
interest on deposits, gratuities, permanent change of sta-
tion travel (including all expenses thereof for organiza-
tional movements), and expenses of temporary duty travel
between permanent duty stations, for members of the
Navy on active duty (except members of the Reserve pro-
vided for elsewhere), midshipmen, and aviation cadets; for
members of the Reserve Officers’ Training Corps; and for
payments pursuant to section 156 of Public Law 97–377,
as amended (42 U.S.C. 402 note), and to the Department
of Defense Military Retirement Fund, $31,679,229,000
(increased by $2,000,000) (reduced by $2,000,000).

MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence,
interest on deposits, gratuities, permanent change of sta-
tion travel (including all expenses thereof for organiza-
tional movements), and expenses of temporary duty travel
between permanent duty stations, for members of the Ma-
rine Corps on active duty (except members of the Reserve
provided for elsewhere); and for payments pursuant to sec-
tion 156 of Public Law 97–377, as amended (42 U.S.C.
402 note), and to the Department of Defense Military Re-
tirement Fund, $14,064,751,000.

Military Personnel, Air Force

For pay, allowances, individual clothing, subsistence,
interest on deposits, gratuities, permanent change of sta-
tion travel (including all expenses thereof for organiza-
tional movements), and expenses of temporary duty travel
between permanent duty stations, for members of the Air
Force on active duty (except members of reserve compo-
nents provided for elsewhere), cadets, and aviation cadets;
for members of the Reserve Officers’ Training Corps; and
for payments pursuant to section 156 of Public Law 97–
377, as amended (42 U.S.C. 402 note), and to the Depart-
ment of Defense Military Retirement Fund,

$31,082,769,000.

Reserve Personnel, Army

For pay, allowances, clothing, subsistence, gratuities,
travel, and related expenses for personnel of the Army Re-
serve on active duty under sections 10211, 10302, and
7038 of title 10, United States Code, or while serving on
active duty under section 12301(d) of title 10, United
States Code, in connection with performing duty specified
in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $4,847,321,000.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $2,113,357,000.

RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code,
in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $829,124,000.

RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 10211, 10305, and 9038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $1,993,280,000.

NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under section 10211, 10302,
or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $8,664,535,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under section 10211, 10305, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $4,032,521,000.
TITLE II

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law, $41,449,293,000 (increased by $2,000,000) (increased by $5,000,000): Provided, That not to exceed $12,478,000 can be used for emergencies and extraordinary expenses, to be expended upon the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes.

OPERATION AND MAINTENANCE, NAVY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law, $51,417,389,000 (reduced by $4,300,000) (increased by $4,300,000) (reduced by $3,000,000): Provided, That not to exceed $15,055,000 can be used for emergencies and extraordinary expenses, to be expended upon the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes.
Operation and Maintenance, Marine Corps

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law, $7,945,854,000.

Operation and Maintenance, Air Force

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law, $44,662,729,000 (increased by $8,500,000) (reduced by $3,000,000): Provided, That not to exceed $7,699,000 can be used for emergencies and extraordinary expenses, to be expended upon the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes.

Operation and Maintenance, Space Force

For expenses, not otherwise provided for, necessary to study and refine plans for the potential establishment of a Space Force as a branch of the Armed Forces, $15,000,000 (reduced by $1,500,000): Provided, That nothing in this provision shall be construed to authorize the establishment of a Space Force.

Operation and Maintenance, Defense-Wide

(including transfer of funds)

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agen-
cies of the Department of Defense (other than the military departments), as authorized by law, $37,238,522,000 (increased by $4,356,000) (reduced by $200,000) (reduced by $8,500,000) (reduced by $2,000,000) (increased by $5,000,000) (increased by $2,000,000) (reduced by $6,000,000) (reduced by $20,000,000) (reduced by $10,000,000) (increased by $10,000,000) (reduced by $7,700,000) (increased by $10,000,000) (reduced by $5,000,000) (increased by $2,000,000) (reduced by $3,000,000) (reduced by $5,000,000) (increased by $5,000,000) (reduced by $9,000,000) (increased by $500,000) (reduced by $1,000,000) (increased by $1,000,000) (reduced by $13,000,000) (increased by $13,000,000) (reduced by $10,000,000): Provided, That not more than $6,859,000 may be used for the Combatant Commander Initiative Fund authorized under section 166a of title 10, United States Code: Provided further, That not to exceed $36,000,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for.
confidential military purposes: Provided further, That of the funds provided under this heading, not less than $44,500,000 shall be made available for the Procurement Technical Assistance Cooperative Agreement Program, of which not less than $4,500,000 shall be available for centers defined in 10 U.S.C. 2411(1)(D): Provided further, That none of the funds appropriated or otherwise made available by this Act may be used to plan or implement the consolidation of a budget or appropriations liaison office of the Office of the Secretary of Defense, the office of the Secretary of a military department, or the service headquarters of one of the Armed Forces into a legislative affairs or legislative liaison office: Provided further, That $17,732,000, to remain available until expended, is available only for expenses relating to certain classified activities, and may be transferred as necessary by the Secretary of Defense to operation and maintenance appropriations or research, development, test and evaluation appropriations, to be merged with and to be available for the same time period as the appropriations to which transferred: Provided further, That any ceiling on the investment item unit cost of items that may be purchased with operation and maintenance funds shall not apply to the funds described in the preceding proviso: Provided further, That of the funds provided under this heading, $623,073,000,
of which $155,768,000, to remain available until September 30, 2021, shall be available to provide support and assistance to foreign security forces or other groups or individuals to conduct, support or facilitate counterterrorism, crisis response, or other Department of Defense security cooperation programs: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act: Provided further, That of the funds made available under this heading for the Office of the Secretary of Defense, Policy, 10 percent shall be withheld from obligation until the Secretary of Defense submits the reports required under the heading “Counter-ISIS Train and Equip Fund” in the Department of Defense Appropriations Act, 2018 (division C of Public Law 115–141) and the Department of Defense Appropriations Act, 2019 (division A of Public Law 115–245).

OPERATION AND MAINTENANCE, ARMY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equip-
ment; and communications, $3,009,594,000 (increased by
$2,000,000).

Operation and Maintenance, Navy Reserve

For expenses, not otherwise provided for, necessary
for the operation and maintenance, including training, or-
organization, and administration, of the Navy Reserve; re-
pair of facilities and equipment; hire of passenger motor
vehicles; travel and transportation; care of the dead; re-
cruiting; procurement of services, supplies, and equip-
ment; and communications, $1,110,116,000.

Operation and Maintenance, Marine Corps Reserve

For expenses, not otherwise provided for, necessary
for the operation and maintenance, including training, or-
organization, and administration, of the Marine Corps Re-
serve; repair of facilities and equipment; hire of passenger
motor vehicles; travel and transportation; care of the dead;
recruiting; procurement of services, supplies, and equip-
ment; and communications, $294,076,000.

Operation and Maintenance, Air Force Reserve

For expenses, not otherwise provided for, necessary
for the operation and maintenance, including training, or-
organization, and administration, of the Air Force Reserve;
repair of facilities and equipment; hire of passenger motor
vehicles; travel and transportation; care of the dead; re-
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1 recruiting; procurement of services, supplies, and equip-
2 ment; and communications, $3,356,685,000.
3
4 Operation and Maintenance, Army National
5 Guard
6
7 For expenses of training, organizing, and admin-
8 istering the Army National Guard, including medical and
9 hospital treatment and related expenses in non-Federal
10 hospitals; maintenance, operation, and repairs to struc-
11 tures and facilities; hire of passenger motor vehicles; per-
12 sonnel services in the National Guard Bureau; travel ex-
13 penses (other than mileage), as authorized by law for
14 Army personnel on active duty, for Army National Guard
15 division, regimental, and battalion commanders while in-
16 specting units in compliance with National Guard Bureau
17 regulations when specifically authorized by the Chief, Na-
18 tional Guard Bureau; supplying and equipping the Army
19 National Guard as authorized by law; and expenses of re-
20 pair, modification, maintenance, and issue of supplies and
21 equipment (including aircraft), $7,448,536,000 (increased
22 by $2,000,000).
23
24 Operation and Maintenance, Air National Guard
25
26 For expenses of training, organizing, and admin-
27 istering the Air National Guard, including medical and
28 hospital treatment and related expenses in non-Federal
29 hospitals; maintenance, operation, and repairs to struc-
tures and facilities; transportation of things, hire of pas-
senger motor vehicles; supplying and equipping the Air
National Guard, as authorized by law; expenses for repair,
modification, maintenance, and issue of supplies and
equipment, including those furnished from stocks under
the control of agencies of the Department of Defense;
travel expenses (other than mileage) on the same basis as
authorized by law for Air National Guard personnel on
active Federal duty, for Air National Guard commanders
while inspecting units in compliance with National Guard
Bureau regulations when specifically authorized by the
Chief, National Guard Bureau, $6,592,589,000 (reduced
by $2,500,000) (increased by $2,500,000).

UNITED STATES COURT OF APPEALS FOR THE ARMED
Forces
For salaries and expenses necessary for the United
States Court of Appeals for the Armed Forces,
$14,771,000, of which not to exceed $5,000 may be used
for official representation purposes.

ENVIRONMENTAL RESTORATION, ARMY
(including transfer of funds)
For the Department of the Army, $235,809,000 (in-
creased by $5,000,000), to remain available until trans-
ferred: Provided, That the Secretary of the Army shall,
upon determining that such funds are required for envi-
ronmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Army, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, NAVY

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Navy, $365,883,000 (increased by $5,000,000), to remain available until transferred: Provided, That the Secretary of the Navy shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Navy, or for similar purposes, transfer the funds made available by this appropriation
to other appropriations made available to the Department of the Navy, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, AIR FORCE

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Air Force, $365,808,000 (increased by $5,000,000), to remain available until transferred: Provided, That the Secretary of the Air Force shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Air Force, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Air Force, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further,
That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For the Department of Defense, $19,002,000, to remain available until transferred: Provided, That the Secretary of Defense shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of Defense, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this
heading is in addition to any other transfer authority pro-
vided elsewhere in this Act.

**ENVIRONMENTAL RESTORATION, FORMERLY USED**

**DEFENSE SITES**

**(INCLUDING TRANSFER OF FUNDS)**

For the Department of the Army, $260,499,000, to
remain available until transferred: *Provided*, That the Sec-
retary of the Army shall, upon determining that such
funds are required for environmental restoration, reduc-
tion and recycling of hazardous waste, removal of unsafe
buildings and debris at sites formerly used by the Depart-
ment of Defense, transfer the funds made available by this
appropriation to other appropriations made available to
the Department of the Army, to be merged with and to
be available for the same purposes and for the same time
period as the appropriations to which transferred: *Pro-
vided further*, That upon a determination that all or part
of the funds transferred from this appropriation are not
necessary for the purposes provided herein, such amounts
may be transferred back to this appropriation: *Provided
further*, That the transfer authority provided under this
heading is in addition to any other transfer authority pro-
vided elsewhere in this Act.
OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

For expenses relating to the Overseas Humanitarian, Disaster, and Civic Aid programs of the Department of Defense (consisting of the programs provided under sections 401, 402, 404, 407, 2557, and 2561 of title 10, United States Code), $117,663,000, to remain available until September 30, 2021.

COOPERATIVE THREAT REDUCTION ACCOUNT

For assistance, including assistance provided by contract or by grants, under programs and activities of the Department of Defense Cooperative Threat Reduction Program authorized under the Department of Defense Cooperative Threat Reduction Act, $353,700,000 (increased by $20,000,000), to remain available until September 30, 2022.

DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND

For the Department of Defense Acquisition Workforce Development Fund, $400,000,000, to remain available for obligation until September 30, 2020: Provided, That no other amounts may be otherwise credited or transferred to the Fund, or deposited into the Fund, in fiscal year 2019 pursuant to section 1705(d) of title 10, United States Code.
TITLE III

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $3,689,720,000, to remain available for obligation until September 30, 2022.

MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired,
and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $3,218,272,000, to remain available for obligation until September 30, 2022.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For construction, procurement, production, and modification of weapons and tracked combat vehicles, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $4,849,373,000, to remain available for obligation until September 30, 2022.
PROCUREMENT OF AMMUNITION, ARMY

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $2,583,895,000, to remain available for obligation until September 30, 2022.

OTHER PROCUREMENT, ARMY

For construction, procurement, production, and modification of vehicles, including tactical, support, and non-tracked combat vehicles; the purchase of passenger motor vehicles for replacement only; communications and electronic equipment; other support equipment; spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests
therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $7,583,678,000, to remain available for obligation until September 30, 2022.

AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $18,971,913,000, to remain available for obligation until September 30, 2022.

WEAPONS PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, and related support equipment including spare parts,
and accessories therefor; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $4,061,797,000 (reduced by $7,500,000) (increased by $7,500,000), to remain available for obligation until September 30, 2022.

**PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS**

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary
for the foregoing purposes, $848,782,000, to remain avail-
able for obligation until September 30, 2022.

SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisi-
tion, or conversion of vessels as authorized by law, includ-
ing armor and armament thereof, plant equipment, appli-
cances, and machine tools and installation thereof in public
and private plants; reserve plant and Government and con-
tractor-owned equipment layaway; procurement of critical,
long lead time components and designs for vessels to be
constructed or converted in the future; and expansion of
public and private plants, including land necessary there-
for, and such lands and interests therein, may be acquired,
and construction prosecuted thereon prior to approval of
title, as follows:

Ohio Replacement Submarine (AP), $1,611,989,000;
Carrier Replacement Program, $2,066,000,000;
Virginia Class Submarine, $4,192,346,000;
Virginia Class Submarine (AP), $4,266,552,000;
CVN Refueling Overhauls, $667,926,000;
CVN Refueling Overhauls (AP), $16,900,000;
DDG–1000 Program, $155,944,000;
DDG–51 Destroyer, $5,015,295,000;
DDG–51 Destroyer (AP), $224,028,000;
FFG-Frigate, $1,281,177,000;
TAO Fleet Oiler, $981,215,000;
TAO Fleet Oiler (AP), $73,000,000;
Towing, Salvage, and Rescue Ship, $150,282,000;
LCU 1700, $83,670,000;
Ship to Shore Connector, $65,000,000;
Service Craft, $56,289,000;
For outfitting, post delivery, conversions, and first
destination transportation, $736,243,000; and
Completion of Prior Year Shipbuilding Programs,
$55,700,000.

In all: $21,699,556,000, to remain available for obli-
gation until September 30, 2024: Provided, That addi-
tional obligations may be incurred after September 30,
2024, for engineering services, tests, evaluations, and
other such budgeted work that must be performed in the
final stage of ship construction: Provided further, That
none of the funds provided under this heading for the con-
struction or conversion of any naval vessel to be con-
structed in shipyards in the United States shall be ex-
pended in foreign facilities for the construction of major
components of such vessel: Provided further, That none
of the funds provided under this heading shall be used
for the construction of any naval vessel in foreign ship-
yards: Provided further, That funds appropriated or other-
wise made available by this Act for production of the com-
mon missile compartment of nuclear-powered vessels may be available for multiyear procurement of critical components to support continuous production of such compartments only in accordance with the provisions of subsection (i) of section 2218a of title 10, United States Code (as added by section 1023 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328)).

**Other Procurement, Navy**

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $9,123,068,000, to remain available for obligation until September 30, 2022.

**Procurement, Marine Corps**

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, spare parts, and accessories therefor; plant

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equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the purchase of passenger motor vehicles for replacement only; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, $2,838,151,000, to remain available for obligation until September 30, 2022.

**AIRCRAFT PROCUREMENT, AIR FORCE**

For construction, procurement, and modification of aircraft and equipment, including armor and armament, specialized ground handling equipment, and training devices, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things,
$18,082,933,000, to remain available for obligation until September 30, 2022.

MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, rockets, and related equipment, including spare parts and accessories therefor; ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $2,789,287,000, to remain available for obligation until September 30, 2022.

SPACE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of spacecraft, rockets, and related equipment, including spare parts and accessories therefor; ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such
lands and interests therein, may be acquired, and con-
struction prosecuted thereon prior to approval of title; re-
serve plant and Government and contractor-owned equip-
ment layaway; and other expenses necessary for the fore-
going purposes including rents and transportation of 
things, $2,368,443,000, to remain available for obligation 
until September 30, 2022.

PROCUREMENT OF AMMUNITION, AIR FORCE

For construction, procurement, production, and 
modification of ammunition, and accessories therefor; spe-
cialized equipment and training devices; expansion of pub-
lic and private plants, including ammunition facilities, au-
thorized by section 2854 of title 10, United States Code, 
and the land necessary therefor, for the foregoing pur-
poses, and such lands and interests therein, may be ac-
quired, and construction prosecuted thereon prior to ap-
proval of title; and procurement and installation of equip-
ment, appliances, and machine tools in public and private 
plants; reserve plant and Government and contractor-
owned equipment layaway; and other expenses necessary 
for the foregoing purposes, $1,602,761,000, to remain 
available for obligation until September 30, 2022.

OTHER PROCUREMENT, AIR FORCE

For procurement and modification of equipment (in-
cluding ground guidance and electronic control equipment,
and ground electronic and communication equipment),
and supplies, materials, and spare parts therefor, not oth-
erwise provided for; the purchase of passenger motor vehi-
cles for replacement only; lease of passenger motor vehi-
cles; and expansion of public and private plants, Govern-
ment-owned equipment and installation thereof in such
plants, erection of structures, and acquisition of land, for
the foregoing purposes, and such lands and interests
therein, may be acquired, and construction prosecuted
thereon, prior to approval of title; reserve plant and Gov-
ernment and contractor-owned equipment layaway,
$21,067,888,000 (reduced by $2,000,000), to remain
available for obligation until September 30, 2022.

PROCUREMENT, DEFENSE-WIDE

For expenses of activities and agencies of the Depart-
ment of Defense (other than the military departments)
necessary for procurement, production, and modification
of equipment, supplies, materials, and spare parts there-
for, not otherwise provided for; the purchase of passenger
motor vehicles for replacement only; expansion of public
and private plants, equipment, and installation thereof in
such plants, erection of structures, and acquisition of land
for the foregoing purposes, and such lands and interests
therein, may be acquired, and construction prosecuted
thereon prior to approval of title; reserve plant and Gov-
Government and contractor-owned equipment layaway, $5,100,866,000, to remain available for obligation until September 30, 2022.

DEFENSE PRODUCTION ACT PURCHASES

For activities by the Department of Defense pursuant to sections 108, 301, 302, and 303 of the Defense Production Act of 1950 (50 U.S.C. 4518, 4531, 4532, and 4533), $64,393,000, to remain available until expended.

TITLE IV

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $12,046,783,000 (increased by $4,800,000) (reduced by $1,000,000) (increased by $4,000,000) (increased by $2,500,000) (increased by $9,000,000), to remain available for obligation until September 30, 2021.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, includ-
ing maintenance, rehabilitation, lease, and operation of fa-
cilities and equipment, $19,140,865,000 (increased by
$8,000,000) (increased by $5,000,000) (reduced by
$5,000,000) (increased by $5,000,000) (increased by
$10,000,000), to remain available for obligation until Sep-
tember 30, 2021. Provided, That funds appropriated in
this paragraph which are available for the V–22 may be
used to meet unique operational requirements of the Spe-
cial Operations Forces.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

Air Force

For expenses necessary for basic and applied sci-
entific research, development, test and evaluation, includ-
ingen maintenance, rehabilitation, lease, and operation of fa-
cilities and equipment, $44,554,256,000 (reduced by
$9,500,000) (increased by $9,500,000) (increased by
$5,000,000), to remain available for obligation until Sep-
tember 30, 2021.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

Defense-Wide

For expenses of activities and agencies of the Depart-
ment of Defense (other than the military departments),
necessary for basic and applied scientific research, devel-
opment, test and evaluation; advanced research projects
as may be designated and determined by the Secretary
of Defense, pursuant to law; maintenance, rehabilitation, 
lease, and operation of facilities and equipment, 
$24,492,308,000 (reduced by $10,000,000) (reduced by 
$4,800,000) (increased by $1,000,000) (reduced by 
$4,000,000) (increased by $4,000,000) (increased by 
$1,500,000) (increased by $3,000,000) (reduced by 
$6,000,000) (increased by $3,000,000) (reduced by 
$2,500,000) (increased by $3,000,000) (reduced by 
$10,000,000) (increased by $2,000,000) (increased by 
$5,000,000) (reduced by $5,000,000), to remain available 
for obligation until September 30, 2021.

Operational Test and Evaluation, Defense

For expenses, not otherwise provided for, necessary 
for the independent activities of the Director, Operational 
Test and Evaluation, in the direction and supervision of 
operational test and evaluation, including initial oper- 
tional test and evaluation which is conducted prior to, 
and in support of, production decisions; joint operational 
testing and evaluation; and administrative expenses in 
connection therewith, $221,200,000, to remain available 
for obligation until September 30, 2021.
TITLE V

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For the Defense Working Capital Funds, $1,226,211,000.

DEFENSE COUNTERINTELLIGENCE AND SECURITY

AGENCY WORKING CAPITAL FUND

For the Defense Counterintelligence and Security Agency Working Capital Fund, $200,000,000.

TITLE VI

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense as authorized by law, $33,476,039,000 (increased by $2,000,000) (increased by $2,000,000) (increased by $10,000,000); of which $31,359,442,000, shall be for operation and maintenance, of which not to exceed 1 percent shall remain available for obligation until September 30, 2021, and of which up to $15,176,945,000 may be available for contracts entered into under the TRICARE program; of which $454,324,000, to remain available for obligation until September 30, 2022, shall be for procurement; and of which $1,662,273,000 (increased by $2,000,000) (increased by
$2,000,000) (increased by $10,000,000) (increased by
$10,000,000), to remain available for obligation until Sep-
tember 30, 2021, shall be for research, development, test
and evaluation: Provided, That, notwithstanding any other
provision of law, of the amount made available under this
heading for research, development, test and evaluation,
not less than $8,000,000 shall be available for HIV pre-
vention educational activities undertaken in connection
with United States military training, exercises, and hu-
manitarian assistance activities conducted primarily in Af-
rican nations: Provided further, That of the funds provided
under this heading for research, development, test and
evaluation, not less than $930,000,000 (increased by
$10,000,000) shall be made available to the United States
Army Medical Research and Materiel Command to carry
out the congressionally directed medical research pro-
grams: Provided further, That the Secretary of Defense
shall submit to the House and Senate Appropriations
Committees quarterly reports on the current status of the
deployment of the electronic health record: Provided fur-
ther, That the Secretary of Defense shall provide notice
to the House and Senate Appropriations Committees not
later than 10 business days after delaying the proposed
timeline of such deployment if such delay is longer than
1 week: Provided further, That the Comptroller General
of the United States shall perform quarterly performance
reviews of such deployment.

CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,

DEFENSE

For expenses, not otherwise provided for, necessary
for the destruction of the United States stockpile of lethal
chemical agents and munitions in accordance with the pro-
visions of section 1412 of the Department of Defense Au-
 thorization Act, 1986 (50 U.S.C. 1521), and for the de-
struction of other chemical warfare materials that are not
in the chemical weapon stockpile, $985,499,000, of which
$107,351,000 shall be for operation and maintenance, of
which no less than $52,452,000 shall be for the Chemical
Stockpile Emergency Preparedness Program, consisting of
$22,444,000 for activities on military installations and
$30,008,000, to remain available until September 30,
2021, to assist State and local governments; $2,218,000
shall be for procurement, to remain available until Sep-
tember 30, 2022, of which not less than $2,218,000 shall
be for the Chemical Stockpile Emergency Preparedness
Program to assist State and local governments; and
$875,930,000, to remain available until September 30,
2021, shall be for research, development, test and evalua-
tion, of which $869,430,000 shall only be for the Assem-
bled Chemical Weapons Alternatives program.
DRUG INTERDICATION AND COUNTER-DRUG ACTIVITIES,

DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for operation and maintenance; for procurement; and for research, development, test and evaluation, $816,755,000 (reduced by $3,000,000) (increased by $3,000,000), of which $517,171,000 shall be for counter-narcotics support; $121,922,000 (reduced by $3,000,000) (increased by $3,000,000) shall be for the drug demand reduction program; $172,291,000 shall be for the National Guard counter-drug program; and $5,371,000 shall be for the National Guard counter-drug schools program: Provided, That the funds appropriated under this heading shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided
under this heading is in addition to any other transfer au-
thority contained elsewhere in this Act: Provided further,
That section 284 of title 10, United States Code, may only
be carried out using amounts appropriated under this
heading for counter-narcotics support: Provided further,
That amounts appropriated under this heading for
counter-narcotics support may not be used for the con-
struction of fences pursuant to subsection (b)(7) of such
section: Provided further, That the transfer authority con-
tained in section 8005 in title VIII of this Act shall not
apply to amounts made available under this heading: Pro-
vided further, That funds appropriated under this heading
for counter-narcotics support may only be transferred 15
days following written notification to the congressional de-
fense committees.

Office of the Inspector General

For expenses and activities of the Office of the In-
spector General in carrying out the provisions of the In-
spector General Act of 1978, as amended, $363,499,000,
of which $360,201,000 shall be for operation and mainte-
nance, of which not to exceed $700,000 is available for
emergencies and extraordinary expenses to be expended on
the approval or authority of the Inspector General, and
payments may be made on the Inspector General’s certifi-
cate of necessity for confidential military purposes; of
which $333,000 to remain available for obligation until September 30, 2022, shall be for procurement; and of which $2,965,000, to remain available until September 30, 2021, shall be for research, development, test and evaluation.

TITLE VII

RELATED AGENCIES

CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain the proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System, $514,000,000.

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

For necessary expenses of the Intelligence Community Management Account, $558,000,000.

TITLE VIII

GENERAL PROVISIONS

Sec. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

Sec. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States
shall not apply to personnel of the Department of Defense:

Provided, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: Provided further, That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: Provided further, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.

Sec. 8003. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year, unless expressly so provided herein.

Sec. 8004. No more than 20 percent of the appropriations in this Act which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year: Provided, That this section shall not apply to obligations for support of active
duty training of reserve components or summer camp
training of the Reserve Officers’ Training Corps.

(TRANSFER OF FUNDS)

Sec. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed a total of $1,000,000,000 of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided, That such authority to transfer may not be used unless the Secretary of Defense and the head of each entity affected by such transfer certifies in writing to the congressional defense committees, as part of the applicable request for reprogramming required for such transfer, that the funds will be used for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: Provided further, That the Secretary of Defense shall notify the Congress promptly of
all transfers made pursuant to this authority or any other authority in this Act: Provided further, That no part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress: Provided further, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2020.

Sec. 8006. (a) With regard to the list of specific programs, projects, and activities (and the dollar amounts and adjustments to budget activities corresponding to such programs, projects, and activities) contained in the tables titled Explanation of Project Level Adjustments in the explanatory statement regarding this Act, the obligation and expenditure of amounts appropriated or otherwise made available in this Act for those programs, projects, and activities for which the amounts appropriated exceed the amounts requested are hereby required by law to be carried out in the manner provided by such tables to the same extent as if the tables were included in the text of this Act.
(b) Amounts specified in the referenced tables described in subsection (a) shall not be treated as subdivisions of appropriations for purposes of section 8005 of this Act: Provided, That section 8005 shall apply when transfers of the amounts described in subsection (a) occur between appropriation accounts.

SEC. 8007. (a) Not later than 60 days after enactment of this Act, the Department of Defense shall submit a report to the congressional defense committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2020: Provided, That the report shall include—

(1) a table for each appropriation with a separate column to display the President’s budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation both by budget activity and program, project, and activity as detailed in the Budget Appendix; and

(3) an identification of items of special congressional interest.

(b) Notwithstanding section 8005 of this Act, none of the funds provided in this Act shall be available for
reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional defense committees, unless the Secretary of Defense certifies in writing to the congressional defense committees that such reprogramming or transfer is necessary as an emergency requirement: *Provided*, That this subsection shall not apply to transfers from the following appropriations accounts:

(1) “Environmental Restoration, Army”;
(2) “Environmental Restoration, Navy”;
(3) “Environmental Restoration, Air Force”;
(4) “Environmental Restoration, Defense-Wide”
(5) “Environmental Restoration, Formerly Used Defense Sites”.

*(TRANSFER OF FUNDS)*

Sec. 8008. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: *Provided*, That transfers may be made between such funds: *Provided further*, That transfers may be made between working capital funds and the “Foreign Currency Fluctuations, Defense”
appropriation and the “Operation and Maintenance” appropriation accounts in such amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget, except that such transfers may not be made unless the Secretary of Defense has notified the Congress of the proposed transfer: Provided further, That except in amounts equal to the amounts appropriated to working capital funds in this Act, no obligations may be made against a working capital fund to procure or increase the value of war reserve material inventory, unless the Secretary of Defense has notified the Congress prior to any such obligation.

Sec. 8009. Funds appropriated by this Act may not be used to initiate a special access program without prior notification 30 calendar days in advance to the congressional defense committees.

Sec. 8010. None of the funds provided in this Act shall be available to initiate: (1) a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year of the contract or that includes an unfunded contingent liability in excess of $20,000,000; or (2) a contract for advance procurement leading to a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year, unless the congressional defense committees
have been notified at least 30 days in advance of the proposed contract award: *Provided*, That no part of any appropriation contained in this Act shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government’s liability: *Provided further*, That no part of any appropriation contained in this Act shall be available to initiate multiyear procurement contracts for any systems or component thereof if the value of the multiyear contract would exceed $500,000,000 unless specifically provided in this Act: *Provided further*, That no multiyear procurement contract can be terminated without 30-day prior notification to the congressional defense committees: *Provided further*, That the execution of multiyear authority shall require the use of a present value analysis to determine lowest cost compared to an annual procurement: *Provided further*, That none of the funds provided in this Act may be used for a multiyear contract executed after the date of the enactment of this Act unless in the case of any such contract—

(1) the Secretary of Defense has submitted to Congress a budget request for full funding of units to be procured through the contract and, in the case of a contract for procurement of aircraft, that includes, for any aircraft unit to be procured through
the contract for which procurement funds are re-
quested in that budget request for production be-
yond advance procurement activities in the fiscal
year covered by the budget, full funding of procure-
ment of such unit in that fiscal year;

(2) cancellation provisions in the contract do
not include consideration of recurring manufacturing
costs of the contractor associated with the produc-
tion of unfunded units to be delivered under the con-
tract;

(3) the contract provides that payments to the
contractor under the contract shall not be made in
advance of incurred costs on funded units; and

(4) the contract does not provide for a price ad-
justment based on a failure to award a follow-on
contract.

Sec. 8011. Within the funds appropriated for the op-
eration and maintenance of the Armed Forces, funds are
hereby appropriated pursuant to section 401 of title 10,
United States Code, for humanitarian and civic assistance
costs under chapter 20 of title 10, United States Code.
Such funds may also be obligated for humanitarian and
civic assistance costs incidental to authorized operations
and pursuant to authority granted in section 401 of chap-
ter 20 of title 10, United States Code, and these obliga-
tions shall be reported as required by section 401(d) of title 10, United States Code: Provided, That funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99–239: Provided further, That upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau, and Guam.

Sec. 8012. (a) During the current fiscal year, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.
(b) The fiscal year 2021 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2021 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 2021.

(c) As required by section 1107 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 2358 note) civilian personnel at the Department of Army Science and Technology Reinvention Laboratories may not be managed on the basis of the Table of Distribution and Allowances, and the management of the workforce strength shall be done in a manner consistent with the budget available with respect to such Laboratories.

(d) Nothing in this section shall be construed to apply to military (civilian) technicians.

Sec. 8013. None of the funds made available by this Act shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress.

Sec. 8014. None of the funds appropriated by this Act shall be available for the basic pay and allowances of any member of the Army participating as a full-time stu-
dent and receiving benefits paid by the Secretary of Veterans Affairs from the Department of Defense Education Benefits Fund when time spent as a full-time student is credited toward completion of a service commitment: Provided, That this section shall not apply to those members who have reenlisted with this option prior to October 1, 1987: Provided further, That this section applies only to active components of the Army.

(TRANSFER OF FUNDS)

Sec. 8015. Funds appropriated in title III of this Act for the Department of Defense Pilot Mentor-Protege Program may be transferred to any other appropriation contained in this Act solely for the purpose of implementing a Mentor-Protege Program developmental assistance agreement pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2302 note), as amended, under the authority of this provision or any other transfer authority contained in this Act.

Sec. 8016. None of the funds in this Act may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States from components which are substan-
tially manufactured in the United States: Provided, That for the purpose of this section, the term “manufactured” shall include cutting, heat treating, quality control, testing of chain and welding (including the forging and shot blasting process): Provided further, That for the purpose of this section substantially all of the components of anchor and mooring chain shall be considered to be produced or manufactured in the United States if the aggregate cost of the components produced or manufactured in the United States exceeds the aggregate cost of the components produced or manufactured outside the United States: Provided further, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the Service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

Sec. 8017. None of the funds appropriated by this Act shall be used for the support of any nonappropriated funds activity of the Department of Defense that procures malt beverages and wine with nonappropriated funds for resale (including such alcoholic beverages sold by the drink) on a military installation located in the United
States unless such malt beverages and wine are procured within that State, or in the case of the District of Columbia, within the District of Columbia, in which the military installation is located: Provided, That, in a case in which the military installation is located in more than one State, purchases may be made in any State in which the installation is located: Provided further, That such local procurement requirements for malt beverages and wine shall apply to all alcoholic beverages only for military installations in States which are not contiguous with another State: Provided further, That alcoholic beverages other than wine and malt beverages, in contiguous States and the District of Columbia shall be procured from the most competitive source, price and other factors considered.

SEC. 8018. None of the funds available to the Department of Defense may be used to demilitarize or dispose of M–1 Carbines, M–1 Garand rifles, M–14 rifles, .22 caliber rifles, .30 caliber rifles, or M–1911 pistols, or to demilitarize or destroy small arms ammunition or ammunition components that are not otherwise prohibited from commercial sale under Federal law, unless the small arms ammunition or ammunition components are certified by the Secretary of the Army or designee as unserviceable or unsafe for further use.
SEC. 8019. No more than $500,000 of the funds appropriated or made available in this Act shall be used during a single fiscal year for any single relocation of an organization, unit, activity or function of the Department of Defense into or within the National Capital Region: Provided, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the congressional defense committees that such a relocation is required in the best interest of the Government.

SEC. 8020. Of the funds made available in this Act, $25,000,000 shall be available for incentive payments authorized by section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544): Provided, That a prime contractor or a subcontractor at any tier that makes a subcontract award to any subcontractor or supplier as defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code, shall be considered a contractor for the purposes of being allowed additional compensation under section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544) whenever the prime contract or subcontract amount is over $500,000 and involves the expenditure of funds appropriated by an Act making appropriations for the Department of Defense with respect to any fiscal year: Provided,
vided further, That notwithstanding section 1906 of title 41, United States Code, this section shall be applicable to any Department of Defense acquisition of supplies or services, including any contract and any subcontract at any tier for acquisition of commercial items produced or manufactured, in whole or in part, by any subcontractor or supplier defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code.

Sec. 8021. Funds appropriated by this Act for the Defense Media Activity shall not be used for any national or international political or psychological activities.

Sec. 8022. During the current fiscal year, the Department of Defense is authorized to incur obligations of not to exceed $350,000,000 for purposes specified in section 2350j(c) of title 10, United States Code, in anticipation of receipt of contributions, only from the Government of Kuwait, under that section: Provided, That, upon receipt, such contributions from the Government of Kuwait shall be credited to the appropriations or fund which incurred such obligations.

Sec. 8023. (a) Of the funds made available in this Act, not less than $51,800,000 shall be available for the Civil Air Patrol Corporation, of which—
(1) $37,233,000 shall be available from “Operation and Maintenance, Air Force” to support Civil Air Patrol Corporation operation and maintenance, readiness, counter-drug activities, and drug demand reduction activities involving youth programs;

(2) $11,000,000 shall be available from “Aircraft Procurement, Air Force”; and

(3) $3,567,000 shall be available from “Other Procurement, Air Force” for vehicle and communication equipment procurement.

(b) The Secretary of the Air Force should waive reimbursement for any funds used by the Civil Air Patrol for counter-drug activities in support of Federal, State, and local government agencies.

SEC. 8024. (a) None of the funds appropriated in this Act are available to establish a new Department of Defense (department) federally funded research and development center (FFRDC), either as a new entity, or as a separate entity administrated by an organization managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other nonprofit entities.

(b) No member of a Board of Directors, Trustees, Overseers, Advisory Group, Special Issues Panel, Visiting Committee, or any similar entity of a defense FFRDC,
and no paid consultant to any defense FFRDC, except when acting in a technical advisory capacity, may be compensated for his or her services as a member of such entity, or as a paid consultant by more than one FFRDC in a fiscal year: Provided, That a member of any such entity referred to previously in this subsection shall be allowed travel expenses and per diem as authorized under the Federal Joint Travel Regulations, when engaged in the performance of membership duties.

(c) Notwithstanding any other provision of law, none of the funds available to the department from any source during the current fiscal year may be used by a defense FFRDC, through a fee or other payment mechanism, for construction of new buildings not located on a military installation, for payment of cost sharing for projects funded by Government grants, for absorption of contract overruns, or for certain charitable contributions, not to include employee participation in community service and/or development.

(d) Notwithstanding any other provision of law, of the funds available to the department during fiscal year 2020, not more than 6,100 staff years of technical effort (staff years) may be funded for defense FFRDCs: Provided, That this subsection shall not apply to staff years
funded in the National Intelligence Program (NIP) and
the Military Intelligence Program (MIP).

(e) The Secretary of Defense shall, with the submission of the Department’s fiscal year 2021 budget request, submit a report presenting the specific amounts of staff years of technical effort to be allocated for each defense FFRDC during that fiscal year and the associated budget estimates.

(f) Notwithstanding any other provision of this Act, the total amount appropriated in this Act for FFRDCs is hereby increased by $26,800,000: Provided, That this subsection shall not apply to appropriations for the National Intelligence Program (NIP) and the Military Intelligence Program (MIP).

SEC. 8025. None of the funds appropriated or made available in this Act shall be used to procure carbon, alloy, or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense which were not melted and rolled in the United States or Canada: Provided, That these procurement restrictions shall apply to any and all Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy or armor steel plate: Provided further, That the Secretary of the military department responsible
for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: Provided further, That these restrictions shall not apply to contracts which are in being as of the date of the enactment of this Act.

Sec. 8026. For the purposes of this Act, the term “congressional defense committees” means the Armed Services Committee of the House of Representatives, the Armed Services Committee of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

Sec. 8027. During the current fiscal year, the Department of Defense may acquire the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other defense-related articles, through competition between Department of Defense depot maintenance activities and private firms: Provided, That the Senior Acquisition Execu-
tive of the military department or Defense Agency con-
cerned, with power of delegation, shall certify that success-
ful bids include comparable estimates of all direct and in-
direct costs for both public and private bids: Provided fur-
ther, That Office of Management and Budget Circular A–
76 shall not apply to competitions conducted under this
section.

SEC. 8028. (a)(1) If the Secretary of Defense, after
consultation with the United States Trade Representative,
determines that a foreign country which is party to an
agreement described in paragraph (2) has violated the
terms of the agreement by discriminating against certain
types of products produced in the United States that are
covered by the agreement, the Secretary of Defense shall
rescind the Secretary’s blanket waiver of the Buy Amer-
ican Act with respect to such types of products produced
in that foreign country.

(2) An agreement referred to in paragraph (1) is any
reciprocal defense procurement memorandum of under-
standing, between the United States and a foreign country
pursuant to which the Secretary of Defense has prospec-
tively waived the Buy American Act for certain products
in that country.

(b) The Secretary of Defense shall submit to the Con-
gress a report on the amount of Department of Defense
purchases from foreign entities in fiscal year 2020. Such
report shall separately indicate the dollar value of items
for which the Buy American Act was waived pursuant to
any agreement described in subsection (a)(2), the Trade
Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any
international agreement to which the United States is a
party.
(c) For purposes of this section, the term “Buy
American Act” means chapter 83 of title 41, United
States Code.

Sec. 8029. During the current fiscal year, amounts
contained in the Department of Defense Overseas Military
Facility Investment Recovery Account established by sec-
tion 2921(c)(1) of the National Defense Authorization Act
of 1991 (Public Law 101–510; 10 U.S.C. 2687 note) shall
be available until expended for the payments specified by
section 2921(c)(2) of that Act.

Sec. 8030. (a) Notwithstanding any other provision
of law, the Secretary of the Air Force may convey at no
cost to the Air Force, without consideration, to Indian
tribes located in the States of Nevada, Idaho, North Da-
kota, South Dakota, Montana, Oregon, Minnesota, and
Washington relocatable military housing units located at
Grand Forks Air Force Base, Malmstrom Air Force Base,
Mountain Home Air Force Base, Ellsworth Air Force
Base, and Minot Air Force Base that are excess to the needs of the Air Force.

(b) The Secretary of the Air Force shall convey, at no cost to the Air Force, military housing units under subsection (a) in accordance with the request for such units that are submitted to the Secretary by the Operation Walking Shield Program on behalf of Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington. Any such conveyance shall be subject to the condition that the housing units shall be removed within a reasonable period of time, as determined by the Secretary.

(c) The Operation Walking Shield Program shall resolve any conflicts among requests of Indian tribes for housing units under subsection (a) before submitting requests to the Secretary of the Air Force under subsection (b).

(d) In this section, the term “Indian tribe” means any recognized Indian tribe included on the current list published by the Secretary of the Interior under section 104 of the Federally Recognized Indian Tribe Act of 1994 (Public Law 103–454; 108 Stat. 4792; 25 U.S.C. 5131).

SEC. 8031. During the current fiscal year, appropriations which are available to the Department of Defense for operation and maintenance may be used to purchase
items having an investment item unit cost of not more
than $250,000.

Sec. 8032. None of the funds made available by this
Act may be used to—

(1) disestablish, or prepare to disestablish, a
Senior Reserve Officers’ Training Corps program in
accordance with Department of Defense Instruction
Number 1215.08, dated June 26, 2006; or

(2) close, downgrade from host to extension
center, or place on probation a Senior Reserve Offi-
cers’ Training Corps program in accordance with the
information paper of the Department of the Army
titled “Army Senior Reserve Officer’s Training
Corps (SROTC) Program Review and Criteria”,

Sec. 8033. Up to $14,000,000 of the funds appro-
priated under the heading “Operation and Maintenance,
Navy” may be made available for the Asia Pacific Re-
gional Initiative Program for the purpose of enabling the
Pacific Command to execute Theater Security Cooperation
activities such as humanitarian assistance, and payment
of incremental and personnel costs of training and exer-
cising with foreign security forces: Provided, That funds
made available for this purpose may be used, notwith-
standing any other funding authorities for humanitarian
assistance, security assistance or combined exercise expenses: Provided further, That funds may not be obligated to provide assistance to any foreign country that is otherwise prohibited from receiving such type of assistance under any other provision of law.

Sec. 8034. The Secretary of Defense shall issue regulations to prohibit the sale of any tobacco or tobacco-related products in military resale outlets in the United States, its territories and possessions at a price below the most competitive price in the local community: Provided, That such regulations shall direct that the prices of tobacco or tobacco-related products in overseas military retail outlets shall be within the range of prices established for military retail system stores located in the United States.

Sec. 8035. (a) During the current fiscal year, none of the appropriations or funds available to the Department of Defense Working Capital Funds shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Department of Defense Working Capital Funds if such an item would not have been chargeable to the Department of Defense Business Operations Fund during fiscal year 1994 and if the purchase of such an
investment item would be chargeable during the current fiscal year to appropriations made to the Department of Defense for procurement.

(b) The fiscal year 2021 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2021 Department of Defense budget shall be prepared and submitted to the Congress on the basis that any equipment which was classified as an end item and funded in a procurement appropriation contained in this Act shall be budgeted for in a proposed fiscal year 2021 procurement appropriation and not in the supply management business area or any other area or category of the Department of Defense Working Capital Funds.

SEC. 8036. None of the funds appropriated by this Act for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 2021: Provided, That funds appropriated, transferred, or otherwise credited to the Central Intelligence Agency Central Services Working Capital Fund during this or any prior or subsequent fiscal year shall remain available until expended: Provided further, That any funds appropriated or transferred to the Central Intel-
intelligence Agency for advanced research and development acquisition, for agent operations, and for covert action programs authorized by the President under section 503 of the National Security Act of 1947 (50 U.S.C. 3093) shall remain available until September 30, 2021.

Sec. 8037. Of the funds appropriated to the Department of Defense under the heading “Operation and Maintenance, Defense-Wide”, not less than $12,000,000 shall be made available only for the mitigation of environmental impacts, including training and technical assistance to tribes, related administrative support, the gathering of information, documenting of environmental damage, and developing a system for prioritization of mitigation and cost to complete estimates for mitigation, on Indian lands resulting from Department of Defense activities.

Sec. 8038. (a) None of the funds appropriated in this Act may be expended by an entity of the Department of Defense unless the entity, in expending the funds, complies with the Buy American Act. For purposes of this subsection, the term “Buy American Act” means chapter 83 of title 41, United States Code.

(b) If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a “Made in America” inscription to any product sold in or shipped to the United States that is not made
in America, the Secretary shall determine, in accordance with section 2410f of title 10, United States Code, whether the person should be debarred from contracting with the Department of Defense.

(c) In the case of any equipment or products purchased with appropriations provided under this Act, it is the sense of the Congress that any entity of the Department of Defense, in expending the appropriation, purchase only American-made equipment and products, provided that American-made equipment and products are cost-competitive, quality competitive, and available in a timely fashion.

SEC. 8039. (a) Except as provided in subsections (b) and (c), none of the funds made available by this Act may be used—

(1) to establish a field operating agency; or

(2) to pay the basic pay of a member of the Armed Forces or civilian employee of the department who is transferred or reassigned from a headquarters activity if the member or employee’s place of duty remains at the location of that headquarters.

(b) The Secretary of Defense or Secretary of a military department may waive the limitations in subsection (a), on a case-by-case basis, if the Secretary determines, and certifies to the Committees on Appropriations of the
House of Representatives and the Senate that the granting of the waiver will reduce the personnel requirements or the financial requirements of the department.

(c) This section does not apply to—

(1) field operating agencies funded within the National Intelligence Program;

(2) an Army field operating agency established to eliminate, mitigate, or counter the effects of improvised explosive devices, and, as determined by the Secretary of the Army, other similar threats;

(3) an Army field operating agency established to improve the effectiveness and efficiencies of biometric activities and to integrate common biometric technologies throughout the Department of Defense;

or

(4) an Air Force field operating agency established to administer the Air Force Mortuary Affairs Program and Mortuary Operations for the Department of Defense and authorized Federal entities.

SEC. 8040. (a) None of the funds appropriated by this Act shall be available to convert to contractor performance an activity or function of the Department of Defense that, on or after the date of the enactment of this Act, is performed by Department of Defense civilian employees unless—
(1) the conversion is based on the result of a public-private competition that includes a most efficient and cost effective organization plan developed by such activity or function;

(2) the Competitive Sourcing Official determines that, over all performance periods stated in the solicitation of offers for performance of the activity or function, the cost of performance of the activity or function by a contractor would be less costly to the Department of Defense by an amount that equals or exceeds the lesser of—

(A) 10 percent of the most efficient organization's personnel-related costs for performance of that activity or function by Federal employees; or

(B) $10,000,000; and

(3) the contractor does not receive an advantage for a proposal that would reduce costs for the Department of Defense by—

(A) not making an employer-sponsored health insurance plan available to the workers who are to be employed in the performance of that activity or function under the contract; or

(B) offering to such workers an employer-sponsored health benefits plan that requires the
employer to contribute less towards the premium or subscription share than the amount that is paid by the Department of Defense for health benefits for civilian employees under chapter 89 of title 5, United States Code.

(b)(1) The Department of Defense, without regard to subsection (a) of this section or subsection (a), (b), or (c) of section 2461 of title 10, United States Code, and notwithstanding any administrative regulation, requirement, or policy to the contrary shall have full authority to enter into a contract for the performance of any commercial or industrial type function of the Department of Defense that—

(A) is included on the procurement list established pursuant to section 2 of the Javits-Wagner-O’Day Act (section 8503 of title 41, United States Code);

(B) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or

(C) is planned to be converted to performance by a qualified firm under at least 51 percent ownership by an Indian tribe, as defined in section 4(e) of the Indian Self-Determination and Education As-
sistance Act (25 U.S.C. 450b(e)), or a Native Hawaiian Organization, as defined in section 8(a)(15) of the Small Business Act (15 U.S.C. 637(a)(15)).

(2) This section shall not apply to depot contracts or contracts for depot maintenance as provided in sections 2469 and 2474 of title 10, United States Code.

(e) The conversion of any activity or function of the Department of Defense under the authority provided by this section shall be credited toward any competitive or outsourcing goal, target, or measurement that may be established by statute, regulation, or policy and is deemed to be awarded under the authority of, and in compliance with, subsection (h) of section 2304 of title 10, United States Code, for the competition or outsourcing of commercial activities.

(RESCISSIONS)

Sec. 8041. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: Provided, That no amounts may be rescinded from amounts that were designated by the Congress for Overseas Contingency Operations/Global War on Terrorism or as an emergency requirement pursuant to the Concurrent Resolution on the
Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended:

“Shipbuilding and Conversion, Navy: DDG–51 Destroyer”, 2012/2020, $86,000,000;

“Shipbuilding and Conversion, Navy: LCAC SLEP”, 2013/2020, $2,000,000;

“Missile Procurement, Army”, 2018/2020, $14,056,000;

“Procurement of Weapons and Tracked Combat Vehicles, Army”, 2018/2020, $97,000,000;

“Other Procurement, Army”, 2018/2020, $10,685,000;

“Aircraft Procurement, Navy”, 2018/2020, $126,079,000;

“Other Procurement, Navy”, 2018/2020, $34,087,000;

“Procurement, Marine Corps”, 2018/2020, $9,046,000;


“Other Procurement, Air Force”, 2018/2020, $26,000,000;

“Aircraft Procurement, Army”, 2019/2021, $58,600,000;
“Procurement of Weapons and Tracked Combat Vehicles”, 2019/2021, $87,567,000;
“Other Procurement, Army”, 2019/2021, $75,173,000;
“Aircraft Procurement, Navy”, 2019/2021, $501,616,000;
“Procurement of Ammunition, Navy and Marine Corps”, 2019/2021, $22,000,000;
“Other Procurement, Navy”, 2019/2021, $44,964,000;
“Procurement, Marine Corps”, 2019/2021, $74,456,000;
“Aircraft Procurement, Air Force”, 2019/2021, $629,300,000;
“Missile Procurement, Air Force”, 2019/2021, $76,000,000;
“Space Procurement, Air Force”, 2019/2021, $214,509,000;
“Procurement of Ammunition, Air Force”, 2019/2021, $236,100,000;
“Research, Development, Test and Evaluation, Army”, 2019/2020, $65,933,000;
“Research, Development, Test and Evaluation, Navy”, 2019/2020, $240,088,000; and

SEC. 8042. None of the funds available in this Act may be used to reduce the authorized positions for military technicians (dual status) of the Army National Guard, Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military technicians (dual status), unless such reductions are a direct result of a reduction in military force structure.

SEC. 8043. None of the funds appropriated or otherwise made available in this Act may be obligated or expended for assistance to the Democratic People’s Republic of Korea unless specifically appropriated for that purpose.

SEC. 8044. Funds appropriated in this Act for operation and maintenance of the Military Departments, Combatant Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence or counterintelligence support to Combatant Commands, Defense
Agencies and Joint Intelligence Activities, including the activities and programs included within the National Intelligence Program and the Military Intelligence Program: Provided, That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

SEC. 8045. (a) None of the funds available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States.

(b) None of the funds available to the Central Intelligence Agency for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States.

SEC. 8046. None of the funds appropriated by this Act may be used for the procurement of ball and roller bearings other than those produced by a domestic source and of domestic origin: Provided, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire ca-
pability for national security purposes: Provided further,
That this restriction shall not apply to the purchase of
“commercial items”, as defined by section 103 of title 41,
United States Code, except that the restriction shall apply
to ball or roller bearings purchased as end items.

Sec. 8047. In addition to the amounts appropriated
or otherwise made available elsewhere in this Act,
$44,000,000 is hereby appropriated to the Department of
Defense: Provided, That upon the determination of the
Secretary of Defense that it shall serve the national inter-
est, the Secretary shall make grants in the amounts speci-
fied as follows: $20,000,000 to the United Service Organi-
zations and $24,000,000 to the Red Cross.

Sec. 8048. None of the funds in this Act may be
used to purchase any supercomputer which is not manu-
factured in the United States, unless the Secretary of De-
fense certifies to the congressional defense committees
that such an acquisition must be made in order to acquire
capability for national security purposes that is not avail-
able from United States manufacturers.

Sec. 8049. Notwithstanding any other provision in
this Act, the Small Business Innovation Research program
and the Small Business Technology Transfer program set-
asides shall be taken proportionally from all programs,
projects, or activities to the extent they contribute to the extramural budget.

Sec. 8050. None of the funds available to the Department of Defense under this Act shall be obligated or expended to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor to an employee when—

(1) such costs are for a bonus or otherwise in excess of the normal salary paid by the contractor to the employee; and

(2) such bonus is part of restructuring costs associated with a business combination.

(INCLUDING TRANSFER OF FUNDS)

Sec. 8051. During the current fiscal year, no more than $30,000,000 of appropriations made in this Act under the heading “Operation and Maintenance, Defense-Wide” may be transferred to appropriations available for the pay of military personnel, to be merged with, and to be available for the same time period as the appropriations to which transferred, to be used in support of such personnel in connection with support and services for eligible organizations and activities outside the Department of Defense pursuant to section 2012 of title 10, United States Code.
Sec. 8052. During the current fiscal year, in the case of an appropriation account of the Department of Defense for which the period of availability for obligation has expired or which has closed under the provisions of section 1552 of title 31, United States Code, and which has a negative unliquidated or unexpended balance, an obligation or an adjustment of an obligation may be charged to any current appropriation account for the same purpose as the expired or closed account if—

(1) the obligation would have been properly chargeable (except as to amount) to the expired or closed account before the end of the period of availability or closing of that account;

(2) the obligation is not otherwise properly chargeable to any current appropriation account of the Department of Defense; and

(3) in the case of an expired account, the obligation is not chargeable to a current appropriation of the Department of Defense under the provisions of section 1405(b)(8) of the National Defense Authorization Act for Fiscal Year 1991, Public Law 101–510, as amended (31 U.S.C. 1551 note): Provided, That in the case of an expired account, if subsequent review or investigation discloses that there was not in fact a negative unliquidated or unex-
pended balance in the account, any charge to a current account under the authority of this section shall be reversed and recorded against the expired account: Provided further, That the total amount charged to a current appropriation under this section may not exceed an amount equal to 1 percent of the total appropriation for that account.

Sec. 8053. (a) Notwithstanding any other provision of law, the Chief of the National Guard Bureau may permit the use of equipment of the National Guard Distance Learning Project by any person or entity on a space-available, reimbursable basis. The Chief of the National Guard Bureau shall establish the amount of reimbursement for such use on a case-by-case basis.

(b) Amounts collected under subsection (a) shall be credited to funds available for the National Guard Distance Learning Project and be available to defray the costs associated with the use of equipment of the project under that subsection. Such funds shall be available for such purposes without fiscal year limitation.

(INCLUDING TRANSFER OF FUNDS)

Sec. 8054. Of the funds appropriated in this Act under the heading “Operation and Maintenance, Defense-Wide”, $35,000,000 shall be for continued implementation and expansion of the Sexual Assault Special Victims’
Counsel Program: Provided, That the funds are made available for transfer to the Department of the Army, the Department of the Navy, and the Department of the Air Force: Provided further, That funds transferred shall be merged with and available for the same purposes and for the same time period as the appropriations to which the funds are transferred: Provided further, That this transfer authority is in addition to any other transfer authority provided in this Act.

SEC. 8055. None of the funds appropriated in title IV of this Act may be used to procure end-items for delivery to military forces for operational training, operational use or inventory requirements: Provided, That this restriction does not apply to end-items used in development, prototyping, and test activities preceding and leading to acceptance for operational use: Provided further, That the Secretary of Defense shall, with submission of the Department’s fiscal year 2021 budget request, submit a report detailing the use of funds requested in research, development, test and evaluation accounts for end-items used in development, prototyping and test activities preceding and leading to acceptance for operational use: Provided further, That this restriction does not apply to programs funded within the National Intelligence Program: Provided further, That the Secretary of Defense may waive this restric-
tion on a case-by-case basis by certifying in writing to the
Committees on Appropriations of the House of Represent-
atives and the Senate that it is in the national security
interest to do so.

Sec. 8056. (a) The Secretary of Defense may, on a
case-by-case basis, waive with respect to a foreign country
each limitation on the procurement of defense items from
foreign sources provided in law if the Secretary determines
that the application of the limitation with respect to that
country would invalidate cooperative programs entered
into between the Department of Defense and the foreign
country, or would invalidate reciprocal trade agreements
for the procurement of defense items entered into under
section 2531 of title 10, United States Code, and the
country does not discriminate against the same or similar
defense items produced in the United States for that coun-
try.

(b) Subsection (a) applies with respect to—

(1) contracts and subcontracts entered into on
or after the date of the enactment of this Act; and

(2) options for the procurement of items that
are exercised after such date under contracts that
are entered into before such date if the option prices
are adjusted for any reason other than the applica-
tion of a waiver granted under subsection (a).
(c) Subsection (a) does not apply to a limitation regarding construction of public vessels, ball and roller bearings, food, and clothing or textile materials as defined by section XI (chapters 50–65) of the Harmonized Tariff Schedule of the United States and products classified under headings 4010, 4202, 4203, 6400 through 6406, 6505, 7019, 7218 through 7229, 7304.41 through 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

Sec. 8057. None of the funds appropriated or otherwise made available by this or other Department of Defense Appropriations Acts may be obligated or expended for the purpose of performing repairs or maintenance to military family housing units of the Department of Defense, including areas in such military family housing units that may be used for the purpose of conducting official Department of Defense business.

Sec. 8058. Notwithstanding any other provision of law, funds appropriated in this Act under the heading “Research, Development, Test and Evaluation, Defense-Wide” for any new start advanced concept technology demonstration project or joint capability demonstration project may only be obligated 45 days after a report, including a description of the project, the planned acquisition and transition strategy and its estimated annual and
total cost, has been provided in writing to the congres-
sional defense committees.

SEC. 8059. The Secretary of Defense shall continue
to provide a classified quarterly report to the House and
Senate Appropriations Committees, Subcommittees on
Defense on certain matters as directed in the classified
annex accompanying this Act.

SEC. 8060. Notwithstanding section 12310(b) of title
10, United States Code, a Reserve who is a member of
the National Guard serving on full-time National Guard
duty under section 502(f) of title 32, United States Code,
may perform duties in support of the ground-based ele-
ments of the National Ballistic Missile Defense System.

SEC. 8061. None of the funds provided in this Act
may be used to transfer to any nongovernmental entity
ammunition held by the Department of Defense that has
a center-fire cartridge and a United States military no-
menclature designation of “armor penetrator”, “armor
piercing (AP)”, “armor piercing incendiary (API)”, or
“armor-piercing incendiary tracer (API-T)”, except to an
entity performing demilitarization services for the Depart-
ment of Defense under a contract that requires the entity
to demonstrate to the satisfaction of the Department of
Defense that armor piercing projectiles are either: (1) ren-
dered incapable of reuse by the demilitarization process;
or (2) used to manufacture ammunition pursuant to a con-
tract with the Department of Defense or the manufacture
of ammunition for export pursuant to a License for Per-
manent Export of Unclassified Military Articles issued by
the Department of State.

Sec. 8062. Notwithstanding any other provision of
law, the Chief of the National Guard Bureau, or his des-
ignee, may waive payment of all or part of the consider-
ation that otherwise would be required under section 2667
of title 10, United States Code, in the case of a lease of
personal property for a period not in excess of 1 year to
any organization specified in section 508(d) of title 32,
United States Code, or any other youth, social, or fra-
ternal nonprofit organization as may be approved by the
Chief of the National Guard Bureau, or his designee, on
a case-by-case basis.

(INCLUDING TRANSFER OF FUNDS)

Sec. 8063. Of the amounts appropriated in this Act
under the heading “Operation and Maintenance, Army”,
$138,103,000 shall remain available until expended: Pro-
vided, That, notwithstanding any other provision of law,
the Secretary of Defense is authorized to transfer such
funds to other activities of the Federal Government: Pro-
vided further, That the Secretary of Defense is authorized
to enter into and carry out contracts for the acquisition
of real property, construction, personal services, and operations related to projects carrying out the purposes of this section: Provided further, That contracts entered into under the authority of this section may provide for such indemnification as the Secretary determines to be necessary: Provided further, That projects authorized by this section shall comply with applicable Federal, State, and local law to the maximum extent consistent with the national security, as determined by the Secretary of Defense.

Sec. 8064. (a) None of the funds appropriated in this or any other Act may be used to take any action to modify—

(1) the appropriations account structure for the National Intelligence Program budget, including through the creation of a new appropriation or new appropriation account;

(2) how the National Intelligence Program budget request is presented in the unclassified P–1, R–1, and O–1 documents supporting the Department of Defense budget request;

(3) the process by which the National Intelligence Program appropriations are apportioned to the executing agencies; or
(4) the process by which the National Intelligence Program appropriations are allotted, obligated and disbursed.

(b) Nothing in section (a) shall be construed to prohibit the merger of programs or changes to the National Intelligence Program budget at or below the Expenditure Center level, provided such change is otherwise in accordance with paragraphs (a)(1)–(3).

(e) The Director of National Intelligence and the Secretary of Defense may jointly, only for the purposes of achieving auditable financial statements and improving fiscal reporting, study and develop detailed proposals for alternative financial management processes. Such study shall include a comprehensive counterintelligence risk assessment to ensure that none of the alternative processes will adversely affect counterintelligence.

(d) Upon development of the detailed proposals defined under subsection (c), the Director of National Intelligence and the Secretary of Defense shall—

(1) provide the proposed alternatives to all affected agencies;

(2) receive certification from all affected agencies attesting that the proposed alternatives will help achieve auditability, improve fiscal reporting, and will not adversely affect counterintelligence; and
(3) not later than 30 days after receiving all necessary certifications under paragraph (2), present the proposed alternatives and certifications to the congressional defense and intelligence committees.

Sec. 8065. In addition to amounts provided elsewhere in this Act, $5,000,000 (increased by $5,000,000) is hereby appropriated to the Department of Defense, to remain available for obligation until expended: Provided, That notwithstanding any other provision of law, that upon the determination of the Secretary of Defense that it shall serve the national interest, these funds shall be available only for a grant to the Fisher House Foundation, Inc., only for the construction and furnishing of additional Fisher Houses to meet the needs of military family members when confronted with the illness or hospitalization of an eligible military beneficiary.

Sec. 8066. None of the funds available to the Department of Defense may be obligated to modify command and control relationships to give Fleet Forces Command operational and administrative control of United States Navy forces assigned to the Pacific fleet: Provided, That the command and control relationships which existed on October 1, 2004, shall remain in force until a written modification has been proposed to the House and Senate Appropriations Committees: Provided further, That the
proposed modification may be implemented 30 days after
the notification unless an objection is received from either
the House or Senate Appropriations Committees: Provided
further, That any proposed modification shall not preclude
the ability of the commander of United States Indo-Pacific
Command to meet operational requirements.

SEC. 8067. Any notice that is required to be sub-
mited to the Committees on Appropriations of the Senate
and the House of Representatives under section 806(c)(4)
Fiscal Year 2003 (10 U.S.C. 2302 note) after the date
of the enactment of this Act shall be submitted pursuant
to that requirement concurrently to the Subcommittees on
Defense of the Committees on Appropriations of the Sen-
ate and the House of Representatives.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8068. Of the amounts appropriated in this Act
under the headings “Procurement, Defense-Wide” and
“Research, Development, Test and Evaluation, Defense-
Wide”, $500,000,000 shall be for the Israeli Cooperative
Programs: Provided, That of this amount, $95,000,000
shall be for the Secretary of Defense to provide to the Gov-
ernment of Israel for the procurement of the Iron Dome
defense system to counter short-range rocket threats, sub-
ject to the U.S.-Israel Iron Dome Procurement Agree-
ment, as amended; $191,000,000 shall be for the Short
Range Ballistic Missile Defense (SRBMD) program, in-
cluding cruise missile defense research and development
under the SRBMD program, of which $50,000,000 shall
be for co-production activities of SRBMD systems in the
United States and in Israel to meet Israel’s defense re-
quirements consistent with each nation’s laws, regulations,
and procedures, subject to the U.S.-Israeli co-production
agreement for SRBMD, as amended; $55,000,000 shall
be for an upper-tier component to the Israeli Missile De-
fense Architecture, of which $55,000,000 shall be for co-
production activities of Arrow 3 Upper Tier systems in
the United States and in Israel to meet Israel’s defense
requirements consistent with each nation’s laws, regula-
tions, and procedures, subject to the U.S.-Israeli co-pro-
duction agreement for Arrow 3 Upper Tier, as amended;
and $159,000,000 shall be for the Arrow System Improve-
ment Program including development of a long range,
ground and airborne, detection suite: Provided further,
That the transfer authority provided under this provision
is in addition to any other transfer authority contained
in this Act.

(INCLUDING TRANSFER OF FUNDS)

Sec. 8069. Of the amounts appropriated in this Act
under the heading “Shipbuilding and Conversion, Navy”,

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$55,700,000 shall be available until September 30, 2020, to fund prior year shipbuilding cost increases: Provided, That upon enactment of this Act, the Secretary of the Navy shall transfer funds to the following appropriations in the amounts specified: Provided further, That the amounts transferred shall be merged with and be available for the same purposes as the appropriations to which transferred to:

(1) Under the heading “Shipbuilding and Conversion, Navy”, 2016/2020: Littoral Combat Ship $14,000,000;
(2) Under the heading “Shipbuilding and Conversion, Navy”, 2016/2020: Expeditionary Sea Base $38,000,000; and

Sec. 8070. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 3094) during fiscal year 2020 until the enactment of the Intelligence Authorization Act for Fiscal Year 2020.
Sec. 8071. None of the funds provided in this Act shall be available for obligation or expenditure through a reprogramming of funds that creates or initiates a new program, project, or activity, unless the Secretary of Defense notifies the congressional defense committees not less that 30 days in advance (or in an emergency, as far in advance as is practicable) that such program, project, or activity must be undertaken immediately to address a documented requirement in ongoing or anticipated contingency operations that if left unfulfilled could potentially result in loss of life.

Sec. 8072. The budget of the President for fiscal year 2021 submitted to the Congress pursuant to section 1105 of title 31, United States Code, shall include separate budget justification documents for costs of United States Armed Forces’ participation in contingency operations for the Military Personnel accounts, the Operation and Maintenance accounts, the Procurement accounts, and the Research, Development, Test and Evaluation accounts: Provided, That these documents shall include a description of the funding requested for each contingency operation, for each military service, to include all Active and Reserve components, and for each appropriations account: Provided further, That these documents shall include estimated costs for each element of expense or object class,
a reconciliation of increases and decreases for each contingency operation, and programmatic data including, but not limited to, troop strength for each Active and Reserve component, and estimates of the major weapons systems deployed in support of each contingency: Provided further, that these documents shall include budget exhibits OP–5 and OP–32 (as defined in the Department of Defense Financial Management Regulation) for all contingency operations for the budget year and the 2 preceding fiscal years.

Sec. 8073. None of the funds in this Act may be used for research, development, test, evaluation, procurement or deployment of nuclear armed interceptors of a missile defense system.

Sec. 8074. The Secretary of Defense may use up to $500,000,000 of the amounts appropriated or otherwise made available in this Act to the Department of Defense for the rapid acquisition and deployment of supplies and associated support services pursuant to section 806 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 10 U.S.C. 2302 note): Provided, That the Secretary of Defense shall notify the congressional defense committees promptly of all uses of this authority.
SEC. 8075. None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would reduce the WC–130 Weather Reconnaissance mission below the levels funded in this Act: Provided, That the Air Force shall allow the 53rd Weather Reconnaissance Squadron to perform other missions in support of national defense requirements during the non-hurricane season.

SEC. 8076. None of the funds provided in this Act shall be available for integration of foreign intelligence information unless the information has been lawfully collected and processed during the conduct of authorized foreign intelligence activities: Provided, That information pertaining to United States persons shall only be handled in accordance with protections provided in the Fourth Amendment of the United States Constitution as implemented through Executive Order No. 12333.

SEC. 8077. (a) None of the funds appropriated by this Act may be used to transfer research and development, acquisition, or other program authority relating to current tactical unmanned aerial vehicles (TUAVs) from the Army.

(b) The Army shall retain responsibility for and operational control of the MQ–1C Gray Eagle Unmanned Aer-
ial Vehicle (UAV) in order to support the Secretary of De-
fense in matters relating to the employment of unmanned
aerial vehicles.

SEC. 8078. None of the funds appropriated by this
Act for programs of the Office of the Director of National
Intelligence shall remain available for obligation beyond
the current fiscal year, except for funds appropriated for
research and technology, which shall remain available until
September 30, 2021.

SEC. 8079. For purposes of section 1553(b) of title
31, United States Code, any subdivision of appropriations
made in this Act under the heading “Shipbuilding and
Conversion, Navy” shall be considered to be for the same
purpose as any subdivision under the heading “Ship-
building and Conversion, Navy” appropriations in any
prior fiscal year, and the 1 percent limitation shall apply
to the total amount of the appropriation.

SEC. 8080. (a) Not later than 60 days after the date
of enactment of this Act, the Director of National Intel-
ligence shall submit a report to the congressional intel-
ligence committees to establish the baseline for application
of reprogramming and transfer authorities for fiscal year
2020: Provided, That the report shall include—

(1) a table for each appropriation with a sepa-
rare column to display the President’s budget re-
quest, adjustments made by Congress, adjustments
due to enacted rescissions, if appropriate, and the
fiscal year enacted level;

(2) a delineation in the table for each appro-
priation by Expenditure Center and project; and

(3) an identification of items of special congres-
sional interest.

(b) None of the funds provided for the National Intel-
ligence Program in this Act shall be available for re-
programming or transfer until the report identified in sub-
section (a) is submitted to the congressional intelligence
committees, unless the Director of National Intelligence
certifies in writing to the congressional intelligence com-
mittees that such reprogramming or transfer is necessary
as an emergency requirement.

Sec. 8081. Notwithstanding any other provision of
law, any transfer of funds, appropriated or otherwise made
available by this Act, for support to friendly foreign coun-
tries in connection with the conduct of operations in which
the United States is not participating, pursuant to section
331(d) of title 10, United States Code, shall be made in
accordance with section 8005 or 9002 of this Act, as appli-
cable.

Sec. 8082. Any transfer of amounts appropriated to,
credited to, or deposited in the Department of Defense Ac-
quisition Workforce Development Fund in or for fiscal year 2020 to a military department or Defense Agency pursuant to section 1705(e)(1) of title 10, United States Code, shall be covered by and subject to section 8005 or 9002 of this Act, as applicable.

SEC. 8083. None of the funds made available by this Act for excess defense articles, assistance under section 333 of title 10, United States Code, or peacekeeping operations for the countries designated annually to be in violation of the standards of the Child Soldiers Prevention Act of 2008 (Public Law 110–457; 22 U.S.C. 2370c–1) may be used to support any military training or operation that includes child soldiers, as defined by the Child Soldiers Prevention Act of 2008, unless such assistance is otherwise permitted under section 404 of the Child Soldiers Prevention Act of 2008.

SEC. 8084. (a) None of the funds provided for the National Intelligence Program in this or any prior appropriations Act shall be available for obligation or expenditure through a reprogramming or transfer of funds in accordance with section 102A(d) of the National Security Act of 1947 (50 U.S.C. 3024(d)) that—

(1) creates a new start effort;

(2) terminates a program with appropriated funding of $10,000,000 or more;
(3) transfers funding into or out of the National Intelligence Program; or

(4) transfers funding between appropriations, unless the congressional intelligence committees are notified 30 days in advance of such reprogramming of funds; this notification period may be reduced for urgent national security requirements.

(b) None of the funds provided for the National Intelligence Program in this or any prior appropriations Act shall be available for obligation or expenditure through a reprogramming or transfer of funds in accordance with section 102A(d) of the National Security Act of 1947 (50 U.S.C. 3024(d)) that results in a cumulative increase or decrease of the levels specified in the classified annex accompanying the Act unless the congressional intelligence committees are notified 30 days in advance of such reprogramming of funds; this notification period may be reduced for urgent national security requirements.

Sec. 8085. The Director of National Intelligence shall submit to Congress each year, at or about the time that the President’s budget is submitted to Congress that year under section 1105(a) of title 31, United States Code, a future-years intelligence program (including associated annexes) reflecting the estimated expenditures and proposed appropriations included in that budget. Any such
future-years intelligence program shall cover the fiscal
year with respect to which the budget is submitted and
at least the 4 succeeding fiscal years.

SEC. 8086. For the purposes of this Act, the term
“congressional intelligence committees” means the Perma-
nent Select Committee on Intelligence of the House of
Representatives, the Select Committee on Intelligence of
the Senate, the Subcommittee on Defense of the Com-
mittee on Appropriations of the House of Representatives,
and the Subcommittee on Defense of the Committee on
Appropriations of the Senate.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8087. During the current fiscal year, not to ex-
ceed $11,000,000 from each of the appropriations made
in title II of this Act for “Operation and Maintenance,
Army”, “Operation and Maintenance, Navy”, and “Oper-
ation and Maintenance, Air Force” may be transferred by
the military department concerned to its central fund es-
established for Fisher Houses and Suites pursuant to sec-
tion 2493(d) of title 10, United States Code.

SEC. 8088. None of the funds appropriated by this
Act may be available for the purpose of making remit-
tances to the Department of Defense Acquisition Work-
force Development Fund in accordance with section 1705
of title 10, United States Code.
SEC. 8089. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public Web site of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

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

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

(2) the report contains proprietary information.

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

SEC. 8090. (a) None of the funds appropriated or otherwise made available by this Act may be expended for any Federal contract for an amount in excess of $1,000,000, unless the contractor agrees not to—

(1) enter into any agreement with any of its employees or independent contractors that requires, as a condition of employment, that the employee or independent contractor agree to resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including as-
sault and battery, intentional infliction of emotional
distress, false imprisonment, or negligent hiring, su-
pervision, or retention; or

(2) take any action to enforce any provision of
an existing agreement with an employee or inde-
pendent contractor that mandates that the employee
or independent contractor resolve through arbitra-
tion any claim under title VII of the Civil Rights Act
of 1964 or any tort related to or arising out of sex-
ual assault or harassment, including assault and
battery, intentional infliction of emotional distress,
false imprisonment, or negligent hiring, supervision,
or retention.

(b) None of the funds appropriated or otherwise
made available by this Act may be expended for any Fed-
eral contract unless the contractor certifies that it requires
each covered subcontractor to agree not to enter into, and
not to take any action to enforce any provision of, any
agreement as described in paragraphs (1) and (2) of sub-
section (a), with respect to any employee or independent
contractor performing work related to such subcontract.
For purposes of this subsection, a “covered subcon-
tractor” is an entity that has a subcontract in excess of
$1,000,000 on a contract subject to subsection (a).
(c) The prohibitions in this section do not apply with respect to a contractor’s or subcontractor’s agreements with employees or independent contractors that may not be enforced in a court of the United States.

(d) The Secretary of Defense may waive the application of subsection (a) or (b) to a particular contractor or subcontractor for the purposes of a particular contract or subcontract if the Secretary or the Deputy Secretary personally determines that the waiver is necessary to avoid harm to national security interests of the United States, and that the term of the contract or subcontract is not longer than necessary to avoid such harm. The determination shall set forth with specificity the grounds for the waiver and for the contract or subcontract term selected, and shall state any alternatives considered in lieu of a waiver and the reasons each such alternative would not avoid harm to national security interests of the United States. The Secretary of Defense shall transmit to Congress, and simultaneously make public, any determination under this subsection not less than 15 business days before the contract or subcontract addressed in the determination may be awarded.

(INCLUDING TRANSFER OF FUNDS)

Sec. 8091. From within the funds appropriated for operation and maintenance for the Defense Health Pro-
gram in this Act, up to $129,000,000, shall be available for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund in accordance with the provisions of section 1704 of the National Defense Authorization Act for Fiscal Year 2010, Public Law 111–84: Provided, That for purposes of section 1704(b), the facility operations funded are operations of the integrated Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility as described by section 706 of Public Law 110–417: Provided further, That additional funds may be transferred from funds appropriated for operation and maintenance for the Defense Health Program to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Defense to the Committees on Appropriations of the House of Representatives and the Senate.

Sec. 8092. None of the funds appropriated or otherwise made available by this Act may be used by the Department of Defense or a component thereof in contravention of the provisions of section 130h of title 10, United States Code.
Sec. 8093. Appropriations available to the Department of Defense may be used for the purchase of heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of $450,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

(INCLUDING TRANSFER OF FUNDS)

Sec. 8094. Upon a determination by the Director of National Intelligence that such action is necessary and in the national interest, the Director may, with the approval of the Office of Management and Budget, transfer not to exceed $1,000,000,000 of the funds made available in this Act for the National Intelligence Program: Provided, That such authority to transfer may not be used unless for higher priority items, based on unforeseen intelligence requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: Provided further, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2020.

Sec. 8095. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to
or within the United States, its territories, or possessions

Khalid Sheikh Mohammed or any other detainee who—

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

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

Sec. 8096. None of the funds appropriated or other-
wise made available in this Act may be used to transfer
any individual detained at United States Naval Station
Guantánamo Bay, Cuba, to the custody or control of the
individual’s country of origin, any other foreign country,
or any other foreign entity except in accordance with sec-
tion 1034 of the National Defense Authorization Act for
Fiscal Year 2016 (Public Law 114–92) and section 1035
of the National Defense Authorization Act for Fiscal Year
2019 (Public Law 115–232).

Sec. 8097. None of the funds made available by this
Act may be used in contravention of the War Powers Res-
olution (50 U.S.C. 1541 et seq.).

Sec. 8098. (a) None of the funds appropriated or
otherwise made available by this or any other Act may
be used by the Secretary of Defense, or any other official
or officer of the Department of Defense, to enter into a
contract, memorandum of understanding, or cooperative
agreement with, or make a grant to, or provide a loan
or loan guarantee to Rosoboronexport or any subsidiary
of Rosoboronexport.

(b) The Secretary of Defense may waive the limita-
tion in subsection (a) if the Secretary, in consultation with
the Secretary of State and the Director of National Intel-
ligence, determines that it is in the vital national security
interest of the United States to do so, and certifies in writ-
ing to the congressional defense committees that, to the
best of the Secretary’s knowledge:

(1) Rosoboronexport has ceased the transfer of
lethal military equipment to, and the maintenance of
existing lethal military equipment for, the Govern-
ment of the Syrian Arab Republic.

(2) The armed forces of the Russian Federation
have withdrawn from Crimea, other than armed
forces present on military bases subject to agree-
ments in force between the Government of the Rus-
sian Federation and the Government of Ukraine.

(3) Agents of the Russian Federation have
ceased taking active measures to destabilize the con-
trol of the Government of Ukraine over eastern
Ukraine.

(c) The Inspector General of the Department of De-
fense shall conduct a review of any action involving
Rosoboronexport with respect to a waiver issued by the Secretary of Defense pursuant to subsection (b), and not later than 90 days after the date on which such a waiver is issued by the Secretary of Defense, the Inspector General shall submit to the congressional defense committees a report containing the results of the review conducted with respect to such waiver.

SEC. 8099. None of the funds made available in this Act may be used for the purchase or manufacture of a flag of the United States unless such flags are treated as covered items under section 2533a(b) of title 10, United States Code.

SEC. 8100. (a) Of the funds appropriated in this Act for the Department of Defense, amounts may be made available, under such regulations as the Secretary of Defense may prescribe, to local military commanders appointed by the Secretary, or by an officer or employee designated by the Secretary, to provide at their discretion ex gratia payments in amounts consistent with subsection (d) of this section for damage, personal injury, or death that is incident to combat operations of the Armed Forces in a foreign country.

(b) An ex gratia payment under this section may be provided only if—
(1) the prospective foreign civilian recipient is
determined by the local military commander to be
friendly to the United States;

(2) a claim for damages would not be compen-
sable under chapter 163 of title 10, United States
Code (commonly known as the “Foreign Claims
Act”); and

(3) the property damage, personal injury, or
death was not caused by action by an enemy.

(c) Any payments provided under a program under
subsection (a) shall not be considered an admission or ac-
knowledgement of any legal obligation to compensate for
any damage, personal injury, or death.

(d) If the Secretary of Defense determines a program
under subsection (a) to be appropriate in a particular set-
ting, the amounts of payments, if any, to be provided to
civilians determined to have suffered harm incident to
combat operations of the Armed Forces under the pro-
gram should be determined pursuant to regulations pre-
scribed by the Secretary and based on an assessment,
which should include such factors as cultural appropriaten-
ness and prevailing economic conditions.

(e) Local military commanders shall receive legal ad-
vice before making ex gratia payments under this sub-
section. The legal advisor, under regulations of the De-
department of Defense, shall advise on whether an ex gratia payment is proper under this section and applicable Department of Defense regulations.

(f) A written record of any ex gratia payment offered or denied shall be kept by the local commander and on a timely basis submitted to the appropriate office in the Department of Defense as determined by the Secretary of Defense.

(g) The Secretary of Defense shall report to the congressional defense committees on an annual basis the efficacy of the ex gratia payment program including the number of types of cases considered, amounts offered, the response from ex gratia payment recipients, and any recommended modifications to the program.

SEC. 8101. The Secretary of Defense shall post grant awards on a public website in a searchable format.

SEC. 8102. The Secretary of each military department, in reducing each research, development, test and evaluation and procurement account of the military department as required under paragraph (1) of section 828(d) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 2430 note), as amended by section 825(a)(3) of the National Defense Authorization Act for Fiscal Year 2018, shall allocate the percentage reduction determined under paragraph (2) of
such section 828(d) proportionally from all programs, projects, or activities under such account: Provided, That
the authority under section 804(d)(2) of the National De-
fense Authorization Act for Fiscal Year 2016 (Public Law
114–92; 10 U.S.C. 2302 note) to transfer amounts avail-
able in the Rapid Prototyping Fund shall be subject to
section 8005 or 9002 of this Act, as applicable.

Sec. 8103. None of the funds made available by this
Act may be used by the National Security Agency to—

(1) conduct an acquisition pursuant to section
702 of the Foreign Intelligence Surveillance Act of
1978 for the purpose of targeting a United States
person; or

(2) acquire, monitor, or store the contents (as
such term is defined in section 2510(8) of title 18,
United States Code) of any electronic communica-
tion of a United States person from a provider of
electronic communication services to the public pur-
suant to section 501 of the Foreign Intelligence Sur-

Sec. 8104. None of the funds made available in this
or any other Act may be used to pay the salary of any
officer or employee of any agency funded by this Act who
approves or implements the transfer of administrative re-
sponsibilities or budgetary resources of any program,
project, or activity financed by this Act to the jurisdiction
of another Federal agency not financed by this Act with-
out the express authorization of Congress: *Provided*, That
this limitation shall not apply to transfers of funds ex-
pressly provided for in Defense Appropriations Acts, or
provisions of Acts providing supplemental appropriations
for the Department of Defense.

SEC. 8105. Of the amounts appropriated in this Act
for “Operation and Maintenance, Navy”, $352,044,000,
to remain available until expended, may be used for any
purposes related to the National Defense Reserve Fleet
established under section 11 of the Merchant Ship Sales
amounts are available for reimbursements to the Ready
Reserve Force, Maritime Administration account of the
United States Department of Transportation for pro-
grams, projects, activities, and expenses related to the Na-
tional Defense Reserve Fleet.

SEC. 8106. None of the funds made available in this
Act may be obligated for activities authorized under sec-
tion 1208 of the Ronald W. Reagan National Defense Au-
 thorization Act for Fiscal Year 2005 (Public Law 112–
81; 125 Stat. 1621) to initiate support for, or expand sup-
port to, foreign forces, irregular forces, groups, or individ-
uals unless the congressional defense committees are noti-
fied in accordance with the direction contained in the classified annex accompanying this Act, not less than 15 days before initiating such support: Provided, That none of the funds made available in this Act may be used under section 1208 for any activity that is not in support of an ongoing military operation being conducted by United States Special Operations Forces to combat terrorism: Provided further, That the Secretary of Defense may waive the prohibitions in this section if the Secretary determines that such waiver is required by extraordinary circumstances and, by not later than 72 hours after making such waiver, notifies the congressional defense committees of such waiver.

SEC. 8107. None of the funds made available by this Act may be used with respect to Iraq in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.), including for the introduction of United States armed forces into hostilities in Iraq, into situations in Iraq where imminent involvement in hostilities is clearly indicated by the circumstances, or into Iraqi territory, airspace, or waters while equipped for combat, in contravention of the congressional consultation and reporting requirements of sections 3 and 4 of such Resolution (50 U.S.C. 1542 and 1543).
Sec. 8108. None of the funds provided in this Act for the TAO Fleet Oiler program or the FFG-Frigate program shall be used to award a new contract that provides for the acquisition of the following components unless those components are manufactured in the United States: Auxiliary equipment (including pumps) for shipboard services; propulsion equipment (including engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes.

Sec. 8109. No amounts credited or otherwise made available in this or any other Act to the Department of Defense Acquisition Workforce Development Fund may be transferred to—

(1) the Rapid Prototyping Fund established under section 804(d) of the National Defense Authorization Act for Fiscal Year 2016 (10 U.S.C. 2302 note); or

(2) credited to a military-department specific fund established under section 804(d)(2) of the National Defense Authorization Act for Fiscal Year 2016 (as amended by section 897 of the National Defense Authorization Act for Fiscal Year 2017).

Sec. 8110. None of the funds made available by this Act may be used for Government Travel Charge Card expenses by military or civilian personnel of the Department
of Defense for gaming, or for entertainment that includes topless or nude entertainers or participants, as prohibited by Department of Defense FMR, Volume 9, Chapter 3 and Department of Defense Instruction 1015.10 (enclosure 3, 14a and 14b).

SEC. 8111. None of the funds appropriated by this or any other Act may be made available to deliver F–35 air vehicles or any other F–35 weapon system equipment to the Republic of Turkey.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8112. Of the amounts appropriated in this Act, the Secretary of Defense may use up to $82,046,000 under the heading “Operation and Maintenance, Defense-Wide”, and up to $44,001,000 under the heading “Research, Development, Test and Evaluation, Defense-Wide” to develop, replace, and sustain Federal Government security and suitability background investigation information technology systems of the Office of Personnel Management or other Federal agency responsible for conducting such investigations: Provided, That the Secretary may transfer additional amounts into these headings or into “Procurement, Defense-Wide” using established reprogramming procedures prescribed in the Department of Defense Financial Management Regulation 7000.14, Volume 3, Chapter 6, dated September 2015: Provided fur-
ther, That such funds shall supplement, not supplant any other amounts made available to other Federal agencies for such purposes.

Sec. 8113. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network is designed to block access to pornography websites.

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

Sec. 8114. Notwithstanding any other provision of law, any transfer of funds appropriated or otherwise made available by this Act to the Global Engagement Center established by section 1287 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 22 U.S.C. 2656 note) shall be made in accordance with section 8005 or 9002 of this Act, as applicable.

Sec. 8115. In addition to amounts provided elsewhere in this Act, there is appropriated $270,000,000, for an additional amount for “Operation and Maintenance, Defense-Wide”, to remain available until expended: Provided, That such funds shall only be available to the Sec-
retary of Defense, acting through the Office of Economic Adjustment of the Department of Defense, or for transfer to the Secretary of Education, notwithstanding any other provision of law, to make grants, conclude cooperative agreements, or supplement other Federal funds to construct, renovate, repair, or expand elementary and secondary public schools on military installations in order to address capacity or facility condition deficiencies at such schools: Provided further, That in making such funds available, the Office of Economic Adjustment or the Secretary of Education shall give priority consideration to those military installations with schools having the most serious capacity or facility condition deficiencies as determined by the Secretary of Defense: Provided further, That as a condition of receiving funds under this section a local educational agency or State shall provide a matching share as described in the notice titled “Department of Defense Program for Construction, Renovation, Repair or Expansion of Public Schools Located on Military Installations” published by the Department of Defense in the Federal Register on September 9, 2011 (76 Fed. Reg. 55883 et seq.): Provided further, That these provisions apply to funds provided under this section, and to funds previously provided by Congress to construct, renovate, repair, or expand elementary and secondary public schools on military
installations in order to address capacity or facility condi-
tion deficiencies at such schools to the extent such funds
remain unobligated on the date of enactment of this sec-
tion.

SEC. 8116. In carrying out the program described in
the memorandum on the subject of “Policy for Assisted
Reproductive Services for the Benefit of Seriously or Se-
verely Ill/Injured (Category II or III) Active Duty Service
Members” issued by the Assistant Secretary of Defense
for Health Affairs on April 3, 2012, and the guidance
issued to implement such memorandum, the Secretary of
Defense shall apply such policy and guidance, except
that—

(1) the limitation on periods regarding embryo
cryopreservation and storage set forth in part III(G)
and in part IV(H) of such memorandum shall not
apply; and

(2) the term “assisted reproductive technology”
shall include embryo cryopreservation and storage
without limitation on the duration of such
cryopreservation and storage.

SEC. 8117. None of the funds made available by this
Act may be used to provide arms, training, or other assist-
ance to the Azov Battalion.
SEC. 8118. None of the funds provided for, or otherwise made available, in this or any other Act, may be obligated or expended by the Secretary of Defense to provide motorized vehicles, aviation platforms, munitions other than small arms and munitions appropriate for customary ceremonial honors, operational military units, or operational military platforms if the Secretary determines that providing such units, platforms, or equipment would undermine the readiness of such units, platforms, or equipment.

SEC. 8119. The Secretary of Defense may obligate and expend funds made available under this Act for procurement or for research, development, test and evaluation for the F–35 Joint Strike Fighter to modify up to six F–35 aircraft, including up to two F–35 aircraft of each variant, to a test configuration: Provided, That the Secretary of Defense shall, with the concurrence of the Secretary of the Air Force and the Secretary of the Navy, notify the congressional defense committees not fewer than 30 days prior to obligating and expending funds under this section: Provided further, That any transfer of funds pursuant to the authority provided in this section shall be made in accordance with section 8005 or 9002 of this Act, as appropriate, if applicable: Provided further, That aircraft referred to previously in this section are not addi-
Sec. 8120. Amounts appropriated for “Defense Health Program” in this Act and hereafter may be obligated to make death gratuity payments, as authorized in subchapter II of chapter 75 of title 10, United States Code, if no appropriation for “Military Personnel” is available for obligation for such payments: Provided, That such obligations may subsequently be recorded against appropriations available for “Military Personnel”.

Sec. 8121. (a) None of the funds made available by this or any other Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting such tax liability, provided that the applicable Federal agency is aware of the unpaid Federal tax liability.

(b) Subsection (a) shall not apply if the applicable Federal agency has considered suspension or debarment of the corporation described in such subsection and has made a determination that such suspension or debarment
is not necessary to protect the interests of the Federal Government.

Sec. 8122. None of the funds made available by this Act may be used in contravention of—

(1) Executive Order No. 13175 (65 Fed. Reg. 67249; relating to consultation and coordination with Indian Tribal governments); or

(2) section 1501.2(d)(2) of title 40, Code of Federal Regulations.

Sec. 8123. Funds appropriated for the Next Generation Aerial Refueling Aircraft (KC-46), Missile Segment Enhancement (MSE) Missile, and Trident missile programs by the Department of Defense Appropriations Act, 2014 (division C of Public Law 113–76) and the Department of Defense Appropriations Act, 2015 (division C of Public Law 113–235) are to remain available through fiscal year 2024 for the liquidation of valid obligations incurred for the programs specified in this section as of September 30, 2016.

Sec. 8124. During fiscal year 2020, any advance billing for background investigation services and related services purchased from activities financed using Defense Working Capital Funds shall be excluded from the calculation of cumulative advance billings under section 2208(l)(3) of title 10, United States Code.
SEC. 8125. None of the funds appropriated or otherwise made available by this Act may be obligated or expended by the Department of Defense for the Space Development Agency (SDA), and not more than 50 percent of the funds appropriated or otherwise made available by this Act may be obligated or expended by the Department of Defense for the Next Generation Overhead Persistent Infrared program (PE 1206442F) until a period of 90 days has elapsed following the date on which the Secretary of Defense, in consultation with the Secretary of the Air Force and the Under Secretary of Defense for Research and Engineering, submits to the congressional defense committees—

(1) the proposed plan to establish the SDA, and a description of the programs and projects the SDA plans to carry out over the next 3 years, including associated funding requirements;

(2) a description of how the Air Force and the SDA will coordinate and cooperate to develop an agreed-upon integrated space architecture that will guide both SDA and Air Force investments;

(3) the process by which the SDA and the Air Force will cooperate in demonstrating and prototyping new capabilities, and transition to programs of record;
(4) the proposed physical location of the SDA and the proposed number of government and contractor personnel expected to comprise the SDA in the first 3 years; and

(5) a plan to transition the SDA into the Air Force not later than fiscal year 2022, or into a Space Force.

SEC. 8126. None of the funds appropriated or otherwise made available by this or any other Act may be used to transfer any element, personnel, property, or resources of the intelligence community, as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003), to the Space Force.

SEC. 8127. None of the funds appropriated or otherwise made available by this Act or any prior Department of Defense appropriations Acts may be used to construct a wall, fence, border barriers, or border security infrastructure along the southern land border of the United States.

TITLE IX

OVERSEAS CONTINGENCY OPERATIONS

MILITARY PERSONNEL

For an additional amount for “Military Personnel, Army”, $2,743,132,000: Provided, That such amount is

**MILITARY PERSONNEL, NAVY**

For an additional amount for “Military Personnel, Navy”, $356,392,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**MILITARY PERSONNEL, MARINE CORPS**

For an additional amount for “Military Personnel, Marine Corps”, $104,213,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**MILITARY PERSONNEL, AIR FORCE**

For an additional amount for “Military Personnel, Air Force”, $1,007,594,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.
Reserve Personnel, Army

For an additional amount for “Reserve Personnel, Army”, $34,812,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Reserve Personnel, Navy

For an additional amount for “Reserve Personnel, Navy”, $11,370,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Reserve Personnel, Marine Corps

For an additional amount for “Reserve Personnel, Marine Corps”, $3,599,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Reserve Personnel, Air Force

For an additional amount for “Reserve Personnel, Air Force”, $16,428,000: Provided, That such amount is designated by the Congress for Overseas Contingency Op-

**NATIONAL GUARD PERSONNEL, ARMY**

For an additional amount for “National Guard Personnel, Army”, $202,644,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**NATIONAL GUARD PERSONNEL, AIR FORCE**

For an additional amount for “National Guard Personnel, Air Force”, $5,624,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**OPERATION AND MAINTENANCE**

**OPERATION AND MAINTENANCE, ARMY**

For an additional amount for “Operation and Maintenance, Army”, $18,507,827,000: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.
For an additional amount for “Operation and Maintenance, Navy”, $6,561,650,000, of which up to $190,000,000 may be transferred to the Coast Guard “Operating Expenses” account: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

For an additional amount for “Operation and Maintenance, Marine Corps”, $1,124,791,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

For an additional amount for “Operation and Maintenance, Air Force”, $9,314,379,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.
For an additional amount for “Operation and Maintenance, Defense-Wide”, $8,105,206,000: Provided, That of the funds provided under this heading, not to exceed $450,000,000, to remain available until September 30, 2021, shall be for payments to reimburse key cooperating nations for logistical, military, and other support, including access, provided to United States military and stability operations in Afghanistan and to counter the Islamic State of Iraq and Syria: Provided further, That such reimbursement payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following written notification to the appropriate congressional committees: Provided further, That these funds may be used for the purpose of providing specialized training and procuring supplies and specialized equipment and providing such supplies and loaning such equipment on a non-reimbursable basis to coalition forces supporting United States military and stability operations in Afghanistan.
and to counter the Islamic State of Iraq and Syria, and
15 days following written notification to the appropriate congressional committees: *Provided further*, That these funds may be used to support the Government of Jordan in such amounts as the Secretary of Defense may determine, to enhance the ability of the armed forces of Jordan to increase or sustain security along its borders, upon 15 days prior written notification to the congressional defense committees outlining the amounts intended to be provided and the nature of the expenses incurred: *Provided further*, That of the funds provided under this heading, not to exceed $749,178,000 to remain available until September 30, 2021, shall be available to provide support and assistance to foreign security forces or other groups or individuals to conduct, support or facilitate counterterrorism, crisis response, or other Department of Defense security cooperation programs: *Provided further*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided in this paragraph: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) 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”, $37,592,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) 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”, $23,036,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Operation and Maintenance, Marine Corps Reserve

For an additional amount for “Operation and Maintenance, Marine Corps Reserve”, $8,707,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) 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”, $29,758,000: Provided, That
such amount is designated by the Congress for Overseas


**Operation and Maintenance, Army National Guard**

For an additional amount for “Operation and Maintenance, Army National Guard”, $83,291,000: *Provided,*

That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**Operation and Maintenance, Air National Guard**

For an additional amount for “Operation and Maintenance, Air National Guard”, $176,909,000: *Provided,*

That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**Afghanistan Security Forces Fund**

For the “Afghanistan Security Forces Fund”, $4,503,978,000, to remain available until September 30, 2021: *Provided,* That such funds shall be available to the Secretary of Defense for the purpose of allowing the Commander, Combined Security Transition Command—Af-

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ghanistan, or the Secretary’s designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Afghanistan, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, construction, and funding: Provided further, That the Secretary of Defense may obligate and expend funds made available to the Department of Defense in this title for additional costs associated with existing projects previously funded with amounts provided under the heading “Afghanistan Infrastructure Fund” in prior Acts: Provided further, That such costs shall be limited to contract changes resulting from inflation, market fluctuation, rate adjustments, and other necessary contract actions to complete existing projects, and associated supervision and administration costs and costs for design during construction: Provided further, That the Secretary may not use more than $50,000,000 under the authority provided in this section: Provided further, That the Secretary shall notify in advance such contract changes and adjustments in annual reports to the congressional defense committees: Provided further, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: Provided further, That contributions of funds for the purposes provided herein from any person, foreign govern-
ment, or international organization may be credited to this Fund, to remain available until expended, and used for such purposes: Provided further, That the Secretary of Defense shall notify the congressional defense committees in writing upon the receipt and upon the obligation of any contribution, delineating the sources and amounts of the funds received and the specific use of such contributions: Provided further, That the Secretary of Defense shall, not fewer than 15 days prior to obligating from this appropriation account, notify the congressional defense committees in writing of the details of any such obligation: Provided further, That the Secretary of Defense shall notify the congressional defense committees in writing and not fewer than 15 days prior to obligating funds for any proposed new projects or transfer of funds between budget sub-activity groups in excess of $20,000,000: Provided further, That the United States may accept equipment procured using funds provided under this heading in this or prior Acts that was transferred to the security forces of Afghanistan and returned by such forces to the United States: Provided further, That equipment procured using funds provided under this heading in this or prior Acts, and not yet transferred to the security forces of Afghanistan or transferred to the security forces of Afghanistan and returned by such forces to the United States, may
be treated as stocks of the Department of Defense upon
written notification to the congressional defense commit-
tees: Provided further, That of the funds provided under
this heading, not less than $10,000,000 shall be for re-
cruitment and retention of women in the Afghanistan Na-
tional Security Forces, and the recruitment and training
of female security personnel: Provided further, That funds
appropriated under this heading and made available for
the salaries and benefits of personnel of the Afghanistan
Security Forces may only be used for personnel who are
enrolled in the Afghanistan Personnel and Pay System:
Provided further, That such amount is designated by the
Congress for Overseas Contingency Operations/Global
War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
the Balanced Budget and Emergency Deficit Control Act
of 1985.

COUNTER-ISIS TRAIN AND EQUIP FUND

For the “Counter-Islamic State of Iraq and Syria
Train and Equip Fund”, $1,295,000,000, to remain avail-
able until September 30, 2021: Provided, That such funds
shall be available to the Secretary of Defense in coordina-
tion with the Secretary of State, to provide assistance, in-
cluding training; equipment; logistics support, supplies,
and services; stipends; infrastructure repair and renova-
tion; and sustainment, to foreign security forces, irregular
forces, groups, or individuals participating, or preparing
to participate in activities to counter the Islamic State of
Iraq and Syria, and their affiliated or associated groups:

Provided further, That these funds may be used in such
amounts as the Secretary of Defense may determine to
enhance the border security of nations adjacent to conflict
areas including Jordan, Lebanon, Egypt, and Tunisia re-
sulting from actions of the Islamic State of Iraq and
Syria: Provided further, That amounts made available
under this heading shall be available to provide assistance
only for activities in a country designated by the Secretary
of Defense, in coordination with the Secretary of State,
as having a security mission to counter the Islamic State
of Iraq and Syria, and following written notification to the
congressional defense committees of such designation:

Provided further, That the Secretary of Defense shall en-
sure that prior to providing assistance to elements of any
forces or individuals, such elements or individuals are ap-
propriately vetted, including at a minimum, assessing such
elements for associations with terrorist groups or groups
associated with the Government of Iran; and receiving
commitments from such elements to promote respect for
human rights and the rule of law: Provided further, That
the Secretary of Defense shall, not fewer than 15 days
prior to obligating from this appropriation account, notify
the congressional defense committees in writing of the de-
tails of any such obligation: Provided further, That the
Secretary of Defense may accept and retain contributions,
including assistance in-kind, from foreign governments,
including the Government of Iraq and other entities, to
carry out assistance authorized under this heading: Pro-
vided further, That contributions of funds for the purposes
provided herein from any foreign government or other en-
tity may be credited to this Fund, to remain available until
expended, and used for such purposes: Provided further,
That the Secretary of Defense may waive a provision of
law relating to the acquisition of items and support serv-
ices or sections 40 and 40A of the Arms Export Control
Act (22 U.S.C. 2780 and 2785) if the Secretary deter-
mines that such provision of law would prohibit, restrict,
delay or otherwise limit the provision of such assistance
and a notice of and justification for such waiver is sub-
mitted to the congressional defense committees, the Com-
mittees on Appropriations and Foreign Relations of the
Senate and the Committees on Appropriations and For-
eign Affairs of the House of Representatives: Provided fur-
ther, That the United States may accept equipment pro-
cured using funds provided under this heading, or under
the heading, “Iraq Train and Equip Fund” in prior Acts,
that was transferred to security forces, irregular forces,
or groups participating, or preparing to participate in activities to counter the Islamic State of Iraq and Syria and returned by such forces or groups to the United States, and such equipment may be treated as stocks of the Department of Defense upon written notification to the congressional defense committees: Provided further, That equipment procured using funds provided under this heading, or under the heading, “Iraq Train and Equip Fund” in prior Acts, and not yet transferred to security forces, irregular forces, or groups participating, or preparing to participate in activities to counter the Islamic State of Iraq and Syria may be treated as stocks of the Department of Defense when determined by the Secretary to no longer be required for transfer to such forces or groups and upon written notification to the congressional defense committees: Provided further, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided under this heading, including, but not limited to, the number of individuals trained, the nature and scope of support and sustainment provided to each group or individual, the area of operations for each group, and the contributions of other countries, groups, or individuals: Provided further, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for "Aircraft Procurement, Army", $482,091,000, to remain available until September 30, 2022: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MISSILE PROCUREMENT, ARMY

For an additional amount for "Missile Procurement, Army", $1,414,218,000, to remain available until September 30, 2022: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for "Procurement of Weapons and Tracked Combat Vehicles, Army", $353,454,000, to remain available until September 30, 2022: Provided, That such amount is designated by the Congress for Over-

**PROCUREMENT OF AMMUNITION, ARMY**

For an additional amount for “Procurement of Ammunition, Army”, $148,682,000, to remain available until September 30, 2022: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**OTHER PROCUREMENT, ARMY**

For an additional amount for “Other Procurement, Army”, $1,105,850,000, to remain available until September 30, 2022: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**AIRCRAFT PROCUREMENT, NAVY**

For an additional amount for “Aircraft Procurement, Navy”, $119,045,000, to remain available until September 30, 2022: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of

**WEAPONS PROCUREMENT, NAVY**

For an additional amount for “Weapons Procurement, Navy”, $116,429,000, to remain available until September 30, 2022: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS**

For an additional amount for “Procurement of Ammunition, Navy and Marine Corps”, $204,814,000, to remain available until September 30, 2022: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**OTHER PROCUREMENT, NAVY**

For an additional amount for “Other Procurement, Navy”, $351,300,000, to remain available until September 30, 2022: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of

**PROCUREMENT, MARINE CORPS**

For an additional amount for “Procurement, Marine Corps”, $20,589,000, to remain available until September 30, 2022: *Provided,* That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**AIRCRAFT PROCUREMENT, AIR FORCE**

For an additional amount for “Aircraft Procurement, Air Force”, $513,310,000, to remain available until September 30, 2022: *Provided,* That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**MISSILE PROCUREMENT, AIR FORCE**

For an additional amount for “Missile Procurement, Air Force”, $201,671,000, to remain available until September 30, 2022: *Provided,* That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section
PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for “Procurement of Ammunition, Air Force”, $939,433,000 to remain available until September 30, 2022: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for “Other Procurement, Air Force”, $4,011,201,000, to remain available until September 30, 2022: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for “Procurement, Defense-Wide”, $465,987,000, to remain available until September 30, 2022: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD AND RESERVE EQUIPMENT ACCOUNT

For procurement of rotary-wing aircraft; combat, tactical and support vehicles; other weapons; and other procurement items for the reserve components of the Armed Forces, $1,300,000,000, to remain available for obligation until September 30, 2022: Provided, That the Chiefs of National Guard and Reserve components shall, not later than 30 days after enactment of this Act, individually submit to the congressional defense committees the modernization priority assessment for their respective National Guard or Reserve component: Provided further, That none of the funds made available by this paragraph may be used to procure manned fixed wing aircraft, or procure or modify missiles, munitions, or ammunition: Provided further, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.
RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, Army

For an additional amount for “Research, Development, Test and Evaluation, Army”, $169,074,000, to remain available until September 30, 2021: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, Navy

For an additional amount for “Research, Development, Test and Evaluation, Navy”, $164,410,000, to remain available until September 30, 2021: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, Air Force

For an additional amount for “Research, Development, Test and Evaluation, Air Force”, $128,248,000, to remain available until September 30, 2021: Provided,
That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE**


**REVOLVING AND MANAGEMENT FUNDS**

**DEFENSE WORKING CAPITAL FUNDS**

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for “Defense Health Program”, $347,746,000, which shall be for operation and maintenance: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

For an additional amount for “Drug Interdiction and Counter-Drug Activities, Defense”, $153,100,000: Provided, That the transfer authority contained in section 9002 in title IX of this Act shall not apply to amounts made available under this heading: Provided further, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for the “Office of the Inspector General”, $24,254,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to
section 251(b)(2)(A)(ii) of the Balanced Budget and

GENERAL PROVISIONS—THIS TITLE

Sec. 9001. Notwithstanding any other provision of
law, funds made available in this title are in addition to
amounts appropriated or otherwise made available for the
Department of Defense for fiscal year 2020.

(INCLUDING TRANSFER OF FUNDS)

Sec. 9002. Upon the determination of the Secretary
of Defense that such action is necessary in the national
interest, the Secretary may, with the approval of the Of-

cice of Management and Budget, transfer up to
$500,000,000 between the appropriations or funds made
available to the Department of Defense in this title: Pro-
vided, That the Secretary shall notify the Congress
promptly of each transfer made pursuant to the authority
in this section: Provided further, That the authority pro-
vided in this section is in addition to any other transfer
authority available to the Department of Defense and is
subject to the same terms and conditions as the authority
provided in section 8005 of this Act.

Sec. 9003. Supervision and administration costs and
costs for design during construction associated with a con-
struction project funded with appropriations available for
operation and maintenance or the “Afghanistan Security
Forces Fund” provided in this Act and executed in direct support of overseas contingency operations in Afghanistan, may be obligated at the time a construction contract is awarded: Provided, That, for the purpose of this section, supervision and administration costs and costs for design during construction include all in-house Government costs.

Sec. 9004. From funds made available in this title, the Secretary of Defense may purchase for use by military and civilian employees of the Department of Defense in the United States Central Command area of responsibility: (1) passenger motor vehicles up to a limit of $75,000 per vehicle; and (2) heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of $450,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

Sec. 9005. Not to exceed $5,000,000 of the amounts appropriated by this title under the heading “Operation and Maintenance, Army” may be used, notwithstanding any other provision of law, to fund the Commanders’ Emergency Response Program (CERP), for the purpose of enabling military commanders in Afghanistan to respond to urgent, small-scale, humanitarian relief and reconstruction requirements within their areas of responsibility: Provided, That each project (including any ancillary
or related elements in connection with such project) executed under this authority shall not exceed $2,000,000:

*Provided further*, That not later than 45 days after the end of each 6 months of the fiscal year, the Secretary of Defense shall submit to the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that 6-month period that were made available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein: *Provided further*, That, not later than 30 days after the end of each fiscal year quarter, the Army shall submit to the congressional defense committees quarterly commitment, obligation, and expenditure data for the CERP in Afghanistan: *Provided further*, That, not less than 15 days before making funds available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein for a project with a total anticipated cost for completion of $500,000 or more, the Secretary shall submit to the congressional defense committees a written notice containing each of the following:

1. The location, nature and purpose of the proposed project, including how the project is intended to advance the military campaign plan for the country in which it is to be carried out.
(2) The budget, implementation timeline with milestones, and completion date for the proposed project, including any other CERP funding that has been or is anticipated to be contributed to the completion of the project.

(3) A plan for the sustainment of the proposed project, including the agreement with either the host nation, a non-Department of Defense agency of the United States Government or a third-party contributor to finance the sustainment of the activities and maintenance of any equipment or facilities to be provided through the proposed project.

Sec. 9006. Funds available to the Department of Defense for operation and maintenance may be used, notwithstanding any other provision of law, to provide supplies, services, transportation, including airlift and sealift, and other logistical support to allied forces participating in a combined operation with the armed forces of the United States and coalition forces supporting military and stability operations in Afghanistan and to counter the Islamic State of Iraq and Syria: Provided, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees regarding support provided under this section.
SEC. 9007. None of the funds appropriated or otherwise made available by this or any other Act shall be obligated or expended by the United States Government for a purpose as follows:

(1) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq.

(2) To exercise United States control over any oil resource of Iraq.

(3) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Afghanistan.

SEC. 9008. None of the funds made available in this Act may be used in contravention of the following laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (done at New York on December 10, 1984):

(1) Section 2340A of title 18, United States Code.

(2) Section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105–277; 112 Stat. 2681–822; 8 U.S.C. 1231 note) and regulations prescribed thereto, including

(3) Sections 1002 and 1003 of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109–148).

SEC. 9009. None of the funds provided for the “Afghanistan Security Forces Fund” (ASFF) may be obligated prior to the approval of a financial and activity plan by the Afghanistan Resources Oversight Council (AROC) of the Department of Defense: Provided, That the AROC must approve the requirement and acquisition plan for any service requirements in excess of $50,000,000 annually and any non-standard equipment requirements in excess of $100,000,000 using ASFF: Provided further, That the Department of Defense must certify to the congressional defense committees that the AROC has convened and approved a process for ensuring compliance with the requirements in the preceding proviso and accompanying report language for the ASFF.

SEC. 9010. Funds made available in this title to the Department of Defense for operation and maintenance may be used to purchase items having an investment unit
cost of not more than $250,000: Provided, That, upon de-
termination by the Secretary of Defense that such action
is necessary to meet the operational requirements of a
Commander of a Combatant Command engaged in contin-
gency operations overseas, such funds may be used to pur-
chase items having an investment item unit cost of not
more than $500,000.

SEC. 9011. Up to $500,000,000 of funds appro-
priated by this Act for the Defense Security Cooperation
Agency in “Operation and Maintenance, Defense-Wide”
may be used to provide assistance to the Government of
Jordan to support the armed forces of Jordan and to en-
hance security along its borders.

SEC. 9012. None of the funds made available by this
Act under the heading “Counter-ISIS Train and Equip
Fund” may be used to procure or transfer man-portable
air defense systems.

SEC. 9013. For the “Ukraine Security Assistance Ini-
tiative”, $250,000,000 is hereby appropriated, to remain
available until September 30, 2020: Provided, That such
funds shall be available to the Secretary of Defense, in
coordination with the Secretary of State, to provide assist-
ance, including training; equipment; lethal assistance; lo-
gistics support, supplies and services; sustainment; and in-
telligence support to the military and national security
forces of Ukraine, and for replacement of any weapons
or articles provided to the Government of Ukraine from
the inventory of the United States: Provided further, That
of the amounts made available in this section,
$50,000,000 shall be available only for lethal assistance
described in paragraphs (2) and (3) of section 1250(b)
of the National Defense Authorization Act for Fiscal Year
2016 (Public Law 114–92; 129 Stat. 1068): Provided fur-
ther, That the Secretary of Defense shall, not less than
15 days prior to obligating funds provided under this
heading, notify the congressional defense committees in
writing of the details of any such obligation: Provided fur-
ther, That the United States may accept equipment pro-
cured using funds provided under this heading in this or
prior Acts that was transferred to the security forces of
Ukraine and returned by such forces to the United States:
Provided further, That equipment procured using funds
provided under this heading in this or prior Acts, and not
yet transferred to the military or National Security Forces
of Ukraine or returned by such forces to the United
States, may be treated as stocks of the Department of De-
fense upon written notification to the congressional de-
fense committees: Provided further, That amounts made
available by this section are designated by the Congress
for Overseas Contingency Operations/Global War on Ter-

Sec. 9014. Funds appropriated in this title shall be available for replacement of funds for items provided to the Government of Ukraine from the inventory of the United States to the extent specifically provided for in section 9013 of this Act.

Sec. 9015. None of the funds made available by this Act under section 9013 may be used to procure or transfer man-portable air defense systems.

Sec. 9016. Equipment procured using funds provided in prior Acts under the heading “Counterterrorism Partnerships Fund” for the program authorized by section 1209 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291), and not yet transferred to authorized recipients may be transferred to foreign security forces, irregular forces, groups, or individuals, authorized to receive assistance using amounts provided under the heading “Counter-ISIS Train and Equip Fund” in this Act: Provided, That such equipment may be transferred 15 days following written notification to the congressional defense committees.

Sec. 9017. (a) None of the funds appropriated or otherwise made available by this Act under the heading
“Operation and Maintenance, Defense-Wide” for payments under section 1233 of Public Law 110–181 for reimbursement to the Government of Pakistan may be made available unless the Secretary of Defense, in coordination with the Secretary of State, certifies to the congressional defense committees that the Government of Pakistan is—

(1) cooperating with the United States in counterterrorism efforts against the Haqqani Network, the Quetta Shura Taliban, Lashkar e-Tayyiba, Jaish-e-Mohammed, Al Qaeda, and other domestic and foreign terrorist organizations, including taking steps to end support for such groups and prevent them from basing and operating in Pakistan and carrying out cross border attacks into neighboring countries;

(2) not supporting terrorist activities against United States or coalition forces in Afghanistan, and Pakistan’s military and intelligence agencies are not intervening extra-judicially into political and judicial processes in Pakistan;

(3) dismantling improvised explosive device (IED) networks and interdicting precursor chemicals used in the manufacture of IEDs;

(4) preventing the proliferation of nuclear-related material and expertise;
(5) implementing policies to protect judicial independence and due process of law;

(6) issuing visas in a timely manner for United States visitors engaged in counterterrorism efforts and assistance programs in Pakistan; and

(7) providing humanitarian organizations access to detainees, internally displaced persons, and other Pakistani civilians affected by the conflict.

(b) The Secretary of Defense, in coordination with the Secretary of State, may waive the restriction in subsection (a) on a case-by-case basis by certifying in writing to the congressional defense committees that it is in the national security interest to do so: Provided, That if the Secretary of Defense, in coordination with the Secretary of State, exercises such waiver authority, the Secretaries shall report to the congressional defense committees on both the justification for the waiver and on the requirements of this section that the Government of Pakistan was not able to meet: Provided further, That such report may be submitted in classified form if necessary.

(INCLUDING TRANSFER OF FUNDS)

SEC. 9018. In addition to amounts otherwise made available in this Act, $500,000,000 is hereby appropriated to the Department of Defense and made available for transfer only to the operation and maintenance, military
personnel, and procurement accounts, to improve near-term intelligence, surveillance, and reconnaissance capabilities and related processing, exploitation, and dissemination functions of the Department of Defense: Provided, That the transfer authority provided in this section is in addition to any other transfer authority provided elsewhere in this Act: Provided further, That not later than 30 days prior to exercising the transfer authority provided in this section, the Secretary of Defense shall submit a report to the congressional defense committees on the proposed uses of these funds: Provided further, That the funds provided in this section may not be transferred to any program, project, or activity specifically limited or denied by this Act: Provided further, That such funds may not be obligated for new start efforts: Provided further, That amounts made available by this section are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That the authority to provide funding under this section shall terminate on September 30, 2020.

SEC. 9019. None of the funds made available by this Act may be used with respect to Syria in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.),
including for the introduction of United States armed or
military forces into hostilities in Syria, into situations in
Syria where imminent involvement in hostilities is clearly
indicated by the circumstances, or into Syrian territory,
airspace, or waters while equipped for combat, in con-
travention of the congressional consultation and reporting
requirements of sections 3 and 4 of that law (50 U.S.C.
1542 and 1543).

SEC. 9020. None of the funds in this Act may be
made available for the transfer of additional C–130 cargo
aircraft to the Afghanistan National Security Forces or
the Afghanistan Air Force until the Department of De-
fense provides a report to the congressional defense com-
mittees of the Afghanistan Air Force’s medium airlift re-
quirements. The report should identify Afghanistan’s abil-
ity to utilize and maintain existing medium lift aircraft
in the inventory and the best alternative platform, if nec-
essary, to provide additional support to the Afghanistan
Air Force’s current medium airlift capacity.

SEC. 9021. Funds available for the Afghanistan Se-
curity Forces Fund may be used to provide limited train-
ing, equipment, and other assistance that would otherwise
be prohibited by 10 U.S.C. 362 to a unit of the security
forces of Afghanistan only if the Secretary certifies to the
congressional defense committees, within 30 days of a de-
cision to provide such assistance, that (1) a denial of such assistance would present significant risk to U.S. or coalition forces or significantly undermine United States national security objectives in Afghanistan; and (2) the Secretary has sought a commitment by the Government of Afghanistan to take all necessary corrective steps: Provided, That such certification shall be accompanied by a report describing: (1) the information relating to the gross violation of human rights; (2) the circumstances that necessitated the provision of such assistance; (3) the Afghan security force unit involved; (4) the assistance provided and the assistance withheld; and (5) the corrective steps to be taken by the Government of Afghanistan: Provided further, That every 120 days after the initial report an additional report shall be submitted detailing the status of any corrective steps taken by the Government of Afghanistan: Provided further, That if the Government of Afghanistan has not initiated necessary corrective steps within 1 year of the certification, the authority under this section to provide assistance to such unit shall no longer apply: Provided further, That the Secretary shall submit a report to such committees detailing the final disposition of the case by the Government of Afghanistan.

Sec. 9022. None of the funds made available by this Act may be used to pay the expenses of any member of
the Taliban to participate in any meeting that does not include the participation of members of the Government of Afghanistan or that restricts the participation of women.

(RESCISSIONS)

SEC. 9023. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: Provided, That such amounts are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985:


“Afghanistan Security Forces Fund”, 2019/2020, $30,000,000;

“Counter-ISIS Train and Equip Fund”, 2019/2020, $13,000,000; and

“Procurement of Ammunition, Navy and Marine Corps”, 2019/2021, $16,574,000.

SEC. 9024. Each amount designated in this Act by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act
of 1985 shall be available (or rescinded, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.


(b) The repeal contained in subsection (a)—

(1) takes effect on the date that is 240 days after the date of the enactment of this Act; and

(2) applies with respect to each operation or other action that is being carried out pursuant to the Authorization for Use of Military Force initiated before such effective date.

SEC. 9026. Nothing in this Act may be construed as authorizing the use of force against Iran.

TITLE X—TO DIRECT THE REMOVAL OF UNITED STATES ARMED FORCES FROM HOSTILITIES IN THE REPUBLIC OF YEMEN THAT HAVE NOT BEEN AUTHORIZED BY CONGRESS

SEC. 10001. FINDINGS.

Congress makes the following findings:
(1) Congress has the sole power to declare war under article I, section 8, clause 11 of the United States Constitution.

(2) Congress has not declared war with respect to, or provided a specific statutory authorization for, the conflict between military forces led by Saudi Arabia, including forces from the United Arab Emirates, Bahrain, Kuwait, Egypt, Jordan, Morocco, Senegal, and Sudan (the Saudi-led coalition), against the Houthis, also known as Ansar Allah, in the Republic of Yemen.

(3) Since March 2015, members of the United States Armed Forces have been introduced into hostilities between the Saudi-led coalition and the Houthis, including providing to the Saudi-led coalition aerial targeting assistance, intelligence sharing, and mid-flight aerial refueling.

(4) The United States has established a Joint Combined Planning Cell with Saudi Arabia, in which members of the United States Armed Forces assist in aerial targeting and help to coordinate military and intelligence activities.

(5) In December 2017, Secretary of Defense James N. Mattis stated, “We have gone in to be very—to be helpful where we can in identifying how
you do target analysis and how you make certain you hit the right thing.’’.

(6) The conflict between the Saudi-led coalition and the Houthis constitutes, within the meaning of section 4(a) of the War Powers Resolution (50 U.S.C. 1543(a)), either hostilities or a situation where imminent involvement in hostilities is clearly indicated by the circumstances into which United States Armed Forces have been introduced.

(7) Section 5(c) of the War Powers Resolution (50 U.S.C. 1544(c)) states that “at any time that United States Armed Forces are engaged in hostilities outside the territory of the United States, its possessions and territories without a declaration of war or specific statutory authorization, such forces shall be removed by the President if the Congress so directs”.

(8) Section 8(c) of the War Powers Resolution (50 U.S.C. 1547(c)) defines the introduction of United States Armed Forces to include “the assignment of members of such armed forces to command, coordinate, participate in the movement of, or accompany the regular or irregular military forces of any foreign country or government when such military forces are engaged, or there exists an imminent
threat that such forces will become engaged, in hos-
tilities,” and activities that the United States is con-
ducting in support of the Saudi-led coalition, includ-
ing aerial refueling and targeting assistance, fall
within this definition.

(9) Section 1013 of the Department of State
Authorization Act, Fiscal Years 1984 and 1985 (50
U.S.C. 1546a) provides that any joint resolution or
bill to require the removal of United States Armed
Forces engaged in hostilities without a declaration of
war or specific statutory authorization shall be con-
sidered in accordance with the expedited procedures
of section 601(b) of the International Security and
Arms Export Control Act of 1976 (Public Law 94–
329; 90 Stat. 765).

(10) No specific statutory authorization for the
use of United States Armed Forces with respect to
the conflict between the Saudi-led coalition and the
Houthis in Yemen has been enacted, and no provi-
sion of law explicitly authorizes the provision of tar-
geting assistance or of midair refueling services to
warplanes of Saudi Arabia or the United Arab Emir-
ates that are engaged in such conflict.
SEC. 10002. REMOVAL OF UNITED STATES ARMED FORCES
FROM HOSTILITIES IN THE REPUBLIC OF
YEMEN THAT HAVE NOT BEEN AUTHORIZED
BY CONGRESS.

Pursuant to section 1013 of the Department of State Authorization Act, Fiscal Years 1984 and 1985 (50 U.S.C. 1546a) and in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976 (Public Law 94–329; 90 Stat. 765), Congress hereby directs the President to remove United States Armed Forces from hostilities in or affecting the Republic of Yemen, except United States Armed Forces engaged in operations directed at al Qaeda or associated forces, by not later than the date that is 30 days after the date of the enactment of this Act (unless the President requests and Congress authorizes a later date), and unless and until a declaration of war or specific authorization for such use of United States Armed Forces has been enacted. For purposes of this title, in this section, the term “hostilities” includes in-flight refueling of non-United States aircraft conducting missions as part of the ongoing civil war in Yemen.
SEC. 10003. RULE OF CONSTRUCTION REGARDING CONTINUED MILITARY OPERATIONS AND COOPERATION WITH ISRAEL.

Nothing in this title shall be construed to influence or disrupt any military operations and cooperation with Israel.

SEC. 10004. RULE OF CONSTRUCTION REGARDING INTELLIGENCE SHARING.

Nothing in this title may be construed to influence or disrupt any intelligence, counterintelligence, or investigative activities relating to threats in or emanating from Yemen conducted by, or in conjunction with, the United States Government involving—

(1) the collection of intelligence;

(2) the analysis of intelligence; or

(3) the sharing of intelligence between the United States and any coalition partner if the President determines such sharing is appropriate and in the national security interests of the United States.

SEC. 10005. REPORT ON RISKS POSED BY CEASING SAUDI ARABIA SUPPORT OPERATIONS.

Not later than 90 days after the date of the enactment of this Act, the President shall submit to Congress a report assessing the risks posed to United States citizens and the civilian population of Saudi Arabia and the risk of regional humanitarian crises if the United States were
to cease support operations with respect to the conflict be-
 tween the Saudi-led coalition and the Houthis in Yemen.

SEC. 10006. REPORT ON INCREASED RISK OF TERRORIST
 ATTACKS TO UNITED STATES ARMED FORCES
 ABROAD, ALLIES, AND THE CONTINENTAL
 UNITED STATES IF SAUDI ARABIA CEASES
 YEMEN-RELATED INTELLIGENCE SHARING
 WITH THE UNITED STATES.

Not later than 90 days after the date of the enact-
 ment of this Act, the President shall submit to Congress
 a report assessing the increased risk of terrorist attacks
 on United States Armed Forces abroad, allies, and to the
 continental United States if the Government of Saudi Ara-
 bia were to cease Yemen-related intelligence sharing with
 the United States.

SEC. 10007. RULE OF CONSTRUCTION REGARDING NO AU-
 THORIZATION FOR USE OF MILITARY FORCE.

Consistent with section 8(a)(1) of the War Powers
 Resolution (50 U.S.C. 1547(a)(1)), nothing in this title
 may be construed as authorizing the use of military force.

TITLE XI—ADDITIONAL GENERAL PROVISIONS

Sec. 11001. Except as expressly provided otherwise,
 any reference to “this Act” contained in this division shall
 be treated as referring only to the provisions of this divi-
 sion.
SEC. 11002. Any reference to a “report accompanying this Act” contained in this division shall be treated as a reference to House Report 116–84. The effect of such Report shall be limited to this division and shall apply for purposes of determining the allocation of funds provided by, and the implementation of, this division.

SEC. 11003. None of the funds made available by this Act may be made available to the Taliban.

SEC. 11004. None of the funds made available by this Act may be used to implement Directive-type Memorandum (DTM)–19–004, Military Service by Transgender Persons and Persons with Gender Dysphoria, March 12, 2019 (effective date April 12, 2019).


This Act may be cited as the “Department of Defense Appropriations Act, 2020”.

HR 2740 PCS
DIVISION D—DEPARTMENT OF STATE,
FOREIGN OPERATIONS, AND RELATED
PROGRAMS APPROPRIATIONS ACT,
2020

The following sums are appropriated, out of any
money in the Treasury not otherwise appropriated, for the
Department of State, foreign operations, and related pro-
grams for the fiscal year ending September 30, 2020, and
for other purposes, namely:

TITLE I

DEPARTMENT OF STATE AND RELATED
AGENCY
DEPARTMENT OF STATE
ADMINISTRATION OF FOREIGN AFFAIRS
DIPLOMATIC PROGRAMS

For necessary expenses of the Department of State
and the Foreign Service not otherwise provided for,
$9,245,766,000 (increased by $1,000,000) (reduced by
$1,000,000) (increased by $1) (reduced by $1) (reduced
by $500,000), of which up to $772,480,000 may remain
available until September 30, 2021, and of which up to
$4,095,899,000 may remain available until expended for
Worldwide Security Protection: Provided, That of the
amount made available under this heading for Worldwide
Security Protection, $2,626,122,000 is designated by the
Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provide further, That designated funds made available under this heading shall be allocated in accordance with paragraphs (1) through (4) as follows:

(1) HUMAN RESOURCES.—For necessary expenses for training, human resources management, and salaries, including employment without regard to civil service and classification laws of persons on a temporary basis (not to exceed $700,000), as authorized by section 801 of the United States Information and Educational Exchange Act of 1948, $2,900,417,000, of which up to $509,782,000 is for Worldwide Security Protection.

(2) OVERSEAS PROGRAMS.—For necessary expenses for the regional bureaus of the Department of State and overseas activities as authorized by law, $1,955,868,000.

(3) DIPLOMATIC POLICY AND SUPPORT.—For necessary expenses for the functional bureaus of the Department of State, including representation to certain international organizations in which the United States participates pursuant to treaties ratified pursuant to the advice and consent of the Sen-
ate or specific Acts of Congress, general administration, and arms control, nonproliferation and disarmament activities as authorized, $780,057,000 (reduced by $500,000).

(4) SECURITY PROGRAMS.—For necessary expenses for security activities, $3,609,424,000, of which up to $3,586,117,000 is for Worldwide Security Protection.

(5) FEES AND PAYMENTS COLLECTED.—In addition to amounts otherwise made available under this heading—

(A) as authorized by section 810 of the United States Information and Educational Exchange Act, not to exceed $5,000,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from English teaching, library, motion pictures, and publication programs and from fees from educational advising and counseling and exchange visitor programs; and

(B) not to exceed $15,000, which shall be derived from reimbursements, surcharges, and fees for use of Blair House facilities.

(6) TRANSFER OF FUNDS, REPROGRAMMING, AND OTHER MATTERS.—
(A) Notwithstanding any other provision of this Act, funds may be reprogrammed within and between paragraphs (1) through (4) under this heading subject to section 7015 of this Act.

(B) Of the amount made available under this heading, not to exceed $10,000,000 may be transferred to, and merged with, funds made available by this Act under the heading “Emergencies in the Diplomatic and Consular Service”, to be available only for emergency evacuations and rewards, as authorized.

(C) Funds appropriated under this heading are available for acquisition by exchange or purchase of passenger motor vehicles as authorized by law and, pursuant to section 1108(g) of title 31, United States Code, for the field examination of programs and activities in the United States funded from any account contained in this title.

(7) CLARIFICATION.—References to the “Diplomatic and Consular Programs” account in any provision of law shall in this fiscal year, and each fiscal year thereafter, be construed to include the “Diplomatic Programs” account.
CAPITAL INVESTMENT FUND

For necessary expenses of the Capital Investment Fund, as authorized, $140,000,000 (reduced by $500,000), to remain available until expended.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, $90,829,000, notwithstanding section 209(a)(1) of the Foreign Service Act of 1980 (22 U.S.C. 3929(a)(1)), as it relates to post inspections: Provided, That of the funds appropriated by this paragraph, $13,624,000 may remain available until September 30, 2021.

In addition, for the Special Inspector General for Afghanistan Reconstruction (SIGAR) for reconstruction oversight, $54,900,000, which is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985, of which up to $8,235,000 may remain available until September 30, 2021.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For expenses of educational and cultural exchange programs, as authorized, $730,000,000, to remain available until expended, of which not less than $272,000,000 shall be for the Fulbright Program and not less than
$111,961,000 shall be for Citizen Exchange Program:

Provided, That fees or other payments received from, or in connection with, English teaching, educational advising and counseling programs, and exchange visitor programs as authorized may be credited to this account, to remain available until expended: Provided further, That a portion of the Fulbright awards from the Eurasia and Central Asia regions shall be designated as Edmund S. Muskie Fellowships, following consultation with the Committees on Appropriations: Provided further, That any substantive modifications from the prior fiscal year to programs funded by this Act under this heading shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

REPRESENTATION EXPENSES

For representation expenses as authorized, $7,212,000.

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

For expenses, not otherwise provided, to enable the Secretary of State to provide for extraordinary protective services, as authorized, $30,890,000, to remain available until September 30, 2021.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

For necessary expenses for carrying out the Foreign Service Buildings Act of 1926 (22 U.S.C. 292 et seq.),
preserving, maintaining, repairing, and planning for real
property that are owned or leased by the Department of
State, and renovating, in addition to funds otherwise avail-
able, the Harry S Truman Building, $781,562,000, to re-
main available until September 30, 2024, of which not to
exceed $25,000 may be used for overseas representation
expenses as authorized: Provided, That none of the funds
appropriated in this paragraph shall be available for acqui-
sition of furniture, furnishings, or generators for other de-
partments and agencies of the United States Government.

In addition, for the costs of worldwide security up-
grades, acquisition, and construction as authorized,
$1,205,649,000, to remain available until expended, of
which $424,087,000 is designated by the Congress for
Overseas Contingency Operations/Global War on Ter-
rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR
SERVICE

For necessary expenses to enable the Secretary of
State to meet unforeseen emergencies arising in the Diplo-
matic and Consular Service, as authorized, $7,885,000, to
remain available until expended, of which not to exceed
$1,000,000 may be transferred to, and merged with, funds
appropriated by this Act under the heading “Repatriation Loans Program Account”.

RE PATRIATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, $1,300,000, as authorized: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That such funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $5,563,619.

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

For necessary expenses to carry out the Taiwan Relations Act (Public Law 96–8), $31,963,000.

INTERNATIONAL CENTER, WASHINGTON, DISTRICT OF COLUMBIA

Not to exceed $1,806,600 shall be derived from fees collected from other executive agencies for lease or use of facilities at the International Center in accordance with section 4 of the International Center Act (Public Law 90–553), and, in addition, as authorized by section 5 of such Act, $743,000, to be derived from the reserve authorized by such section, to be used for the purposes set out in that section.
PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND
DISABILITY FUND

For payment to the Foreign Service Retirement and
Disability Fund, as authorized, $158,900,000.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For necessary expenses, not otherwise provided for,
to meet annual obligations of membership in international
multilateral organizations, pursuant to treaties ratified
pursuant to the advice and consent of the Senate, conven-
tions, or specific Acts of Congress, $1,520,285,000, of
which $96,240,000 is designated by the Congress for
Overseas Contingency Operations/Global War on Ter-
rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
anced Budget and Emergency Deficit Control Act of 1985:

Provided, That the Secretary of State shall, at the time
of the submission of the President’s budget to Congress
under section 1105(a) of title 31, United States Code,
transmit to the Committees on Appropriations the most
recent biennial budget prepared by the United Nations for
the operations of the United Nations: Provided further,
That any payment of arrearages under this heading shall
be directed to activities that are mutually agreed upon by
the United States and the respective international organi-
zation and shall be subject to the regular notification pro-
of the Committees on Appropriations: Provided further, That none of the funds appropriated under this heading shall be available for a United States contribution to an international organization for the United States share of interest costs made known to the United States Government by such organization for loans incurred on or after October 1, 1984, through external borrowings.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For necessary expenses to pay assessed and other expenses of international peacekeeping activities directed to the maintenance or restoration of international peace and security, $2,128,414,000, of which $988,656,000 is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided, That of the funds made available under this heading up to $1,159,620,000 may remain available until September 30, 2021: Provided further, That none of the funds made available by this Act shall be obligated or expended for any new or expanded United Nations peacekeeping mission unless, at least 15 days in advance of voting for such mission in the United Nations Security Council (or in an emergency as far in advance as is practicable), the Committees on Appropria-
tions are notified of: (1) the estimated cost and duration
of the mission, the objectives of the mission, the national
interest that will be served, and the exit strategy; and (2)
the sources of funds, including any reprogrammings or
transfers, that will be used to pay the cost of the new or
expanded mission, and the estimated cost in future fiscal
years: Provided further, That none of the funds appro-
priated under this heading may be made available for obli-
gation unless the Secretary of State certifies and reports
to the Committees on Appropriations on a peacekeeping
mission-by-mission basis that the United Nations is imple-
menting effective policies and procedures to prevent
United Nations employees, contractor personnel, and
peacekeeping troops serving in such mission from traf-
ficking in persons, exploiting victims of trafficking, or
committing acts of sexual exploitation and abuse or other
violations of human rights, and to hold accountable indi-
viduals who engage in such acts while participating in
such mission, including prosecution in their home coun-
tries and making information about such prosecutions
publicly available on the website of the United Nations:
Provided further, That the Secretary of State shall work
with the United Nations and foreign governments contrib-
uting peacekeeping troops to implement effective vetting
procedures to ensure that such troops have not violated
human rights: Provided further, That funds shall be available for peacekeeping expenses unless the Secretary of State determines that United States manufacturers and suppliers are not being given opportunities to provide equipment, services, and material for United Nations peacekeeping activities equal to those being given to foreign manufacturers and suppliers: Provided further, That none of the funds appropriated or otherwise made available under this heading may be used for any United Nations peacekeeping mission that will involve United States Armed Forces under the command or operational control of a foreign national, unless the President’s military advisors have submitted to the President a recommendation that such involvement is in the national interest of the United States and the President has submitted to Congress such a recommendation: Provided further, That the Secretary of State shall work with the United Nations and members of the United Nations Security Council to evaluate and prioritize peacekeeping missions, and to consider a draw down when mission goals have been substantially achieved: Provided further, That, of the amounts appropriated under this heading, not less than $478,994,000 shall be disbursed to the United Nations not later than 45 days after the enactment of this Act for the remaining amounts necessary to pay in full for fiscal years 2017 and

INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided for, to meet obligations of the United States arising under treaties, or specific Acts of Congress, as follows:

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

For necessary expenses for the United States Section of the International Boundary and Water Commission, United States and Mexico, and to comply with laws applicable to the United States Section, including not to exceed $6,000 for representation expenses; as follows:

SALARIES AND EXPENSES

For salaries and expenses, not otherwise provided for, $48,170,000.

CONSTRUCTION

For detailed plan preparation and construction of authorized projects, $29,400,000 (reduced by $4,000,000) (increased by $4,000,000), to remain available until expended, as authorized.
AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided, for the International Joint Commission and the International Boundary Commission, United States and Canada, as authorized by treaties between the United States and Canada or Great Britain, and the Border Environment Cooperation Commission as authorized by the North American Free Trade Agreement Implementation Act (Public Law 103–182), $12,732,000: Provided, That of the amount provided under this heading for the International Joint Commission, up to $500,000 may remain available until September 30, 2021, and $9,000 may be made available for representation expenses: Provided further, That of the amount provided under this heading for the International Boundary Commission, $1,000 may be made available for representation expenses.

INTERNATIONAL FISHERIES COMMISSIONS

For necessary expenses for international fisheries commissions, not otherwise provided for, as authorized by law, $51,058,000 (increased by $500,000): Provided, That the United States share of such expenses may be advanced to the respective commissions pursuant to section 3324 of title 31, United States Code.
RELATED AGENCY

UNITED STATES AGENCY FOR GLOBAL MEDIA

INTERNATIONAL BROADCASTING OPERATIONS

For necessary expenses to enable the United States Agency for Global Media (USAGM), as authorized, to carry out international communication activities, and to make and supervise grants for radio, Internet, and television broadcasting to the Middle East, $798,196,000 (increased by $500,000): Provided, That in addition to amounts otherwise available for such purposes, up to $34,508,000 of the amount appropriated under this heading may remain available until expended for satellite transmissions and Internet freedom programs, of which not less than $13,800,000 shall be for Internet freedom programs: Provided further, That of the total amount appropriated under this heading, not to exceed $35,000 may be used for representation expenses, of which $10,000 may be used for such expenses within the United States as authorized, and not to exceed $30,000 may be used for representation expenses of Radio Free Europe/Radio Liberty: Provided further, That the USAGM shall notify the Committees on Appropriations within 15 days of any determination by the USAGM that any of its broadcast entities, including its grantee organizations, provides an open platform for international terrorists or those who
support international terrorism, or is in violation of the principles and standards set forth in subsections (a) and (b) of section 303 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6202) or the entity’s journalistic code of ethics: Provided further, That in addition to funds made available under this heading, and notwithstanding any other provision of law, up to $5,000,000 in receipts from advertising and revenue from business ventures, up to $500,000 in receipts from cooperating international organizations, and up to $1,000,000 in receipts from privatization efforts of the Voice of America and the International Broadcasting Bureau, shall remain available until expended for carrying out authorized purposes: Provided further, That any reference to the “Broadcasting Board of Governors” or “BBG”, including in any account providing amounts to the Broadcasting Board of Governors, in any Act making appropriations for the Department of State, foreign operations, and related programs enacted before, on, or after the date of the enactment of this Act shall for this fiscal year, and any fiscal year thereafter, be construed to mean the “United States Agency for Global Media” or “USAGM”, respectively.

BROADCASTING CAPITAL IMPROVEMENTS

For the purchase, rent, construction, repair, preservation, and improvement of facilities for radio, television,
and digital transmission and reception; the purchase, rent,
and installation of necessary equipment for radio, tele-
vision, and digital transmission and reception, as author-
ized; and physical security worldwide, in addition to
amounts otherwise available for such purposes,
$9,700,000, to remain available until expended, as author-
ized.

RELATED PROGRAMS

THE ASIA FOUNDATION

For a grant to The Asia Foundation, as authorized
by The Asia Foundation Act (22 U.S.C. 4402),
$19,000,000, to remain available until expended: Pro-
vided, That funds appropriated under this heading shall
be apportioned and obligated to the Foundation not later
than 60 days after enactment of this Act.

UNITED STATES INSTITUTE OF PEACE

For necessary expenses of the United States Institute
of Peace, as authorized by the United States Institute of
Peace Act (22 U.S.C. 4601 et seq.), $38,634,000, to re-
main available until September 30, 2021, which shall not
be used for construction activities.

CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE

TRUST FUND

For necessary expenses of the Center for Middle
Eastern-Western Dialogue Trust Fund, as authorized by
section 633 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2004 (22 U.S.C. 2078), the total amount of the interest and earnings accruing to such Fund on or before September 30, 2020, to remain available until expended.

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

For necessary expenses of Eisenhower Exchange Fellowships, Incorporated, as authorized by sections 4 and 5 of the Eisenhower Exchange Fellowship Act of 1990 (20 U.S.C. 5204–5205), all interest and earnings accruing to the Eisenhower Exchange Fellowship Program Trust Fund on or before September 30, 2020, to remain available until expended: Provided, That none of the funds appropriated herein shall be used to pay any salary or other compensation, or to enter into any contract providing for the payment thereof, in excess of the rate authorized by section 5376 of title 5, United States Code; or for purposes which are not in accordance with section 200 of title 2 of the Code of Federal Regulations, including the restrictions on compensation for personal services.

ISRAELI ARAB SCHOLARSHIP PROGRAM

For necessary expenses of the Israeli Arab Scholarship Program, as authorized by section 214 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2452 note), all interest and earnings accruing
to the Israeli Arab Scholarship Fund on or before September 30, 2020, to remain available until expended.

**EAST-WEST CENTER**

To enable the Secretary of State to provide for carrying out the provisions of the Center for Cultural and Technical Interchange Between East and West Act of 1960, by grant to the Center for Cultural and Technical Interchange Between East and West in the State of Hawaii, $16,700,000: *Provided*, That funds appropriated under this heading shall be apportioned and obligated to the Center not later than 60 days after enactment of this Act.

**NATIONAL ENDOWMENT FOR DEMOCRACY**

For grants made by the Department of State to the National Endowment for Democracy, as authorized by the National Endowment for Democracy Act (22 U.S.C. 4412), $180,000,000, to remain available until expended, of which $117,500,000 shall be allocated in the traditional and customary manner, including for the core institutes, and $62,500,000 shall be for democracy programs: *Provided*, That the requirements of section 7061(a) of this Act shall not apply to funds made available under this heading: *Provided further*, That funds appropriated under this heading shall be apportioned and obligated to the En-
dowment not later than 30 days after enactment of this Act.

OTHER COMMISSIONS

Commission for the Preservation of America’s Heritage Abroad

Salaries and Expenses

For necessary expenses for the Commission for the Preservation of America’s Heritage Abroad, $642,000, as authorized by chapter 3123 of title 54, United States Code: Provided, That the Commission may procure temporary, intermittent, and other services notwithstanding paragraph (3) of section 312304(b) of such chapter: Provided further, That such authority shall terminate on October 1, 2020: Provided further, That the Commission shall notify the Committees on Appropriations prior to exercising such authority.

United States Commission on International Religious Freedom

Salaries and Expenses

For necessary expenses for the United States Commission on International Religious Freedom (USCIRF), as authorized by title II of the International Religious Freedom Act of 1998 (22 U.S.C. 6431 et seq.), $4,500,000, to remain available until September 30, 2021,
including not more than $4,000 for representation expenses.

Commission on Security and Cooperation in Europe

Salaries and Expenses

For necessary expenses of the Commission on Security and Cooperation in Europe, as authorized by Public Law 94–304 (22 U.S.C. 3001 et seq.), $2,579,000, including not more than $4,000 for representation expenses, to remain available until September 30, 2021.

Congressional-Executive Commission on the People’s Republic of China

Salaries and Expenses

For necessary expenses of the Congressional-Executive Commission on the People’s Republic of China, as authorized by title III of the U.S.-China Relations Act of 2000 (22 U.S.C. 6911 et seq.), $2,000,000, including not more than $3,000 for representation expenses, to remain available until September 30, 2021.

United States-China Economic and Security Review Commission

Salaries and Expenses

For necessary expenses of the United States-China Economic and Security Review Commission, as authorized by section 1238 of the Floyd D. Spence National Defense
$3,500,000, including not more than $4,000 for representation expenses, to remain available until September 30, 2021: *Provided*, That the authorities, requirements, limitations, and conditions contained in the second through sixth provisos under this heading in the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (division F of Public Law 111–117) shall continue in effect during fiscal year 2020 and shall apply to funds appropriated under this heading as if included in this Act.

**WESTERN HEMISPHERE DRUG POLICY COMMISSION**

**SALARIES AND EXPENSES**

For necessary expenses of the Western Hemisphere Drug Policy Commission, as authorized by title VI of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114–323), $500,000 to remain available until September 30, 2021.

**TITLE II**

**UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT**

**FUNDS APPROPRIATED TO THE PRESIDENT**

**OPERATING EXPENSES**

For necessary expenses to carry out the provisions of section 667 of the Foreign Assistance Act of 1961,
$1,404,756,000, of which up to $210,713,000 may remain available until September 30, 2021: Provided, That none of the funds appropriated under this heading and under the heading “Capital Investment Fund” in this title may be made available to finance the construction (including architect and engineering services), purchase, or long-term lease of offices for use by the United States Agency for International Development, unless the USAID Administrator has identified such proposed use of funds in a report submitted to the Committees on Appropriations at least 15 days prior to the obligation of funds for such purposes: Provided further, That contracts or agreements entered into with funds appropriated under this heading may entail commitments for the expenditure of such funds through the following fiscal year: Provided further, That the authority of sections 610 and 109 of the Foreign Assistance Act of 1961 may be exercised by the Secretary of State to transfer funds appropriated to carry out chapter 1 of part I of such Act to “Operating Expenses” in accordance with the provisions of those sections: Provided further, That of the funds appropriated or made available under this heading, not to exceed $250,000 may be available for representation and entertainment expenses, of which not to exceed $5,000 may be available for entertainment expenses, and not to exceed $100,500 shall be for
official residence expenses, for USAID during the current fiscal year.

CAPITAL INVESTMENT FUND

For necessary expenses for overseas construction and related costs, and for the procurement and enhancement of information technology and related capital investments, pursuant to section 667 of the Foreign Assistance Act of 1961, $210,300,000, to remain available until expended: Provided, That this amount is in addition to funds otherwise available for such purposes: Provided further, That funds appropriated under this heading shall be available subject to the regular notification procedures of the Committees on Appropriations.

OFFICE OF INSPECTOR GENERAL

For necessary expenses to carry out the provisions of section 667 of the Foreign Assistance Act of 1961, $75,500,000, of which up to $11,325,000 may remain available until September 30, 2021, for the Office of Inspector General of the United States Agency for International Development.
TITLE III

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

For necessary expenses to enable the President to carry out the provisions of the Foreign Assistance Act of 1961, and for other purposes, as follows:

GLOBAL HEALTH PROGRAMS

For necessary expenses to carry out the provisions of chapters 1 and 10 of part I of the Foreign Assistance Act of 1961, for global health activities, in addition to funds otherwise available for such purposes, $3,366,500,000 (increased by $1,000,000) (reduced by $1,000,000), to remain available until September 30, 2021, and which shall be apportioned directly to the United States Agency for International Development not later than 30 days after enactment of this Act: Provided, That this amount shall be made available for training, equipment, and technical assistance to build the capacity of public health institutions and organizations in developing countries, and for such activities as: (1) child survival and maternal health programs; (2) immunization and oral rehydration programs; (3) other health, nutrition, water and sanitation programs which directly address the needs of mothers and children, and related education programs; (4) assistance for children displaced or orphaned
by causes other than AIDS; (5) programs for the prevention, treatment, control of, and research on HIV/AIDS, tuberculosis, polio, malaria, and other infectious diseases including neglected tropical diseases, and for assistance to communities severely affected by HIV/AIDS, including children infected or affected by AIDS; (6) disaster preparedness training for health crises; (7) programs to prevent, prepare for, and respond to, unanticipated and emerging global health threats; and (8) family planning/reproductive health: Provided further, That funds appropriated under this paragraph may be made available for a United States contribution to The GAVI Alliance: Provided further, That none of the funds made available in this Act nor any unobligated balances from prior appropriations Acts may be made available to any organization or program which, as determined by the President of the United States, supports or participates in the management of a program of coercive abortion or involuntary sterilization: Provided further, That any determination made under the previous proviso must be made not later than 6 months after the date of enactment of this Act, and must be accompanied by the evidence and criteria utilized to make the determination: Provided further, That none of the funds made available under this Act may be used to pay for the performance of abortion as a method
of family planning or to motivate or coerce any person
to practice abortions: Provided further, That nothing in
this paragraph shall be construed to alter any existing
statutory prohibitions against abortion under section 104
of the Foreign Assistance Act of 1961: Provided further,
That none of the funds made available under this Act may
be used to lobby for or against abortion: Provided further,
That in order to reduce reliance on abortion in developing
nations, funds shall be available only to voluntary family
planning projects which offer, either directly or through
referral to, or information about access to, a broad range
of family planning methods and services, and that any
such voluntary family planning project shall meet the fol-
lowing requirements: (1) service providers or referral
agents in the project shall not implement or be subject
to quotas, or other numerical targets, of total number of
births, number of family planning acceptors, or acceptors
of a particular method of family planning (this provision
shall not be construed to include the use of quantitative
estimates or indicators for budgeting and planning pur-
poses); (2) the project shall not include payment of incen-
tives, bribes, gratuities, or financial reward to: (A) an indi-
vidual in exchange for becoming a family planning accept-
tor; or (B) program personnel for achieving a numerical
target or quota of total number of births, number of fam-
ily planning acceptors, or acceptors of a particular method of family planning; (3) the project shall not deny any right or benefit, including the right of access to participate in any program of general welfare or the right of access to health care, as a consequence of any individual’s decision not to accept family planning services; (4) the project shall provide family planning acceptors comprehensible information on the health benefits and risks of the method chosen, including those conditions that might render the use of the method inadvisable and those adverse side effects known to be consequent to the use of the method; and (5) the project shall ensure that experimental contraceptive drugs and devices and medical procedures are provided only in the context of a scientific study in which participants are advised of potential risks and benefits; and, not less than 60 days after the date on which the USAID Administrator determines that there has been a violation of the requirements contained in paragraph (1), (2), (3), or (5) of this proviso, or a pattern or practice of violations of the requirements contained in paragraph (4) of this proviso, the Administrator shall submit to the Committees on Appropriations a report containing a description of such violation and the corrective action taken by the Agency: Provided further, That in awarding grants for natural family planning under section 104 of the For-
eign Assistance Act of 1961 no applicant shall be discrimi-
nated against because of such applicant’s religious or con-
scientious commitment to offer only natural family plan-
ning; and, additionally, all such applicants shall comply
with the requirements of the previous proviso: Provided
further, That for purposes of this or any other Act author-
izing or appropriating funds for the Department of State,
foreign operations, and related programs, the term “moti-
vate”, as it relates to family planning assistance, shall not
be construed to prohibit the provision, consistent with
local law, of information or counseling about all pregnancy
options: Provided further, That information provided
about the use of condoms as part of projects or activities
that are funded from amounts appropriated by this Act
shall be medically accurate and shall include the public
health benefits and failure rates of such use.

In addition, for necessary expenses to carry out the
provisions of the Foreign Assistance Act of 1961 for the
prevention, treatment, and control of, and research on,
HIV/AIDS, $5,930,000,000, to remain available until
September 30, 2024, which shall be apportioned directly
to the Department of State not later than 30 days after
enactment of this Act: Provided, That funds appropriated
under this paragraph may be made available, notwith-
standing any other provision of law, except for the United
States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (Public Law 108–25), for a United States contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria (Global Fund): Provided further, That the amount of such contribution shall be $1,560,000,000 and shall be for the first installment of the sixth replenishment: Provided further, That up to 5 percent of the aggregate amount of funds made available to the Global Fund in fiscal year 2020 may be made available to USAID for technical assistance related to the activities of the Global Fund, subject to the regular notification procedures of the Committees on Appropriations: Provided further, That of the funds appropriated under this paragraph, up to $17,000,000 may be made available, in addition to amounts otherwise available for such purposes, for administrative expenses of the Office of the United States Global AIDS Coordinator.

DEVELOPMENT ASSISTANCE

For necessary expenses to carry out the provisions of sections 103, 105, 106, 214, and sections 251 through 255, and chapter 10 of part I of the Foreign Assistance Act of 1961, $4,164,867,000 (reduced by $5,000,000) (increased by $5,000,000), to remain available until September 30, 2021: Provided, That funds made available under this heading shall be apportioned directly to the
United States Agency for International Development not later than 30 days after enactment of this Act.

INTERNATIONAL DISASTER ASSISTANCE

For necessary expenses to carry out the provisions of section 491 of the Foreign Assistance Act of 1961 for international disaster relief, rehabilitation, and reconstruction assistance, $4,435,312,000, to remain available until expended, of which $1,733,980,000 is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided, That funds made available under this heading shall be apportioned to the United States Agency for International Development not later than 30 days after enactment of this Act.

TRANSITION INITIATIVES

For necessary expenses for international disaster rehabilitation and reconstruction assistance administered by the Office of Transition Initiatives, United States Agency for International Development, pursuant to section 491 of the Foreign Assistance Act of 1961, $92,043,000, to remain available until expended, to support transition to democracy and long-term development of countries in crisis: Provided, That if the Secretary of State determines that it is important to the national interest of the United States...
States to provide transition assistance in excess of the amount appropriated under this heading, up to $15,000,000 of the funds appropriated by this Act to carry out the provisions of part I of the Foreign Assistance Act of 1961 may be used for purposes of this heading and under the authorities applicable to funds appropriated under this heading: Provided further, That funds made available pursuant to the previous proviso shall be made available subject to prior consultation with the Committees on Appropriations.

COMPLEX CRISIS FUND

For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 to support programs and activities administered by the United States Agency for International Development to prevent or respond to emerging or unforeseen foreign challenges and complex crises overseas, $30,000,000, to remain available until expended: Provided, That funds appropriated under this heading may be made available on such terms and conditions as are appropriate and necessary for the purposes of preventing or responding to such challenges and crises, except that no funds shall be made available for lethal assistance or to respond to natural disasters: Provided further, That funds appropriated under this heading may be made available notwithstanding any other provi-
sion of law, except sections 7007, 7008, and 7018 of this Act and section 620M of the Foreign Assistance Act of 1961: Provided further, That funds appropriated under this heading may be used for administrative expenses, in addition to funds otherwise available for such purposes, except that such expenses may not exceed 5 percent of the funds appropriated under this heading: Provided further, That funds appropriated under this heading shall be apportioned to USAID not later than 30 days after enactment of this Act: Provided further, That funds appropriated under this heading shall be subject to the regular notification procedures of the Committees on Appropriations, except that such notifications shall be transmitted at least 5 days prior to the obligation of funds.

DEMOCRACY FUND

For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 for the promotion of democracy globally, including to carry out the purposes of section 502(b)(3) and (5) of Public Law 98–164 (22 U.S.C. 4411), $172,700,000, to remain available until September 30, 2021, which shall be made available for the Human Rights and Democracy Fund of the Bureau of Democracy, Human Rights, and Labor, Department of State: Provided, That funds appropriated under this heading that are made available to the National Endowment
for Democracy and its core institutes are in addition to amounts otherwise available by this Act for such purposes:

Provided further, That the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State, shall consult with the Committees on Appropriations prior to the initial obligation of funds appropriated under this paragraph.

For an additional amount for such purposes, $101,000,000, to remain available until September 30, 2021, which shall be made available for the Bureau for Democracy, Conflict, and Humanitarian Assistance, United States Agency for International Development.

ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA

For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961, the FREEDOM Support Act (Public Law 102–511), and the Support for Eastern European Democracy (SEED) Act of 1989 (Public Law 101–179), $770,334,000 (increased by $40,000,000) (reduced by $40,000,000) (increased by $1,500,000) (reduced by $1,500,000), to remain available until September 30, 2021, which shall be available, notwithstanding any other provision of law, except section 7046 of this Act, for assistance and related programs for countries identified in section 3 of Public Law 102–511 (22 U.S.C. 5801) and section 3(e) of Public Law 101–
179 (22 U.S.C. 5402), in addition to funds otherwise available for such purposes: Provided, That funds appropriated by this Act under the headings “Global Health Programs”, “Development Assistance”, “Economic Support Fund”, and “International Narcotics Control and Law Enforcement” that are made available for assistance for such countries shall be administered in accordance with the responsibilities of the coordinator designated pursuant to section 102 of Public Law 102–511 and section 601 of Public Law 101–179: Provided further, That funds appropriated under this heading shall be considered to be economic assistance under the Foreign Assistance Act of 1961 for purposes of making available the administrative authorities contained in that Act for the use of economic assistance: Provided further, That funds appropriated under this heading may be made available for contributions to multilateral initiatives to counter hybrid threats: Provided further, That any notification of funds made available under this heading in this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs shall include information (if known on the date of transmittal of such notification) on the use of notwithstanding authority: Provided further, That if subsequent to the notification of assistance it becomes necessary to rely on notwithstanding authority, the
Committees on Appropriations should be informed at the earliest opportunity and to the extent practicable.

Department of State

Migration and Refugee Assistance

For necessary expenses not otherwise provided for, to enable the Secretary of State to carry out the provisions of section 2(a) and (b) of the Migration and Refugee Assistance Act of 1962, and other activities to meet refugee and migration needs; salaries and expenses of personnel and dependents as authorized by the Foreign Service Act of 1980; allowances as authorized by sections 5921 through 5925 of title 5, United States Code; purchase and hire of passenger motor vehicles; and services as authorized by section 3109 of title 5, United States Code, $3,532,000,000 (reduced by $2,000,000) (increased by $2,000,000), to remain available until expended, of which $1,400,124,000 is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided, That not less than $35,000,000 shall be made available to respond to small-scale emergency humanitarian requirements, and $5,000,000 shall be made available for refugees resettling in Israel.
UNITED STATES EMERGENCY REFUGEE AND MIGRATION
ASSISTANCE FUND

For necessary expenses to carry out the provisions of section 2(c) of the Migration and Refugee Assistance Act of 1962, as amended (22 U.S.C. 2601(c)), $1,000,000, to remain available until expended: Provided, That amounts in excess of the limitation contained in paragraph (2) of such section shall be transferred to, and merged with, funds made available by this Act under the heading “Migration and Refugee Assistance”.

INDEPENDENT AGENCIES

PEACE CORPS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of the Peace Corps Act (22 U.S.C. 2501 et seq.), including the purchase of not to exceed five passenger motor vehicles for administrative purposes for use outside of the United States, $425,000,000, of which $6,330,000 is for the Office of Inspector General, to remain available until September 30, 2021: Provided, That the Director of the Peace Corps may transfer to the Foreign Currency Fluctuations Account, as authorized by section 16 of the Peace Corps Act (22 U.S.C. 2515), an amount not to exceed $5,000,000: Provided further, That funds transferred pursuant to the previous proviso may not be derived from
amounts made available for Peace Corps overseas operations: Provided further, That of the funds appropriated under this heading, not to exceed $104,000 may be available for representation expenses, of which not to exceed $4,000 may be made available for entertainment expenses: Provided further, That none of the funds appropriated under this heading shall be used to pay for abortions: Provided further, That notwithstanding the previous proviso, section 614 of division E of Public Law 113–76 shall apply to funds appropriated under this heading.

MILLENNIUM CHALLENGE CORPORATION

For necessary expenses to carry out the provisions of the Millennium Challenge Act of 2003 (22 U.S.C. 7701 et seq.) (MCA), $905,000,000, to remain available until expended: Provided, That of the funds appropriated under this heading, up to $109,000,000 may be available for administrative expenses of the Millennium Challenge Corporation, except that such funds shall remain available for obligation until September 30, 2021: Provided further, That section 605(e) of the MCA shall apply to funds appropriated under this heading: Provided further, That funds appropriated under this heading may be made available for a Millennium Challenge Compact entered into pursuant to section 609 of the MCA only if such Compact obligates, or contains a commitment to obligate subject to
the availability of funds and the mutual agreement of the parties to the Compact to proceed, the entire amount of the United States Government funding anticipated for the duration of the Compact: Provided further, That no country should be eligible for a threshold program after such country has completed a country compact: Provided further, That any funds that are deobligated from a Millennium Challenge Compact shall be subject to the regular notification procedures of the Committees on Appropriations prior to re-obligation: Provided further, That of the funds appropriated under this heading, not to exceed $100,000 may be available for representation and entertainment expenses, of which not to exceed $5,000 may be available for entertainment expenses.

INTER-AMERICAN FOUNDATION

For necessary expenses to carry out the functions of the Inter-American Foundation in accordance with the provisions of section 401 of the Foreign Assistance Act of 1969, $32,500,000, to remain available until September 30, 2021: Provided, That of the funds appropriated under this heading, not to exceed $2,000 may be available for representation expenses.

UNITED STATES AFRICAN DEVELOPMENT FOUNDATION

For necessary expenses to carry out the African Development Foundation Act (title V of Public Law 96–533;
22 U.S.C. 290h et seq.), $30,000,000, to remain available until September 30, 2021, of which not to exceed $2,000 may be available for representation expenses: Provided, That funds made available to grantees may be invested pending expenditure for project purposes when authorized by the Board of Directors of the United States African Development Foundation (USADF): Provided further, That interest earned shall be used only for the purposes for which the grant was made: Provided further, That notwithstanding section 505(a)(2) of the African Development Foundation Act (22 U.S.C. 290h–3(a)(2)), in exceptional circumstances the Board of Directors of the USADF may waive the $250,000 limitation contained in that section with respect to a project and a project may exceed the limitation by up to 10 percent if the increase is due solely to foreign currency fluctuation: Provided further, That the USADF shall submit a report to the appropriate congressional committees after each time such waiver authority is exercised: Provided further, That the USADF may make rent or lease payments in advance from appropriations available for such purpose for offices, buildings, grounds, and quarters in Africa as may be necessary to carry out its functions: Provided further, That the USADF may maintain bank accounts outside the United States Treasury and retain any interest earned on
such accounts, in furtherance of the purposes of the African Development Foundation Act: *Provided further*, That the USADF may not withdraw any appropriation from the Treasury prior to the need of spending such funds for program purposes.

**DEPARTMENT OF THE TREASURY**

**INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE**

For necessary expenses to carry out the provisions of section 129 of the Foreign Assistance Act of 1961, $30,000,000, to remain available until expended, of which not more than $6,000,000 may be used for administrative expenses: *Provided*, That amounts made available under this heading may be made available to contract for services as described in section 129(d)(3)(A) of the Foreign Assistance Act of 1961, without regard to the location in which such services are performed.

**TITLE IV**

**INTERNATIONAL SECURITY ASSISTANCE**

**DEPARTMENT OF STATE**

**ECONOMIC SUPPORT FUND**

For necessary expenses to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961, $2,153,763,000 (increased by $1,500,000) (reduced by $1,500,000), to remain available until September 30, 2021: *Provided*, That funds designated for a Diplomatic
Progress Fund in the table under this heading in the report accompanying this Act shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations: Provided further, That funds made available under this heading shall be apportioned not later than 30 days after enactment of this Act.

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For necessary expenses to carry out section 481 of the Foreign Assistance Act of 1961, $1,410,665,000, to remain available until September 30, 2021: Provided, That the Department of State may use the authority of section 608 of the Foreign Assistance Act of 1961, without regard to its restrictions, to receive excess property from an agency of the United States Government for the purpose of providing such property to a foreign country or international organization under chapter 8 of part I of such Act, subject to the regular notification procedures of the Committees on Appropriations: Provided further, That section 482(b) of the Foreign Assistance Act of 1961 shall not apply to funds appropriated under this heading, except that any funds made available notwithstanding such section shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That funds appropriated under this heading shall be made
available to support training and technical assistance for
foreign law enforcement, corrections, judges, and other ju-
dicial authorities, utilizing regional partners: Provided fur-
ther, That of the funds provided under this heading, not
less than $8,000,000 shall be made available for DNA fo-
rencis technology programs to combat human trafficking
in Central America and Mexico: Provided further, That
funds made available under this heading that are trans-
ferred to another department, agency, or instrumentality
of the United States Government pursuant to section
632(b) of the Foreign Assistance Act of 1961 valued in
excess of $5,000,000, and any agreement made pursuant
to section 632(a) of such Act, shall be subject to the reg-
ular notification procedures of the Committees on Approp-
riations.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND
RELATED PROGRAMS

For necessary expenses for nonproliferation, anti-ter-
rorism, demining and related programs and activities,
$886,850,000 (increased by $10,000,000) (reduced by
$10,000,000), to remain available until September 30,
2021, to carry out the provisions of chapter 8 of part II
of the Foreign Assistance Act of 1961 for anti-terrorism
assistance, chapter 9 of part II of the Foreign Assistance
Act of 1961, section 504 of the FREEDOM Support Act,
section 23 of the Arms Export Control Act, or the Foreign Assistance Act of 1961 for demining activities, the clearance of unexploded ordnance, the destruction of small arms, and related activities, notwithstanding any other provision of law, including activities implemented through nongovernmental and international organizations, and section 301 of the Foreign Assistance Act of 1961 for a United States contribution to the Comprehensive Nuclear Test Ban Treaty Preparatory Commission, and for a voluntary contribution to the International Atomic Energy Agency (IAEA): *Provided*, That funds made available under this heading for the Nonproliferation and Disarmament Fund shall be made available, notwithstanding any other provision of law and subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations, to promote bilateral and multilateral activities relating to nonproliferation, disarmament, and weapons destruction, and shall remain available until expended: *Provided further*, That such funds may also be used for such countries other than the Independent States of the former Soviet Union and international organizations when it is in the national security interest of the United States to do so: *Provided further*, That funds appropriated under this heading may be made available for the IAEA unless the Secretary of State deter-
mines that Israel is being denied its right to participate in the activities of that Agency: Provided further, That funds made available for conventional weapons destruction programs, including demining and related activities, in addition to funds otherwise available for such purposes, may be used for administrative expenses related to the operation and management of such programs and activities, subject to the regular notification procedures of the Committees on Appropriations.

PEACEKEEPING OPERATIONS

For necessary expenses to carry out the provisions of section 551 of the Foreign Assistance Act of 1961, $516,348,000, to remain available until September 30, 2021, and of which $325,213,000 is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided, That funds appropriated under this heading may be used, notwithstanding section 660 of such Act, to provide assistance to enhance the capacity of foreign civilian security forces, including gendarmes, to participate in peacekeeping operations: Provided further, That of the funds appropriated under this heading, not less than $31,000,000 shall be made available for a United States contribution to the Multinational Force and Ob-
servers mission in the Sinai and not less than $71,000,000 shall be made available for the Global Peace Operations Initiative: Provided further, That funds made available under this heading and designated for Overseas Contingency Operations/Global War on Terrorism, may be used to pay assessed expenses of international peacekeeping activities in Somalia under the same terms and conditions, as applicable, as funds appropriated by this Act under the heading “Contributions for International Peacekeeping Activities”: Provided further, That of the funds appropriated under this heading, not less than $42,120,000 shall be disbursed to the United Nations not later than 45 days after the enactment of this Act for the remaining amounts necessary to pay in full for fiscal years 2017 and 2018 the United States share of the costs of peacekeeping activities in Somalia in accordance with section 404(b)(2)(B) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995, (22 U.S.C. 287e note), as amended by section 7048(h) of this Act: Provided further, That none of the funds appropriated under this heading shall be obligated except as provided through the regular notification procedures of the Committees on Appropriations.
Funds Appropriated to the President

International Military Education and Training

For necessary expenses to carry out the provisions of section 541 of the Foreign Assistance Act of 1961, $110,875,000, of which up to $11,000,000 may remain available until September 30, 2021: Provided, That the civilian personnel for whom military education and training may be provided under this heading may include civilians who are not members of a government whose participation would contribute to improved civil-military relations, civilian control of the military, or respect for human rights: Provided further, That of the funds appropriated under this heading, not to exceed $50,000 may be available for entertainment expenses.

Foreign Military Financing Program

For necessary expenses for grants to enable the President to carry out the provisions of section 23 of the Arms Export Control Act, $6,109,121,000, of which $350,678,000 is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 and shall remain available until September 30, 2021: Provided, That to expedite the provision of assistance to foreign countries and international organizations, the Secretary of State,
following consultation with the Committees on Appropriations and subject to the regular notification procedures of such Committees, may use the funds appropriated under this heading to procure defense articles and services to enhance the capacity of foreign security forces: Provided further, That of the funds appropriated under this heading, not less than $3,300,000,000 shall be available for grants only for Israel which shall be disbursed within 30 days of enactment of this Act: Provided further, That to the extent that the Government of Israel requests that funds be used for such purposes, grants made available for Israel under this heading shall, as agreed by the United States and Israel, be available for advanced weapons systems, of which not less than $805,300,000 shall be available for the procurement in Israel of defense articles and defense services, including research and development: Provided further, That funds appropriated or otherwise made available under this heading shall be nonrepayable notwithstanding any requirement in section 23 of the Arms Export Control Act: Provided further, That funds made available under this heading shall be obligated upon apportionment in accordance with paragraph (5)(C) of section 1501(a) of title 31, United States Code.

None of the funds made available under this heading shall be available to finance the procurement of defense
articles, defense services, or design and construction services that are not sold by the United States Government under the Arms Export Control Act unless the foreign country proposing to make such procurement has first signed an agreement with the United States Government specifying the conditions under which such procurement may be financed with such funds: Provided, That all country and funding level increases in allocations shall be submitted through the regular notification procedures of section 7015 of this Act: Provided further, That funds made available under this heading may be used, notwithstanding any other provision of law, for demining, the clearance of unexploded ordnance, and related activities, and may include activities implemented through nongovernmental and international organizations: Provided further, That funds appropriated under this heading shall be expended at the minimum rate necessary to make timely payment for defense articles and services: Provided further, That not more than $70,000,000 of the funds appropriated under this heading may be obligated for necessary expenses, including the purchase of passenger motor vehicles for replacement only for use outside of the United States, for the general costs of administering military assistance and sales, except that this limitation may be exceeded only through the regular notification procedures of the Com-
mittees on Appropriations: Provided further, That of the funds made available under this heading for general costs of administering military assistance and sales, not to exceed $4,000 may be available for entertainment expenses and not to exceed $130,000 may be available for representation expenses: Provided further, That not more than $1,009,700,000 of funds realized pursuant to section 21(e)(1)(A) of the Arms Export Control Act may be obligated for expenses incurred by the Department of Defense during fiscal year 2020 pursuant to section 43(b) of the Arms Export Control Act, except that this limitation may be exceeded only through the regular notification procedures of the Committees on Appropriations: Provided further, That funds made available under this heading shall be apportioned not later than 30 days after enactment of this Act.

TITLE V
MULTILATERAL ASSISTANCE
Funds Appropriated to the President
INTERNATIONAL ORGANIZATIONS AND PROGRAMS

For necessary expenses to carry out the provisions of section 301 of the Foreign Assistance Act of 1961, $646,500,000: Provided, That section 307(a) of the Foreign Assistance Act of 1961 shall not apply to contributions to the United Nations Democracy Fund.
INTERNATIONAL FINANCIAL INSTITUTIONS
GLOBAL ENVIRONMENT FACILITY
For payment to the International Bank for Reconstruction and Development as trustee for the Global Environment Facility by the Secretary of the Treasury, $139,575,000, to remain available until, and to be fully disbursed no later than, September 30, 2021: Provided, That of such amount, $136,563,000, which shall remain available until September 30, 2020, is only available for the second installment of the seventh replenishment of the Global Environment Facility, and shall be obligated and disbursed not later than 90 days after enactment of this Act: Provided further, That the Secretary shall report to the Committees on Appropriations on the status of funds provided under this heading not less than quarterly until fully disbursed: Provided further, That in such report the Secretary shall provide a timeline for the obligation and disbursement of any funds that have not yet been obligated or disbursed.

CONTRIBUTION TO THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT
For payment to the International Bank for Reconstruction and Development by the Secretary of the Treasury for the United States share of the paid-in portion of
the increases in capital stock, $206,500,000, to remain available until expended.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the International Bank for Reconstruction and Development may subscribe without fiscal year limitation to the callable capital portion of the United States share of increases in capital stock in an amount not to exceed $1,421,275,728.70.

CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

For payment to the International Development Association by the Secretary of the Treasury, $1,097,010,000, to remain available until expended.

CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

For payment to the Asian Development Bank’s Asian Development Fund by the Secretary of the Treasury, $47,395,000, to remain available until expended.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

For payment to the African Development Fund by the Secretary of the Treasury, $171,300,000, to remain available until expended.

CONTRIBUTION TO THE INTERNATIONAL FUND FOR AGRICULTURAL DEVELOPMENT

For payment to the International Fund for Agricultural Development by the Secretary of the Treasury,
$30,000,000, to remain available until, and to be fully disbursed no later than, September 30, 2021, for the second installment of the eleventh replenishment of the International Fund for Agricultural Development: Provided, That the Secretary of the Treasury shall report to the Committees on Appropriations on the status of such payment not less than quarterly until fully disbursed: Provided further, That in such report the Secretary shall provide a timeline for the obligation and disbursement of any funds that have not yet been obligated or disbursed.

TITLE VI

EXPORT AND INVESTMENT ASSISTANCE

EXPORT-IMPORT BANK OF THE UNITED STATES

INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $5,700,000, of which up to $855,000 may remain available until September 30, 2021.

PROGRAM ACCOUNT

The Export-Import Bank of the United States is authorized to make such expenditures within the limits of funds and borrowing authority available to such corporation, and in accordance with law, and to make such contracts and commitments without regard to fiscal year limi-
tations, as provided by section 9104 of title 31, United
States Code, as may be necessary in carrying out the pro-
gram for the current fiscal year for such corporation: Pro-
vided, That none of the funds available during the current
fiscal year may be used to make expenditures, contracts,
or commitments for the export of nuclear equipment, fuel,
or technology to any country, other than a nuclear-weapon
state as defined in Article IX of the Treaty on the Non-
Proliferation of Nuclear Weapons eligible to receive eco-
nomic or military assistance under this Act, that has deto-
nated a nuclear explosive after the date of enactment of
this Act.

ADMINISTRATIVE EXPENSES

For administrative expenses to carry out the direct
and guaranteed loan and insurance programs, including
hire of passenger motor vehicles and services as authorized
by section 3109 of title 5, United States Code, and not
to exceed $30,000 for official reception and representation
expenses for members of the Board of Directors, not to
exceed $110,000,000, of which up to $16,500,000 may re-
main available until September 30, 2021: Provided, That
the Export-Import Bank (the Bank) may accept, and use,
payment or services provided by transaction participants
for legal, financial, or technical services in connection with
any transaction for which an application for a loan, guar-
antee or insurance commitment has been made: Provided further, That the Bank shall charge fees for necessary expenses (including special services performed on a contract or fee basis, but not including other personal services) in connection with the collection of moneys owed the Bank, repossession or sale of pledged collateral or other assets acquired by the Bank in satisfaction of moneys owed the Bank, or the investigation or appraisal of any property, or the evaluation of the legal, financial, or technical aspects of any transaction for which an application for a loan, guarantee or insurance commitment has been made, or systems infrastructure directly supporting transactions: Provided further, That in addition to other funds appropriated for administrative expenses, such fees shall be credited to this account for such purposes, to remain available until expended.

RECEIPTS COLLECTED

Receipts collected pursuant to the Export-Import Bank Act of 1945 (Public Law 79–173) and the Federal Credit Reform Act of 1990, in an amount not to exceed the amount appropriated herein, shall be credited as offsetting collections to this account: Provided, That the sums herein appropriated from the General Fund shall be reduced on a dollar-for-dollar basis by such offsetting col-
lections so as to result in a final fiscal year appropriation from the General Fund estimated at $0.

UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE CORPORATION INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $2,000,000, to remain available until September 30, 2021.

CORPORATE CAPITAL ACCOUNT

The United States International Development Finance Corporation (the Corporation) is authorized to make such expenditures and commitments within the limits of funds and borrowing authority available to the Corporation, and in accordance with the law, and to make such expenditures and commitments without regard to fiscal year limitations, as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the programs for the current fiscal year for the Corporation: Provided, That for necessary expenses of the activities described in subsections (b), (c), (e), (f), and (g) of section 1421 of the BUILD Act of 2018 (division F of Public Law 115–254), $189,000,000: Provided further, That of the amount provided—(1) $101,000,000 shall remain available until September 30, 2021 for administra-
tive expenses to carry out authorized activities (including an amount for official reception and representation expenses which shall not exceed $25,000); (2) $8,000,000 shall remain available until September 30, 2021 for project-specific transaction costs as described in section 1434(k) of such Act; (3) $50,000,000 shall remain available until September 30, 2021 for the activities described in section 1421(c) of such Act; and (4) $30,000,000 shall be paid to the “United States International Development Finance Corporation—Program Account” for programs as authorized by section 1421(b), (e), and (f) of the BUILD Act of 2018: Provided further, That in this fiscal year, the Corporation shall collect the amounts described in section 1434(h) of the BUILD Act of 2018: Provided further, That in fiscal year 2020 such collections shall be credited as offsetting collections to this appropriation: Provided further, such collections collected in fiscal year 2020 in excess of $189,000,000 shall be credited to this account and shall be available in future fiscal years only to the extent provided in advance in appropriations Acts: Provided further, That in fiscal year 2020, if such collections are less than $189,000,000, receipts collected pursuant to the BUILD Act of 2018 and the Federal Credit Reform Act of 1990, in an amount equal to such shortfall, shall be credited as offsetting collections to this appropriation:
Provided further, That funds appropriated or otherwise made available under this heading may not be used to provide any type of assistance that is otherwise prohibited by any other provision of law or to provide assistance to any foreign country that is otherwise prohibited by any other provision of law: Provided further, That the sums herein appropriated from the General Fund shall be reduced on a dollar-for-dollar basis by the offsetting collections described under this heading so as to result in a final fiscal year appropriation from the General Fund estimated at $0.

PROGRAM ACCOUNT

Amounts paid from “United States International Development Finance Corporation—Corporate Capital Account” (CCA) shall remain available until September 30, 2021: Provided, That not to exceed $80,000,000 of amounts paid to this account from CCA or transferred pursuant to section 1434(j) of the BUILD Act of 2018 (division F of Public Law 115–254) shall be available for the cost of direct and guaranteed loans provided by the Corporation pursuant to section 1421(b) of such Act: Provided further, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That such amounts obligated in a fiscal year shall remain avail-
able for disbursement for the following 8 fiscal years: *Provided further*, That funds transferred to carry out the Foreign Assistance Act of 1961 pursuant to section 1434(j) of the BUILD Act of 2018 may remain available for obligation for 1 additional fiscal year: *Provided further*, That the total loan principal or guaranteed principal amount shall not exceed $8,000,000,000.

**TRADE AND DEVELOPMENT AGENCY**

For necessary expenses to carry out the provisions of section 661 of the Foreign Assistance Act of 1961, $75,000,000, to remain available until September 30, 2021, of which no more than $19,000,000 may be used for administrative expenses: *Provided*, That of the funds appropriated under this heading, not more than $5,000 may be available for representation and entertainment expenses.

**TITLE VII**

**GENERAL PROVISIONS**

**ALLOWANCES AND DIFFERENTIALS**

Sec. 7001. Funds appropriated under title I of this Act shall be available, except as otherwise provided, for allowances and differentials as authorized by subchapter 59 of title 5, United States Code; for services as authorized by section 3109 of such title and for hire of passenger
transportation pursuant to section 1343(b) of title 31,
United States Code.

UNOBLIGATED BALANCES REPORT

SEC. 7002. Any department or agency of the United States Government to which funds are appropriated or otherwise made available by this Act shall provide to the Committees on Appropriations a quarterly accounting of cumulative unobligated balances and obligated, but unexpended, balances by program, project, and activity, and Treasury Account Fund Symbol of all funds received by such department or agency in fiscal year 2020 or any previous fiscal year, disaggregated by fiscal year: Provided, That the report required by this section shall be submitted not later than 30 days after the end of each fiscal quarter and should specify by account the amount of funds obligated pursuant to bilateral agreements which have not been further sub-obligated.

CONSULTING SERVICES

SEC. 7003. The expenditure of any appropriation under title I of this Act for any consulting service through procurement contract, pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise pro-
vided under existing law, or under existing Executive order
issued pursuant to existing law.

DIPLOMATIC FACILITIES

SEC. 7004. (a) EXCEPTION.—Notwithstanding para-
graph (2) of section 604(e) of the Secure Embassy Con-
struction and Counterterrorism Act of 1999 (title VI of
division A of H.R. 3427, as enacted into law by section
1000(a)(7) of Public Law 106–113 and contained in ap-
pendix G of that Act), as amended by section 111 of the
Department of State Authorities Act, Fiscal Year 2017
(Public Law 114–323), a project to construct a facility
of the United States may include office space or other ac-
commodations for members of the United States Marine
Corps.

(b) NEW DIPLOMATIC FACILITIES.—For the pur-
poses of calculating the fiscal year 2020 costs of providing
new United States diplomatic facilities in accordance with
section 604(e) of the Secure Embassy Construction and
Counterterrorism Act of 1999 (22 U.S.C. 4865 note), the
Secretary of State, in consultation with the Director of
the Office of Management and Budget, shall determine the
annual program level and agency shares in a manner that
is proportional to the contribution of the Department of
State for this purpose.
(c) Consultation and Notification.—Funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs, which may be made available for the acquisition of property or award of construction contracts for overseas United States diplomatic facilities during fiscal year 2020, shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations: Provided, That notifications pursuant to this subsection shall include the information enumerated under the heading “Embassy Security, Construction, and Maintenance” in the report accompanying this Act.

(d) Interim and Temporary Facilities Abroad.—Notwithstanding any other provision of law, the opening, closure, or any significant modification to an interim or temporary United States diplomatic facility shall be subject to prior consultation with the appropriate congressional committees and the regular notification procedures of the Committees on Appropriations, except that such consultation and notification may be waived if there is a security risk to personnel.

Personnel Actions

Sec. 7005. Any costs incurred by a department or agency funded under title I of this Act resulting from personnel actions taken in response to funding reductions in-
cluded in this Act shall be absorbed within the total budgetary resources available under title I to such department or agency: Provided, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: Provided further, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 7015 of this Act.

DEPARTMENT AND AGENCY MANAGEMENT

SEC. 7006. (a) DEPARTMENT OF STATE.—

(1) WORKING CAPITAL FUND.—Funds appropriated by this Act or otherwise made available to the Department of State for payments to the Working Capital Fund may only be used for the service centers included in the Congressional Budget Justification, Department of State, Foreign Operations, and Related Programs, Fiscal Year 2020: Provided, That the amounts for such service centers shall be the amounts included in such budget justification, except as provided in section 7015(b) of this Act: Provided further, That Federal agency components shall be charged only for their direct usage of each Working Capital Fund service: Provided further, That prior to increasing the percentage charged to Department of State bureaus and offices for procurement-related activities, the Secretary of State shall include the proposed increase in the Depart-
ment of State budget justification or, at least 60 days prior to the increase, provide the Committees on Appropriations a justification for such increase, including a detailed assessment of the cost and benefit of the services provided by the procurement fee: Provided further, That Federal agency components may only pay for Working Capital Fund services that are consistent with the purpose and authorities of such components: Provided further, That the Working Capital Fund shall be paid in advance or reimbursed at rates which will return the full cost of each service.

(2) State Department Personnel Levels.—

(A) Funds made available by this Act are made available to support the permanent Foreign Service and Civil Service staff levels of the Department of State at not less than the on-board levels in fiscal year 2016.

(B) The use of funds appropriated by this Act to implement any plan to expand or reduce the size of the permanent Civil Service or Foreign Service workforce at the Department of State from on-board levels in fiscal year 2016 shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations: Provided, That such notification shall include the re-
quirements enumerated in section 7062(b) of this Act.

(C) Not later than 60 days after enactment of this Act, and every 60 days thereafter until September 30, 2021, the Secretary of State shall report to the appropriate congressional committees on the on-board personnel levels, hiring, and attrition of the Civil Service, Foreign Service, eligible family member, and locally employed staff workforce of the Department of State, on an operating unit-by-operating unit basis: Provided, That such report shall also include a hiring plan, including timelines, for maintaining the agency-wide, on-board Foreign Service and Civil Service at not less than the on-board levels in fiscal year 2016.

(3) BUREAU OF POPULATION, REFUGEES, AND MIGRATION, DEPARTMENT OF STATE.—None of the funds appropriated by this Act, prior Acts making appropriations for the Department of State, foreign operations, and related programs, or any other Act, may be used to downsize, downgrade, consolidate, close, move, or relocate the Bureau of Population, Refugees, and Migration, Department of State, or any activities of such Bureau, to another Federal agency.
(4) Administration of Funds.—Funds appropriated by this Act—

(A) under the heading "Migration and Refugee Assistance" shall be administered by the Assistant Secretary for Population, Refugees, and Migration, Department of State, and this responsibility shall not be delegated; and

(B) that are made available for the Office of Global Women’s Issues shall be administered by the United States Ambassador-at-Large for Global Women’s Issues, Department of State, and this responsibility shall not be delegated.

(5) Information Technology Platform.—

(A) None of the funds appropriated in title I of this Act under the heading "Administration of Foreign Affairs" may be made available for a new major information technology (IT) investment without the concurrence of the Chief Information Officer, Department of State.

(B) None of the funds made available by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs may be used by an agency to submit a project proposal to the Technology Modernization Board for funding from the Technology Moderniza-
tion Fund unless, not later than 15 days in advance
of submitting the project proposal to the Board, the
head of the agency—

(i) notifies the Committees on Appropriations of the proposed submission of the project proposal; and

(ii) submits to the Committees on Appropriations a copy of the project proposal.

(C) None of the funds made available by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs may be used by an agency to carry out a project that is approved by the Board unless the head of the agency—

(i) submits to the Committees on Appropriations a copy of the approved project proposal, including the terms of reimbursement of funding received for the project; and

(ii) agrees to submit to the Committees on Appropriations a copy of each report relating to the project that the head of the agency submits to the Board.

(b) UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.—
(1) Authority.—Up to $93,000,000 of the funds made available in titles III and IV of this Act pursuant to or to carry out the provisions of part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading “Assistance for Europe, Eurasia and Central Asia”, may be used by the United States Agency for International Development to hire and employ individuals in the United States and overseas on a limited appointment basis pursuant to the authority of sections 308 and 309 of the Foreign Service Act of 1980 (22 U.S.C. 3948 and 3949).

(2) Restriction.—The authority to hire individuals contained in paragraph (1) shall expire on September 30, 2021.

(3) Program Account Charged.—The account charged for the cost of an individual hired and employed under the authority of this subsection shall be the account to which the responsibilities of such individual primarily relate: Provided, That funds made available to carry out this subsection may be transferred to, and merged with, funds appropriated by this Act in title II under the heading “Operating Expenses”.

(4) Foreign Service Limited Extensions.—Individuals hired and employed by USAID, with funds made available in this Act or prior Acts making appropriations
for the Department of State, foreign operations, and related programs, pursuant to the authority of section 309 of the Foreign Service Act of 1980 (22 U.S.C. 3949), may be extended for a period of up to 4 years notwithstanding the limitation set forth in such section.

(5) Disaster Surge Capacity.—Funds appropriated under titles III and IV of this Act to carry out the provisions of part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading “Assistance for Europe, Eurasia and Central Asia”, may be used, in addition to funds otherwise available for such purposes, for the cost (including the support costs) of individuals detailed to or employed by USAID whose primary responsibility is to carry out programs in response to natural disasters, or man-made disasters subject to the regular notification procedures of the Committees on Appropriations.

(6) Personal Services Contractors.—Funds appropriated by this Act to carry out chapter 1 of part I, chapter 4 of part II, and section 667 of the Foreign Assistance Act of 1961, and title II of the Food for Peace Act (Public Law 83–480; 7 U.S.C. 1721 et seq.), may be used by USAID to employ up to 40 personal services contractors in the United States, notwithstanding any other provision of law, for the purpose of providing direct, in-
terim support for new or expanded overseas programs and activities managed by the agency until permanent direct hire personnel are hired and trained: Provided, That not more than 15 of such contractors shall be assigned to any bureau or office: Provided further, That such funds appropriated to carry out title II of the Food for Peace Act (Public Law 83–480; 7 U.S.C. 1721 et seq.), may be made available only for personal services contractors assigned to the Office of Food for Peace.

(7) **Small Business.**—In entering into multiple award indefinite-quantity contracts with funds appropriated by this Act, USAID may provide an exception to the fair opportunity process for placing task orders under such contracts when the order is placed with any category of small or small disadvantaged business.

(8) **Senior Foreign Service Limited Appointments.**—Individuals hired pursuant to the authority provided by section 7059(o) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (division F of Public Law 111–117) may be assigned to or support programs in Afghanistan or Pakistan with funds made available in this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs.

(9) **USAID Personnel Levels.**—
(A) Funds made available by this Act are made available to support the permanent Foreign Service and Civil Service staff levels of USAID at not less than the levels funded in fiscal year 2016.

(B) Not later than 60 days after enactment of this Act, and every 60 days thereafter until September 30, 2021, the USAID Administrator shall report to the appropriate congressional committees on the on-board personnel levels, hiring, and attrition of the Civil Service, Foreign Service, and foreign service national workforce of USAID, on an operating unit-by-operating unit basis: Provided, That such report shall also include a hiring plan, including timelines, for maintaining the permanent Foreign Service and Civil Service at not less than the levels funded in fiscal year 2016.

(10) USAID REORGANIZATION.—

(A) Not later than 30 days after enactment of this Act, and quarterly thereafter until September 30, 2021, the USAID Administrator shall submit a report to the appropriate congressional committees on the status of USAID’s reorganization as described in the report accompanying this Act.

(B) The use of funds appropriated by this Act to implement any plan to expand or reduce the size
of the permanent Civil Service or Foreign Service workforce at USAID from funded levels in fiscal year 2016 shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations: Provided, That such notification shall include the requirements enumerated in section 7062(b) of this Act.

(c) FOREIGN ASSISTANCE REVIEW.—Programmatic, funding, and organizational changes resulting from implementation of the Foreign Assistance Review shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations: Provided, That such notifications may be submitted in classified form, if necessary.

PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN COUNTRIES

Sec. 7007. None of the funds appropriated or otherwise made available pursuant to titles III through VI of this Act shall be obligated or expended to finance directly any assistance or reparations for the governments of Cuba, North Korea, Iran, or Syria: Provided, That for purposes of this section, the prohibition on obligations or expenditures shall include direct loans, credits, insurance, and guarantees of the Export-Import Bank or its agents.
COUPS D’ÉTAT

SEC. 7008. None of the funds appropriated or otherwise made available pursuant to titles III through VI of this Act shall be obligated or expended to finance directly any assistance to the government of any country whose duly elected head of government is deposed by military coup d’état or decree or, after the date of enactment of this Act, a coup d’état or decree in which the military plays a decisive role: Provided, That assistance may be resumed to such government if the Secretary of State certifies and reports to the appropriate congressional committees that subsequent to the termination of assistance a democratically elected government has taken office: Provided further, That the provisions of this section shall not apply to assistance to promote democratic elections or public participation in democratic processes: Provided further, That funds made available pursuant to the previous provisos shall be subject to the regular notification procedures of the Committees on Appropriations.

TRANSFER OF FUNDS AUTHORITY

SEC. 7009. (a) DEPARTMENT OF STATE AND UNITED STATES AGENCY FOR GLOBAL MEDIA.—

(1) DEPARTMENT OF STATE.—

(A) IN GENERAL.—Not to exceed 2 percent of any appropriation made available for the current fis-
of the Department of State under title I of this Act may be transferred between, and merged with, such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers, and no such transfer may be made to increase the appropriation under the heading “Representation Expenses”.

(B) Embassy security.—Section 113 of the Department of State Authorities Act, Fiscal Year 2017 (22 U.S.C. 295(j)) shall be applied to funds made available by this Act by substituting “fiscal year 2020” for “fiscal year 2018” each place it appears.

(2) United States Agency for Global Media.—Not to exceed 5 percent of any appropriation made available for the current fiscal year for the United States Agency for Global Media under title I of this Act may be transferred between, and merged with, such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers.

(3) Treatment as Reprogramming.—Any transfer pursuant to this subsection shall be treated as a reprogramming of funds under section 7015 of this Act and
shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

(b) LIMITATION ON TRANSFERS OF FUNDS BETWEEN AGENCIES.—

(1) IN GENERAL.—None of the funds made available under titles II through V of this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

(2) ALLOCATION AND TRANSFERS.—Notwithstanding paragraph (1), in addition to transfers made by, or authorized elsewhere in, this Act, funds appropriated by this Act to carry out the purposes of the Foreign Assistance Act of 1961 may be allocated or transferred to agencies of the United States Government pursuant to the provisions of sections 109, 610, and 632 of the Foreign Assistance Act of 1961, and section 1434(j) of the BUILD Act of 2018 (division F of Public Law 115–254).

(3) NOTIFICATION.—Any agreement entered into by the United States Agency for International Development or the Department of State with any department, agency, or instrumentality of the United States Government pursuant to provisions of the Foreign Assistance Act of 1961 or section 1434(j) of the BUILD Act of 2018 shall be in writing, and an appropriate copy shall be made available to the Congress.
States Government pursuant to section 632(b) of the Foreign Assistance Act of 1961 valued in excess of $1,000,000 and any agreement made pursuant to section 632(a) of such Act, with funds appropriated by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs under the headings “Global Health Programs”, “Development Assistance”, “Economic Support Fund”, and “Assistance for Europe, Eurasia and Central Asia” shall be subject to the regular notification procedures of the Committees on Appropriations: Provided, That the requirement in the previous sentence shall not apply to agreements entered into between USAID and the Department of State.

(e) UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE CORPORATION.—

(1) LIMITATION.—Amounts transferred pursuant to section 1434(j) of the BUILD Act of 2018 from funds made available under titles III and IV of this Act shall not exceed $50,000,000: Provided, That any such transfers shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.
(2) Development Credit Authority Account.—Funds transferred from Development Credit Authority program account of the United States Agency for International Development to the Corporate Capital Account of the United States International Development Finance Corporation pursuant to section 1434(i) of the BUILD Act of 2018 shall be transferred and merged with such account, and may thereafter be deemed to meet any minimum funding requirements attributed for at the time of deposit into the Development Credit Authority program account.

(d) Transfer of Funds Between Accounts.—None of the funds made available under titles II through V of this Act may be obligated under an appropriations account to which such funds were not appropriated, except for transfers specifically provided for in this Act, unless the President, not less than 5 days prior to the exercise of any authority contained in the Foreign Assistance Act of 1961 to transfer funds, consults with and provides a written policy justification to the Committees on Appropriations.

(e) Audit of Inter-Agency Transfers of Funds.—Any agreement for the transfer or allocation of funds appropriated by this Act or prior Acts making ap-
propriations for the Department of State, foreign operations and related programs, entered into between the Department of State or USAID and another agency of the United States Government under the authority of section 632(a) of the Foreign Assistance Act of 1961 or any comparable provision of law, shall expressly provide that the Inspector General (IG) for the agency receiving the transfer or allocation of such funds, or other entity with audit responsibility if the receiving agency does not have an IG, shall perform periodic program and financial audits of the use of such funds and report to the Department of State or USAID, as appropriate, upon completion of such audits: Provided, That such audits shall be transmitted to the Committees on Appropriations by the Department of State or USAID, as appropriate: Provided further, That funds transferred under such authority may be made available for the cost of such audits.

PROHIBITION ON CERTAIN OPERATIONAL EXPENSES

SEC. 7010. (a) FIRST-CLASS TRAVEL.—None of the funds made available by this Act may be used for first-class travel by employees of United States Government departments and agencies funded by this Act in contravention of section 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.
(b) COMPUTER NETWORKS.—None of the funds made available by this Act for the operating expenses of any United States Government department or agency may be used to establish or maintain a computer network for use by such department or agency unless such network has filters designed to block access to sexually explicit websites: Provided, That nothing in this subsection shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency, or any other entity carrying out the following activities: criminal investigations, prosecutions, and adjudications; administrative discipline; and the monitoring of such websites undertaken as part of official business.

(e) PROHIBITION ON PROMOTION OF TOBACCO.—None of the funds made available by this Act shall be available to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.

AVAILABILITY OF FUNDS

Sec. 7011. (a) No part of any appropriation contained in this Act shall remain available for obligation after the expiration of the current fiscal year unless ex-
pressly so provided by this Act: Provided, That funds appropriat-
ated for the purposes of chapters 1 and 8 of part I, section 661, chapters 4, 5, 6, 8, and 9 of part II of the Foreign Assistance Act of 1961, section 23 of the Arms Export Control Act, and funds made available for the “United States International Development Finance Corporation” and under the heading “Assistance for Europe, Eurasia and Central Asia” shall remain available for an additional 2 years from the date on which the availability of such funds would otherwise have expired, if such funds are initially obligated before the expiration of their respective periods of availability contained in this Act: Provided further, That notwithstanding any other provision of this Act, any funds made available for the purposes of chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961 which are allocated or obligated for cash disbursements in order to address balance of payments or economic policy reform objectives, shall remain available for an additional 2 years from the date on which the availability of such funds would otherwise have expired, if such funds are initially allocated or obligated before the expiration of their respective periods of availability contained in this Act.

(b) Notwithstanding any other provision of this Act, any funds appropriated or otherwise made available by
this Act that are proposed for rescission pursuant to sec-
section 1012 of the Congressional Budget and Impoundment
Control Act of 1974 (2 U.S.C. 683) within 60 days of
the expiration of the period of availability of such funds
and Congress has not completed action on a rescission bill
pursuant to subsection (b) of such section shall remain
available for an additional 90 days from the date on which
the availability of such funds would otherwise have ex-
pired.

LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

Sec. 7012. No part of any appropriation provided
under titles III through VI in this Act shall be used to
furnish assistance to the government of any country which
is in default during a period in excess of 1 calendar year
in payment to the United States of principal or interest
on any loan made to the government of such country by
the United States pursuant to a program for which funds
are appropriated under this Act unless the President de-
determines, following consultation with the Committees on
Appropriations, that assistance for such country is in the
national interest of the United States.

PROHIBITION ON TAXATION OF UNITED STATES

ASSISTANCE

Sec. 7013. (a) Prohibition on Taxation.—None
of the funds appropriated under titles III through VI of
this Act may be made available to provide assistance for
a foreign country under a new bilateral agreement govern-
ing the terms and conditions under which such assist-
ance is to be provided unless such agreement includes a
provision stating that assistance provided by the United
States shall be exempt from taxation, or reimbursed, by
the foreign government, and the Secretary of State and
the Administrator of the United States Agency for Inter-
national Development shall expeditiously seek to negotiate
amendments to existing bilateral agreements, as neces-
sonary, to conform with this requirement.

(b) Notification and Reimbursement of Foreign Taxes.—An amount equivalent to 200 percent of
the total taxes assessed during fiscal year 2020 on funds
appropriated by this Act and prior Acts making appropri-
tions for the Department of State, foreign operations, and
related programs by a foreign government or entity
against United States assistance programs, either directly
or through grantees, contractors, and subcontractors, shall
be withheld from obligation from funds appropriated for
assistance for fiscal year 2021 and for prior fiscal years
and allocated for the central government of such country
or for the West Bank and Gaza program, as applicable,
if, not later than September 30, 2021, such taxes have
not been reimbursed: Provided, That the Secretary of

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State shall report to the Committees on Appropriations by such date on the foreign governments and entities that have not reimbursed such taxes, including any amount of funds withheld pursuant to this subsection.

(c) De Minimis Exception.—Foreign taxes of a de minimis nature shall not be subject to the provisions of subsection (b).

(d) Reprogramming of Funds.—Funds withheld from obligation for each foreign government or entity pursuant to subsection (b) shall be reprogrammed for assistance for countries which do not assess taxes on United States assistance or which have an effective arrangement that is providing substantial reimbursement of such taxes, and that can reasonably accommodate such assistance in a programmatically responsible manner.

(e) Determinations.—

(1) In General.—The provisions of this section shall not apply to any foreign government or entity that assesses such taxes if the Secretary of State reports to the Committees on Appropriations that—

(A) such foreign government or entity has an effective arrangement that is providing substantial reimbursement of such taxes; or
(B) the foreign policy interests of the United States outweigh the purpose of this section to ensure that United States assistance is not subject to taxation.

(2) CONSULTATION.—The Secretary of State shall consult with the Committees on Appropriations at least 15 days prior to exercising the authority of this subsection with regard to any foreign government or entity.

(f) IMPLEMENTATION.—The Secretary of State shall issue and update rules, regulations, or policy guidance, as appropriate, to implement the prohibition against the taxation of assistance contained in this section.

(g) DEFINITIONS.—As used in this section:

(1) BILATERAL AGREEMENT.—The term “bilateral agreement” refers to a framework bilateral agreement between the Government of the United States and the government of the country receiving assistance that describes the privileges and immunities applicable to United States foreign assistance for such country generally, or an individual agreement between the Government of the United States and such government that describes, among other things, the treatment for tax purposes that will be
accorded the United States assistance provided under that agreement.

(2) **TAXES AND TAXATION.**—The term “taxes and taxation” shall include value added taxes and customs duties but shall not include individual income taxes assessed to local staff.

(h) **REPORT.**—Not later than 90 days after enactment of this Act, the Secretary of State, in consultation with the heads of other relevant agencies of the United States Government, shall submit a report to the Committees on Appropriations on the requirements contained under this section in the report accompanying this Act.

RESERVATIONS OF FUNDS

**SEC. 7014.** (a) **REPROGRAMMING.**—Funds appropriated under titles III through VI of this Act which are specifically designated may be reprogrammed for other programs within the same account notwithstanding the designation if compliance with the designation is made impossible by operation of any provision of this or any other Act: *Provided,* That any such reprogramming shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further,* That assistance that is reprogrammed pursuant to this subsection shall be made available under the same terms and conditions as originally provided.
(b) EXTENSION OF AVAILABILITY.—In addition to the authority contained in subsection (a), the original period of availability of funds appropriated by this Act and administered by the Department of State or the United States Agency for International Development that are specifically designated for particular programs or activities by this or any other Act may be extended for an additional fiscal year if the Secretary of State or the USAID Administrator, as appropriate, determines and reports promptly to the Committees on Appropriations that the termination of assistance to a country or a significant change in circumstances makes it unlikely that such designated funds can be obligated during the original period of availability: Provided, That such designated funds that continue to be available for an additional fiscal year shall be obligated only for the purpose of such designation.

(c) OTHER ACTS.—Ceilings and specifically designated funding levels contained in this Act shall not be applicable to funds or authorities appropriated or otherwise made available by any subsequent Act unless such Act specifically so directs: Provided, That specifically designated funding levels or minimum funding requirements contained in any other Act shall not be applicable to funds appropriated by this Act.
NOTIFICATION REQUIREMENTS

SEC. 7015. (a) Notification of Changes in Programs, Projects, and Activities.—None of the funds made available in titles I and II of this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs to the departments and agencies funded by this Act that remain available for obligation in fiscal year 2020, or provided from any accounts in the Treasury of the United States derived by the collection of fees or of currency reflows or other offsetting collections, or made available by transfer, to the departments and agencies funded by this Act, shall be available for obligation to—

(1) create new programs;

(2) suspend or eliminate a program, project, or activity;

(3) close, suspend, open, or reopen a mission or post;

(4) create, close, reorganize, downsize, or rename bureaus, centers, or offices; or

(5) contract out or privatize any functions or activities presently performed by Federal employees; unless previously justified to the Committees on Appropriations or such Committees are notified 15 days in advance of such obligation.
(b) Notification of Reprogramming of Funds.—None of the funds provided under titles I and II of this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs, to the departments and agencies funded under titles I and II of this Act that remain available for obligation in fiscal year 2020, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the department and agency funded under title I of this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of $1,000,000 or 10 percent, whichever is less, that—

(1) augments or changes existing programs, projects, or activities;

(2) relocates an existing office or employees;

(3) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or

(4) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Committees on Appropriations are notified 15 days in advance of such reprogramming of funds.
(e) Notification Requirement.—None of the funds made available by this Act under the headings “Global Health Programs”, “Development Assistance”, “International Organizations and Programs”, “Trade and Development Agency”, “International Narcotics Control and Law Enforcement”, “Economic Support Fund”, “Democracy Fund”, “Assistance for Europe, Eurasia and Central Asia”, “Peacekeeping Operations”, “Non-proliferation, Anti-terrorism, Demining and Related Programs”, “Millennium Challenge Corporation”, “Foreign Military Financing Program”, “International Military Education and Training”, “United States International Development Finance Corporation”, and “Peace Corps”, shall be available for obligation for activities, programs, projects, type of materiel assistance, countries, or other operations not justified or in excess of the amount justified to the Committees on Appropriations for obligation under any of these specific headings unless the Committees on Appropriations are notified 15 days in advance of such obligation: Provided, That the President shall not enter into any commitment of funds appropriated for the purposes of section 23 of the Arms Export Control Act for the provision of major defense equipment, other than conventional ammunition, or other major defense items defined to be aircraft, ships, missiles, or combat vehicles,
not previously justified to Congress or 20 percent in excess of the quantities justified to Congress unless the Committees on Appropriations are notified 15 days in advance of such commitment: Provided further, That requirements of this subsection or any similar provision of this or any other Act shall not apply to any reprogramming for an activity, program, or project for which funds are appropriated under titles III through VI of this Act of less than 10 percent of the amount previously justified to Congress for obligation for such activity, program, or project for the current fiscal year: Provided further, That any notification submitted pursuant to subsection (f) of this section shall include information (if known on the date of transmittal of such notification) on the use of notwithstanding authority.

(d) Department of Defense Programs and Funding Notifications.—

(1) Programs.—None of the funds appropriated by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs may be made available to support or continue any program initially funded under any authority of title 10, United States Code, or any Act making or authorizing appropriations for the Department of Defense, unless the Secretary of
State, in consultation with the Secretary of Defense and in accordance with the regular notification procedures of the Committees on Appropriations, submits a justification to such Committees that includes a description of, and the estimated costs associated with, the support or continuation of such program.

(2) FUNDING.—Notwithstanding any other provision of law, funds transferred by the Department of Defense to the Department of State and the United States Agency for International Development for assistance for foreign countries and international organizations shall be subject to the regular notification procedures of the Committees on Appropriations.

(3) NOTIFICATION ON EXCESS DEFENSE ARTICLES.—Prior to providing excess Department of Defense articles in accordance with section 516(a) of the Foreign Assistance Act of 1961, the Department of Defense shall notify the Committees on Appropriations to the same extent and under the same conditions as other committees pursuant to subsection (f) of that section: Provided, That before issuing a letter of offer to sell excess defense articles under the Arms Export Control Act, the Department of Defense shall notify the Committees on Appro-
priations in accordance with the regular notification procedures of such Committees if such defense articles are significant military equipment (as defined in section 47(9) of the Arms Export Control Act) or are valued (in terms of original acquisition cost) at $7,000,000 or more, or if notification is required elsewhere in this Act for the use of appropriated funds for specific countries that would receive such excess defense articles: Provided further, That such Committees shall also be informed of the original acquisition cost of such defense articles.

(e) WAIVER.—The requirements of this section or any similar provision of this Act or any other Act, including any prior Act requiring notification in accordance with the regular notification procedures of the Committees on Appropriations, may be waived if failure to do so would pose a substantial risk to human health or welfare: Provided, That in case of any such waiver, notification to the Committees on Appropriations shall be provided as early as practicable, but in no event later than 3 days after taking the action to which such notification requirement was applicable, in the context of the circumstances necessitating such waiver: Provided further, That any notification provided pursuant to such a waiver shall contain an explanation of the emergency circumstances.
(f) Country Notification Requirements.—None of the funds appropriated under titles III through VI of this Act may be obligated or expended for assistance for Afghanistan, Bahrain, Burma, Cambodia, Colombia, Cuba, Egypt, El Salvador, Guatemala, Haiti, Honduras, Iran, Iraq, Lebanon, Libya, Mexico, Nicaragua, Pakistan, Philippines, the Russian Federation, Somalia, South Sudan, Sri Lanka, Sudan, Syria, Uzbekistan, Venezuela, and Yemen except as provided through the regular notification procedures of the Committees on Appropriations.

(g) Trust Funds.—Funds appropriated or otherwise made available in title III and under the heading “Economic Support Fund” of this Act and prior Acts making funds available for the Department of State, foreign operations, and related programs that are made available for a trust fund held by an international financial institution shall be subject to the regular notification procedures of the Committees on Appropriations and such notification shall include the information specified under this section in the report accompanying this Act.

(h) Other Program Notification Requirement.—Funds appropriated by this Act that are made available for the programs and activities enumerated under this section in the report accompanying this Act
shall be subject to the regular notification procedures of the Committees on Appropriations.

(i) **WITHHOLDING OF FUNDS.**—Funds appropriated by this Act under titles III and IV that are withheld from obligation or otherwise not programmed as a result of application of a provision of law in this or any other Act shall, if reprogrammed, be subject to the regular notification procedures of the Committees on Appropriations.

(j) **REQUIREMENT TO INFORM, COORDINATE, AND CONSULT.**—

(1) The Secretary of State shall promptly inform the appropriate congressional committees of each instance in which funds appropriated by this Act for assistance for Iraq, Libya, Somalia, Syria, the Counterterrorism Partnership Fund, the Relief and Recovery Fund, or programs to counter extremism and foreign fighters abroad, have been diverted or destroyed, to include the type and amount of assistance, a description of the incident and parties involved, and an explanation of the response of the Department of State or USAID, as appropriate: **Provided,** That the Secretary shall ensure such funds are coordinated with, and complement, the programs of other United States Government de-
portments and agencies and international partners in such countries and on such activities.

(2) The Secretary of State shall consult with the Committees on Appropriations at least 7 days prior to informing a government of, or publically announcing a decision on, the suspension of assistance to a country or a territory, including as a result of an interagency review of such assistance, from funds appropriated by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs.

DOCUMENT REQUESTS

Sec. 7016. None of the funds appropriated or made available pursuant to titles III through VI of this Act shall be available to a nongovernmental organization, including any contractor, which fails to provide upon timely request any document, file, or record necessary to the auditing requirements of the Department of State and the United States Agency for International Development.

USE OF FUNDS IN CONTRAVENTION OF THIS ACT

Sec. 7017. If the President makes a determination not to comply with any provision of this Act on constitutional grounds, the head of the relevant Federal agency shall notify the Committees on Appropriations in writing within 5 days of such determination, the basis for such
determination and any resulting changes to program and
policy.

PROHIBITION ON FUNDING FOR ABORTIONS AND
IN VOLUNTARY STERILIZATION

SEC. 7018. None of the funds made available to carry
out part I of the Foreign Assistance Act of 1961, as
amended, may be used to pay for the performance of abor-
tions as a method of family planning or to motivate or
coerce any person to practice abortions. None of the funds
made available to carry out part I of the Foreign Assist-
ance Act of 1961, as amended, may be used to pay for
the performance of involuntary sterilization as a method
of family planning or to coerce or provide any financial
incentive to any person to undergo sterilizations. None of
the funds made available to carry out part I of the Foreign
Assistance Act of 1961, as amended, may be used to pay
for any biomedical research which relates in whole or in
part, to methods of, or the performance of, abortions or
involuntary sterilization as a means of family planning.
None of the funds made available to carry out part I of
the Foreign Assistance Act of 1961, as amended, may be
obligated or expended for any country or organization if
the President certifies that the use of these funds by any
such country or organization would violate any of the
above provisions related to abortions and involuntary sterilizations.

ALLOCATIONS AND REPORTS

SEC. 7019. (a) ALLOCATION TABLES.—Subject to subsection (b), funds appropriated by this Act under titles III through V shall be made available at not less than the amounts specifically designated in the respective tables included under such titles in the report accompanying this Act: Provided, That such designated amounts for foreign countries and international organizations shall serve as the amounts for such countries and international organizations transmitted to Congress in the report required by section 653(a) of the Foreign Assistance Act of 1961.

(b) AUTHORIZED DEVIATIONS BELOW MINIMUM LEVELS.—Unless otherwise provided for by this Act, the Secretary of State and the Administrator of the United States Agency for International Development, as applicable, may deviate by not more than 5 percent below the minimum amounts specifically designated in the respective tables included under titles III through V in the report accompanying this Act.

(c) LIMITATION.—For specifically designated amounts that are included, pursuant to subsection (a), in the report required by section 653(a) of the Foreign Ass
sistance Act of 1961, deviations authorized by subsection
(b) may only take place after submission of such report.

(d) EXCEPTIONS.—

(1) Subsections (a) and (b) shall not apply to funds for which the initial period of availability has expired.

(2) The authority in subsection (b) to deviate below amounts designated in the respective tables included in the report accompanying this Act shall not apply to the table included under the heading “Global Health Programs” in such report.

(e) REPORTS.—The Secretary of State and the USAID Administrator, as appropriate, shall submit the reports required, in the manner described, in the report accompanying this Act.

REPRESENTATION AND ENTERTAINMENT EXPENSES

Sec. 7020. (a) USES OF FUNDS.—Each Federal department, agency, or entity funded in titles I or II of this Act, and the Department of the Treasury and independent agencies funded in titles III or VI of this Act, shall take steps to ensure that domestic and overseas representation and entertainment expenses further official agency business and United States foreign policy interests, and—

(1) are primarily for fostering relations outside of the Executive Branch;
(2) are principally for meals and events of a protocol nature;

(3) are not for employee-only events; and

(4) do not include activities that are substantially of a recreational character.

(b) LIMITATIONS.—None of the funds appropriated or otherwise made available by this Act under the headings “International Military Education and Training” or “Foreign Military Financing Program” for Informational Program activities or under the headings “Global Health Programs”, “Development Assistance”, “Economic Support Fund”, and “Assistance for Europe, Eurasia and Central Asia” may be obligated or expended to pay for—

(1) alcoholic beverages; or

(2) entertainment expenses for activities that are substantially of a recreational character, including entrance fees at sporting events, theatrical and musical productions, and amusement parks.

PROHIBITION ON ASSISTANCE TO GOVERNMENTS SUPPORTING INTERNATIONAL TERRORISM

SEC. 7021. (a) LETHAL MILITARY EQUIPMENT EXPORTS.—

(1) PROHIBITION.—None of the funds appropriated or otherwise made available under titles III through VI of this Act may be made available to any
foreign government which provides lethal military equipment to a country the government of which the Secretary of State has determined supports international terrorism for purposes of section 6(j) of the Export Administration Act of 1979 as continued in effect pursuant to the International Emergency Economic Powers Act: Provided, That the prohibition under this section with respect to a foreign government shall terminate 12 months after that government ceases to provide such military equipment: Provided further, That this section applies with respect to lethal military equipment provided under a contract entered into after October 1, 1997.

(2) Determination.—Assistance restricted by paragraph (1) or any other similar provision of law, may be furnished if the President determines that to do so is important to the national interest of the United States.

(3) Report.—Whenever the President makes a determination pursuant to paragraph (2), the President shall submit to the Committees on Appropriations a report with respect to the furnishing of such assistance, including a detailed explanation of the assistance to be provided, the estimated dollar amount of such assistance, and an explanation of
how the assistance furthers United States national interest.

(b) BILATERAL ASSISTANCE.—

(1) LIMITATIONS.—Funds appropriated for bilateral assistance in titles III through VI of this Act and funds appropriated under any such title in prior Acts making appropriations for the Department of State, foreign operations, and related programs, shall not be made available to any foreign government which the President determines—

(A) grants sanctuary from prosecution to any individual or group which has committed an act of international terrorism;

(B) otherwise supports international terrorism; or

(C) is controlled by an organization designated as a terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

(2) WAIVER.—The President may waive the application of paragraph (1) to a government if the President determines that national security or humanitarian reasons justify such waiver: Provided,

That the President shall publish each such waiver in the Federal Register and, at least 15 days before the
waiver takes effect, shall notify the Committees on Appropriations of the waiver (including the justification for the waiver) in accordance with the regular notification procedures of the Committees on Appropriations.

AUTHORIZATION REQUIREMENTS


DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

SEC. 7023. For the purpose of titles II through VI of this Act “program, project, and activity” shall be defined at the appropriations Act account level and shall include all appropriations and authorizations Acts funding directives, ceilings, and limitations with the exception that for the following accounts: “Economic Support Fund”, “Assistance for Europe, Eurasia and Central Asia”, and “Foreign Military Financing Program”, “program, project, and activity” shall also be considered to include
country, regional, and central program level funding within each such account; and for the development assistance accounts of the United States Agency for International Development, “program, project, and activity” shall also be considered to include central, country, regional, and program level funding, either as—

(1) justified to Congress; or

(2) allocated by the Executive Branch in accordance with a report, to be provided to the Committees on Appropriations within 30 days after enactment of this Act, as required by section 653(a) of the Foreign Assistance Act of 1961 or as modified pursuant to section 7019 of this Act.

AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN FOUNDATION AND UNITED STATES AFRICAN DEVELOPMENT FOUNDATION

SEC. 7024. Unless expressly provided to the contrary, provisions of this or any other Act, including provisions contained in prior Acts authorizing or making appropriations for the Department of State, foreign operations, and related programs, shall not be construed to prohibit activities authorized by or conducted under the Peace Corps Act, the Inter-American Foundation Act or the African Development Foundation Act: Provided, That prior to conducting activities in a country for which assistance is pro-
hibited, the agency shall consult with the Committees on Appropriations and report to such Committees within 15 days of taking such action.

COMMERCE, TRADE AND SURPLUS COMMODITIES

Sec. 7025. (a) World Markets.—None of the funds appropriated or made available pursuant to titles III through VI of this Act for direct assistance and none of the funds otherwise made available to the Export-Import Bank and the United States International Development Finance Corporation shall be obligated or expended to finance any loan, any assistance, or any other financial commitments for establishing or expanding production of any commodity for export by any country other than the United States, if the commodity is likely to be in surplus on world markets at the time the resulting productive capacity is expected to become operative and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity: Provided, That such prohibition shall not apply to the Export-Import Bank if in the judgment of its Board of Directors the benefits to industry and employment in the United States are likely to outweigh the injury to United States producers of the same, similar, or competing commodity, and the Chairman of the Board so notifies the Committees
on Appropriations: Provided further, That this subsection shall not prohibit—

(1) activities in a country that is eligible for assistance from the International Development Association, is not eligible for assistance from the International Bank for Reconstruction and Development, and does not export on a consistent basis the agricultural commodity with respect to which assistance is furnished; or

(2) activities in a country the President determines is recovering from widespread conflict, a humanitarian crisis, or a complex emergency.

(b) EXPORTS.—None of the funds appropriated by this or any other Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961 shall be available for any testing or breeding feasibility study, variety improvement or introduction, consultancy, publication, conference, or training in connection with the growth or production in a foreign country of an agricultural commodity for export which would compete with a similar commodity grown or produced in the United States: Provided, That this subsection shall not prohibit—

(1) activities designed to increase food security in developing countries where such activities will not
have a significant impact on the export of agricultural commodities of the United States;

(2) research activities intended primarily to benefit United States producers;

(3) activities in a country that is eligible for assistance from the International Development Association, is not eligible for assistance from the International Bank for Reconstruction and Development, and does not export on a consistent basis the agricultural commodity with respect to which assistance is furnished; or

(4) activities in a country the President determines is recovering from widespread conflict, a humanitarian crisis, or a complex emergency.

SEPARATE ACCOUNTS

SEC. 7026. (a) SEPARATE ACCOUNTS FOR LOCAL CURRENCIES.—

(1) AGREEMENTS.—If assistance is furnished to the government of a foreign country under chapters 1 and 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961 under agreements which result in the generation of local currencies of that country, the Administrator of the United States Agency for International Development shall—
(A) require that local currencies be deposited in a separate account established by that government;

(B) enter into an agreement with that government which sets forth—

(i) the amount of the local currencies to be generated; and

(ii) the terms and conditions under which the currencies so deposited may be utilized, consistent with this section; and

(C) establish by agreement with that government the responsibilities of USAID and that government to monitor and account for deposits into and disbursements from the separate account.

(2) USES OF LOCAL CURRENCIES.—As may be agreed upon with the foreign government, local currencies deposited in a separate account pursuant to subsection (a), or an equivalent amount of local currencies, shall be used only—

(A) to carry out chapter 1 or 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961 (as the case may be), for such purposes as—
(i) project and sector assistance activities; or

(ii) debt and deficit financing; or

(B) for the administrative requirements of the United States Government.

(3) PROGRAMMING ACCOUNTABILITY.—USAID shall take all necessary steps to ensure that the equivalent of the local currencies disbursed pursuant to subsection (a)(2)(A) from the separate account established pursuant to subsection (a)(1) are used for the purposes agreed upon pursuant to subsection (a)(2).

(4) TERMINATION OF ASSISTANCE PROGRAMS.—Upon termination of assistance to a country under chapter 1 or 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961 (as the case may be), any unencumbered balances of funds which remain in a separate account established pursuant to subsection (a) shall be disposed of for such purposes as may be agreed to by the government of that country and the United States Government.

(b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

(1) IN GENERAL.—If assistance is made available to the government of a foreign country, under
chapter 1 or 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961, as cash transfer assistance or as nonproject sector assistance, that country shall be required to maintain such funds in a separate account and not commingle with any other funds.

(2) Applicability of Other Provisions of Law.—Such funds may be obligated and expended notwithstanding provisions of law which are inconsistent with the nature of this assistance including provisions which are referenced in the Joint Explanatory Statement of the Committee of Conference accompanying House Joint Resolution 648 (House Report No. 98–1159).

(3) Notification.—At least 15 days prior to obligating any such cash transfer or nonproject sector assistance, the President shall submit a notification through the regular notification procedures of the Committees on Appropriations, which shall include a detailed description of how the funds proposed to be made available will be used, with a discussion of the United States interests that will be served by such assistance (including, as appropriate, a description of the economic policy reforms that will be promoted by such assistance).
(4) Exemption.—Nonproject sector assistance funds may be exempt from the requirements of paragraph (1) only through the regular notification procedures of the Committees on Appropriations.

ELIGIBILITY FOR ASSISTANCE

SEC. 7027. (a) Assistance Through Nongovernmental Organizations.—Restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance in support of programs of nongovernmental organizations from funds appropriated by this Act to carry out the provisions of chapters 1, 10, 11, and 12 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961 and from funds appropriated under the heading “Assistance for Europe, Eurasia and Central Asia”: Provided, That before using the authority of this subsection to furnish assistance in support of programs of nongovernmental organizations, the President shall notify the Committees on Appropriations pursuant to the regular notification procedures, including a description of the program to be assisted, the assistance to be provided, and the reasons for furnishing such assistance: Provided further, That nothing in this subsection shall be construed to alter any existing statutory prohibitions against abortion or involuntary sterilizations contained in this or any other Act.
(b) Public Law 480.—During fiscal year 2020, restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance under the Food for Peace Act (Public Law 83–480; 7 U.S.C. 1721 et seq.): Provided, That none of the funds appropriated to carry out title I of such Act and made available pursuant to this subsection may be obligated or expended except as provided through the regular notification procedures of the Committees on Appropriations.

(c) Exception.—This section shall not apply—

(1) with respect to section 620A of the Foreign Assistance Act of 1961 or any comparable provision of law prohibiting assistance to countries that support international terrorism; or

(2) with respect to section 116 of the Foreign Assistance Act of 1961 or any comparable provision of law prohibiting assistance to the government of a country that violates internationally recognized human rights.

LOCAL COMPETITION

Sec. 7028. (a) Requirements for Exceptions to Competition for Local Entities.—Funds appropriated by this Act that are made available to the United States Agency for International Development may only be
made available for limited competitions through local enti-
ties if the requirements contained under this section in
the report accompanying this Act are met.

(b) EXTENSION OF PROCUREMENT AUTHORITY.—
Section 7077 of the Department of State, Foreign Oper-
ations, and Related Programs Appropriations Act, 2012
(division I of Public Law 112–74) shall continue in effect
during fiscal year 2020.

INTERNATIONAL FINANCIAL INSTITUTIONS

SEC. 7029. (a) SAFEGUARDS.—The Secretary of the
Treasury shall instruct the United States Executive Direc-
tor of the International Bank for Reconstruction and De-
velopment and the International Development Association
to vote against any loan, grant, policy, or strategy if such
institution has adopted and is implementing any social or
environmental safeguard relevant to such loan, grant, pol-
icy, or strategy that provides less protection than World
Bank safeguards in effect on September 30, 2015.

(b) COMPENSATION.—None of the funds appro-
priated under title V of this Act may be made as payment
to any international financial institution while the United
States executive director to such institution is com-
pensated by the institution at a rate which, together with
whatever compensation such executive director receives
from the United States, is in excess of the rate provided
for an individual occupying a position at level IV of the
Executive Schedule under section 5315 of title 5, United
States Code, or while any alternate United States execu-
tive director to such institution is compensated by the in-
stitution at a rate in excess of the rate provided for an
individual occupying a position at level V of the Executive
Schedule under section 5316 of title 5, United States
Code.

(e) HUMAN RIGHTS.—The Secretary of the Treasury
shall instruct the United States executive director of each
international financial institution to promote human
rights due diligence and risk management, as appropriate,
in connection with any loan, grant, policy, or strategy of
such institution in accordance with the criteria specified
under this section in the report accompanying this Act.

(d) FRAUD AND CORRUPTION.—The Secretary of the
Treasury shall instruct the United States executive direc-
tor of each international financial institution to promote
in loan, grant, and other financing agreements improve-
ments in borrowing countries’ financial management and
judicial capacity to investigate, prosecute, and punish
fraud and corruption.

MULTI-YEAR PLEDGES

Sec. 7030. None of the funds appropriated by this
Act may be used to make any pledge for future year fund-
ling for any multilateral or bilateral program funded in ti-
tles III through VI of this Act unless such pledge meets
the requirements enumerated under this section in the re-
port accompanying this Act.

FINANCIAL MANAGEMENT AND BUDGET TRANSPARENCY

SEC. 7031. (a) LIMITATION ON DIRECT GOVERN-
MENT-TO-GOVERNMENT ASSISTANCE.—

(1) REQUIREMENTS.—Funds appropriated by
this Act may be made available for direct govern-
ment-to-government assistance only if the conditions
enumerated under this section in the report accom-
ppanying this Act are fully met.

(2) SUSPENSION OF ASSISTANCE.—The Admin-
istrator of the United States Agency for Inter-
national Development or the Secretary of State, as
appropriate, shall suspend any direct government-to-
government assistance if the Administrator or the
Secretary has credible information of material mis-
use of such assistance, unless the Administrator or the
Secretary reports to the Committees on Approp-
riations that it is in the national interest of the
United States to continue such assistance, including
a justification, or that such misuse has been appro-
priately addressed.
(3) Debt service payment prohibition.—
None of the funds made available by this Act may
be used by the government of any foreign country
for debt service payments owed by any country to
any international financial institution.

(b) National budget and contract transparency.—

(1) Minimum requirements of fiscal transparency.—The Secretary of State shall con-
tinue to update and strengthen the “minimum re-
quirements of fiscal transparency” for each govern-
ment receiving assistance appropriated by this Act,
as identified in the report required by section
7031(b) of the Department of State, Foreign Opera-
tions, and Related Programs Appropriations Act,
2014 (division K of Public Law 113–76).

(2) Determination and report.—For each
government identified pursuant to paragraph (1),
the Secretary of State, not later than 180 days after
enactment of this Act, shall make or update any de-
termination of “significant progress” or “no signifi-
cant progress” in meeting the minimum require-
ments of fiscal transparency, and make such deter-
minations publicly available in an annual “Fiscal
Transparency Report” to be posted on the Department of State website.

(3) ASSISTANCE.—Funds appropriated under title III and under the heading “Economic Support Fund” in title IV of this Act shall be made available for programs and activities to assist governments identified pursuant to paragraph (1) to improve budget transparency and to support civil society organizations in such countries that promote budget transparency.

(c) ANTI-KLEPTOCRACY AND HUMAN RIGHTS.—

(1) INELIGIBILITY.—

(A) Officials of foreign governments and their immediate family members about whom the Secretary of State has credible information have been involved in significant corruption, including corruption related to the extraction of natural resources, or a gross violation of human rights shall be ineligible for entry into the United States.

(B) The Secretary shall also publicly or privately designate or identify officials of foreign governments and their immediate family members about whom the Secretary has such
credible information without regard to whether
the individual has applied for a visa.

(2) EXCEPTION.—Individuals shall not be ineligi-
gible if entry into the United States would further
important United States law enforcement objectives
or is necessary to permit the United States to fulfill
its obligations under the United Nations Head-
quarters Agreement: Provided, That nothing in
paragraph (1) shall be construed to derogate from
United States Government obligations under applica-
ble international agreements.

(3) WAIVER.—The Secretary may waive the ap-
plication of paragraph (1) if the Secretary deter-
mines that the waiver would serve a compelling na-
tional interest or that the circumstances which
causd the individual to be ineligible have changed
sufficiently.

(d) FOREIGN ASSISTANCE WEBSITE.—Funds appro-
priated by this Act under titles I and II, and funds made
available for any independent agency in title III, as appro-
priate, shall be made available to support the provision
of additional information on United States Government
foreign assistance on the Department of State foreign as-
sistance website: Provided, That all Federal agencies fund-
ed under this Act shall provide such information on for-
eign assistance, upon request, to the Department of State.

DEMOCRACY PROGRAMS

SEC. 7032. (a) FUNDING.—Of the funds appro-
priated by this Act under the headings “Development As-
sistance”, “Economic Support Fund”, “Democracy
Fund”, “Assistance for Europe, Eurasia and Central
Asia”, and “International Narcotics Control and Law En-
forcement”, not less than $2,400,000,000 shall be made
available for democracy programs.

(b) AUTHORITIES.—

(1) Funds made available by this Act for de-
moeracy programs pursuant to subsection (a) and
under the heading “National Endowment for De-
moeracy” may be made available notwithstanding
any other provision of law, and with regard to the
National Endowment for Democracy (NED), any
regulation.

(2) Funds made available by this Act for the
NED are made available pursuant to the authority
of the National Endowment for Democracy Act (title
V of Public Law 98–164), including all decisions re-
arding the selection of beneficiaries.

(c) DEFINITION OF DEMOCRACY PROGRAMS.—For
purposes of funds appropriated by this Act, the term “de-
democracy programs” means programs that support good
governance, credible and competitive elections, freedom of
expression, association, assembly, and religion, human
rights, labor rights, independent media, and the rule of
law, and that otherwise strengthen the capacity of demo-
cratic political parties, governments, nongovernmental or-
ganizations and institutions, and citizens to support the
development of democratic states and institutions that are
responsive and accountable to citizens.

(d) PROGRAM PRIORITIZATION.—Funds made avail-
able pursuant to this section that are made available for
programs to strengthen government institutions shall be
prioritized for those institutions that demonstrate a com-
mitment to democracy and the rule of law.

(e) RESTRICTION ON PRIOR APPROVAL.—With re-
spect to the provision of assistance for democracy pro-
gress in this Act, the organizations implementing such
assistance, the specific nature of that assistance, and the
participants in such programs shall not be subject to the
prior approval by the government of any foreign country.

(f) CONTINUATION OF CURRENT PRACTICES.—The
United States Agency for International Development shall
continue to implement civil society and political competi-
tion and consensus building programs abroad with funds
appropriated by this Act in a manner that recognizes the
unique benefits of grants and cooperative agreements in implementing such programs.

(g) INFORMING THE NATIONAL ENDOWMENT FOR DEMOCRACY.—The Assistant Secretary for Democracy, Human Rights, and Labor, Department of State, and the Assistant Administrator for Democracy, Conflict, and Humanitarian Assistance, USAID, shall regularly inform the National Endowment for Democracy of democracy programs that are planned and supported by funds made available by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs.

(h) PROTECTION OF CIVIL SOCIETY ACTIVISTS AND JOURNALISTS.—Funds appropriated by this Act under title III shall be made available to support and protect civil society activists and journalists who have been threatened, harassed, or attacked, consistent with the action plan submitted pursuant to, and on the same terms and conditions of, section 7032(i) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2018 (division K of Public Law 115–141).

INTERNATIONAL RELIGIOUS FREEDOM

Sec. 7033. (a) INTERNATIONAL RELIGIOUS FREEDOM OFFICE AND SPECIAL ENVOY TO PROMOTE RELIGIOUS FREEDOM.—Funds appropriated by this Act under
the heading “Diplomatic Programs” shall be made available for the Office of International Religious Freedom, Bureau of Democracy, Human Rights, and Labor, Department of State, and the Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia, as authorized in the Near East and South Central Asia Religious Freedom Act of 2014 (Public Law 113–161), including for support staff at not less than the amounts specified for such offices in the table under such heading in the report accompanying this Act.

(b) Assistance.—Funds appropriated by this Act under the headings “Democracy Fund”, “Economic Support Fund”, and “International Broadcasting Operations” shall be made available for international religious freedom programs and funds appropriated by this Act under the headings “International Disaster Assistance” and “Migration and Refugee Assistance” shall be made available for humanitarian assistance for vulnerable and persecuted religious minorities.

(c) Authority.—Funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the heading “Economic Support Fund” may be made available notwithstanding any other provision of law for
assistance for ethnic and religious minorities in Iraq and Syria.

SPECIAL PROVISIONS

SEC. 7034. (a) VICTIMS OF WAR, DISPLACED CHILDREN, AND DISPLACED BURMESE.—Funds appropriated in titles III and VI of this Act that are made available for victims of war, displaced children, displaced Burmese, and to combat trafficking in persons and assist victims of such trafficking, may be made available notwithstanding any other provision of law.

(b) ATROCITIES PREVENTION.—Of the funds appropriated by this Act under the headings “Economic Support Fund” and “International Narcotics Control and Law Enforcement”, not less than $5,000,000 shall be made available for programs to prevent atrocities, including to implement recommendations of the Atrocities Prevention Board, or any successor entity.

(c) WORLD FOOD PROGRAMME.—Funds managed by the Bureau for Democracy, Conflict, and Humanitarian Assistance, or any successor humanitarian assistance bureau, of the United States Agency for International Development, from this or any other Act, may be made available as a general contribution to the World Food Programme, notwithstanding any other provision of law.

(d) DIRECTIVES AND AUTHORITIES.—
(1) Research and Training.—Funds appropriated by this Act under the heading “Assistance for Europe, Eurasia and Central Asia” shall be made available to carry out the Program for Research and Training on Eastern Europe and the Independent States of the Former Soviet Union as authorized by the Soviet-Eastern European Research and Training Act of 1983 (22 U.S.C. 4501 et seq.).

(2) Additional Authorities.—Of the amounts made available by title I of this Act under the heading “Diplomatic Programs”, up to $500,000 may be made available for grants pursuant to section 504 of the Foreign Relations Authorization Act, Fiscal Year 1979 (22 U.S.C. 2656d), including to facilitate collaboration with indigenous communities, and up to $1,000,000 may be made available for grants to carry out the activities of the Cultural Antiquities Task Force.

(3) Innovation.—The USAID Administrator may use funds appropriated by this Act under title III to make innovation incentive awards: Provided, That each individual award may not exceed $100,000: Provided further, That no more than 15 such awards may be made during fiscal year 2020.
(4) Exchange visitor program.—None of the funds made available by this Act may be used to modify the Exchange Visitor Program administered by the Department of State to implement the Mutual Educational and Cultural Exchange Act of 1961, as amended, (Public Law 87–256; 22 U.S.C. 2451 et seq.), except through the formal rulemaking process pursuant to the Administrative Procedure Act and notwithstanding the exceptions to such rule-making process in such Act: Provided, That funds made available for such purpose shall only be made available after consultation with, and subject to the regular notification procedures of, the Committees on Appropriations, regarding how any proposed modification would affect the public diplomacy goals of, and the estimated economic impact on, the United States.

(5) Private sector partnerships.—Of the funds appropriated by this Act under the headings “Development Assistance” and “Economic Support Fund” that are made available for private sector partnerships, up to $50,000,000 may remain available until September 30, 2022: Provided, That funds made available pursuant to this paragraph may only be made available following prior consultation with
the appropriate congressional committees, and the regular notification procedures of the Committees on Appropriations.

(6) VIETNAM EDUCATION FOUNDATION.—Section 207(c) of the Vietnam Education Foundation Act of 2000 (114 Stat. 2763A–257; 22 U.S.C. 2452) is amended by adding a new paragraph as follows:

“(4) On October 1, 2019, any remaining unobligated balances of funds made available under the heading ‘Vietnam Education Foundation—Vietnam Debt Repayment Fund’ that are not necessary for liquidating the final liabilities of the Vietnam Education Foundation shall be available for grants authorized by section 211 of this Act.”.

(e) PARTNER VETTING.—Prior to initiating a partner vetting program, or making significant changes to the scope of an existing partner vetting program, the Secretary of State and USAID Administrator, as appropriate, shall consult with the Committees on Appropriations.

(f) CONTINGENCIES.—During fiscal year 2020, the President may use up to $200,000,000 under the authority of section 451 of the Foreign Assistance Act of 1961, notwithstanding any other provision of law.
(g) **Transfer of Funds for Extraordinary Protection.**—The Secretary of State may transfer to, and merge with, funds under the heading “Protection of Foreign Missions and Officials” unobligated balances of expired funds appropriated under the heading “Diplomatic Programs” for fiscal year 2020, except for funds designated for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985, at no later than the end of the fifth fiscal year after the last fiscal year for which such funds are available for the purposes for which appropriated: *Provided*, That not more than $50,000,000 may be transferred.

(h) **Protections and Remedies for Employees of Diplomatic Missions and International Organizations.**—Section 7034(k) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235) shall continue in effect during fiscal year 2020.

(i) **Extension of Authorities.**—

(1) **Passport Fees.**—Section 1(b)(2) of the Passport Act of June 4, 1920 (22 U.S.C. 214(b)(2)) shall be applied by substituting “September 30, 2020” for “September 30, 2010”.
(2) **Incentives for Critical Posts.**—The authority contained in section 1115(d) of the Supplemental Appropriations Act, 2009 (Public Law 111–32) shall remain in effect through September 30, 2020.

(3) **USAID Civil Service Annuitant Waiver.**—Section 625(j)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2385(j)(1)) shall be applied by substituting “September 30, 2020” for “October 1, 2010” in subparagraph (B).

(4) **Overseas Pay Comparability.**—The authority provided by section 1113 of the Supplemental Appropriations Act, 2009 (Public Law 111–32) shall remain in effect through September 30, 2020: *Provided, That the exercise of the authority of section 1113 of such Act, as carried forward by this Act, shall be subject to prior consultation with the Committees on Appropriations.*

(5) **Categorical Eligibility.**—The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (Public Law 101–167) is amended—

(A) in section 599D (8 U.S.C. 1157 note)—
(i) in subsection (b)(3), by striking “and 2019” and inserting “2019, and 2020”; and
(ii) in subsection (e), by striking “2019” each place it appears and inserting “2020”; and
(B) in section 599E (8 U.S.C. 1255 note) in subsection (b)(2), by striking “2019” and inserting “2020”.

(6) Inspector General Annuitant Waiver.—The authorities provided in section 1015(b) of the Supplemental Appropriations Act, 2010 (Public Law 111–212) shall remain in effect through September 30, 2020.

(7) Accountability Review Boards.—The authority provided by section 301(a)(3) of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4831(a)(3)) shall remain in effect for facilities in Afghanistan through September 30, 2020, except that the notification and reporting requirements contained in such section shall include the Committees on Appropriations.

(8) Special Inspector General for Afghanistan Reconstruction Competitive Status.—Notwithstanding any other provision of law,
any employee of the Special Inspector General for Afghanistan Reconstruction (SIGAR) who completes at least 12 months of continuous service after the date of enactment of this Act or who is employed on the date on which SIGAR terminates, whichever occurs first, shall acquire competitive status for appointment to any position in the competitive service for which the employee possesses the required qualifications.

(9) **Transfer of Balances.**—Section 7081(h) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2017 (division J of Public Law 115–31) shall continue in effect during fiscal year 2020.

(10) **Department of State Inspector General Waiver Authority.**—The Inspector General of the Department of State may waive the provisions of subsections (a) through (d) of section 824 of the Foreign Service Act of 1980 (22 U.S.C. 4064) on a case-by-case basis for an annuitant reemployed by the Inspector General on a temporary basis, subject to the same constraints and in the same manner by which the Secretary of State may exercise such waiver authority pursuant to subsection (g) of such section.
(j) HIV/AIDS WORKING CAPITAL FUND.—Funds available in the HIV/AIDS Working Capital Fund established pursuant to section 525(b)(1) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2005 (Public Law 108–447) may be made available for pharmaceuticals and other products for other global health and child survival activities to the same extent as HIV/AIDS pharmaceuticals and other products, subject to the terms and conditions in such section: Provided, That the authority in section 525(b)(5) of the Foreign Operations, Export Financing, and Related Programs Appropriation Act, 2005 (Public Law 108–447) shall be exercised by the Assistant Administrator for Global Health, USAID, with respect to funds deposited for such non-HIV/AIDS pharmaceuticals and other products, and shall be subject to the regular notification procedures of the Committees on Appropriations.

(k) LOANS, CONSULTATION, AND NOTIFICATION.—

(1) LOAN GUARANTEES.—Funds appropriated under the headings “Economic Support Fund” and “Assistance for Europe, Eurasia and Central Asia” by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs may be made available for the costs, as defined in section 502 of the Congressional
Budget Act of 1974, of loan guarantees for Egypt, Jordan, Tunisia, and Ukraine, which are authorized to be provided: Provided, That amounts made available under this paragraph for the costs of such guarantees shall not be considered assistance for the purposes of provisions of law limiting assistance to a country.

(2) Designation Requirement.—Funds made available pursuant to paragraph (1) from prior Acts making appropriations for the Department of State, foreign operations, and related programs that were previously designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of such Act.

(3) Consultation and Notification.—Funds made available pursuant to the authorities of this subsection shall be subject to prior consultation with the appropriate congressional committees, and subject to the regular notification procedures of the Committees on Appropriations.
(l) LOCAL WORKS.—

(1) Of the funds appropriated by this Act under the headings “Development Assistance” and “Economic Support Fund”, not less than $50,000,000 shall be made available for Local Works pursuant to section 7080 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235), which may remain available until September 30, 2024.

(2) For the purposes of section 7080 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235), “eligible entities” shall be defined as small local, international, and United States-based nongovernmental organizations, educational institutions, and other small entities that have received less than a total of $5,000,000 from USAID over the previous 5 fiscal years: Provided, That departments or centers of such educational institutions may be considered individually in determining such eligibility.

(m) DEFINITIONS.—

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—Unless otherwise defined in this Act, for
purposes of this Act the term “appropriate congres-
sional committees” means the Committees on Approp-
riations and Foreign Relations of the Senate and
the Committees on Appropriations and Foreign Af-
fairs of the House of Representatives.

(2) **Funds Appropriated by This Act and**
**Prior Acts.**—Unless otherwise defined in this Act,
for purposes of this Act the term “funds appro-
priated by this Act and prior Acts making appro-
priations for the Department of State, foreign oper-
ations, and related programs” means funds that re-
main available for obligation, and have not expired.

(3) **International Financial Institutions.**—In this Act “international financial institu-
tions” means the International Bank for Recon-
struction and Development, the International Devel-
opment Association, the International Finance Cor-
poration, the Inter-American Development Bank, the
International Monetary Fund, the International
Fund for Agricultural Development, the Asian De-
velopment Fund, the Inter-American Investment
Corporation, the North American Development
Bank, the European Bank for Reconstruction and
Development, the African Development Bank, the

(4) PARIS AGREEMENT.—In this Act, the term “Paris Agreement” means the decision by the United Nations Framework Convention on Climate Change’s 21st Conference of Parties in Paris, France, adopted December 12, 2015.

(5) SOUTHERN KORDOFAN REFERENCE.—Any reference to Southern Kordofan in this or any other Act making appropriations for the Department of State, foreign operations, and related programs shall for fiscal year 2020, and each fiscal year thereafter, be deemed to include portions of Western Kordofan that were previously part of Southern Kordofan prior to the 2013 division of Southern Kordofan.

(6) USAID.—In this Act, the term “USAID” means the United States Agency for International Development.

(7) SPEND PLAN.—In this Act, the term “spend plan” means a plan for the uses of funds appropriated for a particular entity, country, program, purpose, or account and which shall include, at a minimum, a description of—
(A) realistic and sustainable goals, criteria for measuring progress, and a timeline for achieving such goals;

(B) amounts and sources of funds by account;

(C) how such funds will complement other ongoing or planned programs; and

(D) implementing partners, to the maximum extent practicable.

LAW ENFORCEMENT AND SECURITY

SEC. 7035. (a) Assistance.—

(1) Community-based police assistance.—

Funds made available under titles III and IV of this Act to carry out the provisions of chapter 1 of part I and chapters 4 and 6 of part II of the Foreign Assistance Act of 1961, may be used, notwithstanding section 660 of that Act, to enhance the effectiveness and accountability of civilian police authority through training and technical assistance in human rights, the rule of law, anti-corruption, strategic planning, and through assistance to foster civilian police roles that support democratic governance, including assistance for programs to prevent conflict, respond to disasters, address gender-based violence,
and foster improved police relations with the communities they serve.

(2) COUNTERTERRORISM PARTNERSHIPS FUND.—Funds appropriated by this Act under the heading Nonproliferation, Anti-terrorism, Demining and Related Programs shall be made available for the Counterterrorism Partnerships Fund for programs in areas liberated from, under the influence of, or adversely affected by, the Islamic State of Iraq and Syria or other terrorist organizations: Provided, That such areas shall include the Kurdistan Region of Iraq: Provided further, That prior to the obligation of funds made available pursuant to this paragraph, the Secretary of State shall take all practicable steps to ensure that mechanisms are in place for monitoring, oversight, and control of such funds: Provided further, That funds made available pursuant to this paragraph shall be subject to prior consultation with the appropriate congressional committees, and the regular notification procedures of the Committees on Appropriations.

(b) AUTHORITIES.—

(1) RECONSTITUTING CIVILIAN POLICE AUTHORITY.—In providing assistance with funds appropriated by this Act under section 660(b)(6) of
the Foreign Assistance Act of 1961, support for a nation emerging from instability may be deemed to mean support for regional, district, municipal, or other sub-national entity emerging from instability, as well as a nation emerging from instability.

(2) DISARMAMENT, DEMOBILIZATION, AND RE-INTEGRATION.—Section 7034(d) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235) shall continue in effect during fiscal year 2020.

(3) INTERNATIONAL PRISON CONDITIONS.—Funds appropriated by this Act shall be made available for assistance to eliminate inhumane conditions in foreign prisons and other detention facilities, notwithstanding section 660 of the Foreign Assistance Act of 1961: Provided, That the Secretary of State and the USAID Administrator shall consult with the Committees on Appropriations on the proposed uses of such funds prior to obligation and not later than 60 days after enactment of this Act.

(4) EXTENSION OF WAR RESERVES STOCKPILE AUTHORITY.—

(A) Section 12001(d) of the Department of Defense Appropriations Act, 2005 (Public Law
108–287; 118 Stat. 1011) is amended by strik- 
ing “of this section” and all that follows 
through the period at the end and inserting “of 
this section after September 30, 2021.”.

(B) Section 514(b)(2)(A) of the Foreign 
Assistance Act of 1961 (22 U.S.C. 
2321h(b)(2)(A)) is amended by striking “and 
2020” and inserting “2020, and 2021”.

(5) COMMERCIAL LEASING OF DEFENSE ARTI- 
CLES.—Notwithstanding any other provision of law, 
and subject to the regular notification procedures of 
the Committees on Appropriations, the authority of 
section 23(a) of the Arms Export Control Act may 
be used to provide financing to Israel, Egypt, the 
North Atlantic Treaty Organization (NATO), and 
major non-NATO allies for the procurement by leas- 
ing (including leasing with an option to purchase) of 
defense articles from United States commercial sup- 
pliers, not including Major Defense Equipment 
(other than helicopters and other types of aircraft 
having possible civilian application), if the President 
determines that there are compelling foreign policy 
or national security reasons for those defense arti-
cles being provided by commercial lease rather than 
by government-to-government sale under such Act.
(6) Special defense acquisition fund.— Not to exceed $900,000,000 may be obligated pursuant to section 51(c)(2) of the Arms Export Control Act for the purposes of the Special Defense Acquisition Fund (the Fund), to remain available for obligation until September 30, 2022: Provided, That the provision of defense articles and defense services to foreign countries or international organizations from the Fund shall be subject to the concurrence of the Secretary of State.

(c) Limitations.—

(1) Child soldiers.—Funds appropriated by this Act should not be used to support any military training or operations that include child soldiers.

(2) Landmines and cluster munitions.—

(A) Landmines.—Notwithstanding any other provision of law, demining equipment available to the United States Agency for International Development and the Department of State and used in support of the clearance of landmines and unexploded ordnance for humanitarian purposes may be disposed of on a grant basis in foreign countries, subject to such terms and conditions as the Secretary of State may prescribe.
(B) Cluster munitions.—No military assistance shall be furnished for cluster munitions, no defense export license for cluster munitions may be issued, and no cluster munitions or cluster munitions technology shall be sold or transferred, unless—

(i) the submunitions of the cluster munitions, after arming, do not result in more than 1 percent unexploded ordnance across the range of intended operational environments, and the agreement applicable to the assistance, transfer, or sale of such cluster munitions or cluster munitions technology specifies that the cluster munitions will only be used against clearly defined military targets and will not be used where civilians are known to be present or in areas normally inhabited by civilians; or

(ii) such assistance, license, sale, or transfer is for the purpose of demilitarizing or permanently disposing of such cluster munitions.

(3) Crowd control items.—Funds appropriated by this Act should not be used for tear gas, small arms, light weapons, ammunition, or other
items for crowd control purposes for foreign security
forces that use excessive force to repress peaceful ex-
pression, association, or assembly in countries that
the Secretary of State determines are undemocratic
or are undergoing democratic transitions.

(d) Reports.—

(1) Security assistance report.—Not later
than 120 days after enactment of this Act, the Sec-
retary of State shall submit to the Committees on
Appropriations a report on funds obligated and ex-
pended during fiscal year 2019, by country and pur-
pose of assistance, under the headings “Peace-
keeping Operations”, “International Military Edu-
cation and Training”, and “Foreign Military Fi-
nancing Program”.

(2) Quarterly status report.—Following
the submission of the quarterly report required by
section 36 of Public Law 90–629 (22 U.S.C. 2776),
the Secretary of State, in coordination with the Sec-
retary of Defense, shall submit to the Committees on
Appropriations a status report that contains the in-
formation described under the heading “Foreign
Military Financing Program” in the report accom-
panying this Act.
ENTERPRISE FUNDS

SEC. 7036. (a) Notification.—None of the funds made available under titles III through VI of this Act may be made available for Enterprise Funds unless the appropriate congressional committees are notified at least 15 days in advance.

(b) Distribution of Assets Plan.—Prior to the distribution of any assets resulting from any liquidation, dissolution, or winding up of an Enterprise Fund, in whole or in part, the President shall submit to the appropriate congressional committees a plan for the distribution of the assets of the Enterprise Fund.

(c) Transition or Operating Plan.—Prior to a transition to and operation of any private equity fund or other parallel investment fund under an existing Enterprise Fund, the President shall submit such transition or operating plan to the appropriate congressional committees.

WAR CRIMES TRIBUNALS

SEC. 7037. If the President determines that doing so will contribute to a just resolution of charges regarding genocide or other violations of international humanitarian law, the President may direct a drawdown pursuant to section 552(c) of the Foreign Assistance Act of 1961 of up to $30,000,000 of commodities and services for the United
Nations War Crimes Tribunal established with regard to the former Yugoslavia by the United Nations Security Council or such other tribunals or commissions as the Council may establish or authorize to deal with such violations, without regard to the ceiling limitation contained in paragraph (2) thereof: Provided, That the determination required under this section shall be in lieu of any determinations otherwise required under section 552(c): Provided further, That funds made available pursuant to this section shall be made available subject to the regular notification procedures of the Committees on Appropriations.

PALESTINIAN STATEHOOD

Sec. 7038. (a) Limitation on Assistance.—None of the funds appropriated under titles III through VI of this Act may be provided to support a Palestinian state unless the Secretary of State determines and certifies to the appropriate congressional committees that—

(1) the governing entity of a new Palestinian state—

(A) has demonstrated a firm commitment to peaceful co-existence with the State of Israel; and

(B) is taking appropriate measures to counter terrorism and terrorist financing in the West Bank and Gaza, including the dismantling
of terrorist infrastructures, and is cooperating
with appropriate Israeli and other appropriate
security organizations; and

(2) the Palestinian Authority (or the governing
entity of a new Palestinian state) is working with
other countries in the region to vigorously pursue ef-
forts to establish a just, lasting, and comprehensive
peace in the Middle East that will enable Israel and
an independent Palestinian state to exist within the
context of full and normal relationships, which
should include—

(A) termination of all claims or states of
belligerency;

(B) respect for and acknowledgment of the
sovereignty, territorial integrity, and political
independence of every state in the area through
measures including the establishment of demili-
tarized zones;

(C) their right to live in peace within se-
cure and recognized boundaries free from
threats or acts of force;

(D) freedom of navigation through inter-
national waterways in the area; and

(E) a framework for achieving a just set-
tlement of the refugee problem.
(3) the governing entity has enacted a constitution assuring the rule of law, an independent judiciary, and respect for human rights for its citizens, and should enact other laws and regulations assuring transparent and accountable governance.

(b) WAIVER.—The President may waive subsection (a) if the President determines that it is important to the national security interest of the United States to do so.

(e) EXEMPTION.—The restriction in subsection (a) shall not apply to assistance intended to help reform the Palestinian Authority and affiliated institutions, or the governing entity, in order to help meet the requirements of subsection (a), consistent with the provisions of section 7039 of this Act ("Limitation on Assistance for the Palestinian Authority").

LIMITATION ON ASSISTANCE FOR THE PALESTINIAN AUTHORITY

SEC. 7039. (a) PROHIBITION OF FUNDS.—None of the funds appropriated by this Act to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961 may be obligated or expended with respect to providing funds to the Palestinian Authority.

(b) WAIVER.—The prohibition included in subsection (a) shall not apply if the President certifies in writing to the Speaker of the House of Representatives, the Presi-
dent pro tempore of the Senate, and the Committees on Appropriations that waiving such prohibition is important to the national security interest of the United States.

(c) Period of Application of Waiver.—Any waiver pursuant to subsection (b) shall be effective for no more than a period of 6 months at a time and shall not apply beyond 12 months after the enactment of this Act.

(d) Report.—Whenever the waiver authority pursuant to subsection (b) is exercised, the President shall submit a report to the Committees on Appropriations detailing the justification for the waiver, the purposes for which the funds will be spent, and the accounting procedures in place to ensure that the funds are properly disbursed: Provided, That the report shall also detail the steps the Palestinian Authority has taken to arrest terrorists, confiscate weapons and dismantle the terrorist infrastructure, and facilitate the settlement of terrorism-related claims of nationals of the United States.

(e) Certification.—If the President exercises the waiver authority under subsection (b), the Secretary of State must certify and report to the Committees on Appropriations prior to the obligation of funds that the Palestinian Authority has established a single treasury account for all Palestinian Authority financing and all financing mechanisms flow through this account, no parallel
financing mechanisms exist outside of the Palestinian Au-
thority treasury account, and there is a single comprehen-
sive civil service roster and payroll, and the Palestinian
Authority is acting to counter incitement of violence
against Israelis and is supporting activities aimed at pro-
moting peace, coexistence, and security cooperation with
Israel.

(f) PROHIBITION TO HAMAS AND THE PALESTINE
LIBERATION ORGANIZATION.—

(1) None of the funds appropriated under the
heading “Economic Support Fund” in this Act may
be obligated for salaries of personnel of the Pales-
tinian Authority located in Gaza or may be obligated
or expended for assistance to Hamas or any entity
effectively controlled by Hamas, any power-sharing
government of which Hamas is a member, or that
results from an agreement with Hamas and over
which Hamas exercises undue influence.

(2) Notwithstanding the limitation of paragraph
(1), assistance may be provided to a power-sharing
government only if the President certifies and re-
ports to the Committees on Appropriations that such
government, including all of its ministers or such
equivalent, has publicly accepted and is complying
with the principles contained in section 620K(b)(1)
(A) and (B) of the Foreign Assistance Act of 1961, as amended.

(3) The President may exercise the authority in section 620K(e) of the Foreign Assistance Act of 1961 with respect to this subsection.

(4) Whenever the certification pursuant to paragraph (2) is exercised, the Secretary of State shall submit a report to the Committees on Appropriations within 120 days of the certification and every quarter thereafter on whether such government, including all of its ministers or such equivalent are continuing to comply with the principles contained in section 620K(b)(1) (A) and (B) of the Foreign Assistance Act of 1961, as amended: Provided, That the report shall also detail the amount, purposes and delivery mechanisms for any assistance provided pursuant to the abovementioned certification and a full accounting of any direct support of such government.

(5) None of the funds appropriated under titles III through VI of this Act may be obligated for assistance for the Palestine Liberation Organization.

(g) SUSPENSION OF ASSISTANCE.—

(1) Funds appropriated under the heading “Economic Support Fund” in this Act and made
available for assistance for the Palestinian Authority pursuant to subsection (b) shall be suspended if after the date of enactment of this Act—

(A) the Palestinians obtain the same standing as member states or full membership as a state in the United Nations or any specialized agency thereof outside an agreement negotiated between Israel and the Palestinians; or

(B) the Palestinians initiate an International Criminal Court (ICC) judicially authorized investigation, or actively support such an investigation, that subjects Israeli nationals to an investigation for alleged crimes against Palestinians.

(2) The Secretary of State may waive the restriction in paragraph (1) of this subsection resulting from the application of subparagraph (A) of such paragraph if the Secretary certifies to the Committees on Appropriations that to do so is in the national security interest of the United States, and submits a report to such Committees detailing how the waiver and the continuation of assistance would assist in furthering Middle East peace.

(h) REDUCTION.—The Secretary of State shall reduce the amount of assistance made available by this Act
under the heading “Economic Support Fund” for the Palestinian Authority by an amount the Secretary determines is equivalent to the amount expended by the Palestinian Authority, the Palestine Liberation Organization, and any successor or affiliated organizations with such entities as payments for acts of terrorism by individuals who are imprisoned after being fairly tried and convicted for acts of terrorism and by individuals who died committing acts of terrorism during the previous calendar year: Provided,

That the Secretary shall report to the Committees on Appropriations on the amount reduced for fiscal year 2020 prior to the obligation of funds for the Palestinian Authority.

(i) Incitement Report.—Not later than 90 days after enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees detailing steps taken by the Palestinian Authority to counter incitement of violence against Israelis and to promote peace and coexistence with Israel.

(j) Section 1003.—(1) The President may waive the provisions of section 1003 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (Public Law 100–204) if the President determines and certifies in writing to the Speaker of the House of Representatives, the President pro tempore of the Senate, and the appropriate
congressional committees that the Palestinians have not, after the date of enactment of this Act—

(A) obtained in the United Nations or any specialized agency thereof the same standing as member states or full membership as a state outside an agreement negotiated between Israel and the Palestinians; and

(B) initiated or actively supported an ICC investigation against Israeli nationals for alleged crimes against Palestinians.

(2) Not less than 90 days after the President is unable to make the certification pursuant to paragraph (1) of this subsection, the President may waive section 1003 of Public Law 100–204 if the President determines and certifies in writing to the Speaker of the House of Representatives, the President pro tempore of the Senate, and the Committees on Appropriations that the Palestinians have entered into direct and meaningful negotiations with Israel: Provided, That any waiver of the provisions of section 1003 of Public Law 100–204 under paragraph (1) of this subsection or under previous provisions of law must expire before the waiver under the preceding sentence may be exercised.

(3) Any waiver pursuant to this subsection shall be effective for no more than a period of 6 months at a time
and shall not apply beyond 12 months after the enactment of this Act.

(k) Palestinian Broadcasting Corporation.— None of the funds appropriated or otherwise made available by this Act may be used to provide equipment, technical support, consulting services, or any other form of assistance to the Palestinian Broadcasting Corporation.

ASSISTANCE FOR THE WEST BANK AND GAZA

Sec. 7040. (a) Oversight.—For fiscal year 2020, 30 days prior to the initial obligation of funds for the bilateral West Bank and Gaza Program, the Secretary of State shall certify to the Committees on Appropriations that procedures have been established to assure the Comptroller General of the United States will have access to appropriate United States financial information in order to review the uses of United States assistance for the Program funded under the heading “Economic Support Fund” for the West Bank and Gaza.

(b) Vetting.—Prior to the obligation of funds appropriated by this Act under the heading “Economic Support Fund” for assistance for the West Bank and Gaza, the Secretary of State shall take all appropriate steps to ensure that such assistance is not provided to or through any individual, private or government entity, or educational institution that the Secretary knows or has reason
to believe advocates, plans, sponsors, engages in, or has
gen
ing engaged in, terrorist activity nor, with respect to private
entities or educational institutions, those that have as a
principal officer of the entity’s governing board or gov-
erning board of trustees any individual that has been de-
termined to be involved in, or advocating terrorist activity
or determined to be a member of a designated foreign ter-
rorist organization: Provided, That the Secretary of State
shall, as appropriate, establish procedures specifying the
steps to be taken in carrying out this subsection and shall
terminate assistance to any individual, entity, or edu-
cational institution which the Secretary has determined to
be involved in or advocating terrorist activity.

(c) Prohibition.—

(1) Recognition of acts of terrorism.—
None of the funds appropriated under titles III
through VI of this Act for assistance under the West
Bank and Gaza Program may be made available
for—

(A) the purpose of recognizing or otherwise
honoring individuals who commit, or have com-
mitted acts of terrorism; and

(B) any educational institution located in
the West Bank or Gaza that is named after an
individual who the Secretary of State determines has committed an act of terrorism.

(2) **Security assistance and reporting requirement.**—Notwithstanding any other provision of law, none of the funds made available by this or prior appropriations Acts, including funds made available by transfer, may be made available for obligation for security assistance for the West Bank and Gaza until the Secretary of State reports to the Committees on Appropriations on the benchmarks that have been established for security assistance for the West Bank and Gaza and reports on the extent of Palestinian compliance with such benchmarks.

(d) **Reporting requirements.**—

(1) **Economic assistance.**—Prior to the initial obligation of funds made available by this Act under the heading “Economic Support Fund” for assistance for the West Bank and Gaza, the Secretary of State shall report to the Committees on Appropriations that the purpose of such assistance is to—

(A) advance Middle East peace;

(B) improve security in the region;

(C) continue support for transparent and accountable government institutions;
(D) promote a private sector economy; or

(E) address urgent humanitarian needs.

(2) Security Assistance.—The reporting requirements in section 1404 of the Supplemental Appropriations Act, 2008 (Public Law 110–252) shall apply to funds made available by this Act, including a description of modifications, if any, to the security strategy of the Palestinian Authority.

(e) Private Sector Partnership Programs.— Funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs may be made available for private sector partnership programs for the West Bank and Gaza if such funds are authorized: Provided, That funds made available pursuant to this subsection shall be subject to prior consultation with the appropriate congressional committees, and the regular notification procedures of the Committees on Appropriations.

(f) Oversight by the United States Agency for International Development.—

(1) The Administrator of the United States Agency for International Development shall ensure that Federal or non-Federal audits of all contractors and grantees, and significant subcontractors and sub-grantees, under the West Bank and Gaza Pro-
gram, are conducted at least on an annual basis to ensure, among other things, compliance with this section.

(2) Of the funds appropriated by this Act, up to $1,000,000 may be used by the Office of Inspector General of the United States Agency for International Development for audits, investigations, and other activities in furtherance of the requirements of this subsection: Provided, That such funds are in addition to funds otherwise available for such purposes.

(g) COMPTROLLER GENERAL OF THE UNITED STATES AUDIT.—Subsequent to the certification specified in subsection (a), the Comptroller General of the United States shall conduct an audit and an investigation of the treatment, handling, and uses of all funds for the bilateral West Bank and Gaza Program, including all funds provided as cash transfer assistance, in fiscal year 2020 under the heading “Economic Support Fund”, and such audit shall address—

(1) the extent to which such Program complies with the requirements of subsections (b) and (c); and
(2) an examination of all programs, projects, and activities carried out under such Program, including both obligations and expenditures.

(h) Notification Procedures.—Funds made available in this Act for West Bank and Gaza shall be subject to the regular notification procedures of the Committees on Appropriations.

MIDDLE EAST AND NORTH AFRICA

SEC. 7041. (a) Arab League Boycott of Israel.—It is the sense of the Congress that—

(1) the Arab League boycott of Israel, and the secondary boycott of American firms that have commercial ties with Israel, is an impediment to peace in the region and to United States investment and trade in the Middle East and North Africa;

(2) the Arab League boycott, which was regretfully reinstated in 1997, should be immediately and publicly terminated, and the Central Office for the Boycott of Israel immediately disbanded;

(3) all Arab League states should normalize relations with their neighbor Israel;

(4) the President and the Secretary of State should continue to vigorously oppose the Arab League boycott of Israel and find concrete steps to demonstrate that opposition by, for example, taking
into consideration the participation of any recipient
country in the boycott when determining to sell
weapons to said country; and

(5) the President should report to Congress an-
ually on specific steps being taken by the United
States to encourage Arab League states to normalize
their relations with Israel to bring about the termi-
nation of the Arab League boycott of Israel, includ-
ing those to encourage allies and trading partners of
the United States to enact laws prohibiting busi-
nesses from complying with the boycott and penal-
izing businesses that do comply.

(b) EGYPT.—

(1) CERTIFICATION AND REPORT.—Funds ap-
propriated by this Act that are available for assist-
ce for Egypt may be made available notwith-
standing any other provision of law restricting as-
sistance for Egypt, except for this subsection and
section 620M of the Foreign Assistance Act of 1961,
and may only be made available for assistance for
the Government of Egypt if the Secretary of State
certifies and reports to the Committees on Approp-
riations that such government is—

(A) sustaining the strategic relationship

with the United States; and
(B) meeting its obligations under the 1979 Egypt-Israel Peace Treaty.

(2) ECONOMIC SUPPORT FUND.—

(A) FUNDING.—Of the funds appropriated by this Act under the headings “Development Assistance” and “Economic Support Fund”, up to $102,500,000 may be made available for assistance for Egypt, of which not less than $35,000,000 should be made available for higher education programs including not less than $15,000,000 for scholarships for Egyptian students with high financial need to attend not-for-profit institutions of higher education: Provided, That such funds shall be made available for democracy programs, and for development programs in the Sinai: Provided further, That such funds may not be made available for cash transfer assistance or budget support.

(B) LIMITATION.—None of the funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the heading “Economic Support Fund” may be made available for a contribution, voluntary or otherwise, to the “Civil Associations and Foun-
ations Support Fund”, or any similar fund, est-
established pursuant to Law 70 on Associations
and Other Foundations Working in the Field of
Civil Work published in the Official Gazette of
Egypt on May 29, 2017.

(3) FOREIGN MILITARY FINANCING PRO-
GRAM.—

(A) CERTIFICATION.—Of the funds appro-
priated by this Act under the heading “Foreign
Military Financing Program”, up to
$1,300,000,000, to remain available until Sep-

tember 30, 2021, may be made available for as-
sistance for Egypt: Provided, That such funds
may be transferred to an interest bearing ac-
count in the Federal Reserve Bank of New
York, following consultation with the Commit-
tees on Appropriations: Provided further, That
20 percent of such funds shall be withheld from
obligation until the Secretary of State certifies
and reports to the Committees on Appropria-
tions that the Government of Egypt is taking,
on a sustained and effective basis, the steps
enumerated under this section in the report ac-
companying this Act: Provided further, That the
certification requirement of this paragraph shall
not apply to funds appropriated by this Act under such heading for counterterrorism, border security, and nonproliferation programs for Egypt.

(B) WAIVER.—(i) The Secretary of State may waive the certification requirement in subparagraph (A) with respect to 95 percent of the amount withheld from obligation pursuant to such subparagraph if the Secretary determines and reports to the Committees on Appropriations that to do so is important to the national security interest of the United States, and includes in such report a detailed justification for the use of such waiver and the reasons why any of the certification requirements of subparagraph (A) cannot be met: Provided, That the report required by this paragraph shall be submitted in unclassified form, but may be accompanied by a classified annex.

(ii) The remaining 5 percent may only be made available for obligation if the Secretary of State determines and reports to the Committees on Appropriations that the Government of Egypt has completed action to provide fair and commensurate com-
pensation to American citizen April Corley
for injuries suffered by Egyptian armed
forces on September 13, 2015: Provided,
That none of the funds withheld pursuant
to subparagraph (A) shall be transferred to
the interest bearing account referenced in
subparagraph (A) until the determination
in the preceding sentence has been pro-
vided to the Committees on Appropria-
tions.

(c) **Iran.**—

(1) **Funding.**—Funds appropriated by this Act
under the headings “Diplomatic Programs”, “Eco-
nomic Support Fund”, and “Nonproliferation, Anti-
terrorism, Demining and Related Programs” shall
be used by the Secretary of State to support the ac-
tivities described under this section in the report ac-
companying this Act.

(2) **Reports.**—

(A) **Semi-annual report.**—The Sec-
retary of State shall submit to the Committees
on Appropriations the semi-annual report re-
quired by section 135 of the Atomic Energy Act
of 1954 (42 U.S.C. 2160e(d)(4)), as added by
section 2 of the Iran Nuclear Agreement Re-

(B) SANCTIONS REPORT.—Not later than
180 days after the date of enactment of this
Act, the Secretary of State, in consultation with
the Secretary of the Treasury, shall submit to
the appropriate congressional committees a re-
port on—

(i) the status of United States bilat-
eral sanctions on Iran;

(ii) the reimposition and renewed en-
forcement of secondary sanctions; and

(iii) the impact such sanctions have
had on Iran’s destabilizing activities
throughout the Middle East.

(d) IRAQ.—

(1) PURPOSES.—Funds appropriated under ti-
tles III and IV of this Act shall be made available
for assistance for Iraq for economic, stabilization,
and humanitarian programs described under this
section in the report accompanying this Act.

(2) BASING RIGHTS AGREEMENT.—None of the
funds appropriated or otherwise made available by
this Act may be used by the Government of the
United States to enter into a permanent basing
rights agreement between the United States and Iraq.

(c) JORDAN.—Of the funds appropriated by this Act under titles III and IV, not less than $1,525,000,000 shall be made available for assistance for Jordan, of which not less than $745,100,000 of the funds appropriated under the heading “Economic Support Fund” shall be for budget support for the Government of Jordan and of which not less than $425,000,000 shall be made available under the heading “Foreign Military Financing Program”.

(f) LEBANON.—Funds appropriated by this Act that are made available for assistance for Lebanon—

(1) under the headings “International Narcotics Control and Law Enforcement” and “Foreign Military Financing Program” may be made available for the Lebanese Internal Security Forces (ISF) and the Lebanese Armed Forces (LAF) to address security and stability requirements in areas affected by the conflict in Syria, following consultation with the appropriate congressional committees;

(2) under the heading “Foreign Military Financing Program” may be used only to professionalize the LAF and to strengthen border security and combat terrorism, including training and equipping the LAF to secure Lebanon’s borders, inter-
dicting arms shipments, preventing the use of Lebanon as a safe haven for terrorist groups, and to implement United Nations Security Council Resolution 1701: Provided, That funds may not be obligated for assistance for the LAF until the Secretary of State submits to the Committees on Appropriations a spend plan, including actions to be taken to ensure equipment provided to the LAF is only used for the intended purposes, except such plan may not be considered as meeting the notification requirements under section 7015 of this Act or under section 634A of the Foreign Assistance Act of 1961, and shall include any funds specifically intended for lethal military equipment: Provided further, That such spend plan shall be submitted not later than September 1, 2020;

(3) shall not be made available for the ISF or the LAF if these entities fall under control by a foreign terrorist organization, as designated pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189); and

(4) under the heading “Economic Support Fund” may be made available notwithstanding section 1224 of the Foreign Relations Authorization
Act, Fiscal Year 2003 (Public Law 107–228; 22

(g) LIBYA.—

(1) ASSISTANCE.—Funds appropriated under
titles III and IV of this Act shall be made available
for stabilization assistance for Libya, including bor-
der security: Provided, That the limitation on the
uses of funds for certain infrastructure projects in
section 7041(f)(2) of the Department of State, For-
ereign Operations, and Related Programs Appropria-
tions Act, 2014 (division K of Public Law 113–76)
shall apply to such funds.

(2) CERTIFICATION.—Prior to the initial obliga-
tion of funds made available by this Act for assist-
ance for Libya, the Secretary of State shall certify
and report to the Committees on Appropriations
that all practicable steps have been taken to ensure
that mechanisms are in place for monitoring, over-
sight, and control of such funds.

(3) COOPERATION ON THE SEPTEMBER 2012 AT-
tack on United States Personnel and Facili-
ties.—None of the funds appropriated by this Act
may be made available for assistance for the central
Government of Libya unless the Secretary of State
certifies and reports to the Committees on Appro-
priations that such government is cooperating with United States Government efforts to investigate and bring to justice those responsible for the attack on United States personnel and facilities in Benghazi, Libya in September 2012: *Provided*, That the limitation in this paragraph shall not apply to funds made available for the purpose of protecting United States Government personnel or facilities.

(h) **MOROCCO.—**

(1) **AVAILABILITY AND CONSULTATION REQUIREMENT.**—Funds appropriated under the headings “Development Assistance” and “Economic Support Fund” in this Act shall be made available for assistance for the Western Sahara: *Provided*, That not later than 90 days after enactment of this Act and prior to the obligation of such funds, the Secretary of State, in consultation with the USAID Administrator, shall consult with the Committees on Appropriations on the proposed uses of such funds.

(2) **FOREIGN MILITARY FINANCING PROGRAM.**—Funds appropriated by this Act under the heading “Foreign Military Financing Program” that are available for assistance for Morocco may only be used for the purposes requested in the Congressional

(i) SAUDI ARABIA.—None of the funds appropriated by this Act should be used to support the sale of nuclear technology to Saudi Arabia.

(j) SYRIA.—

(1) NON-LETHAL ASSISTANCE.—Funds appropriated by this Act under the headings “Economic Support Fund”, “International Narcotics Control and Law Enforcement”, and “Peacekeeping Operations” may be made available, notwithstanding any other provision of law, for non-lethal stabilization assistance for Syria, including for emergency medical and rescue response and chemical weapons use investigations.

(2) LIMITATIONS.—Funds made available pursuant to paragraph (1) of this subsection—

(A) may not be made available for a project or activity that supports or otherwise legitimizes the Government of Iran, the Government of the Russian Federation, foreign terrorist organizations (as designated pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189)), or a proxy of Iran in Syria; and
(B) should not be used in areas of Syria controlled by a government led by Bashar al-Assad or associated forces.

(3) Monitoring and Oversight.—Prior to the obligation of any funds appropriated by this Act and made available for assistance for Syria, the Secretary of State shall take all practicable steps to ensure that mechanisms are in place for monitoring, oversight, and control of such assistance inside Syria.

(4) Consultation and Notification.—Funds made available pursuant to this subsection may only be made available following consultation with the appropriate congressional committees, and shall be subject to the regular notification procedures of the Committees on Appropriations.

(k) Tunisia.—Of the funds appropriated under titles III and IV of this Act, not less than $191,400,000 shall be made available for assistance for Tunisia.

(l) Yemen.—Funds appropriated by this Act under the heading “Economic Support Fund” shall be made available for stabilization assistance for Yemen.

African

Sec. 7042. (a) African Great Lakes Region Assistance Restriction.—Funds appropriated by this Act
under the heading “International Military Education and Training” for the central government of a country in the African Great Lakes region may be made available only for Expanded International Military Education and Training and professional military education until the Secretary of State determines and reports to the Committees on Appropriations that such government is not facilitating or otherwise participating in destabilizing activities in a neighboring country, including aiding and abetting armed groups.

(b) CENTRAL AFRICAN REPUBLIC.—Of the funds appropriated by this Act under the heading “Economic Support Fund”, not less than $3,000,000 shall be made available for a contribution to the Special Criminal Court in Central African Republic.

c) MALAWI.—Of the funds appropriated by this Act under the heading “Development Assistance”, not less than $56,000,000 shall be made available for assistance for Malawi, of which up to $10,000,000 shall be made available for higher education programs.

(d) SOUTH SUDAN.—Funds appropriated by this Act that are made available for assistance for the central Government of South Sudan may only be made available, following consultation with the Committees on Appropriations, for the purposes described under this section in the
report accompanying this Act: Provided, That prior to the initial obligation of funds to support South Sudan peace negotiations or to implement a peace agreement, the Secretary of State shall consult with the Committees on Appropriations on the intended uses of such funds and steps taken by such government to advance or implement a peace agreement.

(e) Sudan.—

(1) Limitations.—

(A) Assistance.—Notwithstanding any other provision of law, none of the funds appropriated by this Act may be made available for assistance for the Government of Sudan.

(B) Loans.—None of the funds appropriated by this Act may be made available for the cost, as defined in section 502 of the Congressional Budget Act of 1974, of modifying loans and loan guarantees held by the Government of Sudan, including the cost of selling, reducing, or canceling amounts owed to the United States, and modifying concessional loans, guarantees, and credit agreements.

(2) Exclusions.—The limitations of paragraph (1) shall not apply to funds made available for
assistance described under this section in the report accompanying this Act.

(f) ZIMBABWE.—None of the funds appropriated by this Act shall be made available for assistance for the central Government of Zimbabwe, except for health and education, unless the Secretary of State certifies and reports that the rule of law and freedom of expression, association, and assembly are restored, except that funds may be made available for macroeconomic growth assistance if the Secretary reports to the Committees on Appropriations that such government is implementing transparent fiscal policies, including public disclosure of revenues from the extraction of natural resources.

EAST ASIA AND THE PACIFIC

SEC. 7043. (a) BURMA.—

(1) BILATERAL ECONOMIC ASSISTANCE.—

(A) AUTHORITY.—Funds appropriated by this Act under the headings “Development Assistance” and “Economic Support Fund” for assistance for Burma may be made available notwithstanding any other provision of law, except for this subsection, and following consultation with the appropriate congressional committees: Provided, That such funds may be made available for ethnic groups and civil society in
Burma to help sustain ceasefire agreements and further prospects for reconciliation and peace, which may include support to representatives of ethnic armed groups for this purpose.

(B) LIMITATIONS.—Funds appropriated by this Act under titles III and IV to carry out the provisions of part I of the Foreign Assistance Act of 1961 and made available for assistance for Burma shall be subject to the limitations enumerated under this section in the report accompanying this Act.

(2) INTERNATIONAL SECURITY ASSISTANCE.—None of the funds appropriated by this Act under the headings “International Military Education and Training” and “Foreign Military Financing Program” may be made available for assistance for Burma: Provided, That the Department of State may continue consultations with the armed forces of Burma only on human rights and disaster response in a manner consistent with the prior fiscal year, and following consultation with the appropriate congressional committees.

(b) CAMBODIA.—

(1) LIMITATION.—None of the funds appropriated by this Act that are made available for as-
istance for the Government of Cambodia may be
obligated or expended unless the Secretary of State
certifies and reports to the Committees on Approp-
riations that such Government is meeting the con-
ditions described under this section in the report ac-
companying this Act.

(2) Uses.—Funds appropriated by this Act
under the heading “Development Assistance” and
made available for assistance for Cambodia shall be
made available for the purposes described under this
section in the report accompanying this Act.

(c) Indo-Pacific Strategy.—Of the funds appro-
priated by this Act, $160,000,000 shall be made available
to support the implementation of the Indo-Pacific Strat-
egy.

(d) North Korea.—

(1) Limitation.—None of the funds appro-
priated by this Act may be made available for assis-
tance for the Government of North Korea: Provided,
That the Secretary of State may waive the limitation
in this paragraph, and the limitation on assistance
for North Korea contained in section 7007 of this
Act, if the Secretary determines and reports to the
Committees on Appropriations that to do so is im-
portant to the national security interest of the
United States, and submits in such report a detailed justification.

(2) **HUMAN RIGHTS.**—Funds appropriated by this Act under the headings “Democracy Fund” and “Economic Support Fund” shall be made available for the promotion of human rights in North Korea: Provided, That the authority of section 7032(b) of this Act shall apply to such funds.

(e) **PEOPLE’S REPUBLIC OF CHINA.**—

(1) **LIMITATION ON USE OF FUNDS.**—None of the funds appropriated under the heading “Diplomatic Programs” in this Act may be obligated or expended for processing licenses for the export of satellites of United States origin (including commercial satellites and satellite components) to the People’s Republic of China (PRC) unless, at least 15 days in advance, the Committees on Appropriations are notified of such proposed action.

(2) **PEOPLE’S LIBERATION ARMY.**—The terms and requirements of section 620(h) of the Foreign Assistance Act of 1961 shall apply to foreign assistance projects or activities of the People’s Liberation Army (PLA) of the PRC, to include such projects or activities by any entity that is owned or controlled by, or an affiliate of, the PLA: Provided, That none
of the funds appropriated or otherwise made available pursuant to this Act may be used to finance any grant, contract, or cooperative agreement with the PLA, or any entity that the Secretary of State has reason to believe is owned or controlled by, or an affiliate of, the PLA.

(f) PHILIPPINES.—None of the funds appropriated by this Act under the heading “International Narcotics Control and Law Enforcement” may be made available for counternarcotics assistance for the Philippines, except for drug demand reduction, maritime law enforcement, or transnational interdiction.

(g) TIBET.—

(1) FINANCING OF PROJECTS IN TIBET.—The Secretary of the Treasury should instruct the United States executive director of each international financial institution to use the voice and vote of the United States to support financing of projects in Tibet if such projects do not provide incentives for the migration and settlement of non-Tibetans into Tibet or facilitate the transfer of ownership of Tibetan land and natural resources to non-Tibetans, are based on a thorough needs-assessment, foster self-sufficiency of the Tibetan people and respect Ti-
betan culture and traditions, and are subject to effective monitoring.

(2) Programs for Tibetan Communities.—

Of the funds appropriated under the heading “Economic Support Fund”, not less than:

(A) Tibet Autonomous Region.—$8,000,000 shall be made available to non-governmental organizations to support activities which preserve cultural traditions and promote sustainable development, education, and environmental conservation in Tibetan communities in the Tibet Autonomous Region and in other Tibetan communities in China, notwithstanding any other provision of law.

(B) India and Nepal.—$6,000,000 shall be made available for programs to promote and preserve Tibetan culture, development, and the resilience of Tibetan communities in India and Nepal, and to assist in the education and development of the next generation of Tibetan leaders from such communities: Provided, That such funds are in addition to amounts made available in subparagraph (A) for programs inside Tibet.
(C) Tibetan Governance.—$3,000,000 shall be made available for programs to strengthen the capacity of Tibetan institutions and governance.

(h) Vietnam.—Notwithstanding any other provision of law, funds appropriated by this Act under the heading “Economic Support Fund” shall be made available for remediation of dioxin contaminated sites in Vietnam and may be made available for assistance for the Government of Vietnam, including the military, for such purposes.

SOUTH AND CENTRAL ASIA

Sec. 7044. (a) Afghanistan.—

(1) Authorities.—

(A) Funds appropriated by this Act under titles III through VI that are made available for assistance for Afghanistan may be made available—

(i) notwithstanding section 7012 of this Act or any similar provision of law and section 660 of the Foreign Assistance Act of 1961;

(ii) for reconciliation programs and disarmament, demobilization, and reintegration activities for former combatants who have renounced violence against
the Government of Afghanistan, including in accordance with section 7046(a)(2)(B)(ii) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012 (division I of Public Law 112–74); and

(iii) for an endowment to empower women and girls.

(B) Section 7046(a)(2)(A) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012 (division I of Public Law 112–74) shall apply to funds appropriated by this Act for assistance for Afghanistan.

(2) Basing rights agreement.—None of the funds made available by this Act may be used by the United States Government to enter into a permanent basing rights agreement between the United States and Afghanistan.

(b) Pakistan.—

(1) Authority and uses of funds.—

(A) Funds appropriated by this Act for assistance for Pakistan may be made available notwithstanding any other provision of law, ex-

(B) Funds appropriated by this Act for assistance for Pakistan that are made available for infrastructure projects shall be implemented in a manner consistent with section 507(6) of the Trade Act of 1974 (19 U.S.C. 2467(6)).

(C) The authorities and directives of section 7044(d)(4) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235) regarding scholarships for women shall apply to funds appropriated by this Act for assistance for Pakistan, following consultation with the Committees on Appropriations.

(D) Funds appropriated by this Act under the headings “Economic Support Fund” and “Nonproliferation, Anti-terrorism, Demining and Related Programs” that are made available for assistance for Pakistan shall be made available to interdict precursor materials from Pakistan to Afghanistan that are used to manufacture improvised explosive devices and for agriculture extension programs that encourage al-
ternative fertilizer use among Pakistani farmers
to decrease the dual use of fertilizer in the
manufacturing of improvised explosive devices.

(2) WITHHOLDING.—Of the funds appropriated
under titles III and IV of this Act that are made
available for assistance for Pakistan, $33,000,000
(increased by $33,000,000) shall be withheld from
obligation until the Secretary of State reports to the
Committees on Appropriations that Dr. Shakil
Afridi has been released from prison and cleared of
all charges relating to the assistance provided to the
United States in locating Osama bin Laden.

(c) SRI LANKA.—

(1) CERTIFICATION.—Funds appropriated by
this Act for assistance for the central Government of
Sri Lanka, except for funds made available for hu-
manitarian assistance and victims of trauma, may be
made available only if the Secretary of State certifies
and reports to the Committees on Appropriations
that the Government of Sri Lanka is taking actions
as described under this section in the report accom-
ppanying this Act.

(2) INTERNATIONAL SECURITY ASSISTANCE.—
Funds appropriated under title IV of this Act that
are available for assistance for Sri Lanka shall be subject to the following conditions—

(A) not to exceed $500,000 under the heading “Foreign Military Financing Program” may only be made available for programs to support counterterrorism, humanitarian and disaster response preparedness, and maritime security, including professionalization and training for the navy and coast guard; and

(B) funds under the heading “Peacekeeping Operations” may only be made available for training and equipment related to international peacekeeping operations and improvements to peacekeeping-related facilities, and only if the Government of Sri Lanka is taking effective steps to bring to justice Sri Lankan peacekeeping troops who have engaged in sexual exploitation and abuse.

LATIN AMERICA AND THE CARIBBEAN

SEC. 7045. (a) CENTRAL AMERICA.—

(1) ASSISTANCE.—

(A) FISCAL YEAR 2020.—Of the funds appropriated by this Act under titles III and IV, not less than $540,850,000 shall be made available for assistance for the countries of Central America, in—
cluding to implement the United States Strategy for Engagement in Central America: Provided, That such assistance shall be prioritized for programs and activities that addresses the key factors that contribute to the migration of unaccompanied, undocumented minors to the United States: Provided further, That not less than $45,000,000 shall be for support of Attorneys General and other activities to combat corruption and impunity in such countries.

(B) PRIOR FISCAL YEARS.—

(i) Section 7045(a) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2017 (division J of Public Law 115–31) is amended by striking in paragraph (2), “$655,000,000 should” and inserting in lieu thereof, “not less than $655,000,000 shall”.

(ii) Section 7045(a) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2018 (division K of Public Law 115–141) is amended by striking in paragraph (1), “up to $615,000,000 may” and inserting in lieu thereof, “not less than $615,000,000 shall”.
(iii) Section 7045(a) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2019 (division F of Public Law 116–6) is amended—

(I) by redesignating paragraphs (1), (2), (3), and (4) as paragraphs (2), (3), (4), and (5), respectively;

(II) by inserting before paragraph (2), as redesignated, the following new paragraph:

“(1) ASSISTANCE.—Of the funds appropriated under titles III and IV of this Act, not less than $527,600,000 shall be made available for assistance for the countries of Central America to implement the United States Strategy for Engagement in Central America.”;

(III) in paragraph (3), as redesignated, by striking “paragraph (1)” each place it appears and inserting “paragraph (2)”;

(IV) in paragraph (4) as redesignated—

(aa) by striking “subsection (a)(1)” and inserting “paragraph (2)”;

and
(bb) by striking “subsection (a)(2)” and inserting “paragraph (3)”.

(2) NORTHERN TRIANGLE.—

   (A) Assistance to the Central Governments.—Of funds made available pursuant to paragraph (1)(A) under title IV of this Act that are made available for assistance for each of the central governments of El Salvador, Guatemala, and Honduras, 50 percent may only be obligated after the Secretary of State certifies and reports to the appropriate congressional committees that such government is meeting the requirements enumerated under this section in the report accompanying this Act.

   (B) Reprogramming.—If the Secretary is unable to make the certification required by subparagraph (A) for one or more of the governments, such assistance for such central government shall be reprogrammed for assistance for other countries in Latin America and the Caribbean, notwithstanding the minimum funding requirements of this subsection and of section 7019 of this Act: Provided, That any such reprogramming shall be subject to the regular notification procedures of the Committees on Appropriations.
(C) EXCEPTIONS.—The limitation of subpara-
graph (A) shall not apply to funds appropriated by
this Act that are made available for—

(i) the International Commission against
Impunity in Guatemala, the Mission to Support
the Fight Against Corruption and Impunity in
Honduras, assistance for support of Attorneys
General, and other activities to combat corrup-
tion and impunity;

(ii) programs to combat gender-based vio-
ence;

(iii) humanitarian assistance; and

(iv) global food security programs.

(b) COLOMBIA.—

(1) ASSISTANCE.—Of the funds appropriated by
this Act under titles III and IV, not less than
$457,253,000 shall be made available for assistance
for Colombia: Provided, That such funds shall be
made available for the programs and activities de-
scribed under this section in the report accom-
panying this Act.

(2) WITHHOLDING OF FUNDS.—

(A) Of the funds appropriated by this Act
under the heading “Foreign Military Financing
Program” and made available for assistance for
Colombia, 20 percent may be obligated only after the Secretary of State submits to the Committees on Appropriation the certification and report regarding such funds described under this section in the report accompanying this Act.

(B) Of the funds appropriated by this Act under the heading “International Narcotics Control and Law Enforcement” and made available for assistance for Colombia, 20 percent may be obligated only after the Secretary of State certifies and reports to the Committees on Appropriations that the Government of Colombia has reduced overall illicit drug cultivation and trafficking.

(3) Authority.—Aircraft supported by funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs and made available for assistance for Colombia may be used to transport personnel and supplies involved in drug eradication and interdiction, including security for such activities, and to provide transport in support of alternative development programs and investigations by civilian judicial authorities.
(c) HAITI.—

(1) CERTIFICATION.—Funds appropriated by this Act under the headings “Economic Support Fund” that are made available for assistance for Haiti may not be made available for assistance for the central Government of Haiti unless the Secretary of State certifies and reports to the Committees on Appropriations that such government is taking the steps described under this section in the report accompanying this Act.

(2) HAITIAN COAST GUARD.—The Government of Haiti shall be eligible to purchase defense articles and services under the Arms Export Control Act (22 U.S.C. 2751 et seq.) for the Coast Guard.

(d) THE CARIBBEAN.—Of the funds appropriated by this Act under title IV, not less than $58,000,000 (increased by $2,000,000) shall be made available for the Caribbean Basin Security Initiative.

(e) VENEZUELA.—Of the funds appropriated by this Act under the heading “Economic Support Fund”, not less than $17,500,000 (increased by $3,000,000) shall be made available for programs to promote democracy and the rule of law in Venezuela.
SEC. 7046. (a) Violations of Sovereignty.—None of the funds appropriated by this Act may be made available for assistance for a government of an Independent State of the former Soviet Union if such government directs any action in violation of the territorial integrity or national sovereignty of any other Independent State of the former Soviet Union, such as those violations included in the Helsinki Final Act: Provided, That except as otherwise provided in subsection (c)(1) of this section, funds may be made available without regard to the restriction in this subsection if the President determines that to do so is in the national security interest of the United States: Provided further, That prior to executing the authority contained in the previous proviso, the Secretary of State shall consult with the Committees on Appropriations on how such assistance supports the national security interest of the United States.

(b) Section 907 of the Freedom Support Act.—Section 907 of the FREEDOM Support Act (22 U.S.C. 5812 note) shall not apply to—

(1) activities to support democracy or assistance under title V of the FREEDOM Support Act (22 U.S.C. 5851 et seq.) and section 1424 of the Defense Against Weapons of Mass Destruction Act
of 1996 (50 U.S.C. 2333) or non-proliferation assistance;

(2) any assistance provided by the Trade and Development Agency under section 661 of the Foreign Assistance Act of 1961 (22 U.S.C. 2421);

(3) any activity carried out by a member of the United States and Foreign Commercial Service while acting within his or her official capacity;

(4) any insurance, reinsurance, guarantee, or other assistance provided by the United States International Development Finance Corporation as authorized by the BUILD Act of 2018 (division F of Public Law 115–254);

(5) any financing provided under the Export-Import Bank Act of 1945 (Public Law 79–173); or

(6) humanitarian assistance.

(c) COUNTERING RUSSIAN INFLUENCE AND AGGRESSION.—

(1) LIMITATION.—None of the funds appropriated by this Act may be made available for assistance for the central Government of the Russian Federation.

(2) ANNEXATION OF CRIMEA.—

(A) None of the funds appropriated by this Act may be made available for assistance for
the central government of a country that the Secretary of State determines and reports to the Committees on Appropriations has taken affirmative steps intended to support or be supportive of the Russian Federation annexation of Crimea or other territory in Ukraine: Provided, That except as otherwise provided in subsection (a), the Secretary may waive the restriction on assistance required by this subparagraph if the Secretary determines and reports to such Committees that to do so is in the national interest of the United States, and includes a justification for such interest.

(B) None of the funds appropriated by this Act may be made available for—

(i) the implementation of any action or policy that recognizes the sovereignty of the Russian Federation over Crimea or other territory in Ukraine;

(ii) the facilitation, financing, or guarantee of United States Government investments in Crimea or other territory in Ukraine under the control of Russian-backed separatists, if such activity includes the participation of Russian Government
officials, or other Russian owned or controlled financial entities; or

(iii) assistance for Crimea or other territory in Ukraine under the control of Russian-backed separatists, if such assistance includes the participation of Russian Government officials, or other Russian owned or controlled financial entities.

(C) The Secretary of the Treasury shall instruct the United States executive directors of each international financial institution to vote against any assistance by such institution (including any loan, credit, or guarantee) for any program that violates the sovereignty or territorial integrity of Ukraine.

(D) The requirements and limitations of this subsection shall cease to be in effect if the Secretary of State determines and reports to the Committees on Appropriations that the Government of Ukraine has reestablished sovereignty over Crimea and other territory in Ukraine under the control of Russian-backed separatists.
(3) OCCUPATION OF THE GEORGIAN TERRITORIES
OF ABKHAZIA AND TSKHINVALI REGION/SOUTH OSSETIA.—

(A) None of the funds appropriated by this Act may be made available for assistance for the central government of a country that the Secretary of State determines and reports to the Committees on Appropriations has recognized the independence of, or has established diplomatic relations with, the Russian occupied Georgian territories of Abkhazia and Tskhinvali Region/South Ossetia: Provided, That the Secretary shall publish on the Department of State website a list of any such central governments in a timely manner: Provided further, That the Secretary may waive the restriction on assistance required by this subparagraph if the Secretary determines and reports to the Committees on Appropriations that to do so is in the national interest of the United States, and includes a justification for such interest.

(B) None of the funds appropriated by this Act may be made available to support the Russian occupation of the Georgian territories of Abkhazia and Tskhinvali Region/South Ossetia.

(C) The Secretary of the Treasury shall instruct the United States executive directors of each
international financial institution to vote against any assistance by such institution (including any loan, credit, or guarantee) for any program that violates the sovereignty and territorial integrity of Georgia.

(4) **COUNTERING RUSSIAN INFLUENCE FUND.**—

(A) Of the funds appropriated by this Act under titles III and IV, not less than $280,000,000 shall be made available to carry out the purposes of the Countering Russian Influence Fund, as authorized by section 254 of the Countering Russian Influence in Europe and Eurasia Act of 2017 (Public Law 115–44; 22 U.S.C. 9543) and notwithstanding the country limitation in subsection (b) of such section, and programs to enhance the capacity of law enforcement and security forces in countries in Europe and Eurasia and strengthen security cooperation between such countries and the United States and the North Atlantic Treaty Organization, as appropriate.

(B) Funds appropriated by this Act and made available for assistance for the Eastern Partnership countries shall be made available to advance the implementation of Association Agreements and trade agreements with the European Union, and to reduce
their vulnerability to external economic and political pressure from the Russian Federation.

(5) DEMOCRACY PROGRAMS.—Funds appropriated by this Act shall be made available to support democracy programs, as defined in section 7032(c) of this Act, in the Russian Federation, countries along the Russian periphery, and other countries in Europe and Eurasia targeted by, or potentially vulnerable to, the malign influence campaigns of the Russian Federation: Provided, That not later than 90 days after the enactment of this Act, the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall submit to the Committees on Appropriations a multi-year strategy for such programs in the manner described under this section in the report accompanying this Act.

(d) TURKEY.—None of the funds appropriated or otherwise made available by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs, may be made available to transfer or deliver, or to facilitate the transfer or delivery of, F–35 aircraft to Turkey, including any defense articles or services related to such aircraft, until the Secretary of State certifies to the appropriate congressional committees that the Government of Turkey is not pur-
chasing the S–400 missile defense system from Russia and
will not accept the delivery of such system.

STABILIZATION AND DEVELOPMENT IN REGIONS

IMPACTED BY EXTREMISM AND CONFLICT

SEC. 7047. (a) COUNTERING FOREIGN FIGHTERS
AND EXTREMIST ORGANIZATIONS.—Funds appropriated
under titles III and IV of this Act shall be made available
for programs and activities to counter and defeat violent
extremism and foreign fighters abroad.

(b) RELIEF AND RECOVERY FUND.—

(1) FUNDS AND TRANSFER AUTHORITY.—Of
the funds appropriated by this Act under the head-
ings “Economic Support Fund”, “International Nar-
cotics Control and Law Enforcement”, “Non-
proliferation, Anti-terrorism, Demining and Related
Programs”, “Peacekeeping Operations”, and “For-
eign Military Financing Program”, not less than
$195,000,000 shall be made available for the Relief
and Recovery Fund for assistance for areas liberated
or at risk from, or under the control of, the Islamic
State of Iraq and Syria, other terrorist organiza-
tions, or violent extremist organizations, including
for stabilization assistance for vulnerable ethnic and
religious minority communities affected by conflict:

Provided, That such funds are in addition to
amounts otherwise made available for such purposes and to amounts specifically designated in this Act or in the report accompanying this Act for assistance for countries: *Provided further,* That such funds appropriated under such headings may be transferred to, and merged with, funds appropriated under such headings: *Provided further,* That such transfer authority is in addition to any other transfer authority provided by this Act or any other Act, and is subject to the regular notification procedures of the Committees on Appropriations.

(2) **TRANSITIONAL JUSTICE.**—Of the funds appropriated by this Act under the heading “International Narcotics Control and Law Enforcement” that are made available for the Relief and Recovery Fund, not less than $5,000,000 shall be made available for programs to promote accountability in Iraq and Syria for genocide, crimes against humanity, and war crimes, which shall be in addition to any other funds made available by this Act for such purposes: *Provided,* That such programs shall include components to develop local investigative and judicial skills, and to collect and preserve evidence and maintain the chain of custody of evidence, including for use in prosecutions: *Provided further,* That such
funds shall be administered by the Special Coordinator for the Office of Global Criminal Justice, Department of State: Provided further, That funds made available by this paragraph shall only be made available on an open and competitive basis.

(d) Fragile States and Extremism.—Funds appropriated by this Act shall be made available for the purposes of section 7080 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2017 (division J of Public Law 115–31), subject to the regular notification procedures of the Committees on Appropriations.

UNITED NATIONS

SEC. 7048. (a) Transparency and Accountability.—

(1) Restrictions.—Of the funds appropriated under title I and under the heading “International Organizations and Programs” in title V of this Act that are available for contributions to the United Nations (including the Department of Peacekeeping Operations), any United Nations agency, or the Organization of American States, 15 percent may not be obligated for such organization, department, or agency until the Secretary of State determines and reports to the Committees on Appropriations that
the organization, department, or agency is meeting the transparency and accountability requirements detailed in the report accompanying this Act.

(2) WAIVER.—The restrictions imposed by or pursuant to paragraph (1) may be waived on a case-by-case basis if the Secretary of State determines and reports to the Committees on Appropriations that such waiver is necessary to avert or respond to a humanitarian crisis.

(b) RESTRICTIONS ON UNITED NATIONS DELEGATIONS AND ORGANIZATIONS.—

(1) LIMITATION.—None of the funds made available by this Act may be used to pay expenses for any United States delegation to any specialized agency, body, or commission of the United Nations or may be made available as a contribution to any organization, agency, commission, or program within the United Nations system if such agency, body, commission, program, or organization is chaired or presided over by a country, the government of which the Secretary of State has determined for purposes of section 620A of the Foreign Assistance Act of 1961, section 40 of the Arms Export Control Act, section 6(j)(1) of the Export Administration Act of 1979 as continued in effect pursuant to the Inter-
national Emergency Economic Powers Act (50 U.S.C. App. 24 2405(j)(1)), or any other provision of law is a government that has repeatedly provided support for acts of international terrorism.

(2) WAIVER.—The Secretary of State may waive the restriction in this subsection if the Secretary determines and reports to the Committees on Appropriations that to do so is important to the national interest of the United States, including a description of the national interest served.

(c) UNITED NATIONS HUMAN RIGHTS COUNCIL.— Funds appropriated by this Act shall be made available in support of the United Nations Human Rights Council unless the Secretary of State determines and reports to the Committees on Appropriations that participation in the Council does not serve the national interest of the United States and that the Council is not taking significant steps to remove Israel as a permanent agenda item nor taking actions to ensure integrity in the election of members to such Council: Provided, That such report shall include a description of how the national interest is better served by our withdrawal from the Council: Provided further, That the Secretary of State shall report to the Committees on Appropriations not later than September 30, 2020, on the resolutions considered in the United Nations
Human Rights Council during the previous 12 months,
and on steps taken to remove Israel as a permanent agen-
da item and ensure integrity in the election of members
to such Council.

(d) UNITED NATIONS RELIEF AND WORKS AGEN-
CY.—Funds appropriated by this Act under title III shall
be made available to the United Nations Relief and Works
Agency (UNRWA), unless the Secretary of State deter-
mines and reports to the Committees on Appropriations
that UNRWA—

(1) inappropriately utilizes Operations Support
Officers in the West Bank, Gaza, and other fields of
operation to inspect UNRWA installations;

(2) is not promptly acting to address any staff
or beneficiary violation of its own policies (including
the policies on neutrality and impartiality of employ-
ees) and the legal requirements under section 301(c)
of the Foreign Assistance Act of 1961;

(3) is not implementing procedures to maintain
the neutrality of its facilities, including imple-
menting a no-weapons policy, and conducting reg-
ular inspections of its installations, to ensure they
are only used for humanitarian or other appropriate
purposes;
(4) is not taking necessary and appropriate measures to ensure it is operating in compliance with the conditions of section 301(c) of the Foreign Assistance Act of 1961 and continuing regular reporting to the Department of State on actions it has taken to ensure conformance with such conditions;

(5) is not taking steps to ensure the content of all educational materials currently taught in UNRWA-administered schools and summer camps is consistent with the values of human rights, dignity, and tolerance and does not induce incitement;

(6) is engaging in operations with financial institutions or related entities in violation of relevant United States law, and is not taking steps to improve the financial transparency of the organization; and

(7) is not in compliance with the United Nations Board of Auditors’ biennial audit requirements and is not implementing in a timely fashion the Board’s recommendations.

(e) REPORT.—Not later than 45 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations detailing the amount of funds available for obligation or expenditure in fiscal year 2020 for contributions to any organization, de-
partment, agency, or program within the United Nations system or any international program that are withheld from obligation or expenditure due to any provision of law: Provided, That the Secretary shall update such report each time additional funds are withheld by operation of any provision of law: Provided further, That the re-programming of any withheld funds identified in such report, including updates thereof, shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(f) Sexual Exploitation and Abuse in Peacekeeping Operations.—The Secretary of State should withhold assistance to any unit of the security forces of a foreign country if the Secretary has credible information that such unit has engaged in sexual exploitation or abuse, including while serving in a United Nations peacekeeping operation, until the Secretary determines that the government of such country is taking effective steps to hold the responsible members of such unit accountable and to prevent future incidents: Provided, That the Secretary shall promptly notify the government of each country subject to any withholding of assistance pursuant to this subsection, and shall notify the appropriate congressional committees of such withholding not later than 10 days after a determination to withhold such assistance is made:
Provided further, That the Secretary shall, to the maximum extent practicable, assist such government in bringing the responsible members of such unit to justice.

(g) Additional Availability.—Subject to the regular notification procedures of the Committees on Appropriations, funds appropriated by this Act which are returned or not made available due to the implementation of subsection (a), the second proviso under the heading “Contributions for International Peacekeeping Activities” in title I of this Act, or section 307(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2227(a)), shall remain available for obligation until September 30, 2021: Provided, That the requirement to withhold funds for programs in Burma under section 307(a) of the Foreign Assistance Act of 1961 shall not apply to funds appropriated by this Act.

(h) Prior Year Peacekeeping Assessments.—Section 404(b)(2)(B) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995, (22 U.S.C. 287e note) is amended at the end by adding the following:

“(vii) For assessments made during calendar year 2016, 28.5738 percent.

“(viii) For assessments made during calendar year 2017, 28.4691 percent.
“(ix) For assessments made during calendar year 2018, 28.4344 percent.”.

INSPECTORS GENERAL

SEC. 7049. (a) PROHIBITION ON USE OF FUNDS.—None of the funds appropriated by this Act may be used to deny an Inspector General funded under this Act timely access to any records, documents, or other materials available to the department or agency of the United States Government over which such Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.), or to prevent or impede the access of such Inspector General to such records, documents, or other materials, under any provision of law, except a provision of law that expressly refers to such Inspector General and expressly limits the right of access of such Inspector General.

(b) REPORT.—Each Inspector General covered by this section shall report to the Committees on Appropriations within 5 calendar days of any failure by any department or agency of the United States Government to provide its Inspector General access to all requested records, documents, and other materials.

GLOBAL INTERNET FREEDOM

SEC. 7050. (a) FUNDING.—Of the funds available for obligation during fiscal year 2020 under the headings
“International Broadcasting Operations”, “Economic Support Fund”, “Democracy Fund”, and “Assistance for Europe, Eurasia and Central Asia”, not less than $60,500,000 shall be made available for programs to promote Internet freedom globally.

(b) COORDINATION AND SPEND PLANS.—After consultation among the relevant agency heads to coordinate and de-conflict planned activities, but not later than 90 days after enactment of this Act, the Secretary of State and the Chief Executive Officer of the United States Agency for Global Media shall submit to the Committees on Appropriations spend plans for funds made available by this Act for programs to promote Internet freedom globally, which shall include a description of safeguards established by relevant agencies to ensure that such programs are not used for illicit purposes.

(c) SECURITY AUDITS.—Funds made available pursuant to this section to promote Internet freedom globally may only be made available to support technologies that undergo comprehensive security audits conducted by the Bureau of Democracy, Human Rights, and Labor, Department of State to ensure that such technology is secure and has not been compromised in a manner detrimental to the interest of the United States or to individuals and
organizations benefiting from programs supported by such funds.

TORTURE AND OTHER CRUEL, INHUMAN, OR DEGRADING TREATMENT OR PUNISHMENT

SEC. 7051. (a) LIMITATION.—None of the funds made available by this Act may be used to support or justify the use of torture and other cruel, inhuman, or degrading treatment or punishment by any official or contract employee of the United States Government.

(b) ASSISTANCE.—Funds appropriated under titles III and IV of this Act shall be made available, notwithstanding section 660 of the Foreign Assistance Act of 1961 and following consultation with the Committees on Appropriations, for assistance to eliminate torture and other cruel, inhuman, or degrading treatment or punishment by foreign police, military or other security forces in countries receiving assistance from funds appropriated by this Act.

AIRCRAFT TRANSFER, COORDINATION, AND USE

SEC. 7052. (a) TRANSFER AUTHORITY.—Notwithstanding any other provision of law or regulation, aircraft procured with funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the headings “Diplomatic Programs”, “International Narcotics
Control and Law Enforcement”, “Andean Counterdrug Initiative”, and “Andean Counterdrug Programs” may be used for any other program and in any region.

(b) PROPERTY DISPOSAL.—The authority provided in subsection (a) shall apply only after the Secretary of State determines and reports to the Committees on Appropriations that the equipment is no longer required to meet programmatic purposes in the designated country or region: Provided, That any such transfer shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(c) AIRCRAFT COORDINATION.—

(1) Authority.—The uses of aircraft purchased or leased by the Department of State and the United States Agency for International Development with funds made available in this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs shall be coordinated under the authority of the appropriate Chief of Mission: Provided, That notwithstanding section 7006(b) of this Act, such aircraft may be used to transport, on a reimbursable or non-reimbursable basis, Federal and non-Federal personnel supporting Department of State and USAID programs and activities: Provided further, That official
travel for other agencies for other purposes may be supported on a reimbursable basis, or without reimbursement when traveling on a space available basis:

*Provided further,* That funds received by the Department of State in connection with the use of aircraft owned, leased, or chartered by the Department of State may be credited to the Working Capital Fund of the Department and shall be available for expenses related to the purchase, lease, maintenance, chartering, or operation of such aircraft.

(2) **Scope.**—The requirement and authorities of this subsection shall only apply to aircraft, the primary purpose of which is the transportation of personnel.

(d) **Aircraft Operations and Maintenance.**—To the maximum extent practicable, the costs of operations and maintenance, including fuel, of aircraft funded by this Act shall be borne by the recipient country.

**Parking Fines and Real Property Taxes Owed by Foreign Governments**

Sec. 7053. The terms and conditions of section 7055 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (division F of Public Law 111–117) shall apply to this Act: *Provided,* That the date “September 30, 2009” in subsection
(f)(2)(B) of such section shall be deemed to be “September 30, 2019”.

INTERNATIONAL MONETARY FUND

SEC. 7054. The terms and conditions of sections 7086(b) (1) and (2) and 7090(a) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (division F of Public Law 111–117) shall apply to this Act.

EXTRADITION

SEC. 7055. (a) LIMITATION.—None of the funds appropriated in this Act may be used to provide assistance (other than funds provided under the headings “International Disaster Assistance”, “Complex Crises Fund”, “International Narcotics Control and Law Enforcement”, “Migration and Refugee Assistance”, “United States Emergency Refugee and Migration Assistance Fund”, and “Nonproliferation, Anti-terrorism, Demining and Related Assistance”) for the central government of a country which has notified the Department of State of its refusal to extradite to the United States any individual indicted for a criminal offense for which the maximum penalty is life imprisonment without the possibility of parole or for killing a law enforcement officer, as specified in a United States extradition request.
(b) CLARIFICATION.—Subsection (a) shall only apply to the central government of a country with which the United States maintains diplomatic relations and with which the United States has an extradition treaty and the government of that country is in violation of the terms and conditions of the treaty.

(c) WAIVER.—The Secretary of State may waive the restriction in subsection (a) on a case-by-case basis if the Secretary certifies to the Committees on Appropriations that such waiver is important to the national interest of the United States.

IMPACT ON JOBS IN THE UNITED STATES

SEC. 7056. None of the funds appropriated or otherwise made available under titles III through VI of this Act may be obligated or expended to provide—

(1) any financial incentive to a business enterprise currently located in the United States for the purpose of inducing such an enterprise to relocate outside the United States if such incentive or inducement is likely to reduce the number of employees of such business enterprise in the United States because United States production is being replaced by such enterprise outside the United States;

(2) assistance for any program, project, or activity that contributes to the violation of internation-
ally recognized workers’ rights, as defined in section 507(4) of the Trade Act of 1974, of workers in the recipient country, including any designated zone or area in that country: Provided, That the application of section 507(4)(D) and (E) of such Act should be commensurate with the level of development of the recipient country and sector, and shall not preclude assistance for the informal sector in such country, micro and small-scale enterprise, and smallholder agriculture; or

(3) any assistance to an entity outside the United States if such assistance is for the purpose of directly relocating or transferring jobs from the United States to other countries and adversely impacts the labor force in the United States.

UNITED NATIONS POPULATION FUND

SEC. 7057. (a) CONTRIBUTION.—Of the funds made available under the heading “International Organizations and Programs” in this Act for fiscal year 2020, $55,500,000 shall be made available for the United Nations Population Fund (UNFPA).

(b) AVAILABILITY OF FUNDS.—Funds appropriated by this Act for UNFPA, that are not made available for UNFPA because of the operation of any provision of law, shall be transferred to the “Global Health Programs” ac-
count and shall be made available for family planning, ma-
ternal, and reproductive health activities, subject to the
regular notification procedures of the Committees on Ap-
propriations.

(c) Prohibition on Use of Funds in China.—
None of the funds made available by this Act may be used
by UNFPA for a country program in the People’s Republic
of China.

(d) Conditions on Availability of Funds.—
Funds made available by this Act for UNFPA may not
be made available unless—

(1) UNFPA maintains funds made available by
this Act in an account separate from other accounts
of UNFPA and does not commingle such funds with
other sums; and

(2) UNFPA does not fund abortions.

(e) Report to Congress and Dollar-for-Dol-
lar Withholding of Funds.—

(1) Not later than 4 months after the date of
enactment of this Act, the Secretary of State shall
submit a report to the Committees on Appropri-
ations indicating the amount of funds that UNFPA
is budgeting for the year in which the report is sub-
mitted for a country program in the People’s Repub-
lic of China.
(2) If a report under paragraph (1) indicates that UNFPA plans to spend funds for a country program in the People’s Republic of China in the year covered by the report, then the amount of such funds UNFPA plans to spend in the People’s Republic of China shall be deducted from the funds made available to UNFPA after March 1 for obligation for the remainder of the fiscal year in which the report is submitted.

GLOBAL HEALTH ACTIVITIES

SEC. 7058. (a) IN GENERAL.—Funds appropriated by titles III and IV of this Act that are made available for global health programs, including activities relating to research on, and the prevention, treatment and control of, HIV/AIDS, may be made available notwithstanding any other provision of law except for provisions under the heading “Global Health Programs” and the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (117 Stat. 711; 22 U.S.C. 7601 et seq.), as amended: Provided, That of the funds appropriated under the heading “Global Health Programs” in this Act, not less than $750,000,000 shall be made available for family planning/reproductive health, including in areas where population growth threatens biodiversity or endangered species: Provided further, That none of the funds made
available by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs shall be made available to implement the Presidential Memorandum on Mexico City Policy dated January 23, 2017: Provided further, That none of the funds made available by this Act may be used in contravention of the conditions of section 7018 of this Act and section 104(f)(1) of the Foreign Assistance Act of 1961.

(b) Contagious Infectious Disease Outbreaks.—

(1) Extraordinary Measures.—If the Secretary of State determines and reports to the Committees on Appropriations that an international infectious disease outbreak is sustained, severe, and is spreading internationally, or that it is in the national interest to respond to a Public Health Emergency of International Concern, funds appropriated by this Act under the headings “Global Health Programs”, “Development Assistance”, “International Disaster Assistance”, “Complex Crises Fund”, “Economic Support Fund”, “Democracy Fund”, “Assistance for Europe, Eurasia and Central Asia”, “Migration and Refugee Assistance”, and “Millennium Challenge Corporation” may be made available
to combat such infectious disease or public health
emergency, and may be transferred to, and merged
with, funds appropriated under such headings for
the purposes of this paragraph.

(2) **Emergency Reserve Fund.**—Up to $10,000,000 of the funds made available under the
heading “Global Health Programs” may be made
available for the Emergency Reserve Fund estab-
lished pursuant to section 7058(e)(1) of the Depart-
ment of State, Foreign Operations, and Related Pro-
grams Appropriations Act, 2017 (division J of Pub-
lic Law 115–31): *Provided, That such funds shall be
made available under the same terms and conditions
of such section.*

(3) **Consultation and Notification.**—
Funds made available by this subsection shall be
subject to prior consultation with the appropriate
congressional committees, and the regular notifica-
tion procedures of the Committees on Appropria-
tions.

**Gender Equality**

Sec. 7059. (a) **Gender Equality.**—Funds appro-
priated by this Act shall be made available to promote gen-
der equality in United States Government diplomatic and
development efforts by raising the status, increasing the
participation, and protecting the rights of women and girls worldwide.

(b) Women’s Leadership.—Of the funds appropriated by title III of this Act, not less than $50,000,000 shall be made available for programs specifically designed to increase leadership opportunities for women in countries where women and girls suffer discrimination due to law, policy, or practice, by strengthening protections for women’s political status, expanding women’s participation in political parties and elections, and increasing women’s opportunities for leadership positions in the public and private sectors at the local, provincial, and national levels.

(c) Gender-Based Violence.—Of the funds appropriated under titles III and IV of this Act, not less than $165,000,000 shall be made available to implement a multi-year strategy to prevent and respond to gender-based violence in countries where it is common in conflict and non-conflict settings.

(d) Women and Girls at Risk from Extremism.—Of the funds appropriated by this Act under the heading “Development Assistance”, not less than $15,000,000 shall be made available to support women and girls who are at risk from extremism and conflict, and for the activities described in section 7059(e)(1) of the Department of State, Foreign Operations, and Related Pro-
grams Appropriations Act, 2018 (division K of Public Law 115–141): Provided, That such funds are in addition to amounts otherwise made available by this Act for such purposes, and shall be made available following consulta-
tion with, and the regular notification procedures of, the Committees on Appropriations.

SECTOR ALLOCATIONS

SEC. 7060. (a) BASIC EDUCATION AND HIGHER EDUCATION.—

(1) BASIC EDUCATION.—

(A) Of the funds appropriated under title III of this Act, not less than $925,000,000 shall be made available for assistance for basic education, and such funds may be made available notwithstanding any other provision of law that restricts assistance to foreign countries: Provided, That funds made available under the headings “Development Assistance” and “Eco-

momic Support Fund” for the support of non-

state schools in this Act and prior Acts shall be subject to the regular notification procedures of the Committees on Appropriations.

(B) Of the funds appropriated under title III of this Act for assistance for basic education programs, not less than $125,000,000 shall be
made available for contributions to multilateral partnerships that support education.

(2) Higher Education.—Of the funds appropriated by title III of this Act, not less than $235,000,000 shall be made available for assistance for higher education: Provided, That such funds may be made available notwithstanding any other provision of law that restricts assistance to foreign countries, and shall be subject to the regular notification procedures of the Committees on Appropriations.

(b) Environment Programs.—

(1) Authority, Notification, and Limitation.—

(A) Funds appropriated by this Act to carry out the provisions of sections 103 through 106, and chapter 4 of part II, of the Foreign Assistance Act of 1961 may be used, notwithstanding any other provision of law, except for the provisions of this subsection, to support environment programs.

(B) Funds made available pursuant to this subsection shall be subject to the regular notification procedures of the Committees on Appropriations.
(C) Funds in this Act and prior Acts may be made available for a contribution, grant, or any other payment for the Paris Agreement: Provided, That any such use of funds shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(D) None of the funds appropriated or otherwise made available by this Act, or prior Acts making appropriations for the Department of State, foreign operations, and related programs, may be used to provide formal notification under Article 28 of the Paris Agreement of the withdrawal of the United States from such Agreement.

(2) CONSERVATION PROGRAMS.—

(A) Of the funds appropriated under title III of this Act, not less than $295,000,000 shall be made available for biodiversity conservation programs.

(B) Not less than $100,664,000 (increased by $1,000,000) (reduced by $1,000,000) of the funds appropriated under titles III and IV of this Act shall be made available to combat the
transnational threat of wildlife poaching and
trafficking.

(3) SUSTAINABLE LANDSCAPES.—Of the funds
appropriated under title III of this Act, not less than
$135,000,000 shall be made available for sustainable
landscapes programs.

(4) ADAPTATION.—Of the funds appropriated
under title III of this Act, not less than
$177,000,000 shall be made available for adaptation
programs.

(5) RENEWABLE ENERGY.—Of the funds appro-
priated under title III of this Act, not less than
$179,000,000 shall be made available for renewable
energy programs.

(c) FOOD SECURITY AND AGRICULTURAL DEVELOP-
MENT.—Of the funds appropriated by title III of this Act,
not less than $1,005,600,000 shall be made available for
food security and agricultural development programs to
carry out the purposes of the Global Food Security Act
of 2016 (Public Law 114–195): Provided, That funds may
be made available for a contribution as authorized by sec-
tion 3202 of the Food, Conservation, and Energy Act of
2008 (Public Law 110–246), as amended by section 3310
of the Agriculture Improvement Act of 2018 (Public Law
115–334).
(d) Micro, Small, and Medium-Sized Enterprises.—Of the funds appropriated by this Act, not less than $265,000,000 shall be made available to support the development of, and access to financing for, micro, small, and medium-sized enterprises that benefit the poor, especially women.

(e) Programs To Combat Trafficking in Persons.—Of the funds appropriated by this Act under the headings “Development Assistance”, “Economic Support Fund”, “Assistance for Europe, Eurasia and Central Asia”, and “International Narcotics Control and Law Enforcement”, not less than $67,000,000 shall be made available for activities to combat trafficking in persons internationally.

(f) Reconciliation Programs.—Funds appropriated by this Act under the heading “Development Assistance” shall be made available to support people-to-people reconciliation programs which bring together individuals of different ethnic, religious, and political backgrounds from areas of civil strife and war: Provided, That the USAID Administrator shall consult with the Committees on Appropriations, prior to the initial obligation of funds, on the uses of such funds, and such funds shall be subject to the regular notification procedures of the Committees on Appropriations.
(g) Water and Sanitation.—Of the funds appropriated by this Act, not less than $435,000,000 shall be made available for water supply and sanitation projects pursuant to section 136 of the Foreign Assistance Act of 1961, of which not less than $195,000,000 shall be for programs in sub-Saharan Africa, and of which not less than $15,000,000 shall be made available to support initiatives by local communities in developing countries to build and maintain safe latrines.

BUDGET DOCUMENTS

Sec. 7061. (a) Operating Plans.—Not later than 45 days after the date of enactment of this Act, each department, agency, or organization funded in titles I, II, and VI of this Act, and the Department of the Treasury and Independent Agencies funded in title III of this Act, including the Inter-American Foundation and the United States African Development Foundation, shall submit to the Committees on Appropriations an operating plan for funds appropriated to such department, agency, or organization in such titles of this Act, or funds otherwise available for obligation in fiscal year 2020, that provides details of the uses of such funds at the program, project, and activity level: Provided, That operating plans that include changes in levels of funding for programs, projects, and activities specified in the congressional budget jus-
tification, in this Act, or amounts specifically designated
in the respective tables included in the report accom-
ppanying this Act, as applicable, shall be subject to the no-
tification and reprogramming requirements of section
7015 of this Act.

(b) SPEND PLANS.—

(1) Not later than 60 days after enactment of
this Act, the Secretary of State or Administrator of
the United States Agency for International Develop-
ment, as appropriate, shall submit to the Commit-
tees on Appropriations a spend plan for funds made
available by this Act, for—

(A) assistance for Afghanistan, Iraq, Leb-
anon, Pakistan, Colombia, and countries in
Central America;

(B) assistance made available pursuant to
section 7046(c) of this Act to counter Russian
influence and aggression, except that such plan
shall be on a country-by-country basis;

(C) assistance made available pursuant to
section 7059 of this Act;

(D) the Indo-Pacific Strategy;

(E) democracy programs, Power Africa,
programs to support section 7047(a) of this
Act, and sectors enumerated in subsections (a),
(b), (c), (d), (e), and (g) of section 7060 of this Act; and

(F) funds provided under the heading “International Narcotics Control and Law Enforcement” for International Organized Crime and for Cybercrime and Intellectual Property Rights: Provided, That the spend plans shall include bilateral and global programs funded under such heading along with a brief description of the activities planned for each country.

(2) Not later than 45 days after enactment of this Act, the Secretary of the Treasury shall submit to the Committees on Appropriations a detailed spend plan for funds made available by this Act under the heading “Department of the Treasury, International Affairs Technical Assistance” in title III.

(c) CLARIFICATION.—The spend plans referenced in subsection (b) shall not be considered as meeting the notification requirements in this Act or under section 634A of the Foreign Assistance Act of 1961.

(d) CONGRESSIONAL BUDGET JUSTIFICATION.—

(1) The congressional budget justification for Department of State operations and foreign operations shall be provided to the Committees on Ap-
propriations concurrent with the date of submission of the President’s budget for fiscal year 2021: Provided, That the appendices for such justification shall be provided to the Committees on Appropriations not later than 10 calendar days thereafter: Provided further, That if the appendices referenced in the preceding proviso are not provided to such Committee by the date specified, none of the funds made available under the heading “Diplomatic Programs” and designated in paragraph (3) for Diplomatic Policy and Support shall be available for travel and related expenses of the Secretary of State until such budget appendices are provided to the Committees on Appropriations.

(2) The Secretary of State and the USAID Administrator shall include in the congressional budget justification a detailed justification for multi-year availability for any funds requested under the headings “Diplomatic Programs” and “Operating Expenses”.

(e) Change in Allocation of Foreign Assistance.—The Department of State shall fully comply with the notification requirement pursuant to section 653(a) of the Foreign Assistance Act of 1961 (Public Law 87–195) not later than the period of time specified in such section:
Provided, That if the report accompanying the notification referenced in the preceding sentence is not provided to the Committees on Appropriations within the specified time, none of the funds made available under the heading “Diplomatic Programs” and designated in paragraph (3) for Diplomatic Policy and Support shall be available for travel and related expenses of the Secretary of State until such report is provided to the Committees on Appropriations.

REORGANIZATION

Sec. 7062. (a) Prior Consultation and Notification.—Funds appropriated by this Act, prior Acts making appropriations for the Department of State, foreign operations, and related programs, or any other Act may not be used to implement a reorganization, redesign, or other plan described in paragraph (2) by the Department of State, the United States Agency for International Development, or any other Federal department, agency, or organization funded by this Act without prior consultation by the head of such department, agency, or organization with the appropriate congressional committees: Provided, That such funds shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That any such notification submitted to such Committees shall include a detailed justification for
any proposed action, including the information specified under this section in the report accompanying this Act.

(b) DESCRIPTION OF ACTIVITIES.—Pursuant to paragraph (1), a reorganization, redesign, or other plan shall include any action to—

(1) expand, eliminate, consolidate, or downsize covered departments, agencies, or organizations, including bureaus and offices within or between such departments, agencies, or organizations, including the transfer to other agencies of the authorities and responsibilities of such bureaus and offices; or

(2) expand, eliminate, consolidate, or downsize the United States official presence overseas including at bilateral, regional, and multilateral diplomatic facilities and other platforms.

DESIGNATION

Sec. 7063. Each amount designated in this Act by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.
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ASSISTANCE FOR FOREIGN NONGOVERNMENTAL ORGANIZATIONS

Sec. 7064. The Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended by inserting after section 104C the following:

“SEC. 104D ELIGIBILITY FOR ASSISTANCE.

“Notwithstanding any other provision of law, regulation, or policy, in determining eligibility for assistance under sections 104, 104A, 104B, and 104C, a foreign nongovernmental organization—

“(1) shall not be ineligible for such assistance solely on the basis of health or medical services, including counseling and referral services, provided by such organization with non-United States Government funds if such services—

“(A) are permitted in the country in which they are being provided; and

“(B) would not violate United States law if provided in the United States; and

“(2) shall not be subject to requirements relating to the use of non-United States Government funds for advocacy and lobbying activities other than those that apply to United States nongovernmental organizations receiving assistance under this part.”.
REFERENCES TO ACT

Sec. 7065. Except as expressly provided otherwise, any reference to “this Act” contained in this division shall be treated as referring only to the provisions of this division.

REFERENCE TO REPORT

Sec. 7066. Any reference to a “report accompanying this Act” contained in this division shall be treated as a reference to House Report 116–78. The effect of such Report shall be limited to this division and shall apply for purposes of determining the allocation of funds provided by, and the implementation of, this division.

RESCISSION OF FUNDS

Sec. 7067. Of the unobligated balances available under the heading “Export and Investment Assistance, Export-Import Bank of the United States, Subsidy Appropriation” for tied-aid grants from prior Acts making appropriations for the Department of State, foreign operations, and related programs, $11,762,000 are hereby rescinded.

Sec. 7068. (a) None of the funds appropriated or otherwise made available by this Act may be made available to enter into any new contract, grant, or cooperative agreement with any entity listed in subsection (b).
(b) The entities listed in this subsection are the following:

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<td>THC DC Restaurant Hospitality LLC, New York, New York</td>
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<td>Lamington Farm Club (TRUMP NATIONAL GOLF CLUB- BEDMINSTER)*, Bedminster, NJ</td>
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<td>C DEVELOPMENT VENTURES LLC, New York, New York</td>
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<td>TC MARKS BUENOS AIRES LLC, New York, New York</td>
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<td>WMTMF LLC, New York, New York</td>
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* TRUMP NATIONAL GOLF CLUB-BEDMINSTER
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<td>40 Wall Street LLC, New York, New York</td>
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<td>809 North Canon LLC, Beverly Hills, CA</td>
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<td>DT Connect II LLC, Palm Beach, Florida</td>
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<td>DJT Operations I LLC, New York, New York</td>
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<td>Excel Venture I LLC, St. Martin, French West Indies</td>
<td>Seven Springs LLC, Mt. Kisco, NY</td>
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<td>Trump Las Vegas Development LLC, Las Vegas, NV</td>
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<td>Trump Model Management LLC, New York, New York</td>
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<td>Trump National Golf Club - Washington DC, Potomac Falls, VA</td>
<td>1125 South Ocean LLC, Palm Beach, Florida</td>
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<td>NIKIA DTW VENTURE LLC, Palm Beach, Florida</td>
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<td>THC Jupiter Management Corp, Jupiter, FL</td>
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<td>Trump Toronto Hotel Management Corp, New York, New York</td>
<td>Trump Management Inc., Manhasset, NY</td>
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<td>DT Lido Technical Services Manager LLC, Lido, Indonesia</td>
<td>Trump Las Vegas Sales &amp; Marketing, Inc., Las Vegas, NV</td>
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<td>Albemarle Estate, Charlotte, VA</td>
<td>MacLeod House &amp; Lodge, Aberdeen, Scotland</td>
<td>Trump Golf Links at Ferry Point, New York City, New York</td>
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<td>Trump International Golf Club, Dubai, UAE</td>
<td>Trump World Golf Club Dubai, UAE</td>
<td>Trump International Resort &amp; Golf Club Lido, Lido City, Indonesia</td>
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<td>Seven Springs, Bedford, NY</td>
<td>Le Chateau des Palmiers, St. Martin, French West Indies</td>
<td>Trump World, Seoul, South Korea</td>
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<td>Trump Towers, Sunny Isles, FL</td>
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1 Sec. 7069. None of the funds appropriated by this Act under the heading “International Military Education
and Training” may be made available for assistance for
the Government of Saudi Arabia.

Sec. 7070. None of the funds made available by this
Act may be used to establish the Department of State’s
Commission on Unalienable Rights, as proposed in Fed-
eral Register Vol. 84, No. 104, on May 30, 2019 (Public
Notice 1077).

Sec. 7071. None of the funds made available by this
Act may be used to withdraw the United States from the
North Atlantic Treaty, done at Washington, DC on April
4, 1949.

Sec. 7072. None of the funds made available by this
Act may be used in violation of the Export Control Reform
Act of 2018 (subtitle B of title XVII of the John S.
Year 2019; Public Law 115–232).

Sec. 7073. None of the funds made available by this
Act may be used to provide assistance to Forces Armées
d’Haiti.

This Act may be cited as the “Department of State,
Foreign Operations, and Related Programs Appropria-
tions Act, 2020”.

HR 2740 PCS
DIVISION E—ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2020

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for energy and water development and related agencies for the fiscal year ending September 30, 2020, and for other purposes, namely:

TITLE I

CORPS OF ENGINEERS—CIVIL

DEPARTMENT OF THE ARMY

Corps of Engineers—Civil

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related efforts.

INVESTIGATIONS

For expenses necessary where authorized by law for the collection and study of basic information pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related needs; for surveys and detailed studies, and plans and specifications of proposed river and harbor, flood and
storm damage reduction, shore protection, and aquatic
ecosystem restoration projects, and related efforts prior to
construction; for restudy of authorized projects; and for
miscellaneous investigations, and, when authorized by law,
surveys and detailed studies, and plans and specifications
of projects prior to construction, $135,000,000 (reduced
by $5,000,000) (increased by $5,000,000) (increased by
$4,000,000) (reduced by $1,000,000) (increased by
$1,000,000) (increased by $1,000,000), to remain avail-
able until expended: Provided, That the Secretary shall
initiate six new study starts during fiscal year 2020: Pro-
vided further, That the Secretary shall not deviate from
the new starts proposed in the work plan, once the plan
has been submitted to the Committees on Appropriations
of both Houses of Congress.

CONSTRUCTION

For expenses necessary for the construction of river
and harbor, flood and storm damage reduction, shore pro-
tection, aquatic ecosystem restoration, and related
projects authorized by law; for conducting detailed studies,
and plans and specifications, of such projects (including
those involving participation by States, local governments,
or private groups) authorized or made eligible for selection
by law (but such detailed studies, and plans and specifica-
tions, shall not constitute a commitment of the Govern-
ment to construction); $2,337,000,000 (reduced by
$45,000,000) (increased by $45,000,000) (increased by
$5,000,000) (increased by $40,000,000) (reduced by
$40,000,000) (reduced by $100,000,000) (increased by
$100,000,000) (reduced by $5,000,000) (increased by
$5,000,000) (reduced by $7,500,000) (increased by
$7,500,000) (reduced by $30,000,000) (increased by
$30,000,000), to remain available until expended; of which
such sums as are necessary to cover the Federal share of
construction costs for facilities under the Dredged Mate-
rial Disposal Facilities program shall be derived from the
Harbor Maintenance Trust Fund as authorized by Public
Law 104–303; and of which such sums as are necessary
to cover one-half of the costs of construction, replacement,
rehabilitation, and expansion of inland waterways projects
shall be derived from the Inland Waterways Trust Fund,
except as otherwise specifically provided for in law: Pro-
vided, That the Secretary shall initiate six new construc-
tion starts during fiscal year 2020: Provided further, That
for new construction projects, project cost sharing agree-
ments shall be executed as soon as practicable but no later
than September 30, 2020: Provided further, That no allo-
cation for a new start shall be considered final and no
work allowance shall be made until the Secretary provides
to the Committees on Appropriations of both Houses of
Congress an out-year funding scenario demonstrating the affordability of the selected new starts and the impacts on other projects: Provided further, That the Secretary may not deviate from the new starts proposed in the work plan, once the plan has been submitted to the Committees on Appropriations of both Houses of Congress.

MISSISSIPPI RIVER AND TRIBUTARIES

For expenses necessary for flood damage reduction projects and related efforts in the Mississippi River alluvial valley below Cape Girardeau, Missouri, as authorized by law, $350,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for inland harbors shall be derived from the Harbor Maintenance Trust Fund.

OPERATION AND MAINTENANCE

For expenses necessary for the operation, maintenance, and care of existing river and harbor, flood and storm damage reduction, aquatic ecosystem restoration, and related projects authorized by law; providing security for infrastructure owned or operated by the Corps, including administrative buildings and laboratories; maintaining harbor channels provided by a State, municipality, or other public agency that serve essential navigation needs of general commerce, where authorized by law; surveying
and charting northern and northwestern lakes and connecting waters; clearing and straightening channels; and removing obstructions to navigation, $3,923,000,000 (increased by $4,000,000) (increased by $75,000,000) (reduced by $75,000,000) (increased by $3,000,000) (increased by $2,000,000) (increased by $1,000,000), 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; of which such sums as become available from the special account for the Corps of Engineers established by the Land and Water Conservation Fund Act of 1965 shall be derived from that account for resource protection, research, interpretation, and maintenance activities related to resource protection in the areas at which outdoor recreation is available; and of which such sums as become available from fees collected under section 217 of Public Law 104–303 shall be used to cover the cost of operation and maintenance of the dredged material disposal facilities for which such fees have been collected: Provided, That 1 percent of the total amount of funds provided for each of the programs, projects, or activities funded under this heading shall not be allocated to a field operating activity prior to the beginning of the fourth quarter.
of the fiscal year and shall be available for use by the Chief
of Engineers to fund such emergency activities as the
Chief of Engineers determines to be necessary and appro-
priate, and that the Chief of Engineers shall allocate dur-
ing the fourth quarter any remaining funds which have
not been used for emergency activities proportionally in
accordance with the amounts provided for the programs,
projects, or activities.

REGULATORY PROGRAM

For expenses necessary for administration of laws
pertaining to regulation of navigable waters and wetlands,
$210,000,000, to remain available until September 30,
2021.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

For expenses necessary to clean up contamination
from sites in the United States resulting from work per-
formed as part of the Nation’s early atomic energy pro-
gram, $155,000,000, to remain available until expended.

FLOOD CONTROL AND COASTAL EMERGENCIES

For expenses necessary to prepare for flood, hurri-
cane, and other natural disasters and support emergency
operations, repairs, and other activities in response to
such disasters as authorized by law, $37,500,000, to re-
main available until expended.
For expenses necessary for the supervision and general administration of the civil works program in the headquarters of the Corps of Engineers and the offices of the Division Engineers; and for costs of management and operation of the Humphreys Engineer Center Support Activity, the Institute for Water Resources, the United States Army Engineer Research and Development Center, and the United States Army Corps of Engineers Finance Center allocable to the civil works program, $203,000,000 (reduced by $4,000,000) (reduced by $4,000,000) (reduced by $5,000,000) (reduced by $3,000,000) (reduced by $2,500,000), to remain available until September 30, 2021, of which not to exceed $5,000 may be used for official reception and representation purposes and only during the current fiscal year: Provided, That no part of any other appropriation provided in this title shall be available to fund the civil works activities of the Office of the Chief of Engineers or the civil works executive direction and management activities of the division offices: Provided further, That any Flood Control and Coastal Emergencies appropriation may be used to fund the supervision and general administration of emergency operations, repairs, and other activities in response to any flood, hurricane, or other natural disaster.
OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY
FOR CIVIL WORKS

For the Office of the Assistant Secretary of the Army for Civil Works as authorized by 10 U.S.C. 3016(b)(3), $5,000,000 (reduced by $2,000,000), to remain available until September 30, 2021: Provided, That not more than 25 percent of such amount may be obligated or expended until the Assistant Secretary submits to the Committees on Appropriations of both Houses of Congress a work plan that allocates at least 95 percent of the additional funding provided under each heading in this title, as designated under such heading in the report of the Committee on Appropriations accompanying this Act, to specific programs, projects, or activities.

GENERAL PROVISIONS—CORPS OF ENGINEERS—CIVIL

SEC. 101. (a) None of the funds provided in this title shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates or initiates a new program, project, or activity;

(2) eliminates a program, project, or activity;
(3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by this Act;

(4) reduces funds that are directed to be used for a specific program, project, or activity by this Act;

(5) increases funds for any program, project, or activity by more than $2,000,000 or 10 percent, whichever is less; or

(6) reduces funds for any program, project, or activity by more than $2,000,000 or 10 percent, whichever is less.


(c) The Corps of Engineers shall submit reports on a quarterly basis to the Committees on Appropriations of
both Houses of Congress detailing all the funds reprogrammed between programs, projects, activities, or categories of funding. The first quarterly report shall be submitted not later than 60 days after the date of enactment of this Act.

SEC. 102. None of the funds made available in this title may be used to award or modify any contract that commits funds beyond the amounts appropriated for that program, project, or activity that remain unobligated, except that such amounts may include any funds that have been made available through reprogramming pursuant to section 101.

SEC. 103. The Secretary of the Army may transfer to the Fish and Wildlife Service, and the Fish and Wildlife Service may accept and expend, up to $5,400,000 of funds provided in this title under the heading “Operation and Maintenance” to mitigate for fisheries lost due to Corps of Engineers projects.

SEC. 104. None of the funds in this Act shall be used for an open lake placement alternative for dredged material, after evaluating the least costly, environmentally acceptable manner for the disposal or management of dredged material originating from Lake Erie or tributaries thereto, unless it is approved under a State water quality certification pursuant to section 401 of the Federal Water
Pollution Control Act (33 U.S.C. 1341): Provided, That until an open lake placement alternative for dredged material is approved under a State water quality certification, the Corps of Engineers shall continue upland placement of such dredged material consistent with the requirements of section 101 of the Water Resources Development Act of 1986 (33 U.S.C. 2211).

SEC. 105. None of the funds made available by this Act may be used to carry out any water supply reallocation study under the Wolf Creek Dam, Lake Cumberland, Kentucky, project authorized under the Act of July 24, 1946 (60 Stat. 636, ch. 595).

SEC. 106. None of the funds made available by this Act or any other Act may be used to reorganize or to transfer the Civil Works functions or authority of the Corps of Engineers or the Secretary of the Army to another department or agency.

SEC. 107. Additional funding provided in this Act shall be allocated only to projects determined to be eligible by the Chief of Engineers.

SEC. 108. Notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act or any prior appropriations Acts for the Civil Works Program of the United States Army Corps of Engineers may be committed, obligated, expended, or
otherwise used to design or construct a wall, fence, border barriers, or border security infrastructure along the southern border of the United States.

TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For carrying out activities authorized by the Central Utah Project Completion Act, $15,000,000 (increased by $5,000,000), to remain available until expended, of which $1,800,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission: Provided, That of the amount provided under this heading, $1,500,000 shall be available until September 30, 2021, for expenses necessary in carrying out related responsibilities of the Secretary of the Interior: Provided further, That for fiscal year 2020, of the amount made available to the Commission under this Act or any other Act, the Commission may use an amount not to exceed $1,500,000 for administrative expenses.

BUREAU OF RECLAMATION

The following appropriations shall be expended to execute authorized functions of the Bureau of Reclamation:

HR 2740 PCS
WATER AND RELATED RESOURCES
(INCLUDING TRANSFERS OF FUNDS)

For management, development, and restoration of water and related natural resources and for related activities, including the operation, maintenance, and rehabilitation of reclamation and other facilities, participation in fulfilling related Federal responsibilities to Native Americans, and related grants to, and cooperative and other agreements with, State and local governments, federally recognized Indian tribes, and others, $1,485,000,000 (increased by $2,000,000) (reduced by $2,000,000) (reduced by $2,000,000) (increased by $2,000,000) (reduced by $5,000,000) (increased by $5,000,000) (reduced by $4,000,000), to remain available until expended, of which $70,332,000 shall be available for transfer to the Upper Colorado River Basin Fund and $5,023,000 shall be available for transfer to the Lower Colorado River Basin Development Fund; of which such amounts as may be necessary may be advanced to the Colorado River Dam Fund: Provided, That such transfers may be increased or decreased within the overall appropriation under this heading: Provided further, That of the total appropriated, the amount for program activities that can be financed by the Reclamation Fund or the Bureau of Reclamation special fee account established by 16 U.S.C. 6806 shall be derived
from that Fund or account: Provided further, That funds contributed under 43 U.S.C. 395 are available until expended for the purposes for which the funds were contributed: Provided further, That funds advanced under 43 U.S.C. 397a shall be credited to this account and are available until expended for the same purposes as the sums appropriated under this heading: Provided further, That of the amounts provided herein, funds may be used for high-priority projects which shall be carried out by the Youth Conservation Corps, as authorized by 16 U.S.C. 1706: Provided further, That in accordance with section 4009(c) of Public Law 114–322 and as recommended by the Secretary in a letter dated February 13, 2019, funding provided for such purpose in fiscal year 2018 shall be made available to the Expanding Recycled Water Delivery Project (VenturaWaterPure), the Pure Water Monterey-Groundwater Replenishment Project, the Groundwater Reliability Improvement Program (GRIP) Recycled Water Project, the North Valley Regional Recycled Water Program, the South Sacramento County Agriculture and Habitat Lands Recycled Water Program, and the Central Coast Blue Project: Provided further, That in accordance with section 4007 of Public Law 114–322 and as recommended by the Secretary in a letter dated February 13, 2019, funding provided for such purpose in fiscal years
2017 and 2018 shall be made available to the Cle Elum
Pool Raise, the Boise River Basin Feasibility Study, the
Del Puerto Water District, the Los Vaqueros Reservoir
Phase 2 Expansion Project, the North-of-the-Delta Off
stream storage (Sites Reservoir Project), and the Friant-
Kern Canal Capacity Correction Resulting Subsidence:
Provided further, That in accordance with section 4009(a)
of Public Law 114–322 and as recommended by the Sec-
retary in a letter dated February 13, 2019, funding pro-
vided for such purpose in fiscal years 2017 and 2018 shall
be made available to the Doheny Ocean Desalination
Project, the Kay Bailey Hutchison Desalination Plant, the
North Pleasant Valley Desalter Facility and the Mission
Basin Groundwater Purification Facility Well Expansion
and Brine Minimization.

CENTRAL VALLEY PROJECT RESTORATION FUND

For carrying out the programs, projects, plans, habi-
tat restoration, improvement, and acquisition provisions of
the Central Valley Project Improvement Act, $54,849,000,
to be derived from such sums as may be collected in the
Central Valley Project Restoration Fund pursuant to sec-
tions 3407(d), 3404(c)(3), and 3405(f) of Public Law
102–575, to remain available until expended: Provided,
That the Bureau of Reclamation is directed to assess and
collect the full amount of the additional mitigation and
restoration payments authorized by section 3407(d) of Public Law 102–575: Provided further, That none of the funds made available under this heading may be used for the acquisition or leasing of water for in-stream purposes if the water is already committed to in-stream purposes by a court adopted decree or order.

CALIFORNIA BAY-DELTA RESTORATION

(INCLUDING TRANSFERS OF FUNDS)

For carrying out activities authorized by the Water Supply, Reliability, and Environmental Improvement Act, consistent with plans to be approved by the Secretary of the Interior, $33,000,000, to remain available until expended, of which such amounts as may be necessary to carry out such activities may be transferred to appropriate accounts of other participating Federal agencies to carry out authorized purposes: Provided, That funds appropriated herein may be used for the Federal share of the costs of CALFED Program management: Provided further, That CALFED implementation shall be carried out in a balanced manner with clear performance measures demonstrating concurrent progress in achieving the goals and objectives of the Program.

POLICY AND ADMINISTRATION

For expenses necessary for policy, administration, and related functions in the Office of the Commissioner,
the Denver office, and offices in the five regions of the
Bureau of Reclamation, to remain available until Sep-
tember 30, 2021, $60,000,000 (reduced by $2,000,000),
to be derived from the Reclamation Fund and be nonreim-
bursable as provided in 43 U.S.C. 377: Provided, That no
part of any other appropriation in this Act shall be avail-
able for activities or functions budgeted as policy and ad-
ministration expenses.

ADMINISTRATIVE PROVISION

Appropriations for the Bureau of Reclamation shall
be available for purchase of not to exceed five passenger
motor vehicles, which are for replacement only.

GENERAL PROVISIONS—DEPARTMENT OF THE
INTERIOR

Sec. 201. (a) None of the funds provided in this title
shall be available for obligation or expenditure through a
reprogramming of funds that—

(1) creates or initiates a new program, project,
or activity;

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

(3) increases funds for any program, project, or
activity for which funds have been denied or re-
stricted by this Act;

(4) restarts or resumes any program, project,
or activity for which funds are not provided in this
Act, unless prior approval is received from the Committees on Appropriations of both Houses of Congress;

(5) transfers funds in excess of the following limits—

(A) 15 percent for any program, project, or activity for which $2,000,000 or more is available at the beginning of the fiscal year; or

(B) $400,000 for any program, project, or activity for which less than $2,000,000 is available at the beginning of the fiscal year;

(6) transfers more than $500,000 from either the Facilities Operation, Maintenance, and Rehabilitation category or the Resources Management and Development category to any program, project, or activity in the other category; or

(7) transfers, where necessary to discharge legal obligations of the Bureau of Reclamation, more than $5,000,000 to provide adequate funds for settled contractor claims, increased contractor earnings due to accelerated rates of operations, and real estate deficiency judgments.

(b) Subsection (a)(5) shall not apply to any transfer of funds within the Facilities Operation, Maintenance, and Rehabilitation category.
(c) For purposes of this section, the term “transfer” means any movement of funds into or out of a program, project, or activity.

(d) The Bureau of Reclamation shall submit reports on a quarterly basis to the Committees on Appropriations of both Houses of Congress detailing all the funds reprogrammed between programs, projects, activities, or categories of funding. The first quarterly report shall be submitted not later than 60 days after the date of enactment of this Act.

SEC. 202. (a) None of the funds appropriated or otherwise made available by this Act may be used to determine the final point of discharge for the interceptor drain for the San Luis Unit until development by the Secretary of the Interior and the State of California of a plan, which shall conform to the water quality standards of the State of California as approved by the Administrator of the Environmental Protection Agency, to minimize any detrimental effect of the San Luis drainage waters.

(b) The costs of the Kesterson Reservoir Cleanup Program and the costs of the San Joaquin Valley Drainage Program shall be classified by the Secretary of the Interior as reimbursable or nonreimbursable and collected until fully repaid pursuant to the “Cleanup Program—Alternative Repayment Plan” and the “SJVDP—Alter-
native Repayment Plan’’ described in the report entitled
“Repayment Report, Kesterson Reservoir Cleanup Pro-
gram and San Joaquin Valley Drainage Program, Feb-
uary 1995”, prepared by the Department of the Interior,
Bureau of Reclamation. Any future obligations of funds
by the United States relating to, or providing for, drainage
service or drainage studies for the San Luis Unit shall
be fully reimbursable by San Luis Unit beneficiaries of
such service or studies pursuant to Federal reclamation
law.

Sec. 203. Section 9504(e) of the Omnibus Public
Land Management Act of 2009 (42 U.S.C. 10364(e)) is
amended by striking ‘‘$480,000,000’’ and inserting
‘‘$510,000,000’’.

Sec. 204. Title I of Public Law 108–361 (the
CALFED Bay-Delta Authorization Act) (118 Stat. 1681)
is amended by striking ‘‘2019’’ each place it appears and
inserting ‘‘2020’’.

Sec. 205. Section 9106(g)(2) of Public Law 111–11
(Omnibus Public Land Management Act of 2009) is
amended by striking ‘‘2019’’ and inserting ‘‘2020’’.

Sec. 206. The Claims Resolution Act of 2010 (Public
Law 111–291) is amended—

(1) in section 309(d), by striking ‘‘2021’’ each
place it appears and inserting ‘‘2023’’; and
(2) in section 311(h), by striking “2021” and inserting “2023”.

TITLE III
DEPARTMENT OF ENERGY
ENERGY PROGRAMS

ENERGY EFFICIENCY AND RENEWABLE ENERGY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for energy efficiency and renewable energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $2,651,713,000 (increased by $5,000,000) (increased by $5,000,000) (reduced by $5,000,000) (increased by $2,000,000) (increased by $16,308,000) (reduced by $16,308,000) (increased by $1,000,000), to remain available until expended: Provided, That of such amount, $163,521,000 shall be available until September 30, 2021, for program direction.

CYBERSECURITY, ENERGY SECURITY, AND EMERGENCY RESPONSE

For Department of Energy expenses including the purchase, construction, and acquisition of plant and cap-
ital equipment, and other expenses necessary for energy sector cybersecurity, energy security, and emergency response activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $150,000,000 (increased by $3,000,000), to remain available until expended: Provided, That of such amount, $13,000,000 shall be available until September 30, 2021, for program direction.

Electricity

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for electricity delivery activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $200,000,000, to remain available until expended: Provided, That of such amount, $19,600,000 shall be available until September 30, 2021, for program direction.

Nuclear Energy

For Department of Energy expenses including the purchase, construction, and acquisition of plant and cap-
ital equipment, and other expenses necessary for nuclear
energy activities in carrying out the purposes of the De-
partment of Energy Organization Act (42 U.S.C. 7101 et
seq.), including the acquisition or condemnation of any
real property or any facility or for plant or facility acquisi-
tion, construction, or expansion, $1,317,808,000 (reduced
by $1) (increased by $1) (reduced by $1,317,808,000) (in-
creased by $1,317,808,000) (increased by $3,000,000)
(reduced by $1,000,000) (increased by $1,000,000), to re-
main available until expended: Provided, That of such
amount, $80,000,000 shall be available until September
30, 2021, for program direction.

Fossil Energy Research and Development

For Department of Energy expenses necessary in car-
rying out fossil energy research and development activi-
ties, under the authority of the Department of Energy Or-
ganization Act (42 U.S.C. 7101 et seq.), including the ac-
quision of interest, including defeasible and equitable in-
terests in any real property or any facility or for plant
or facility acquisition or expansion, and for conducting in-
quiries, technological investigations and research con-
cerning the extraction, processing, use, and disposal of
mineral substances without objectionable social and envi-
ronmental costs (30 U.S.C. 3, 1602, and 1603),
$740,000,000 (reduced by $2,400,000) (reduced by
$5,000,000) (increased by $3,000,000) (increased by $3,000,000), to remain available until expended: Provided, That of such amount $61,045,000 shall be available until September 30, 2021, for program direction.

Provided, That of such amount $61,045,000 shall be available until September 30, 2021, for program direction.

NAVAL PETROLEUM AND OIL SHALE RESERVES

For Department of Energy expenses necessary to carry out naval petroleum and oil shale reserve activities, $14,000,000, to remain available until expended: Provided, That notwithstanding any other provision of law, unobligated funds remaining from prior years shall be available for all naval petroleum and oil shale reserve activities.

Strategic Petroleum Reserve

For Department of Energy expenses necessary for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.), $214,000,000, to remain available until expended: Provided, That, 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 draw down and sell not to exceed $450,000,000 of crude oil from the Strategic Petroleum Reserve in fiscal year 2020: Provided further, That the proceeds from such drawdown and sale shall be deposited into the “Energy Security and Infrastructure
1 Modernization Fund” during fiscal year 2020: Provided
2 further, That such amounts shall be made available and
3 shall remain available until expended for necessary ex-
4 penses to carry out the Life Extension II project for the
5 Strategic Petroleum Reserve.

6 SPR PETROLEUM ACCOUNT
7 For the acquisition, transportation, and injection of
8 petroleum products, and for other necessary expenses pur-
9 suant to the Energy Policy and Conservation Act of 1975,
10 as amended (42 U.S.C. 6201 et seq.), sections 403 and
11 404 of the Bipartisan Budget Act of 2015 (42 U.S.C.
12 6241, 6239 note), and section 5010 of the 21st Century
13 Cures Act (Public Law 114–255), $10,200,000, to remain
14 available until expended.

15 NORTHEAST HOME HEATING OIL RESERVE
16 For Department of Energy expenses necessary for
17 Northeast Home Heating Oil Reserve storage, operation,
18 and management activities pursuant to the Energy Policy
19 and Conservation Act (42 U.S.C. 6201 et seq.),
20 $10,000,000, to remain available until expended.

21 ENERGY INFORMATION ADMINISTRATION
22 For Department of Energy expenses necessary in car-
23 rying out the activities of the Energy Information Admin-
24 istration, $128,000,000, to remain available until ex-
25 pended.
NON-DEFENSE ENVIRONMENTAL CLEANUP

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for non-defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $308,000,000, to remain available until expended.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND


SCIENCE

For Department of Energy expenses including the purchase, construction, and acquisition of plant and cap-
ital equipment, and other expenses necessary for science
activities in carrying out the purposes of the Department
of Energy Organization Act (42 U.S.C. 7101 et seq.), in-
cluding the acquisition or condemnation of any real prop-
erty or any facility or for plant or facility acquisition, con-
struction, or expansion, and purchase of not more than
33 passenger motor vehicles including one bus,
$6,870,000,000 (reduced by $15,000,000) (increased by
$15,000,000), to remain available until expended: Pro-
vided, That of such amount, $186,000,000 shall be avail-
able until September 30, 2021, for program direction.

ADVANCED RESEARCH PROJECTS AGENCY—ENERGY
For Department of Energy expenses necessary in car-
rying out the activities authorized by section 5012 of the
America COMPETES Act (Public Law 110–69),
$425,000,000 (increased by $3,000,000), to remain avail-
able until expended: Provided, That of such amount,
$34,000,000 shall be available until September 30, 2021,
for program direction.

TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE
Program
Such sums as are derived from amounts received
from borrowers pursuant to section 1702(b) of the Energy
Policy Act of 2005 under this heading in prior Acts, shall
be collected in accordance with section 502(7) of the Con-
gressional Budget Act of 1974: Provided, That for necessary administrative expenses of the Title 17 Innovative Technology Loan Guarantee Program, as authorized, $33,000,000 is appropriated, to remain available until September 30, 2021: Provided further, That up to $33,000,000 of fees collected in fiscal year 2020 pursuant to section 1702(h) of the Energy Policy Act of 2005 shall be credited as offsetting collections under this heading and used for necessary administrative expenses in this appropriation and shall remain available until September 30, 2021: Provided further, That to the extent that fees collected in fiscal year 2020 exceed $33,000,000, those excess amounts shall be credited as offsetting collections under this heading and available in future fiscal years only to the extent provided in advance in appropriations Acts: Provided further, That the sum herein appropriated from the general fund shall be reduced: (1) as such fees are received during fiscal year 2020 (estimated at $3,000,000); and (2) to the extent that any remaining general fund appropriations can be derived from fees collected in previous fiscal years that are not otherwise appropriated, so as to result in a final fiscal year 2020 appropriation from the general fund estimated at $0: Provided further, That the Department of Energy shall not subordinate any loan obligation to other financing in viola-
tion of section 1702 of the Energy Policy Act of 2005 or
subordinate any Guaranteed Obligation to any loan or
other debt obligations in violation of section 609.10 of title

ADVANCED TECHNOLOGY VEHICLES MANUFACTURING

LOAN PROGRAM

For Department of Energy administrative expenses
necessary in carrying out the Advanced Technology Vehi-
cles Manufacturing Loan Program, $5,000,000, to remain
available until September 30, 2021.

TRIBAL ENERGY LOAN GUARANTEE PROGRAM

For Department of Energy administrative expenses
necessary in carrying out the Tribal Energy Loan Guar-
antee Program, $1,000,000, to remain available until Sep-
tember 30, 2021.

OFFICE OF INDIAN ENERGY POLICY AND PROGRAMS

For necessary expenses for Indian Energy activities
in carrying out the purposes of the Department of Energy
Organization Act (42 U.S.C. 7101 et seq.), $25,000,000
(increased by $2,000,000), to remain available until ex-
pended: Provided, That, of the amount appropriated under
this heading, $4,800,000 shall be available until Sep-
tember 30, 2021, for program direction.
For salaries and expenses of the Department of Energy necessary for departmental administration in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), $264,378,000 (reduced by $3,000,000) (reduced by $3,000,000) (reduced by $3,000,000) (reduced by $2,000,000) (reduced by $3,000,000) (reduced by $3,000,000) (reduced by $1,000,000), to remain available until September 30, 2021, including the hire of passenger motor vehicles and official reception and representation expenses not to exceed $30,000, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): Provided, That such increases in cost of work are offset by revenue increases of the same or greater amount: Provided further, That moneys received by the Department for miscellaneous revenues estimated to total $93,378,000 in fiscal year 2020 may be retained and used for operating expenses within this account, as authorized by section 201 of Public Law 95–238, notwithstanding the provisions of 31 U.S.C. 3302: Provided further, That the sum herein appropriated shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year
2020 appropriation from the general fund estimated at not more than $171,000,000.

Office of the Inspector General


Atomic Energy Defense Activities

National Nuclear Security Administration

Weapons Activities

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to exceed one ambulance for replacement only, $11,760,800,000 (increased by $123,000,000) (reduced by $123,000,000), to remain available until expended: Provided, That of such amount, $107,660,000 shall be available until September 30, 2021, for program direction.
DEFENSE NUCLEAR NONPROLIFERATION

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for defense nuclear nonproliferation activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to exceed two aircraft, $2,079,930,000 (reduced by $5,000,000) (increased by $5,000,000), to remain available until expended.

NAVAL REACTORS

(INCLUDING TRANSFER OF FUNDS)

For Department of Energy expenses necessary for naval reactors activities to carry out the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition (by purchase, condemnation, construction, or otherwise) of real property, plant, and capital equipment, facilities, and facility expansion, $1,628,551,000, to remain available until expended, of which, $88,500,000 shall be transferred to “Department of Energy—Energy Programs—Nuclear Energy”, for the Advanced Test Reactor: Provided, That of such amount,
$50,500,000 shall be available until September 30, 2021, for program direction.

**Federal Salaries and Expenses**

For expenses necessary for Federal Salaries and Expenses in the National Nuclear Security Administration, $425,000,000, to remain available until September 30, 2021, including official reception and representation expenses not to exceed $17,000.

**Environmental and Other Defense Activities**

**Defense Environmental Cleanup**

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $5,993,650,000 (reduced by $6,500,000) (increased by $6,500,000), to remain available until expended: Provided, That of such amount, $298,500,000 shall be available until September 30, 2021, for program direction.
OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses, necessary for atomic energy defense, other defense activities, and classified activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $901,261,000, to remain available until expended: Provided, That of such amount, $324,798,000 shall be available until September 30, 2021, for program direction.

POWER MARKETING ADMINISTRATIONS

BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93–454, are approved for the Steigerwald Floodplain Restoration Project and, in addition, for official reception and representation expenses in an amount not to exceed $5,000: Provided, That during fiscal year 2020, no new direct loan obligations may be made: Provided further, Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93–454 are authorized and approved, without fiscal year limitation, for the cost of
current and future year purchases or payments of emissions expenses associated with Bonneville Power Administration power and transmission operations in states with clean energy programs: Provided further, This expenditure authorization is limited solely to Bonneville Power Administration’s voluntary purchase or payments made in conjunction with state clean energy programs and is not a broader waiver of Bonneville Power Administration’s sovereign immunity.

Operation and Maintenance, Southeastern Power Administration

For expenses necessary for operation and maintenance of power transmission facilities and for marketing electric power and energy, including transmission wheeling and ancillary services, pursuant to section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, $6,597,000, including official reception and representation expenses in an amount not to exceed $1,500, to remain available until expended: Provided, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944, up to $6,597,000 collected by the Southeastern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding
the annual expenses of the Southeastern Power Administration: Provided further, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2020 appropriation estimated at not more than $0: Provided further, That notwithstanding 31 U.S.C. 3302, up to $56,000,000 collected by the Southeastern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: Provided further, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

For expenses necessary for operation and maintenance of power transmission facilities and for marketing electric power and energy, for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed $1,500 in carrying out section 5 of the Flood Con-
trol Act of 1944 (16 U.S.C. 825s), as applied to the
Southwestern Power Administration, $47,775,000, to re-
main available until expended: Provided, That notwith-
standing 31 U.S.C. 3302 and section 5 of the Flood Con-
trol Act of 1944 (16 U.S.C. 825s), up to $37,375,000 col-
lected by the Southwestern Power Administration from
the sale of power and related services shall be credited to
this account as discretionary offsetting collections, to re-
main available until expended, for the sole purpose of
funding the annual expenses of the Southwestern Power
Administration: Provided further, That the sum herein ap-
propriated for annual expenses shall be reduced as collec-
tions are received during the fiscal year so as to result
in a final fiscal year 2020 appropriation estimated at not
more than $10,400,000: Provided further, That notwith-
standing 31 U.S.C. 3302, up to $15,000,000 collected by
the Southwestern Power Administration pursuant to the
Flood Control Act of 1944 to recover purchase power and
wheeling expenses shall be credited to this account as off-
setting collections, to remain available until expended for
the sole purpose of making purchase power and wheeling
expenditures: Provided further, That for purposes of this
appropriation, annual expenses means expenditures that
are generally recovered in the same year that they are in-
curred (excluding purchase power and wheeling expenses).
CONSTRUCTION, REHABILITATION, OPERATION AND
MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

(INCLUDING RESCISSION OF FUNDS)

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7152), and other related activities including conservation and renewable resources programs as authorized, $262,959,000, including official reception and representation expenses in an amount not to exceed $1,500, to remain available until expended, of which $262,959,000 shall be derived from the Department of the Interior Reclamation Fund: Provided, That notwithstanding 31 U.S.C. 3302, section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), and section 1 of the Interior Department Appropriation Act, 1939 (43 U.S.C. 392a), up to $173,587,000 collected by the Western Area Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of funding the annual expenses of the Western Area Power Administration: Provided further, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2020 appropriation esti-
mated at not more than $89,372,000, of which $89,372,000 is derived from the Reclamation Fund: Provided further, That notwithstanding 31 U.S.C. 3302, up to $168,000,000 collected by the Western Area Power Administration pursuant to the Flood Control Act of 1944 and the Reclamation Project Act of 1939 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: Provided further, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses): Provided further, That of the unobligated balances from prior year appropriations available under this heading, $176,000 is hereby permanently cancelled.

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, $3,160,000, to remain available until expended, and to be derived from the Falcon and Amistad Operating and Maintenance Fund of the Western Area Power Administration, as provided in section 2 of the Act of June
Provided, That notwithstanding the provisions of that Act and of 31 U.S.C. 3302, up to $2,932,000 collected by the Western Area Power Administration from the sale of power and related services from the Falcon and Amistad Dams shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the hydroelectric facilities of these Dams and associated Western Area Power Administration activities: Provided further, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2020 appropriation estimated at not more than $228,000: Provided further, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred: Provided further, That for fiscal year 2020, the Administrator of the Western Area Power Administration may accept up to $1,187,000 in funds contributed by United States power customers of the Falcon and Amistad Dams for deposit into the Falcon and Amistad Operating and Maintenance Fund, and such funds shall be available for the purpose for which contributed in like manner as if said sums had been specifically appropriated for such purpose: Provided further, That any such funds shall be
available without further appropriation and without fiscal
year limitation for use by the Commissioner of the United
States Section of the International Boundary and Water
Commission for the sole purpose of operating, maintain-
ing, repairing, rehabilitating, replacing, or upgrading the
hydroelectric facilities at these Dams in accordance with
agreements reached between the Administrator, Commiss-
ioner, and the power customers.

**FEDERAL ENERGY REGULATORY COMMISSION**

**SALARIES AND EXPENSES**

For expenses necessary for the Federal Energy Regu-
latory Commission to carry out the provisions of the De-
partment of Energy Organization Act (42 U.S.C. 7101 et
seq.), including services as authorized by 5 U.S.C. 3109,
official reception and representation expenses not to ex-
ceed $3,000, and the hire of passenger motor vehicles,
$382,000,000 (reduced by $500,000) (increased by
$500,000), to remain available until expended: Provided,
That notwithstanding any other provision of law, not to
exceed $382,000,000 of revenues from fees and annual
charges, and other services and collections in fiscal year
2020 shall be retained and used for expenses necessary
in this account, and shall remain available until expended:
Provided further, That the sum herein appropriated from
the general fund shall be reduced as revenues are received
during fiscal year 2020 so as to result in a final fiscal year 2020 appropriation from the general fund estimated at not more than $0.

GENERAL PROVISIONS—DEPARTMENT OF ENERGY

(INCLUDING TRANSFERS OF FUNDS)

Sec. 301. (a) No appropriation, funds, or authority made available by this title for the Department of Energy shall be used to initiate or resume any program, project, or activity or to prepare or initiate Requests For Proposals or similar arrangements (including Requests for Quotations, Requests for Information, and Funding Opportunity Announcements) for a program, project, or activity if the program, project, or activity has not been funded by Congress.

(b)(1) Unless the Secretary of Energy notifies the Committees on Appropriations of both Houses of Congress at least 3 full business days in advance, none of the funds made available in this title may be used to—

(A) make a grant allocation or discretionary grant award totaling $1,000,000 or more;

(B) make a discretionary contract award or Other Transaction Agreement totaling $1,000,000 or more, including a contract covered by the Federal Acquisition Regulation;
(C) issue a letter of intent to make an allocation, award, or Agreement in excess of the limits in subparagraph (A) or (B); or

(D) announce publicly the intention to make an allocation, award, or Agreement in excess of the limits in subparagraph (A) or (B).

(2) The Secretary of Energy shall submit to the Committees on Appropriations of both Houses of Congress within 15 days of the conclusion of each quarter a report detailing each grant allocation or discretionary grant award totaling less than $1,000,000 provided during the previous quarter.

(3) The notification required by paragraph (1) and the report required by paragraph (2) shall include the recipient of the award, the amount of the award, the fiscal year for which the funds for the award were appropriated, the account and program, project, or activity from which the funds are being drawn, the title of the award, and a brief description of the activity for which the award is made.

(c) The Department of Energy may not, with respect to any program, project, or activity that uses budget authority made available in this title under the heading “Department of Energy—Energy Programs”, enter into a
multiyear contract, award a multiyear grant, or enter into
a multiyear cooperative agreement unless—

(1) the contract, grant, or cooperative agree-
ment is funded for the full period of performance as
anticipated at the time of award; or

(2) the contract, grant, or cooperative agree-
ment includes a clause conditioning the Federal Gov-
ernment’s obligation on the availability of future
year budget authority and the Secretary notifies the
Committees on Appropriations of both Houses of
Congress at least 3 days in advance.

(d) Except as provided in subsections (e), (f), and (g),
the amounts made available by this title shall be expended
as authorized by law for the programs, projects, and ac-
tivities specified in the “Bill” column in the “Department
of Energy” table included under the heading “Title III—
Department of Energy” in the report of the Committee
on Appropriations accompanying this Act.

(e) The amounts made available by this title may be
reprogrammed for any program, project, or activity, and
the Department shall notify the Committees on Appropria-
tions of both Houses of Congress at least 30 days prior
to the use of any proposed reprogramming that would
cause any program, project, or activity funding level to
increase or decrease by more than $5,000,000 or 10 per-
633

1 cent, whichever is less, during the time period covered by
2 this Act.
3
4 (f) None of the funds provided in this title shall be
5 available for obligation or expenditure through a re-
6 programming of funds that—
7
8 (1) creates, initiates, or eliminates a program, 
9 project, or activity;
10
11 (2) increases funds or personnel for any pro-
12 gram, project, or activity for which funds are denied 
13 or restricted by this Act; or
14
15 (3) reduces funds that are directed to be used 
16 for a specific program, project, or activity by this 
17 Act.
18
19 (g)(1) The Secretary of Energy may waive any re-
20 quirement or restriction in this section that applies to the 
21 use of funds made available for the Department of Energy 
22 if compliance with such requirement or restriction would 
23 pose a substantial risk to human health, the environment, 
24 welfare, or national security.
25
26 (2) The Secretary of Energy shall notify the Commit-
27 tees on Appropriations of both Houses of Congress of any 
28 waiver under paragraph (1) as soon as practicable, but 
29 not later than 3 days after the date of the activity to which 
30 a requirement or restriction would otherwise have applied.
Such notice shall include an explanation of the substantial risk under paragraph (1) that permitted such waiver.

(h) The unexpended balances of prior appropriations provided for activities in this Act may be available to the same appropriation accounts for such activities established pursuant to this title. Available balances may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 302. Funds appropriated by this or any other Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 3094) during fiscal year 2020 until the enactment of the Intelligence Authorization Act for fiscal year 2020.

SEC. 303. None of the funds made available in this title shall be used for the construction of facilities classified as high-hazard nuclear facilities under 10 CFR Part 830 unless independent oversight is conducted by the Office of Enterprise Assessments to ensure the project is in compliance with nuclear safety requirements.

SEC. 304. None of the funds made available in this title may be used to approve critical decision-2 or critical decision-3 under Department of Energy Order 413.3B, or
any successive departmental guidance, for construction projects where the total project cost exceeds $100,000,000, until a separate independent cost estimate has been developed for the project for that critical decision.

SEC. 305. (a) None of the funds made available in this or any prior Act under the heading “Defense Nuclear Nonproliferation” may be made available to enter into new contracts with, or new agreements for Federal assistance to, the Russian Federation.

(b) The Secretary of Energy may waive the prohibition in subsection (a) if the Secretary determines that such activity is in the national security interests of the United States. This waiver authority may not be delegated.

(c) A waiver under subsection (b) shall not be effective until 15 days after the date on which the Secretary submits to the Committees on Appropriations of both Houses of Congress, in classified form if necessary, a report on the justification for the waiver.

SEC. 306. Notwithstanding section 161 of the Energy Policy and Conservation Act (42 U.S.C. 6241), upon a determination by the President in this fiscal year that a regional supply shortage of refined petroleum product of significant scope and duration exists, that a severe in-
crease in the price of refined petroleum product will likely result from such shortage, and that a draw down and sale of refined petroleum product would assist directly and significantly in reducing the adverse impact of such shortage, the Secretary of Energy may draw down and sell refined petroleum product from the Strategic Petroleum Reserve. Proceeds from a sale under this section shall be deposited into the SPR Petroleum Account established in section 167 of the Energy Policy and Conservation Act (42 U.S.C. 6247), and such amounts shall be available for obligation, without fiscal year limitation, consistent with that section.

SEC. 307. Of the offsetting collections, including unobligated balances of such collections, in the “Department of Energy—Power Marketing Administration—Colorado River Basins Power Marketing Fund, Western Area Power Administration”, $21,400,000 shall be transferred to the “Department of Interior—Bureau of Reclamation—Upper Colorado River Basin Fund” for the Bureau of Reclamation to carry out environmental stewardship and endangered species recovery efforts.

SEC. 308. Section 5(b) of Public Law 110–414 is amended by adding after paragraph (2) the following new paragraph: “(3) MERCURY STORAGE REVOLVING FUND. There is hereby established the Mercury Storage Revolving Fund which shall be available without fiscal
year limitation. Notwithstanding section 3302 of title 31, United States Code, receipts received from fees described under this subsection shall be credited to this account as offsetting collections, to be available for carrying out the long-term management and storage of elemental mercury generated within the United States without further appropriation.”.

SEC. 309. During fiscal year 2020 and each fiscal year thereafter, notwithstanding any provision of title 5, United States Code, relating to classification or rates of pay, the Southeastern Power Administration shall pay any power system dispatcher employed by the Administration a rate of basic pay and premium pay based on those prevailing for similar occupations in the electric power industry. Basic pay and premium pay may not be paid under this section to any individual during a calendar year so as to result in a total rate in excess of the rate of basic pay for level V of the Executive Schedule (section 5316 of such title).

TITLE IV
INDEPENDENT AGENCIES
APPALACHIAN REGIONAL COMMISSION
For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, and for expenses necessary for the Federal Co-
Chairman and the Alternate on the Appalachian Regional Commission, for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by section 3109 of title 5, United States Code, and hire of passenger motor vehicles, $170,000,000, to remain available until expended.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

For expenses necessary for the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by Public Law 100–456, section 1441, $31,000,000, to remain available until September 30, 2021.

DELTA REGIONAL AUTHORITY

SALARIES AND EXPENSES

For expenses necessary for the Delta Regional Authority and to carry out its activities, as authorized by the Delta Regional Authority Act of 2000, $15,000,000, to remain available until expended.

DENALI COMMISSION

For expenses necessary for the Denali Commission including the purchase, construction, and acquisition of plant and capital equipment as necessary and other expenses, $15,000,000, to remain available until expended, notwithstanding the limitations contained in section
306(g) of the Denali Commission Act of 1998: Provided,
That funds shall be available for construction projects in
an amount not to exceed 80 percent of total project cost
for distressed communities, as defined by section 307 of
the Denali Commission Act of 1998 (division C, title III,
Public Law 105–277), as amended by section 701 of ap-
1501A–280), and an amount not to exceed 50 percent for
non-distressed communities: Provided further, That not-
withstanding any other provision of law regarding pay-
ment of a non-Federal share in connection with a grant-
in-aid program, amounts under this heading shall be avail-
able for the payment of such a non-Federal share for pro-
grams undertaken to carry out the purposes of the Com-
mission.

NORTHERN BORDER REGIONAL COMMISSION

For expenses necessary for the Northern Border Re-
gional Commission in carrying out activities authorized by
subtitle V of title 40, United States Code, $22,000,000
(increased by $3,000,000), to remain available until ex-
pended: Provided, That such amounts shall be available
for administrative expenses, notwithstanding section
15751(b) of title 40, United States Code.
SOUTHEAST CRESCENT REGIONAL COMMISSION

For expenses necessary for the Southeast Crescent Regional Commission in carrying out activities authorized by subtitle V of title 40, United States Code, $250,000, to remain available until expended.

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Commission in carrying out the purposes of the Energy Reorganization Act of 1974 and the Atomic Energy Act of 1954, $885,236,000, including official representation expenses not to exceed $25,000, to remain available until expended: Provided, That of the amount appropriated herein, not more than $9,500,000 may be made available for salaries, travel, and other support costs for the Office of the Commission, to remain available until September 30, 2021, of which, notwithstanding section 201(a)(2)(c) of the Energy Reorganization Act of 1974 (42 U.S.C. 5841(a)(2)(c)), the use and expenditure shall only be approved by a majority vote of the Commission: Provided further, That revenues from licensing fees, inspection services, and other services and collections estimated at $757,589,000 in fiscal year 2020 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended:
Provided further, That of the amounts appropriated under this heading, not less than $15,478,000 shall be for activities related to the development of regulatory infrastructure for advanced nuclear technologies, and $12,492,000 shall be for international activities, except that the amounts provided under this proviso shall not be derived from fee revenues, notwithstanding 42 U.S.C. 2214: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2020 so as to result in a final fiscal year 2020 appropriation estimated at not more than $127,647,000: Provided further, That of the amounts appropriated under this heading, $10,500,000 shall be for university research and development in areas relevant to the Commission’s mission, and $5,500,000 shall be for a Nuclear Science and Engineering Grant Program that will support multiyear projects that do not align with programmatic missions but are critical to maintaining the discipline of nuclear science and engineering.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $13,314,000, to remain available until September 30, 2021: Provided, That revenues from licensing fees, inspection services, and other services and
collections estimated at $10,929,000 in fiscal year 2020 shall be retained and be available until September 30, 2021, for necessary salaries and expenses in this account, notwithstanding section 3302 of title 31, United States Code: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2020 so as to result in a final fiscal year 2020 appropriation estimated at not more than $2,385,000: Provided further, That of the amounts appropriated under this heading, $1,171,000 shall be for Inspector General services for the Defense Nuclear Facilities Safety Board, which shall not be available from fee revenues.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

SALARIES AND EXPENSES

For expenses necessary for the Nuclear Waste Technical Review Board, as authorized by Public Law 100–203, section 5051, $3,600,000, to be derived from the Nuclear Waste Fund, to remain available until September 30, 2021.

GENERAL PROVISIONS—INDEPENDENT AGENCIES

Sec. 401. The Nuclear Regulatory Commission shall comply with the July 5, 2011, version of Chapter VI of its Internal Commission Procedures when responding to
Congressional requests for information, consistent with Department of Justice guidance for all federal agencies.

SEC. 402. (a) The amounts made available by this title for the Nuclear Regulatory Commission may be reprogrammed for any program, project, or activity, and the Commission shall notify the Committees on Appropriations of both Houses of Congress at least 30 days prior to the use of any proposed reprogramming that would cause any program funding level to increase or decrease by more than $500,000 or 10 percent, whichever is less, during the time period covered by this Act.

(b)(1) The Nuclear Regulatory Commission may waive the notification requirement in subsection (a) if compliance with such requirement would pose a substantial risk to human health, the environment, welfare, or national security.

(2) The Nuclear Regulatory Commission shall notify the Committees on Appropriations of both Houses of Congress of any waiver under paragraph (1) as soon as practicable, but not later than 3 days after the date of the activity to which a requirement or restriction would otherwise have applied. Such notice shall include an explanation of the substantial risk under paragraph (1) that permitted such waiver and shall provide a detailed report to the
Committees of such waiver and changes to funding levels to programs, projects, or activities.

(c) Except as provided in subsections (a), (b), and (d), the amounts made available by this title for “Nuclear Regulatory Commission—Salaries and Expenses” shall be expended as directed in the report of the Committee on Appropriations accompanying this Act.

(d) None of the funds provided for the Nuclear Regulatory Commission shall be available for obligation or expenditure through a reprogramming of funds that increases funds or personnel for any program, project, or activity for which funds are denied or restricted by this Act.

(e) The Commission shall provide a monthly report to the Committees on Appropriations of both Houses of Congress, which includes the following for each program, project, or activity, including any prior year appropriations—

(1) total budget authority;

(2) total unobligated balances; and

(3) total unliquidated obligations.
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TITLE V

GENERAL PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

Sec. 501. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

Sec. 502. (a) None of the funds made available in title III of this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by or transfer authority provided in this Act or any other appropriations Act for any fiscal year, transfer authority referenced in the report of the Committee on Appropriations accompanying this Act, or any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality.

(b) None of the funds made available for any department, agency, or instrumentality of the United States Government may be transferred to accounts funded in title III of this Act, except pursuant to a transfer made by or transfer authority provided in this Act or any other appro-
priations Act for any fiscal year, transfer authority referred in the report of the Committee on Appropriations accompanying this Act, or any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality.

(c) The head of any relevant department or agency funded in this Act utilizing any transfer authority shall submit to the Committees on Appropriations of both Houses of Congress a semiannual report detailing the transfer authorities, except for any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality, used in the previous 6 months and in the year-to-date. This report shall include the amounts transferred and the purposes for which they were transferred, and shall not replace or modify existing notification requirements for each authority.

SEC. 503. None of the funds made available by this Act may be used in contravention of Executive Order No. 12898 of February 11, 1994 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations).
SEC. 504. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

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

SEC. 505. Except as expressly provided otherwise, any reference to “this Act” contained in this division shall be treated as referring only to the provisions of this division.

SEC. 506. Any reference to a “report accompanying this Act” contained in this division shall be treated as a reference to House Report 116–83. The effect of such Report shall be limited to this division and shall apply for purposes of determining the allocation of funds provided by, and the implementation of, this division.

SEC. 507. None of the funds made available by this Act may be used to issue a permit under section 404 of the Federal Water Pollution Control Act for the discharge of dredged or fill material from a project located within Water Conservation Areas 3A and 3B in the State of Florida.
Sec. 508. None of the funds made available by this Act may be used to finalize the proposed rule entitled “Energy Conservation Program: Energy Conservation Standards for General Service Lamps” published by the Department of Energy in the Federal Register on February 11, 2019 (84 Fed. Reg. 3120).

Sec. 509. None of the funds made available by this Act may be used to reject any application for a grant available under funds appropriated by this Act because of the use of the term “global warming” or the term “climate change” in the application.

Sec. 510. None of the funds made available by this Act may be used by the Secretary of Energy to make a guarantee under section 1703 of the Energy Policy Act of 2005 (42 U.S.C. 16513) for a project that does not avoid, reduce, or sequester air pollutants or anthropogenic emissions of greenhouse gases.

Sec. 511. None of the funds made available by this Act may be used to finalize the environmental impact statement for the proposed Pebble Project (POA–2017–271).
This Act may be cited as the “Energy and Water Development and Related Agencies Appropriations Act, 2020”.

Passed the House of Representatives June 19, 2019.

Attest: CHERYL L. JOHNSON,

Clerk.
AN ACT

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2020, and for other purposes.

JULY 10, 2019
Read the second time and placed on the calendar