United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 116th CONGRESS, FIRST SESSION

Vol. 165 WASHINGTON, WEDNESDAY, JANUARY 23, 2019 No. 14

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Ms. DELBENE).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
January 23, 2019.

I hereby appoint the Honorable SUZAN K. DELBENE to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2019, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties. All time shall be equally allocated between the parties, and in no event shall debate continue beyond 11:50 a.m. Each Member, other than the majority and minority leaders and the minority whip, shall be limited to 5 minutes.

SUPPORT THE OIL REGION NATIONAL HERITAGE AREA REAUTHORIZATION ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Madam Speaker, northwest Pennsylvania has a rich history and a vibrant, diverse economy. Its winding trails, beautiful landscapes, recreational experiences, and thriving communities make Venango and Crawford Counties especially captivating places to live, to work, and to visit. Many of these attractions are centered around the same central common theme: the world's first commercial oil well.

Colonel Drake successfully drilled this well in 1859, triggering the first oil boom and establishing the Oil Region as ''the valley that changed the world.'' His efforts not only made northwest Pennsylvania the energy powerhouse that it is today, but also sparked a cultural revolution that came as a result of a booming economy.

We are tremendously proud of our history and heritage in northwest Pennsylvania. We still celebrate these historic communities that bloomed from Colonel Drake's innovative idea, and Drake Well continues to have a tangible impact on the area's economy.

In 2004, Congress designated the region as a national heritage area. There are only 49 of these areas across the country that are designated as places where natural, cultural, and historic resources combine to form a cohesive nationally important landscape.

The Oil Region national heritage area was the Nation's 25th national heritage area, and it celebrates the birth of the petroleum industry. The region is honored to have this important designation, but without action, it will sunset next year. That is why I have introduced H.R. 642, the Oil Region National Heritage Area Reauthorization Act.

The heritage area's coordinating entity, the Oil Region Alliance of Business, Industry, and Tourism, has taken a grassroots, community-driven approach to heritage conservation and economic development. Through public-private partnerships, national heritage area entities support historic preservation, natural resource conservation, recreation, heritage tourism, and educational projects. These partnerships foster pride of place and an enduring stewardship ethic.

The Oil Region Alliance focuses on heritage development, economic development, and tourism destination marketing. All three of these areas have been successful, and from 2005 to 2015, ORA has been able to invest more than $6.8 million in heritage development projects, invest more than $6.7 million in economic development activities, and attract nearly 240,000 visitors, annually. They have done an excellent job using innovative methods to stimulate the local economy, using a mixture of both Federal and private funds.

Last year, Congressman MIKE KELLY and I visited the home of the legendary investigative journalist Ida Tarbell. Born in Pennsylvania at the onset of the oil boom, Tarbell is best known for her 1904 book, ''The History of the Standard Oil Company.''

The ORA had recently completed a full restoration of Ms. Tarbell's home, ensuring that it would be preserved for generations to come. This restoration was just one of many projects the ORA is working on, and my bill will allow these projects to continue through 2026.

Extending this funding is crucial for the ORA to continue its mission of preserving the Oil Region's history, stimulating the local economy, and allowing others to appreciate the beauty and culture of Venango and Crawford Counties.

The ORA's efforts give us the ability to appreciate the rich history of northwestern Pennsylvania and understand the impact that our community has had on American culture today. I urge my colleagues to cosponsor this legislation, which will directly impact northwestern Pennsylvanians and preserve a rich heritage for all Americans.

STATIC WALLS DON'T WORK

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. DEFAZIO) for 5 minutes.

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Mr. DEFAZIO. Madam Speaker, well, the President is increasingly focused in messaging on the need for the wall as being the shipment of illegal drugs into the United States of America and the drug epidemic. I think we are all concerned about that, and we would all like to do something effective to deal with it.

Now, as his current acting chief of staff said when he was a Member of Congress about a wall: You go under—tunnels—you go through or over, and what you need is more manpower, more technology.

So the President says we need a stupid, static wall at extraordinary costs. Actually, we need something else. What we need are effective measures.

The Department of Homeland Security says they need $5 billion to reconfigure our ports of entry and to bring in new technology.

El Chapo's lieutenants and others have testified at his trial in New York they don't go across remote desert areas. They buy semi-tractor trailers and they reconfigure them and bring them through the ports of entry. They are very efficient. And that is how they are getting drugs into this country.

We lack the personnel and the equipment to detect these shipments. So how about investing there?

Oh, and by the way, the people who are screening at the ports of entry, 8 percent of the vehicles is all they can screen today. Probably less today because they aren't getting paid, and some of them can't show up to work because they can't hire childcare or they can't fix their car to get to work or something else.

So the President is concerned? Really? I don't think so.

And then there is another way that drugs are more and more frequently coming into our country. As you can see from this display of drugs here, the Coast Guard intercepted $5.6 billion of drugs coming in on maritime routes last year. But the retiring Commandant said that is only about 20 percent of the drug shipments we can identify. We don't have the personnel or the proper equipment to intercept the other 80 percent.

Oh, by the way, the Coast Guard, they are not getting paid either.

But the President is concerned. Well, has he talked about the need to give more resources to the United States Coast Guard?

So, hey, it would be great if they get $5.7 billion, and that is one-fifth of the drugs they can identify. That would be $25 billion of drugs being intercepted next year if they had the equipment, the personnel they needed—five times the cost of a stupid, static wall.

So if the President is truly concerned about cartels and Asian mobs shipping drugs into the United States, he should be talking about putting money where it is needed: at the ports of entry, the Coast Guard for maritime interception, and other places where it would be more effective.

That is the position of the Democrats. We want to have effective 21st century border security, not a failed wall. That has been tried by a number of civilizations.

Static walls don't work. Let's do real things to deal with the real problem.

CNN—THE FAKE NEWS KING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Alabama (Mr. BROOKS) for 5 minutes.

Mr. BROOKS of Alabama. Madam Speaker, while CNN has had a rotten, no-good, horrible week, the American people have had a great week because last week exposed the CNN vitriol, prejudice, bias, and deception that crowned CNN the fake news king. First, CNN fake news story number 1:

For 2 days, CNN drooled over President Trump's impeachment propaganda in a BuzzFeed report that was so bad it prompted a rare public rebuke and ''not true'' proclamation by Special Counsel Robert Mueller.

CNN, strike one.

Second, CNN fake news story number two:

CNN viciously and wrongly attacked, ridiculed, slandered, and maligned Covington Catholic High School students by portraying them as racists. By and large, these teenagers at a pro-life march were White males, Catholic, and, heaven forbid, President Trump supporters with Make America Great Again hats.

CNN's prejudice against this profile blinded CNN to reality. Had CNN done its homework, CNN would have reported from the very beginning that the students were the victims of African American racists who hurled insults at and sought to intimidate White teenage students and were the victims of Native American political activists who rudely accosted the students, beat a drum in their faces, and yelled that White people should leave America.

Did fake news CNN report from the very beginning this racism against White people and how remarkably well these Catholic high school students handled this situation and maintained their composure? No. Sadly, CNN's bias and prejudice did not allow that.

CNN, strike two.

Third, CNN fake news story number three:

CNN did a poorly researched fact check on illegal alien and border security crime data comments by various Republicans, including me. The segment opened with ''New Day'' host Alisyn Camerota deriding ''fact-free fear-mongering'' from ''Trump supporters.''

Really? If you support border security and protecting American lives, you are a fact-free, fear-mongering Trump supporter who must be attacked at all costs? Is that really CNN's viewpoint?

CNN's John Avlon then falsely claimed that I said a border wall is the way to keep death-dealing drugs out of America, when I clearly stated a border wall is a necessary subpart of a broader border security strategy required to slow down drugs crossing over our southern border and save American lives.

That truth didn't fit CNN's blind fealty to open-border, socialist Democrats, so CNN deceived rather than tell the truth.

CNN next showed me stating that Federal officers apprehended roughly 2,000 illegal aliens per year for homicides on American soil. That is fine. That is true.

Federal Government's Immigration and Customs Enforcement and Removal Operations reports state Federal officers apprehended 1,886 illegal aliens in FY 2017 and 2,028 illegal aliens in FY 2018 for homicides committed on American soil.

But CNN's John Avlon attacked this Federal crime data by citing an unrelated PolitiFact analysis and making an apples and oranges comparison that misunderstands the difference between the words ''homicide'' and ''murder.''

Well, all murders are homicides. Not all homicides are murders. Murders are a subpart of the word ''homicides.''

In any event, the PolitiFact analysis involved another person, not any of us, and was about murders not homicides and disagreed with nothing that I said.

CNN strike three. You are out.

Madam Speaker, is CNN the most trusted name in news as it claims? No. Not when its reporters, fact-checkers, and newscasters are so blinded by vitriol, prejudice, bias, and hatred for President Trump that they cannot think or see straight; not so long as CNN is nothing more than an apparatchik for radical, open-border, socialist Democrats, not the truth and not the American people.

Madam Speaker, CNN has earned its fake news crown, and based on last week, is not at risk of losing its crown anytime soon.

□ 1015

HONORING SERGEANT WYTASHA CARTER

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Alabama (Ms. SEWELL) for 5 minutes.

Ms. SEWELL of Alabama. Madam Speaker, I rise today to honor the life and service of Sergeant Wytasha Carter, a 16-year veteran of the Birmingham Police Department, who lost his life, tragically, in the line of duty on January 13, 2019.

Wyt, as his family and friends fondly called him, was a natural-born leader with whom others enjoyed working. Sergeant Carter was a Birmingham native who graduated from Phillips High School before attending Liberty University.

Sergeant Carter was drawn to service from a young age. After graduating from college, he served in the United

States Armed Forces, as a U.S. Air Force sergeant, before beginning his law enforcement career in 2002 as a correctional officer with the Shelby County Sheriff's Department. Sergeant Carter served with the Birmingham Police Department for nearly 8 years and was recently promoted to sergeant last year.

But above all, Sergeant Carter was a husband, he was a father, and he was a beloved member of his community. He was so beloved that more than 2,000 people gathered to celebrate his life and his service at his funeral last Saturday.

Sergeant Carter was a passionate guardian of his Birmingham community: He was a fierce protector of his coworkers; he mentored children about the dangers of drugs and gangs; and he was someone who consistently worked above and beyond the call of duty, devoting his life to improving his community.

Sergeant Carter died from a gunshot wound while doing the job he loved so passionately. He and other police officers were working to make our community safer.

Sergeant Carter led by an example of excellence and of giving back to his community. The city of Birmingham is better because of his contributions.

His death is a stark reminder of the dangers that our brave policemen and -women face while working to secure our safety. They courageously put their lives on the line day after day to protect and to serve our neighborhoods while we sleep. Every time they put on their uniform—and even when their uniform comes off—they bravely put duty before self.

I ask my colleagues to join me in praying that God provides comfort to Sergeant Carter's family and friends, especially his wife of 21 years, Tiphanie, his daughter, and his young son. We pray for all of those who were affected by this senseless tragedy, as well as his fellow officer, who was critically injured in the shooting and who continues to rehab toward full recovery.

We must use this tragedy as a reminder that Congress must act to prevent this sort of senseless gun violence, gun violence that Sergeant Carter spoke out against. We honor the legacy of service of Sergeant Carter by making sure we in this body act. As President Obama said: ''Our tears are not enough. Our words and prayers are not enough.'' We must act.

Madam Speaker, on behalf of Alabama's Seventh Congressional District and a grateful nation, I ask my colleagues to join me in celebrating the life of Sergeant Carter's contribution to making the community of Birmingham better and this Nation. May we live out Sergeant Carter's legacy by working for a safer and more secure nation today and every day.

ELMORE COUNTY TORNADO

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Alabama (Mrs. ROBY) for 5 minutes.

Mrs. ROBY. Madam Speaker, I rise today to honor the hardworking men and women I represent in Elmore County, Alabama, who, this past Saturday, experienced a devastating loss, as a tornado ripped through the city of Wetumpka. By the grace of God, no lives were lost and only minor injuries have been reported at this point. Still, the damage is severe and the road to recovery is long.

Madam Speaker, on Monday, I spent time on the ground with those impacted, and I had the opportunity to see firsthand the damage to several churches, the police station, dozens of homes, and businesses. I appreciate the tireless work of the local leaders and first responders who immediately jumped to action to begin putting the pieces back together for the people who have lost so much.

During this challenging time, it has been so encouraging to see the community united like a family. They have come together to begin the rebuilding process. Merely hours after the devastating storm, the Elmore County Emergency Management Agency heard from nearly 1,000 individuals who signed up to volunteer their time and resources in the cleanup efforts.

Madam Speaker, I would like to take this opportunity to speak directly to the people impacted by this weekend's tornado:

My office stands ready to assist you in whatever ways we are able. My staff and I work for you, and we want to be a resource for you during this very challenging time. The rebuilding process won't be easy, but if we work together and help each other whenever possible, we will get through this together. In the meantime, my family and I will continue to pray for those impacted by this devastating event.

RECOGNIZING DR. CURETON L. JOHNSON

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. BUTTERFIELD) for 5 minutes.

Mr. BUTTERFIELD. Madam Speaker, I rise this morning to recognize a great American and a great friend, Dr. Cureton L. Johnson, a longtime theologian and community leader in Fayetteville, North Carolina. Dr. Johnson will approach his last official sermon as pastor of historic First Baptist Church in Fayetteville on Sunday, January 27, 2019. I am, therefore, honored to share with my colleagues in the United States House of Representatives the accomplishments of this remarkable man of God.

Cureton Lee Johnson was born in Raleigh, North Carolina, to the late Dr. and Mrs. Paul H. Johnson. He is a graduate of the University of North Carolina at Chapel Hill and received his master's degree from American University here in Washington, D.C., and the Shaw University Divinity School in Raleigh. He also received his doctor of ministry degree from Drew University in Madison, New Jersey. He previously served on the public relations staffs at North Carolina A&T State University in Greensboro and Howard University here in Washington.

Over the years, Madam Speaker, Dr. Johnson remained true to his commitment to be active, productive, and dedicated to every facet of his beloved community. As a young student at UNC-Chapel Hill, Dr. Johnson served as president of the Black Student Movement Association. He was the founding editor of the BSM's newspaper, referred to as Black Ink, which is still in publication today.

A longtime social activist, Dr. Johnson was a member of the anti-apartheid movement during the 1980s and was arrested while demonstrating at the South African Embassy in the District of Columbia.

Dr. Johnson also served as the editor of the Baptist Informer, which is the official publication of the General Baptist State Convention of North Carolina, Incorporated, the oldest organization of Black Baptists in the Nation, founded in 1867.

The son and grandson of Baptist ministers, Dr. Johnson was called into the ministry in 1976 and ordained in 1978 under his father, the legendary Dr. Paul H. Johnson, Sr., at Martin Street Baptist Church in Raleigh.

Dr. Cureton Johnson served as an associate minister at Martin Street Baptist Church and at Florida Avenue Baptist Church in Washington, D.C. Dr. Johnson is also pastor at New Red Mountain Baptist Church in Rougemont, North Carolina, and Baptist Grove Baptist Church in Raleigh.

On the first Sunday in June 1991, Dr. Johnson assumed full pastoral responsibility at his current First Baptist Church in Fayetteville.

I might say, Madam Speaker, First Baptist Church in Fayetteville was formed in 1868, 5 years after the Emancipation Proclamation was signed by President Abraham Lincoln and months following the ratification of the 13th Amendment to the Constitution, ending slavery in America. It is the oldest missionary Baptist church in the city of Fayetteville, a church that I have attended on many occasions, including when I was stationed at Fort Bragg Army post in Fayetteville.

Madam Speaker, much of First Baptist Church's growth in recent years can be attributed to the leadership of Dr. Johnson and its spirit-filled church congregation. Under Dr. Johnson's leadership, the church has been a powerful force for uplifting God's people in this community, launching a free summer children's reading camp in 1993. It continues to serve over 100 children every year.

In 1999, First Baptist Church broke ground on a $2 million Christian center. The two-story facility includes 11,000 square feet, a library and learning center, nursery, children's church, clothes closet, and a multipurpose room for neighborhood development and outreach ministries.

First Baptist Church remains active in the Union Baptist Association, the General Baptist State Convention of North Carolina, and the Lott Carey Foreign Mission Convention.

During his pastorate, Dr. Johnson has preached more than 2,300 sermons and welcomed more than 500 souls into the fellowship, presided over 750-plus funerals, officiated at more than 125 weddings, and dedicated some 130 babies. He has ordained 15 ministers, including First Baptist Church's first five women ministers. He has also ordained the church's first five women deacons.

In closing, Madam Speaker, Dr. Johnson is blessed with a loving wife, the former Lena A. Goode of Durham. They have two sons, Paul and Cureton; one grandson, Jayden Cureton; and one granddaughter, Jaelynn.

By the grace of God, Dr. Johnson retires after three decades of outstanding leadership at First Baptist Church. Although Dr. Johnson is retiring from an active ministry, he will never retire from his unwavering service to God.

On behalf of the United States House of Representatives, we thank Dr. Johnson for his service to community. His life has been one of unlimited service. We will cherish his leadership for years to come. I extend my congratulations and best wishes to Dr. Johnson, his wife, and the entire congregation at First Baptist Church and the Fayetteville community.

Madam Speaker, I ask my colleagues to join me in recognizing the Reverend Dr. Cureton Lee Johnson on this auspicious occasion.

HONORING STEVE NETTLETON

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. LAMALFA) for 5 minutes.

Mr. LAMALFA. Madam Speaker, I rise today to honor the life and to mourn the passing of a truly larger-than-life figure from my community in northern California, Mr. Steve Nettleton, pictured here with his wife, Kathy, appropriately out at the ball game.

A well-known philanthropist and lover of baseball, Steve passed away recently due to complications of Parkinson's disease at the age of 79.

Originally from Iowa, Steve grew up with a passion for America's pastime: baseball. Now we know that Steve also attended San Diego State University. His love for the game drove him to try out for the SDSU baseball team. While he didn't quite make the roster, he never left the sport behind.

In 1971, Steve and his family relocated to Chico, a small town in northern California he never heard of—and he never left. More than 20 years later, he built a multimillion-dollar business as a grocer but said his best day in the business was the day he sold it in 1995.

If you lived in or near Chico, it would be hard to miss the Nettleton name, as Steve's generous philanthropy resulted in many buildings and many projects bearing his name: Enloe Medical Center's Nettleton Mother and Baby Care Center and the Nettleton Gym at the Boys and Girls Club of Chico are just a couple of those examples that were named in his honor due to his work.

Perhaps even more notably, Steve and his wife, Kathy, generously donated $2 million to transform Chico State University's humble baseball diamond into a modern, 4,100-seat stadium, which was soon also adorned with the name Nettleton Stadium. The ''Nett,'' as they call it, helped revitalize the baseball program at Chico State, which then became home to two national championship baseball teams, among the many more regional and conference titles the Chico State Wildcats went on to win.

Steve also brought the joy and family fun of minor league baseball to town as the owner of the Chico Heat franchise. Throughout the club's existence, Steve's limitless passion for baseball shone through in every facet of the organization. They wanted to win games, but they also wanted to give the community something that was unifying and entertaining. Indeed, it is and was.

It should come as no surprise that Steve was awarded Chico Sportsman of the Year in 1999 and was inducted into the Chico Sports Hall of Fame in 2016.

His generosity was not limited to baseball. Steve was deeply passionate for the community he learned to call home. As I mentioned, he was also a known contributor to the Boys and Girls Club of Chico, the American Red Cross, the American Cancer Society, United Way, the Salvation Army, and many more.

For all of his efforts and contributions on behalf of a university which he did not attend, Chico State awarded him an honorary doctorate degree of humane letters—only the second person in school history to receive such a degree.

It is indeed clear that Steve deeply cared for his community. In return, it deeply cared for him. Through his selfless generosity over the years, Steve Nettleton built a legacy that will far outlive his time on this Earth. But still, those who remember it will miss the nightly opportunity to shake Steve's hand after a baseball game as he showed his appreciation to those fans in attendance.

Steve brought much joy and fun to his hometown and to its people. He will be greatly missed. God bless the Nettleton family at this time.

□ 1030

DAY 33 OF THE SHUTDOWN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Connecticut (Mr. HIMES) for 5 minutes.

Mr. HIMES. Madam Speaker, so here we are together in the House of Representatives on day 33 of the government shutdown. We have all been back in our districts, and like me, I suspect have all heard from people who are really starting to suffer as a result of this government shutdown: TSA agents, other people essential to our security, other Federal workers, and people who receive food stamps who are wondering whether 2 weeks from now they will be able to feed their children.

I don't know about you, but I come back to Washington thinking one thing, which is: We need to stop calling this a government shutdown. That sort of makes it sound like a machine isn't working somewhere. Let's call this what it is. The President's decision to sign no budget until he gets his wall is not a government shutdown.

It is taking the happiness, the prosperity, and the opportunity of millions of Americans hostage until he gets his wall. It is not too strong to say that this is torturing millions of Americans with anxiety until the President gets his wall.

It is saying to Americans that you will work for weeks, and maybe months, but we won't pay you because he needs his wall. If you are one of the millions of Americans who rely on SNAP benefits so that you can look at your child and know that that child has had nourishment that day, you may not get those benefits because he needs his wall.

If you are a contractor, you are not getting any back pay, and I am sorry, because he needs his wall.

I have got the stories from my district that everybody else does in this Chamber. The worst one was when I talked to a woman named Debbie. Debbie is fighting stage IV melanoma. Her husband is a Department of Transportation executive who was called back to D.C. to work without pay, leaving Debbie to raise three children and battle cancer without pay, with the insecurity of whether she will be able to pay her copays to keep herself alive.

Why? Apparently, holding hostage the American people is okay because the President's wall is that important. Well, if that is so important, why, when the Republicans controlled the House, and the Senate, and Presidency until a few weeks ago, why did we not hear about the wall then? Why are we torturing the American people now?

I have been here for 10 years. We haven't ever had a debate or an argument about a wall, but now it is okay for the President to torture the American people, to keep them without money, to keep them in insecurity, to keep them in anxiety, because right now the wall is absolutely essential.

Let's talk for a second about where this came from and what kind of a tool

this hostage taking is. Remember, during the campaign the President said, we will build a wall from sea to shining sea, a big beautiful wall that will be paid for by Mexico.

What we are doing right now is not delivering on the campaign promise of the President of the United States. We are cleaning up around the fact that he could not deliver on a campaign promise to have Mexico pay for the wall. Instead, security workers and the American people are being asked not just to pay for his wall, but to suffer for his wall.

This is a dealmaker. The art of the deal. I was in the majority once when we had the Senate, and Presidency, and the House. There was lots of stuff we wanted but we couldn't get done. A public option in the Affordable Care Act, we couldn't get that done. The American Clean Energy and Security Act, we couldn't get that done. Something to address climate change, we couldn't get that done. But we never dreamed that the tool that we had in our pocket was to say we will torture the American people unless we get what we want.

I would remind my Republican colleagues that there will be a Democratic President someday, and they are setting this precedent. Set this precedent because it is an awesome tool. Maybe we will decide not to pay the military until we can get truly universal health coverage. Maybe we will decide not to man the borders or to decriminalize marijuana because that is what we want, and we won't pay people until we get what we want. It is a terrible precedent, and my Republican friends know that.

So what do we do now? There are two things that can happen. The President can maybe turn off ''FOX News'' long enough to see that this is hurting his politics very badly. He could maybe experience some empathy; something that I am not holding my breath for. Or maybe, Congress could act like Congress and say we are a coequal branch and we stand for the people who we are currently torturing.

The Senate majority leader said, I will not move a bill that the President will not sign. Think about that. The United States Senate, the greatest deliberative body on the planet is, by design now, a rubber stamp to the President.

It is not hard to override a veto. It just requires us to do what we are paid to do and stand for the American people who are suffering right now.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President.

THANKING MINNESOTA'S FIRST CONGRESSIONAL DISTRICT FOR THE PRIVILEGE OF SERVING THEM

The SPEAKER pro tempore. The Chair recognizes the gentleman from Minnesota (Mr. HAGEDORN) for 5 minutes.

Mr. HAGEDORN. Madam Speaker, I rise today to thank the residents of Minnesota's First District for the privilege and honor of serving them as their Representative in the House of Representatives.

As southern Minnesota's servant in Congress, I will work to keep America safe with secure borders and a military and foreign policy of peace through strength.

I will work to make America prosperous by transforming the Federal Government and implementing regulatory reform, individual tax reform, work for welfare, patient-centered medical care, merit-based immigration, and achieving U.S. energy independence.

I will work to protect our God-given U.S. constitutional rights, especially the right to life, the right of law-abiding Americans to keep and bear arms, and the right to religious freedom.

Lastly, I will work to sustain agriculture and our rural southern Minnesota way of life.

Madam Speaker, serving this body is humbling, and I look forward to working with my colleagues to restore America's greatness and reflect the views and values of the constituents of the First District of Minnesota.

FIGHT FOR AMERICANS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. KENNEDY) for 5 minutes.

Mr. KENNEDY. Madam Speaker, a few days ago I walked into a Coast Guard base in Boston and I saw something I never thought I would witness on American soil. Members of our Armed Forces were lined up at a food pantry while they were on the clock because their employer, the United States Government, wasn't paying them for the work that they put in that day.

Madam Speaker, look around this country, and you will see nearly a million civil servants and more than a million contract workers who are forced to deter medical care, find part-time jobs, return Christmas presents, take out loans, pawn valuable possessions, draw down retirement savings, just to afford to feed their family and to keep a roof over their head.

You will find families that are terrified that their food stamps will run out. You will see notices threatening eviction for families who are upholding their end of their rent, while the government defaults on its own obligations.

You will see businesses struggling to stay afloat under lost Federal support. Domestic violence organizations will have to turn away survivors because critical grant funding isn't coming through.

Yes, this is about a misguided and demagogued immigration fight. And, yes, this is squarely about a President who couldn't keep his promise.

But at its core, it is about an administration that has spent 2 years treating the livelihood of working families as a bargaining chip, quickly traded away time and again to protect power, profit, and political gain.

Theirs is a system that asks American workers to make painful sacrifices that those in power only read about; a system where tax cuts for international corporations are paid for by Medicaid cuts for working families; where healthcare premiums skyrocket for the sick and the suffering; where healthcare industry executives reap the reward.

Theirs is a system where labor protections for workers are wiped out as distant CEOs lay off loyal employees and gut pensions; where a safety net that keeps our fellow Americans afloat shrinks and tears as their President smiles and holds the scissors; where profits accrue to those who have already profited, and the loss is borne by those who can least afford to bear it.

Beyond the shutdown, beyond this President, our government needs to prove to the American people that we are fighting for them. Because right now, they don't believe we are in their corner, and I don't blame them.

HONORING SERGEANT ALIPIO ARROYO RAMOS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. SOTO) for 5 minutes.

Mr. SOTO. Madam Speaker, I rise to honor Sergeant Alipio Arroyo Ramos. First Sergeant Alipio Arroyo Ramos, resident of Kissimmee, Florida, was born on January 14, 1949, in Cayey, Puerto Rico.

At the age of 18, he joined the United States Armed Services where he served proudly for over 22 years. During his time in the Armed Forces, he obtained a degree in accounting from the University of Maryland and completed combat medical training at the U.S. Army Medical Department Center and School in Texas.

In 1969, he volunteered and served in the Vietnam war as a combat medic where he fought for our Nation and provided critical medical aid to wounded fellow servicemembers and civilians in the line of fire.

As a result, he was awarded the Bronze Star for his courage in the Vietnam war. After the Vietnam war, he briefly returned to the civilian sector and applied his military medical experience with the epidemiology division of the Puerto Rico Department of Health before deciding to rejoin the United States Armed Forces on Active Duty.

Upon rejoining, Mr. Arroyo was assigned to multiple posts throughout the United States and abroad. In 1988, he was stationed in Fort Bragg, North Carolina, where he successfully passed rigorous training and evaluations to

become a member of the United States Special Forces Command, a lifetime achievement he and his family are proud of to this day.

During his tenure with the United States Special Forces he worked directly under two different four-star generals. Since his retirement in 1998, he continues to be an active member of the Disabled American Veterans organization and is a passionate and fierce advocate for veterans' rights, particularly those, such as him, who have suffered the unfortunate and debilitating consequences of having been exposed to Agent Orange during the Vietnam war. To this day, he continues to adopt the motto: ''Duty, Honor, Country,'' as his life creed.

First Sergeant Arroyo resides in Kissimmee, Florida, with his wife, Luz Amary, who has always stood by his side in support throughout his entire military career. He is the father of three children: Nikolas, Phillip, Zulimar Arroyo; and three grandchildren, Camila, Valeria, and Sofia, all of whom he loves dearly.

UNPAID GOVERNMENT WORKERS

Mr. SOTO. Madam Speaker, I want to take a moment to talk a little bit about the shutdown. We are in day 33, since the shutdown began. The House and Senate came together originally with bipartisan budgets to try to resolve this. But then on that fateful day, President Trump said that he will take the mantle and he would shut down the government over border security.

Over 2 weeks ago, I met with TSA, PASS, and Department of Corrections employees, and they told me their stories about not being able to make a mortgage; about not being able to have healthcare and childcare; about those facing diabetes and cancer.

Last week, I returned back to the TSA in their break room to speak with workers about how we were going to transport people to and from work, waiving tolls, addressing diabetes, and childcare, once again.

This past week, I joined Second Harvest Food Bank to help feed Federal employees because the United States Government is not paying them. Our Federal workers are about to miss their second paycheck.

Mr. Speaker, I ask the President: How long will TSA protect our airports without pay; how long will the IRS workers clock in to timely process our tax refunds if they are not getting a paycheck; and how long will U.S. Customs and Border Protection agents protect our very border that we are debating without getting paid?

□ 1045

We can debate and negotiate over border security.

But why, Mr. President, must you hold nearly 800,000 Federal workers and their families hostage?

Where is the Senate?

We have voted 10 times to reopen the Federal Government. The number of times they voted: zero.

The offer that was given this week, a temporary 3 years for Dreamers and TPS refugees for a permanent border wall with $5.7 billion and a political asylum system that is worse than the current one.

If you are really serious, President Trump, why not make the changes for our Dreamers and TPS refugees permanent, much like the wall you are asking for?

Now the House Democrats have a counteroffer. We already put in a $1.3 billion increase for border security in a bipartisan Homeland Security budget. This was the budget passed by the last GOP Congress. Now we are adding an additional $1.5 billion to improve our security in a three-part border and security plan: one, more security for our ports of entry where most of the drugs are coming in; two, more technology at the border so we know when people are coming across it; and, three, more personnel.

Mr. President, reopen this Federal Government.

I ask the Senate to get a backbone and act.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair and not to a perceived viewing audience.

END THE SHUTDOWN

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Illinois (Ms. KELLY) for 5 minutes.

Ms. KELLY of Illinois. Madam Speaker, I rise today because 800,000 Federal workers—7,400 of who live and work in Illinois—are furloughed or working without pay because of this unnecessary Trump shutdown.

Today I want to talk about two of them. The first is a constituent from the south suburbs of my district. Before joining the Federal Government workforce, he proudly served our Nation during the Vietnam war. He fought for his country. He risked his life for this country.

When he came back from the war, he continued to serve. In fact, he served 46 years in the government working to help his fellow Americans find opportunities and bridges to a better life. After 46 years and because of the declining health of his wife, he decided that it was time to retire. Given his career, I would say it is a well-deserved retirement. So he filed his paperwork, but, sadly, it was 2 days before the Trump shutdown started. His retirement application has yet to be processed. He has yet to receive his final paycheck and cannot access his TSP or 401(k) because he doesn't have his official retirement documents.

Madam Speaker, this is insane. It is insane that this President—a five-time draft dodger—would treat a Vietnam veteran with such outright disdain. But, honestly, I am not sure he cares.

While this story is especially upsetting, it is not the only story. Another of my constituents was featured yesterday on ''CBS This Morning.'' His family has three kids; two of them are autistic. After years of dedicated government service, his family was denied his paycheck and likely won't receive his next scheduled paycheck either. In order to make ends meet, they are dipping into their savings—savings meant to provide for the long-term care of their children.

Is this really the way we want to treat Americans—let alone Americans who have dedicated their careers to serving our great country?

Madam Speaker, these are just two stories of many. Right now there are dozens of Active Duty Coast Guard at Station Calumet Harbor risking their lives to save others and to protect the homeland who aren't getting paid. These are Active Duty servicemembers, and they were told to hold yard sales or babysit to make ends meet without paychecks.

Are you serious?

President Trump wants Active Duty Coast Guardsmen to sell their families' memories because he is throwing a temper tantrum and shut down the government. It is just madness, plain and simple.

I have a message to President Trump about his border wall: You have lost. This game is over, and you are hurting people like this Vietnam war veteran. You have lost, and you are not going to get it. End this Trump shutdown and then have a real serious conversation on border security and comprehensive immigration reform.

In fact, I will promise right here and right now, Mr. President, if you are serious about solving issues—and there are definitely issues that need to be solved—I will be the first one at the table. Reopen the government, Mr. President. I will be there to talk about real bipartisan reforms that will enhance border security and prevent more families from being cruelly torn apart by a broken immigration system.

Madam Speaker, while this is a Trump shutdown, he has dangerous enablers in Congress. The biggest one is just a few steps away in the Senate, the Senate majority leader.

I also have a message for the Senate majority leader, the gentleman from Kentucky: Call a vote on any of the bipartisan funding bills that this House—the people's House—has sent over to the Senate. Call a vote and reopen the government. Call a vote for the 6,400 Kentuckians working without pay or not working in your State. You were elected to serve the people of Kentucky, not the whims of the man in the White House. Mr. Majority Leader, it is time to do your job.

In closing, Madam Speaker, I want to thank my colleagues on the other side of the aisle who have joined our efforts to reopen government. Each vote gets a few more. These are hardworking, commonsense men and women who want to do their job. They want to serve their constituents and make America a better place.

Together with House Democrats, they are standing up to President Trump and his illogical wall. Together with House Democrats they are saying: reopen the government. Together with House Democrats, they know that we can't secure our border if border agents aren't being paid and if Active Duty Coast Guardsmen are not being paid, and we can't secure public safety if FBI agents aren't being paid.

Madam Speaker, my constituents and hundreds of thousands of other families are suffering because of this Trump shutdown. I am proud to have voted with every House Democrat to reopen the government to pay our Active Duty servicemembers and restore government services. It is time for the Senate and President Trump to show the same commitment to our economy, our national security, and the hardworking men and women who serve this Nation as Federal Government employees.

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair and to refrain from engaging in personalities toward the President.

LET'S COME TOGETHER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. WOODALL) for 5 minutes.

Mr. WOODALL. Madam Speaker, I remember standing in your chair over these last couple of Congresses reading out that very same card at the end. Whether the Obama administration or the Trump administration, folks come down to the floor, they get caught up in the passions of the moment, and we do have opportunities to come together.

I had not planned on coming down. I was actually in the Cloakroom making some telephone calls, and I heard my colleague speaking. I heard her with sincerity implore the President to come to his senses, come to the negotiating table, and end this shutdown. Then I heard her with sincerity implore the leaders of the Senate to come to the negotiating table, to come to their senses, and to end this shutdown. Then in about an hour and a half, I will be down here leading the debate on the rule for the minority, and we will bring yet another of the exact same bills we have brought to the floor that have gone absolutely nowhere in an effort to reopen the government.

I would say to my friends that the secret to finding common ground isn't to ask everybody else to come to where you are standing. That is the new definition of compromise in this town. I have seen that, that gravitate in the five terms that I have been here.

The definition of compromise is: Well, why don't you agree with me?

The truth is the only movement I have seen in this debate over these last 32 days is the President this past weekend when he said: Do you know what? We have called on every single Member in every single Chamber to find a solution to the young men and women trapped in a DACA status, those families who come here with temporary protective status, and they are uncertain about their future—folks on both sides of the aisle have called for that—he said: Do you know what? Maybe we can broaden this debate, Madam Speaker. Maybe we can broaden the definition of what success looks like, and maybe we can break this logjam.

Madam Speaker, I would just say to my colleagues: I will come back down to the House floor as often as you all want me to come back down to the House floor, and we can do exactly the same thing every single day knowing we are going to get exactly the same result from the White House and the Senate. Or, we can try to do something different.

Candidly, my constituents didn't send me here to do the same thing over and over and over again with the same failed result. They sent me here to get success. They don't care if I win. They care if I succeed on their behalf. They don't care about Republican and Democratic priorities. They care about their family priorities.

And I have to believe—though I don't know all of my freshman colleagues as well as I would like—I have to believe that even with all the new Members in this institution there is still more that unites us than divides us in this country. I love that about this institution. I love that about the men and women who are here.

So, Madam Speaker, I ask this: Let's try to do a little more listening and a little less talking. Here in the rank and file, golly, I have to believe if I could pick out a few colleagues here, I am pretty sure that we could sit down at the table and solve this. I confess it is beyond our reach as we sit here today. This is a White House decision. This is a MITCH MCCONNELL decision. And this is a NANCY PELOSI decision. We ought to all as rank-and-file Members be outraged when it does rise to that level because we lose control. Our constituents lose their voice.

I am encouraging my leadership to be as open and honest and to be as flexible and creative as they possibly can in finding a solution. Every single one of us bears responsibility in this Chamber of what is going on.

If Senate Democrats had let these appropriations bills move last fall, then we wouldn't be in this mess. If Republicans had passed a continuing resolution in December, we wouldn't be in this mess. There are 1,000 different decisionmaking points where we could have done things differently. We cannot change those, but we can change what is happening here today.

I tell my constituents back home: If you want to understand what is happening in Congress, listen to the 5 minutes in the morning, listen to the 1 minutes at noon, and find out if the folks who are coming to the floor are celebrating opportunities for success or simply condemning their colleagues for not being invested in solutions.

I believe in the men and women of this Chamber. I believe in the U.S. House of Representatives. I believe in self-governance in this Nation. Failing the American people, Madam Speaker, undermines that confidence. We have an opportunity to succeed, and I hope we will say yes to that opportunity.

VIRGINIA'S EIGHTH DISTRICT IS SUFFERING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. BEYER) for 5 minutes.

Mr. BEYER. Madam Speaker, my Northern Virginia district includes more Federal workers—almost 87,000—than any other, and my people are suffering.

This week we entered the second month of a shutdown which President Trump began by rejecting a Republican bill which passed overwhelmingly in the Senate after promising that he would, in fact, shut down the government.

The undeniable fact is that if the President told Senate Republicans today to vote for the exact same bill they already passed, the exact same bill he promised to sign, then this shutdown would end. But he refuses to do so because his demands are unmet.

President Trump's complaints of a crisis, Madam Speaker, are correct in one respect: they are a crisis for the people I represent and for people in every district across this country.

The President has said many things since he promised that he would shut down the government, but few of his comments are directed to the Federal workforce. I have gotten many hundreds of calls, emails, and letters, and they are overwhelmingly opposed to the shutdown. They are about tuition they can't pay, rent, healthcare premiums, insulin and other drugs, and groceries.

I am particularly concerned because so many of the folks who work in northern Virginia have security clearances, and the number one reason people are denied a security clearance is because of a financial blot on their record. It is the number one reason their security clearance is taken away. If they are late on car payments and mortgage payments, they can actually lose their jobs.

I am concerned about the impact on contractors. These are the folks like guards at the Smithsonian or food service workers or people in cleaning crews. They tend to be minimum wage. They tend not to have savings, and often no benefits. They are not getting paid, and they have nothing to fall back on. All the people who serve in our community—waiters, dental hygienists, auto mechanics, and hairstylists—are seeing their ability to make money day after day disappear.

President Trump says his shutdown is about making the country safer, but

that doesn't make any sense if you talk to the people who are suffering today. I have heard from furloughed FBI agents, air traffic controllers, State Department officials, workers at TSA, the Department of Homeland Security, the Coast Guard, and even Customs and Border Patrol, and they all vehemently oppose the shutdown.

Madam Speaker, we all support effective border security, but keeping these people furloughed or making them work unpaid doesn't make us any safer.

But on the positive side, as the pain has gotten worse for our community, I have also seen something else, which is that communities are coming together to make sure that no one gets left behind. Business after business throughout the country and throughout northern Virginia are helping with free sandwiches, free meals, and free services.

Nonprofits are stepping up their efforts to meet the worsening conditions created by the shutdown, and government officials, furloughed and unfurloughed, are doing everything they can to pitch in and lighten the blow on their unpaid colleagues.

□ 1100

Yesterday, I was helping serve food to Federal employees at Chef Jose Andres' World Central Kitchen. There was a line around the block, and it was D.C. police officers on their lunch break who came to help serve.

By the way, Madam Speaker, I think I handed out more than 300 meals, and not a single person said: Open up the government. Give Trump his wall.

We are better than this. We are good, kind, and industrious. The American people don't deserve this shutdown.

It is axiomatic that we shouldn't negotiate with hostage takers, but the President has taken our government hostage. If we give him what he wants, he may well use this tactic again and again and again.

President Reagan said: ''Mr. Gorbachev, tear down this wall.''

We say: President Trump, tear down your wall—your unreasonable obsession with an obsolete, medieval, ineffective way to secure our borders—and open up our government.

NEED FOR INFRASTRUCTURE INVESTMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Jersey (Mr. MALINOWSKI) for 5 minutes.

Mr. MALINOWSKI. Madam Speaker, I rise today to introduce the Transportation Funding Fairness Act and to express my hope that, after we have come to our senses and reopened the government, this year Congress will come together to fund the bridges, tunnels, railroads, airports, and roads that we all understand America needs to prosper and grow.

In the first decade of the 20th century, commuters in New Jersey towns like Summit, Union, and Westfield could hop on a steam-powered train, ride right up to a terminal on the dock in Jersey City, change seamlessly to a ferry, and be in Manhattan within 50 minutes to an hour, if there wasn't too much fog or ice on the Hudson River.

A hundred years of magical, technological progress later, and we have managed to shave that trip by maybe a few minutes, if the trains are running on time that day.

Decades of underinvestment in public infrastructure have taken its toll on American greatness. Anyone who has traveled the world and has seen the modern airports and seaports and fast rail networks that our competitors are building would understand that.

Just in the last 2 months, as we have not even been able to open our government, the Chinese Government has been busy approving over $125 billion in new rail projects—$125 billion.

No State suffers more from our lack of attention to infrastructure than New Jersey, where twice as many people use public transportation than the national average. To get to and from New York, 200,000 of us a day still depend on just two rail tracks across the Portal Bridge and through a Hudson River tunnel that our great-grandparents built in 1910 because they thought those 50-minute, turn-of-the-century commute times were unacceptably long.

When the Portal Bridge opens to let boats pass today, a worker with a hammer must sometimes lock it back into place while stranded commuters wait, and that Hudson River tunnel has just a few years of life left. If we fail to replace it in time, we will be dealing a crippling blow to the economy of our region and our country.

That is why it is so urgent and important that we get the Gateway Tunnel project built.

Madam Speaker, in New Jersey, when we say we want to build bridges, not walls, that is not just a metaphor. We mean it literally. The $5.7 billion that would be wasted to wall off America from Mexico happens to be almost exactly the Federal share of building a new Hudson River tunnel that would keep Americans connected to each other and, ultimately, to the world.

These are the real choices that we face. Is there any doubt what the voters who sent us here would have us choose: building something that millions of people living in my State and neighboring States say they desperately need, or something people living on the border say they do not need? A symbol of national progress, or a symbol of national fear? Is there any question at all?

That is one reason why I am introducing this bipartisan bill today, which is meant to clear one of the artificial obstacles the Department of Transportation has placed in the path of the Gateway Tunnel.

The Department has argued that when States take advantage of Federal transportation loans to pay some of their share of projects jointly funded by the Federal Government, like Gateway, those loans don't count as part of the State contribution to the project.

It makes no sense. State taxpayers, after all, are 100 percent obligated to pay back those loans. It is like saying that I am not actually paying for my house because I have taken out a mortgage.

Our bill makes crystal clear that States can use Federal loans to cover all or part of their share of these projects.

Speaking of taxpayers, Madam Speaker, I represent a State where we get only 74 cents back from Washington for every dollar we pay in taxes. That is the worst ratio in the country. The average American gets $1.12 back for every dollar he or she pays, courtesy of the Federal deficit.

What we ask, with strong justification, is that Washington give a bit more back in the form of investment in the infrastructure that powers States like New Jersey and, in turn, enables us to power the American economy.

I hope we will make progress on that this year and that this bill will make the task a little bit easier.

GOVERNMENT SHUTDOWN

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Washington (Ms. SCHRIER) for 5 minutes.

Ms. SCHRIER. Madam Speaker, yesterday marked 1 full month of this unnecessary government shutdown, and 800,000 Federal employees are set to miss their second paycheck later this week.

The shutdown is not only affecting those workers, but we are seeing ripple effects of agencies being closed or staff being downsized. Food banks are seeing massive increases, some almost twelvefold, in demand from Federal employees, but also people who rely on help like Section 8 housing checks or SNAP benefits.

Here is some of what I am hearing. I heard from a constituent who is a career employee at the FAA that ''it is frustrating that thousands of hard-working Federal employees have become innocent pawns in the current Washington standoff between Congress and the President over funding for border security. As an integral part of the Nation's air traffic control system, my focus has always been and will always be on safety.''

He goes on: ''My dedicated colleagues and I at the FAA work tirelessly in furtherance of the agency's mission of providing the safest, most efficient aerospace system in the world, despite some of us now doing so without pay.''

I have also heard from a woman whose husband is a Federal agent at the FDA. ''My question,'' she says, ''is how are we going to make ends meet without a paycheck from my husband this Friday? We adopted our sweet son a year and a half ago, draining our savings account to do so. We currently do

not have savings to fall back on during this time.

''How are we supposed to pay our rent, our bills, keep food on the table for our family, or pay for an emergency should it arise? I do have a full-time job that will at least bring us some income during this shutdown, and I am sure we are luckier than most Federal-employed families, but I can assure you that our family is in true panic mode.

''We have been doing everything in our power to ensure our family would be able to purchase a home this summer. How do we explain to creditors that we don't have the money to pay them right now without it affecting our credit?''

I have also heard from a constituent who is a furloughed Federal worker who is ''forced to come to work every day without pay due to the partial government shutdown.

''Every day that goes by, the stress and anxiety about not having a paycheck and having to support my family, all the while having to incur the costs of going to work every day, mounts. To top this all off, as an 'excepted,' or an 'exempt,' employee, under current Federal law, I am not allowed to apply for nor can I receive unemployment compensation.''

I have also heard from a local business owner who contracts with Federal entities. He says: ''My work has ground to a halt. I won't be compensated for any downtime, and I will have to reduce my workforce. We don't need a wall; we don't need to waste money; and we don't need symbolic racism. We need an open government that manages land, services, travel, and commerce. Please apply pressure to get the government open and our district's Federal employees, contractors, and private-sector partners back to work.''

I have heard from a constituent who served 40 years in the Coast Guard, under many different administrations, who said: ''Worst of all, it is negatively impacting the most junior members of our workforce. These are the people you will meet if you ever take your family out boating on Puget Sound or the navigable waters of this country and experience some form of distress. As a retiree, I will not be paid at the end of this month, a statement I once believed I would never have to say.''

I have heard from a social worker whose client left a domestic violence situation and recently received a letter about discontinuation of Section 8 housing benefits: ''This family, without this support, will be homeless once again, let alone the emotional strain that this is causing. Please do what you can,'' she says, ''to prevent the stress on our most vulnerable.''

The shutdown must end now. Federal employees and their families should not be held hostage for a wasteful and ineffective wall. People who rely on assistance from the Federal Government are now caught in the fray.

The House now has voted nine times to reopen the government with bipartisan bills that have similar language to what the Republican Senate passed in December, and we will introduce similar legislation today, giving Republicans in the Senate yet another opportunity to open the government.

I will not support reopening the government in exchange for the President's wall. This hostage-taking strategy must not be a successful one, or we will see it again.

The wall, as he defines it, is a monument to racism and xenophobia, an environmental disaster, and a huge waste of hard-earned taxpayer dollars.

Let's be clear that what Mr. Trump offered as a ''compromise'' on Saturday doesn't even undo the damage he alone has caused. That is no compromise; that is lip service.

Get the government open, and then we can have an informed, evidence-based discussion about the best way to protect our borders without holding the American people hostage.

HOSTAGE TAKING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. GREEN) for 5 minutes.

Mr. GREEN of Texas. Madam Speaker, I rise once again as a proud American. I love my country. I love what it stands for, in terms of its great ideals. And, Madam Speaker, as a proud American, I rise today to address the question of hostage taking.

One of the principles that we employ in international diplomacy—and I am being a little bit euphemistic by saying ''international diplomacy''—is that of not negotiating with hostage takers.

If you take one of our planes, highjack one of our planes, and you demand a ransom, we will not negotiate with you. Grab an American off the streets in some distant place, and we will not negotiate with you.

It doesn't matter that you start out at $50 million and then reduce your desire to have a ransom to $10 million, maybe. We don't negotiate with you. You are a hostage taker.

The United States of America, the greatest and richest country in the world, which can pay the price, refuses to negotiate with hostage takers.

Madam Speaker, this is bigger than the President. This is about whether or not we will allow any President to take hostages and demand a ransom that must be paid or else the hostages will continue to suffer. This is about whether we will allow any President to do this—not just a Republican President, any President.

It is un-American to take persons hostage within this country and demand a ransom when we wouldn't allow it on the international stage.

I am a person who decided that it was appropriate to meet with the hostages, and I did. I met with the hostages who work with the IRS. I heard their clarion call for help, their appeal for some understanding.

When I met with them, it became very clear to me that there is pain beyond the pain of not having the check to pay the bills.

Some of these persons literally indicated that they were having some mental concerns that would have to be addressed because they played by the rules. They have come to work; they have done their jobs; and now they find themselves in this most tenuous position of being denied the wages they have earned.

□ 1115

There is something wrong when a President will hold people hostage to the extent that they have mental issues as a result of the hostage taking.

One of the things called to my attention was that they don't believe that this all ends with them the moment they are allowed to go back to work and receive the wages that they have earned. They believe that they may have to have some additional counseling to help them through and to better cope with the experience that they never contemplated they would have as a result of being employed by the United States of America, the richest country in the world.

This is bigger than this President. It is about him, but it is bigger than him. It is about whether or not we will allow hostage taking within the country and yield to it, or will we demand that we do what we continue to say is our bedrock principle when it comes to negotiating with hostages on the international stage, and that is, you release our people; you let them go.

Mr. President, let our people go. You have become a modern-day pharaoh. You are holding people hostage, Mr. President. Don't you see what you are doing to the fiber and fabric of this country? Don't you see how you are ripping it apart? You are a modern-day pharaoh. Let our people go.

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair and to refrain from engaging in personalities toward the President.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 16 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

God of wisdom and peace, thank You for giving us another day.

As this partial government shutdown continues, help the Members of this assembly to open their hearts to Your love and to surrender their hopes and desires to Your purposes.

Pour out Your spirit of wisdom on each Member that today's deliberations might best respond to the pressing issues of the day. While disagreement abounds in Washington, thousands are in need of relief.

Bless those Americans who locally are stepping forward to assist those charged with serving to secure our safe travel and our borders and who are missing their second paycheck.

May humility and compassion be manifest among those who have the power to bring this impasse to an end.

Lord, have mercy on us.

May everything we do be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. CROW. Madam Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. CROW. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from South Carolina (Mr. WILSON) come forward and lead the House in the Pledge of Allegiance.

Mr. WILSON of South Carolina led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the resignation of the gentleman from Pennsylvania (Mr. MARINO), the whole number of the House is 433.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

46TH ANNIVERSARY OF ROE V. WADE

(Ms. LEE of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LEE of California. Madam Speaker, yesterday was the 46th anniversary of Roe v. Wade, the landmark Supreme Court decision that affirmed the constitutional right to an abortion.

This decision allowed millions of women to come out of the shadows and access lifesaving reproductive care, yet antiabortion laws and sustained attacks on women's access to the full range of reproductive healthcare continues to push abortion coverage out of the reach for too many people.

Since 2011, State lawmakers have passed more than 400 laws that restrict abortion, and policies like the Hyde amendment have pushed coverage out of reach for millions of women, especially low-income women and women of color. That is why I have been proud to be the lead cosponsor of the EACH Woman Act, along with Congresswoman Jan Schakowsky and Congresswoman DIANA DEGETTE.

This legislation will end the harmful Hyde amendment and make sure that all people, regardless of where they live or how much they make, have access to a full range of reproductive healthcare.

Madam Speaker, I remember the days of back-alley abortions, and we cannot allow this administration to turn back the clock on women's access to abortion. It is time to be bold and end Hyde and lift all the bans that deny a full range of reproductive healthcare to all women.

IRANIAN PROXIES

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, the murderous regime in Tehran has a very clear policy: death to America, death to Israel. That is why Iran trains, arms, and funds militia groups to fight its proxy wars throughout the Middle East.

In Iraq, these militias destabilize the country, weaken Baghdad's central authority, and do Iran's bidding. These militias directly threaten American interests in Iraq.

Many of them have American blood on their hands, but they are not being held accountable for their actions by our government. That is why I introduced H.R. 361, the Iranian Proxies Terrorist Sanctions Act, with my colleagues on the Foreign Affairs Committee, BRAD SHERMAN, STEVE CHABOT, and TOM SUOZZI.

This bill will finally sanction two notorious Iranian-controlled proxy groups in Iraq, including those responsible for the September 2018 attacks on the U.S. Embassy in Baghdad and U.S. Consulate Mosul. Mr. Speaker, I urge my colleagues to support this bipartisan bill.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

GERTRUDE AND SOL SLOAN—INTERNATIONAL HOLOCAUST REMEMBRANCE DAY

(Mr. HIGGINS of New York asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS of New York. Mr. Speaker, I recently met with an extraordinary American by the name of Gertrude Sloan. Today, I rise to share her story and that of her late husband, Sol, both Holocaust survivors.

Sol and Gertrude were born in Romania into Jewish families, and both were taken by the Nazi regime and held in a camp in Auschwitz. In an oral history, Sol tells the horrors of the concentration camps: starvation, beatings, and family separations with fatal endings.

Of the 1.3 million people taken to Auschwitz, an estimated 1.1 million were killed. Sol and Gertrude made it out alive. They met at a displaced person's camp and were later sponsored by relatives to come to America. In 1955, they opened Sloan's Antiques on Buffalo's east side, which continues to be operated by their son Max today.

I share the Sloans' story as we prepare to recognize International Holocaust Remembrance Day. May it be a reminder of the unspeakable grief for the Holocaust and for the inspirational stories of those who survived.

GLOBAL TRADE ACCOUNTABILITY

(Mr. DAVIDSON of Ohio asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DAVIDSON of Ohio. Mr. Speaker, international trade is essential to America's economy and to American leadership. Today, I introduce the Global Trade Accountability Act, which seeks to establish this principle.

As a private-sector manufacturing business owner, I experienced the harmful effects of bad trade practices firsthand.

On trade, as with many other issues, Congress needs to work with President Trump to restore power to the American people. This bill does that by ensuring that the President has flexibility to change tariffs as needed in negotiations, but if the President wants the tariff to continue beyond 90 days, Congress would need to vote approving that action.

President Trump's commitment to put America first in trade is commendable in fulfilling his promise to American workers; however, the President should not be in this fight alone. Congress needs to join the fight to ensure these efforts are effectively moved forward for the entire country.

The Constitution clearly gives the legislative branch the responsibility to

regulate commerce and lay taxes and duties with foreign nations, yet Congress has surrendered this Article I authority. Mr. Speaker, it is time to restore it.

STOP HOLDING OUR FEDERAL EMPLOYEES HOSTAGE

(Ms. BROWNLEY of California asked and was given permission to address the House for 1 minute.)

Ms. BROWNLEY of California. Mr. Speaker, today, I want to share the story of one of my constituents. Her name is Trisha.

In December of 2017, Trisha and her family lost their home and all of their belongings in the devastating Thomas fire. Since then, the family has been working hard to rebuild their home and their lives while supporting their two young children.

Now, because of the Trump shutdown, Trisha and her husband, who both work as air traffic controllers, have gone weeks without paychecks, facing very extreme hardship.

President Trump is holding them and 800,000 other Federal employees hostage, making an already stressful time even worse.

I welcome an honest, bipartisan discussion on border security, but we cannot have a full and transparent legislative process while the American people are being held hostage. It is time to open up our government now.

MENNONITE COLLEGE OF NURSING CELEBRATING 100 YEARS

(Mr. RODNEY DAVIS of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to congratulate Illinois State University's Mennonite College of Nursing on celebrating 100 years of excellence in nursing education.

Founded on January 23, 1919, the Mennonite Sanitarium Training School had a vision of training the Nation's best nurses. In 1982, they grew to become the Mennonite College of Nursing, thereby offering undergraduate degrees for the very first time.

In 1995, they added a graduate degree; and in 1999, the college became part of Illinois State University, where it has expanded to include even more academic offerings, including a doctorate degree.

Today, the ISU Mennonite College of Nursing boasts a state-of-the-art simulation lab and a 10,000-square-foot facility to provide students with hands-on experience in real-life situations with patient simulators.

As the husband of a nurse who is a former nurse educator, I am proud of the strong legacy of ISU's Mennonite College of Nursing and their commitment to educating future generations of nurses just like these students here. I commend them on their century of leadership and look forward to the many achievements to come.

AIR TRAFFIC CONTROLLERS AFFECTED BY THE SHUTDOWN

(Ms. SCHAKOWSKY asked and was given permission to address the House for 1 minute.)

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to share with you a letter from Antonio, a constituent of mine affected by this shutdown. He says:

> I am an air traffic controller at O'Hare Airport. This is already a stressful job, but a job that I love. This shutdown is adding an extra layer of stress to all of the controllers working around the country. With the shutdown going past a month, we are all stressing about bills, how to put food on the table, how to pay for childcare, et cetera. We don't have the luxury of escaping from the stress of this job because, when we go home, the stress just continues as worrying.
>
> Finding out that our vision and dental benefits would be billed to us with the expectation that we pay those bills out of our own pockets, despite having no paycheck for over a month, has only added to that stress. This shutdown is going to be a massive safety risk for the flying public if it doesn't end soon.

I have more from Antonio, which I will include in the RECORD later.

BRAVE MEN AND WOMEN OF FEMA

(Mr. RIGGLEMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RIGGLEMAN. Mr. Speaker, today I rise to commend the work of our hardworking FEMA employees and the fantastic job they do with disaster relief.

In October, my district, and many on the East Coast, were hit by Hurricane Florence and Tropical Storm Michael. I visited the town of Drakes Branch in Charlotte County to offer support after those storms. The damage was devastating, and there was work to be done all over the East Coast.

In my district alone, FEMA applications were filed in Charlotte County, Danville city, Franklin County, Halifax County, Lunenburg County, Mecklenburg County, Prince Edward County, and many others.

I commend the hard work done by FEMA in helping these areas recover, because we are recovering and are continuing to work to rebuild these areas.

I also commend the brave fire and rescue workers in all these areas, especially Meherrin Volunteer Fire and Rescue and the Drakes Branch VFD.

This is not an easy task, but for our work so far, we have been a success, and I thank the brave men and women of FEMA for their efforts.

□ 1215

END SHUTDOWN AND PAY AMERICAN WORKERS

(Mr. SCHNEIDER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHNEIDER. Mr. Speaker, as we stand here today, 33 days into the longest shutdown in our history, hundreds of thousands of Federal employees are being forced to work on our Nation's behalf without pay.

We are all able to confidently shop for groceries and eat in restaurants because FDA food inspectors are on the job. We are able to pass through airport security and fly across the Nation because TSA agents and air traffic controllers continue to do their jobs. We can all sleep soundly at night knowing our shores are protected because the men and women wearing the uniform of the Coast Guard remain resolutely at their posts, on the job.

The list goes on and on, and all of these Federal workers, these Americans, are working without pay.

Mr. Speaker, this situation is unconscionable. It is unjust. It is immoral.

This past weekend, Jason, an 8-year-old boy from my district, presented me an impassioned letter, remarkable for its wisdom. He writes: ''Dear Mr. President. . . . All of us work hard for our money. . . . I hope you see my point of view and end this shutdown.''

Mr. Speaker, I ask the President to listen to Jason and the majority of the American people. End this shutdown and pay the American workers who every day keep our Nation safe, secure, and strong.

MARCH FOR LIFE

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, last Friday, more than 100,000 Americans came to Washington for the 46th annual March for Life. This year's theme was ''Unique from Day One.''

Those who march envision a world where the beauty, dignity, and uniqueness of every human life are valued and protected.

Thanks to the pro-life movement, abortion rates across the country are at the lowest since 2013. Proudly, the Commonwealth of Pennsylvania remains one of the top protective States in the Nation to provide legal protections for human life from conception to natural death, according to the Americans United for Life.

Many of my colleagues have introduced legislation in this Congress to advance the pro-life cause and to protect the unborn. I am proud to cosponsor many of these bills, including the Defund Planned Parenthood Act, the No Taxpayer Funding for Abortion Act, the Sanctity of Human Life Act, the Protecting the Dignity of Unborn Children Act, and the Life at Conception Act.

Mr. Speaker, we must always be a voice for the voiceless, and we must continue to build a culture that values

life and respects mothers and their children, both born and yet to be born.

SHUTDOWN HARMS VETERANS

(Mr. CROW asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CROW. Mr. Speaker, I rise to speak out against the great harm this shutdown has on our Nation's veterans. I have often said, when politicians talk tough, real people get hurt.

Today, over 150,000 veterans are furloughed or working without pay. In Colorado, over 20,000 veterans who rely on SNAP food assistance are left wondering if they will be able to afford to feed their families.

This is more than just a delayed paycheck. It is about the denial of dignity and respect.

As one furloughed veteran in Colorado told me, when he took off the uniform, he wanted to continue serving our country by working for the government. We owe it to him and all others to honor that service by getting them back to work. There is a sacred promise in America that, if you step up to serve, we will be there for you when you take off the uniform.

After I returned from my third tour of duty, I was grateful that my country was there for me, and today, I stand before you to make sure we are there for them. It is time for the Senate to vote. It is time to reopen the government. And it is time to end this travesty.

SHUTDOWN IMPACTS

(Ms. UNDERWOOD asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. UNDERWOOD. Mr. Speaker, this week, we will vote for the tenth time to end the shutdown. I sincerely hope that this is the last time.

For the people in the 14th Congressional District of Illinois, the effects of this shutdown are real and they are painful.

This weekend, I visited a family shelter for survivors of domestic violence that does incredible work serving my community. This shelter would like to expand to serve more people, but funding uncertainty around reauthorization of the Violence Against Women Act makes that impossible for them. Domestic violence survivors are a casualty of this senseless shutdown.

This weekend, I met an entrepreneur who is working to open a pet care company with her husband. He even left his job so they could realize their dream. They are currently waiting on a Small Business Administration loan they need to open their business. It is sitting on a furloughed worker's desk. Entrepreneurs are a casualty of this shutdown.

This week, I met with air traffic controllers in my district, people who keep passengers and freight moving safely through the skies. They are working 6 days a week and about to miss a second paycheck. They told me they look after their colleagues by asking: How long do you have left?

How long do they have left before they miss a mortgage payment, a healthcare bill, or max out their credit cards?

Mr. Speaker, I sincerely hope the Senate will take up one of these bills and reopen the government.

PRESERVE DIGNITY OF OUR CITIZENRY

(Mr. DELGADO asked and was given permission to address the House for 1 minute.)

Mr. DELGADO. Mr. Speaker, today, I rise to lay bare the calamity that is the shutdown. From phones ringing off the hook, to folks I talked to at my townhall meeting on Monday, we have heard from far too many of our fellow citizens struggling because of government inaction.

Take the Coast Guard, who I met with in Saugerties last Friday. They are providing an invaluable service to our community up and down the Hudson River, not only search and rescue, but ice cutting, which is critical to our local economy.

They are out there working in the freezing cold and not being paid. This is the first time in history U.S. Armed Forces servicemembers are not being paid during a lapse in government funding.

I repeat: Because of the shutdown, members of the U.S. military are working without pay.

Government dysfunction of any kind is not good for the well-being of our democratic order. We are now approaching levels of dysfunction that ought not be tolerable for anyone who cares to preserve the dignity of our citizenry. We must open the government now.

HONORING LIFE OF DR. RONALD MERTHIE

(Mrs. MURPHY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MURPHY. Mr. Speaker, I rise today to honor the life of a spiritual leader in my central Florida community, Dr. Ronald Merthie, who recently passed away.

A proud son of Seminole County, Dr. Merthie attended what is now known as Crooms Academy of Information Technology, where he was elected class president. He went to Texas Southern University on an athletic scholarship and, upon graduation, returned home to become an educator.

Dr. Merthie struggled with substance abuse for a period of time, but he found strength through faith, overcoming personal hardship and becoming a pillar of his community.

Dr. Merthie's life was filled with action and achievement. He established the New Life Word Center Church, offered spiritual guidance on a weekly broadcast, and founded a K–12 school.

It was Dr. King who said, ''Life's most persistent and urgent question is, 'What are you doing for others?' '' Dr. Merthie devoted his life to serving others, and he will be deeply missed.

Mr. Speaker, I ask my colleagues to join me in honoring this exceptional man and offer our condolences to his family and to all of those whose lives he touched.

PROVIDING FOR CONSIDERATION OF H.R. 648, CONSOLIDATED APPROPRIATIONS ACT, 2019; PROVIDING FOR CONSIDERATION OF H.J. RES. 31, FURTHER CONTINUING APPROPRIATIONS FOR DEPARTMENT OF HOMELAND SECURITY, 2019; PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES; AND WAIVING A REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED FROM THE COMMITTEE ON RULES

Mr. MCGOVERN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 61 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 61

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 648) making appropriations for the fiscal year ending September 30, 2019, and for other purposes. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. Clause 2(e) of rule XXI shall not apply during consideration of the bill. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations or their respective designees; and (2) one motion to recommit.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 31) making further continuing appropriations for the Department of Homeland Security for fiscal year 2019, and for other purposes. All points of order against consideration of the joint resolution are waived. The joint resolution shall be considered as read. All points of order against provisions in the joint resolution are waived. The previous question shall be considered as ordered on the joint resolution and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations or their respective designees; and (2) one motion to recommit.

SEC. 3. It shall be in order at any time through the legislative day of February 1, 2019, for the Speaker to entertain motions that the House suspend the rules as though under clause 1 of rule XV. The Speaker or her designee shall consult with the Minority Leader or his designee on the designation of

any matter for consideration pursuant to this section.

SEC. 4. The requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported through the legislative day of January 30, 2019, relating to a measure making or continuing appropriations for the fiscal year ending September 30, 2019.

The SPEAKER pro tempore (Mr. HUFFMAN). The gentleman from Massachusetts is recognized for 1 hour.

Mr. MCGOVERN. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Georgia (Mr. WOODALL), pending which time I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. MCGOVERN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. Mr. Speaker, on Tuesday, the Rules Committee met and reported a rule, House Resolution 61, providing for consideration of H.R. 648, the Consolidated Appropriations Act of 2019, under a closed rule.

The rule provides 1 hour of debate equally divided and controlled by the chair and ranking member of the Committee on Appropriations. It also provides for consideration of H.J. Res. 31, which makes further continuing appropriations for the Department of Homeland Security for fiscal year 2019 under a closed rule. The rule provides 1 hour of debate equally divided and controlled by the chair and ranking member of the Appropriations Committee.

Additionally, it extends same-day authority for appropriations measures through January 30 and suspension authority through February 1.

Mr. Speaker, we are on day 33 of the Trump shutdown, the longest government shutdown in American history. Hundreds of thousands of Federal workers will miss a paycheck for the second time since the President plunged us into this mess.

The very people who keep our Nation safe are struggling to put food on the table, people like men and women in the Coast Guard, FBI agents, Border Patrol officers, and TSA agents.

Makeshift food banks are being opened across the country to help these workers and their families get by. Right outside our Nation's Capital, in Northern Virginia, some Federal workers waited more than an hour recently at a local food bank. Demand was so high that a tenth of the food was gone in the first 5 minutes.

Because of the President's shutdown, 15 million households could see a gap in their monthly SNAP benefits that lasts more than 40 days. Four million low-income households could see a gap that lasts more than 50 days.

This program is their lifeline, Mr. Speaker. These families don't have a plan B.

I have given weekly end-hunger-now speeches on this floor since February of 2013, and I have made it clear time and time again that hunger is not only unacceptable in this country, the richest country in the history of the world, but it is a political condition.

We have the resources. We have what it takes. What we need to muster is the political will to do something about it. But here we are, and as I said, it is embarrassing enough that the wealthiest nation on the planet has an ongoing hunger crisis, but I never, ever imagined that a President of the United States would exacerbate it like this.

This is disgusting. This is unacceptable. This is unconscionable.

Let us be clear: It is the President's bruised ego that keeps a quarter of our government closed today.

Now, his latest so-called compromise proposal isn't really a compromise at all. In fact, it brings new meaning to the word ''cruel.''

□ 1230

Not only does it fail to provide a permanent solution for the Dreamers or TPS recipients, it only covers a fraction of eligible Dreamers, it excludes TPS holders from Asia and Africa, and it rewrites the law for future DACA recipients, TPS holders, and asylum seekers that will make it all but impossible for anyone to qualify.

These are the same old, tired, and extremist ideas the President and his advisers floated last year. They were rejected by both the Republican-controlled House and the Republican-controlled Senate. This is not a compromise. This is called backwards.

Now, if this administration wants to target refugees, people fleeing persecution, people fleeing for their life, if that is what he wants to do, then at least he should have the guts to do it in an open hearing for the world to see.

Now, President Trump is treating this like some reality show. He doesn't want to look bad in the right-wing press despite the fact that Members of both parties are refusing to fund his ineffective wall. If the President really wants to reach a real compromise, then he should log off Twitter and actually sit down with us and be willing to actually negotiate; no more storming out of the Situation Room and no more of his my-way-or-the-highway approach. Work with us for a change.

For whatever reason, Mr. Speaker, he has been unwilling to do that. President Trump may not have the fortitude to get us out of this mess that he created, but this majority does. So instead of following the President who got us into this mess, we have an opportunity to lead. Passing these bipartisan, bicameral bills is what leadership looks like.

Now, many of my Republican friends have asked to consider a plan that doesn't cede the House's will by considering a Senate bill. Well, today is their day because we are considering a bipartisan, bicameral compromise. This six-bill package is the result of real negotiations between the Appropriations Committees in the House and Senate. It is a true compromise that would reopen the entire government apart from the Department of Homeland Security. In fact, these negotiated bills are exactly what my good friends on the other side of the aisle have been asking us over the past week to take up. Again, this is all last year's work in the last session.

I recognize that we don't have a similar agreement on the Homeland Security measure included here, but this short-term CR will get our TSA agents paid while all other parties get back to the negotiating table.

The minibus includes $328 million in new dollars for border security that we know will actually work. The funding will increase infrastructure investments at our ports of entry; install new technology that will scan for drugs, weapons, and contraband; put in place technology to detect unauthorized crossings; and fund more immigration judges. This is what smart security looks like in the 21st century, Mr. Speaker, not some medieval wall.

Now, these details have already been agreed to by Democrats and Republicans on both sides of the Capitol. The majority is standing by our word. I urge my Republican friends: Take yes for an answer.

The President may be proud to have shut down this government, but this is nothing to be proud of.

How can anybody be proud that 800,000 Federal workers are about to miss a second paycheck, that our TSA workers are calling in sick so they can work another job that actually helps them pay the bills, or the economy is losing growth at twice the speed originally estimated?

I could go on and on and on and on, Mr. Speaker, but I know each of us has heard from people in our districts. Our offices are getting these calls every day, in fact, every hour and every minute now. We are all hearing from struggling constituents. Their message is the same: End this shutdown. End this shutdown.

This doesn't seem, unfortunately, to be a priority for President Trump. He is out there tweeting about which player should be in the Baseball Hall of Fame. Give me a break. Maybe he doesn't know what it is like in the real world. After all, the President got his start through what he has called a small loan from his dad that reports now estimate could have totaled more than $60 million. That is the world he lives in.

But families are struggling and left to wonder how they are going to afford to put food on the table or how they are going to pay for medicine without a paycheck.

Enough of the games. Congress has the power to end this shutdown.

Mr. Speaker, I urge all my colleagues to vote ''yes'' on this rule and give the underlying legislation the strong veto-proof vote it deserves. Let's finally turn the lights back on. Listen to your constituents, I say to my friends on the other side of the aisle. Listen to what they are saying. Turn the lights back on.

Mr. Speaker, I reserve the balance of my time.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank my friend from Massachusetts for yielding me the customary 30 minutes, and I appreciated the first 60 seconds of his comments where he went through that kind of policy work and that kind of procedural work, the work that we do.

We are on opposite sides of this issue. The Rules Committee is the single most partisan committee on Capitol Hill, and, yet, we always find a way to come together and share the debate to move forward. But after that first 60 seconds of process, we went into 4 minutes of the President and accusations, one after another after another.

Now, I have only been in this institution for five terms, Mr. Speaker, but that is long enough to understand that there is only one way to turn a bill into a law, and that is if Congress proposes it, Congress passes it, and the President signs it. Now, my good friend from Massachusetts knows as well as I do the President has not vetoed one single spending bill that the Congress has sent to him. The government is not shut down because the President is rejecting bills that Congress has passed. The government is shut down because Congress hasn't passed a bill.

Mr. Speaker, if you would just listen to that opening statement, your blood pressure probably gets as high as mine does: failure after failure after failure, disappointment after disappointment after disappointment, embarrassing event after embarrassing event. I will remind my colleagues that we are where we are because we came together and passed more spending bills on time before the end of the fiscal year than any other Congress in 22 years.

Now, we could have gotten them all done. My Democratic friends in the Senate didn't want to move those along. They had perfectly legitimate policy reasons for doing that. I am not going to question their motives; I will question their wisdom.

We have got more done together than we ever have before, and we could build on that, I tell my friend. We could build on that or we could go into our corners, we could put on our jerseys, and we can throw accusations out as fast as we can invent them in our head. That is where we are.

It is the month of January, Mr. Speaker, the very first month of this new Congress. We have new leadership. It has been more than a decade since I have seen a face like yours in the Speaker's chair. We have spent 338 hours in this Chamber—338 hours in this Chamber—this month working on appropriations bills. Not one has gone to the President's desk for his consideration.

My friend from Massachusetts is right when he talks about pain in American families. My friend from Massachusetts is right when he talks about the expectations folks have of Congress and how we should do better. My friend from Massachusetts is right when he says that this is not what any one of us was sent here to do. We were sent here to solve problems.

I promise you, unless your family is different from mine, Mr. Speaker, unless your relationships are different from mine, I have never solved a problem in my family by telling my loved ones how much it is their fault, how much they need to change, how much they are on the wrong side of an issue and we are not going to do anything until they come around to my way of thinking. It hasn't been a particularly successful method for me.

Now, I look back over these last 33 days. The President sent the Vice President to Capitol Hill. He came with the OMB director, Mick Mulvaney.

He said: I told you what I needed to pass the bill. I told you what I needed and what I thought was important for America and for national security. But I will tell you what; I don't have to have exactly that. I can come off that. I can negotiate down from that. I can move away from that. Let's talk about what the other options may be.

No response.

The President this past weekend: I want to break this impasse; I want to find a way we can move forward; it is not about who wins. We all need to win as Americans. We all want to do better as Americans. I am going to offer to do something that no President has been able to do. I am going to offer to put into statute protection for the young men and women in the DACA program. I am going to offer to put into statute protections for those men and women in temporary protected status that has since expired. I am going to put that into statute for the first time.

As the press release is dated, Mr. Speaker, Speaker of the House NANCY PELOSI rejected that offer 7 minutes before it was made.

I am not saying that that is the right answer. I am not saying that that is the best we can do. I am not saying that is where the conversation ends. I am asking my friends: When does the conversation begin?

More than 300 hours we have spent talking amongst ourselves and produced nothing to go to the President's desk. Sadly, I know that this issue has elevated beyond where my friend from Massachusetts, even as chairman of the powerful Rules Committee—and it is the powerful Rules Committee, it can move absolutely any measure through this House, and the Rules Committee has been incredibly successful. The House is moving appropriations bills like nobody's business, Mr. Speaker, because when you are in the majority you can do that. You can do my way or the highway.

That is the way my friend described President Trump's attitude. I will just remind my friend that is actually what we have today in this bill. My ranking member asked if we could consider some amendments to this bill, and he was told no. My friend didn't say: Let's just come down here and have amendments willy-nilly. We will have a preprinting requirement, we will do what we call a modified open rule, just so some of our new Members can have their voices heard, their constituents' voices heard in some way.

The answer was no; straight party-line vote. All the Democrats said: no, we are not going to allow any other voices to be heard; and all the Republicans said: yes.

I don't fault my friend for that. That is not a personal slight of any kind, Mr. Speaker. The Rules Committee is the Speaker's committee. It does the work of the Speaker. As powerful and talented as my friend from Massachusetts is, it is his job to implement the Speaker's will. Now, to his credit, he has been very bold in terms of trying to open that committee up. He has been very bold in trying to make sure more voices have been heard. But we find ourselves trapped in this appropriations cycle. We haven't actually gotten to where my friend is going to be able to do his very best work. We are still trapped in trying to do the business of last year.

But my friend's pointing out that the President's my way or the highway—which is inaccurate—is not helpful. My pointing out that this bill is Speaker PELOSI's way or the highway may be accurate, but it still isn't helpful. We have got to have a conversation with one another. I can go down the list of the ways that the President has said he is willing to come to the table, but he is sitting at the table alone.

I am a vote counter, Mr. Speaker. I know how to count votes in this Chamber. I have no doubt that the rule that my friend from Massachusetts is proposing is going to pass this floor today. I have no doubt that the underlying appropriations bill is going to pass this floor. This rule includes something called martial law, Mr. Speaker, which means they can bring up anything they want to any time they want to, no preprinting, and no opportunity to review it, none of those activities that we would say bring out the very best in transparency here. If any of those bills come up, they are going to pass.

There is no confusion in this Chamber about who has the votes to win. The confusion in this Chamber is how it is we get from where we are to where our constituents want us to be and doing the same thing over and over and over again isn't going to get it done.

It is my first time carrying a rule in the minority, Mr. Speaker. I knew when I walked down here this morning my job was to lose. I don't mind losing.

But I do mind when the American people lose, and the American people are losing right now. There are no winners right now.

I know the men and women of this Chamber. There are some talented orators here. We can absolutely trade insults and accusations until the sun goes down. But there are some talented policymakers here, too. There are some talented negotiators here, too. As long as the President is sitting at that negotiating table alone, we are not going to get to a solution. But he doesn't have to be there alone. I appreciate his making the invitation, and I hope, as my friend from Massachusetts said, we will learn to take yes for an answer.

Mr. Speaker, I reserve the balance of my time.

□ 1245

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Let me just remind my colleague that the bills that we are taking up here today were the result of a robust amendment process and robust debate in the last Congress. This is all last year's work.

I also remind the gentleman he is right about one thing, that we haven't sent the President a bill from both Chambers, but we almost did. If he remembers correctly, in December, when the Republicans controlled the House and the Republicans controlled the Senate and they, obviously, controlled the White House, we actually came together and the Senate passed a bill that would keep the government running and open, unanimously.

I even supported the gentleman's martial law rule to be able to bring up that legislation expeditiously so we could do our work and so that nobody would have to be anxious over the holidays as to whether or not they were going to get paid.

We were about to vote on it, and it was agreed on by Democrats and Republicans. There was no controversy. And then the President turned on rightwing TV or was listening to rightwing radio, and Ann Coulter and some of these other rightwing extremists said: No, you can't do that.

And he changed his mind, and everything came to a standstill. So all this bipartisan work was for naught.

What we are bringing up here today is all the bipartisan work that many of my Republican colleagues on the Appropriations Committee, Democrats and Republicans, worked hard on to come up with a compromise that is good. It is good. Yet my friends say: Well, no. Let's start all over again.

The bottom line is the other side left us with a mess. When they controlled everything, they weren't able to get the job done.

Let me just say, here are some facts: This is the longest shutdown in history, but it is historic for another reason. This is the first time in history that a Congress has ended in a government shutdown. Never before has a Congress left it to the next Congress to reopen the government. With all due respect to my friends, that is what my friends left us with.

On top of that, Republicans had control of the White House, the Senate, and the House last year, and they couldn't keep the lights on. Then Republicans went home for Christmas and New Year's and every day in between. I know because I was on the floor multiple times begging to be recognized to offer solutions, and I was denied even the ability to offer a solution.

Since we took charge, we have nonstop offered options. Now some Members want to complain about how we are cleaning up the mess that was left to us.

Imagine this. Imagine if someone dumped a bunch of garbage on your lawn and then started complaining about how you weren't cleaning it up. That is what is happening here.

I would suggest that my friends kind of save their criticisms for a time when we aren't cleaning up after all of them.

I just want to make one other point. The gentleman said that we have martial law, same-day authority in this rule to bring up anything we want. No, that is not the case.

When my friends were in charge, they did. They had martial law to bring up anything they wanted to, and they were trying to bring up a cheese bill, if I remember correctly, instead of a bill to keep the government open in the last days of December.

No. We limit it to appropriations matters, and we want to be able to, if we can come to a deal, if we come to some sort of solution, to be able to bring something up immediately to be able to get everybody the paychecks to which they are entitled.

I know the gentleman was home over the holiday weekend, and I was, too. My constituents asked me the question over and over: I get it that there is a disagreement over the President's border wall, but why do you have to shut the entire government down over that issue? Why can't you just continue in negotiation? Why do you have to deny TSA workers a paycheck? Why is that okay? Why is that acceptable? Why are they pawns in this? Or men and women who serve in our Coast Guard, why is that okay to say: You don't get paid because the President is having a temper tantrum and he is not getting his way? All of a sudden, we have to deny them a paycheck?

People don't understand why my Republican friends think this is acceptable. The gentleman from Georgia knows that the reason why a bill is not on the President's desk is because the Senate majority leader, Mr. MCCONNELL, is basically doing the President's bidding. He said: I am not going to bring anything to the floor that the President doesn't want to sign.

We have another option here, too: We can actually pass bipartisan bills that should win overwhelming support. We should pass them with veto-proof margins and basically say to the President: We don't believe in government by blackmail. That is not the way we do things around here. That is not the way this government is supposed to work.

We ought to reopen the government, and we ought to engage in serious discussions about how we improve our border security. We have some great ideas on how to do that. We have some ideas that I mentioned in my opening speech on ways we can improve our border security.

We think a border wall is a ridiculous idea. But if you want to talk about a wall, fine, but don't—don't—hold hundreds of thousands of workers hostage.

We have an opportunity now to set these hostages that the President has taken free. Let's do it.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume, and I appreciate that admonition from the Chair.

I was looking aggressively at all the words my friend had to say for what that thing was that was going to break this logjam, what that thing was that was going to bring people together, what that olive branch was that he was extending to succeed where others had failed.

I heard that if we only come together and do it his way, that we could all just get along, and I have no doubt that that is true. That is not what a negotiation is. That is not the way this Chamber works.

We have got to send a bill to the President's desk. When the President starts vetoing bills, then start accusing the President of being the grit in the cog in this legislative wheel. We don't have agreement amongst ourselves.

We were up in the Rules Committee last night, Mr. Speaker, and one of my appropriator friends was celebrating the bills that were coming to the floor today and celebrating how pleased she was that so many of the pro-life provisions had been stripped out, celebrating that so many of the dollars that we would be sending overseas would no longer be encumbered by pro-life provisions, that folks would be able to use them in any way that they wanted.

Well, I have no doubt that she was pleased by those things, but we are not all pleased by those things, Mr. Speaker. This doesn't represent the compromise solution that everybody is on board with, as my friend would have you believe.

The financial services language in this bill, that never made it through conference. We couldn't agree, not amongst ourselves in the House and the Senate, not in a bicameral way.

My friend who is the ranking member of the Financial Services and General

Government Appropriations Subcommittee, Mr. Speaker, shared last night that there were 20 different pieces of bipartisan legislation that were in the original bill, 6 pieces of bipartisan legislation that had been signed off on by the then-ranking member and, now, chairwoman of the Financial Services Committee that we could have moved forward, that we could have made a difference—again, stripped out for reasons beyond my understanding.

This isn't complicated if folks are sincere about coming together around the table. It is impossible if folks would rather trade insults than solutions.

Mr. Speaker, I yield 5 minutes to the gentleman from Michigan (Mr. MITCHELL), a friend who has been dedicated entirely to solutions in his short time in the House.

Mr. MITCHELL. Mr. Speaker, we have three crises in our country right now: We have a humanitarian crisis at the southern border. We could talk about the dynamics of that, but let's be honest about it—we truly do. We need to secure our Nation's borders, and we need to reopen our government and pay our Federal workers, something I have been committed to since I joined Congress.

So far, we have wasted more than 338 hours working on dead-end bills that will not pass the Senate, the President won't sign, because my colleagues on the other side of the aisle, or their leadership, won't get in a room and negotiate with the President, with MITCH MCCONNELL, with the majority leader, with the minority leader—all in the same room—and negotiate on the package that the President has put forward.

I spoke on that package last week. I held up this letter, which was a January 6 letter from the President, from the administration, to the chair of the Appropriations Committee and all the members. The other side of the aisle was astonished. They didn't know what this letter was.

That is a little bit demoralizing, if you think about it, why the letter wasn't shared with all Members on the other side of the aisle.

You see, compromise means you don't get 100 percent of what you want, but you move the ball forward. You move the ball down the road, and you keep making progress.

Those same people who are calling it a border wall or a barrier or whatever you want to call it—I do stress to my colleagues on the other side of the aisle, call it about anything you want, short of a moat. If you make progress, we move forward.

These same people who are now calling it immoral voted for border security, border barriers, when there was a different President. Now that it has President Trump's name on it, suddenly it has become evil.

Since January 3, President Trump has made two detailed proposals to Congress on how to solve this problem—it shows that the President is prepared to negotiate on it—a package of things that include border security, technology at the border, strengthening our points of entry, humanitarian aid, additional immigration judges, and, let me stress this, providing assistance for people to apply for asylum from their home countries rather than take that dangerous and treacherous journey to the Mexican border.

Doctors Without Borders says that 31 percent of the women who make that journey are sexually assaulted. The President wants to address that. Neither of those proposals have even gotten a moment of discussion from the other side of the aisle.

Anyone who spent 35 years in business, or even a few years in business, as I have, would know that compromise means you deal with the entirety of the problem. You negotiate the problem, and you get an answer that moves it forward rather than say: Some things are out of bounds; we are not going to talk about that.

The part I like now, lately, is: We will talk about it later; we promise we will.

There is a song about that. It is called, ''Tomorrow, Tomorrow.''

Sorry. Now is the time to deal with it. Now is the time. And I agree: Having people not paid—my dad was an autoworker. He was laid off multiple times. Missing two paychecks is brutal. There is an answer to that. It is called negotiate.

It is important that Members of the House and Senate and the leadership take seriously the President's proposals, go to a room, close the door, and negotiate rather than say, as has been said by the current Speaker: zero dollars for the wall, maybe a dollar.

I don't care if you call it a wall. I don't care if you call it a steel slat. I don't care if you call it a barrier. But we need security at the southern border. Why is it we can't have that now?

Further, we have to end this and pay our Federal workers. We must end this crisis and pay the workers. There is a route there.

Rather than spend 338 hours on the floor—in this whole posturing, this whole profiling—sit in a room and spend 10 percent of that time, 33 hours, in one room. My guess is you would come to an answer on the problem.

Why are we not doing that? Why are we not doing that? Our Democrats on the other side of the aisle obstruct people being paid.

Last week, we proposed an amendment that would have, in fact, retroactively opened the government to pay Federal employees. Six Democrats joined us in that—only six—and it was defeated.

Again, if you want to pay the employees, pay them; don't use them as hostages, as you have.

A couple summaries I wish to make: First, these are not the same bills that you claim were bipartisan bills that passed appropriations. As my colleague has noted, significant items have been pulled out of that—life protections. I will go through a list. So they are not the same bills.

Let's be honest on the floor and at least call them what they are. They are Democratic versions of the previous bills that they put through.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WOODALL. Mr. Speaker, I yield the gentleman from Michigan an additional 2 minutes.

Mr. MITCHELL. One of the questions I posed for my colleagues: Why is it okay to begin running reelection campaigns now for an election to go 2 years from now? Why is it okay for the Presidential campaigns to start on the backs of these workers and the southern border?

Someone answer that question for me, because that is what is happening. That is what is happening all over the country. That is what is happening on TV.

□ 1300

This is now the cause for which people are going to run campaigns. And, frankly, as a result, yeah, we have government by blackmail, but the blackmail is going on by the other side of the aisle that insists they will only talk about certain components of this, but not all of it, because they have now decided it is not politically expedient as they are getting ready to run for office—some getting ready, apparently, to run for President—and they want to use this as leverage.

We can solve this problem in 1 day. I encourage my colleagues to do so. Get the Speaker of the House, the minority leader, majority leader of the Senate, the minority leader of the Senate, and the President in a room, close the door, and don't come out until you have an answer that they all agree to. How hard is it to understand that concept?

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Let me say, I think we have agreement here. We all want to open the government. We all want to reopen the government. I think the difference here is that we have no preconditions on reopening the government. My Republican friends do have preconditions, and it is whatever the President decides he wants to tack on at the last minute.

So there is a difference here. We have no preconditions. Open the government up, start paying all of our Federal workers, let's get our country back to normal here in terms of the Federal workforce, but my Republican friends have all these strings that they want to attach to it.

The gentleman from Michigan said, you know, he refers to one of the ''gotcha'' amendments that the Republicans offered on backpay for Federal workers. I should remind him that we actually passed a law here, S. 24, which created an entitlement to backpay for

Federal workers who aren't getting paid during the shutdown. So we actually dealt with that here. We actually passed a law, and, that, he may not have known that.

I should also say to my Republican friends, understand that the American people are not on your side on this. There is a recent ''CBS News'' poll—7 in 10 Americans do not think the issue of a border wall is worth a government shutdown—7 in 10.

Now, I know there is this—you know, the President is worried about that 25, 30 percent of his base, but the vast majority of the people in this country aren't with him on this. They are not with you on this by not stepping up and saying we ought to reopen our government.

You want to have a negotiation on border security, we have lots of ideas to enhance border security, and that is based on conversations with people on the border who talk about increased technology, who talk about better infrastructure, who talk about more personnel, you know, more asylum judges. I can go on and on and on. We are all for that. Let's continue that conversation.

But why in the world does this President insist on shutting the government down until he gets his way on this border wall? This is not the way you do a negotiation. And, again, if you want to reopen the government, and we do, we have no conditions. Reopen the government. It is that simple.

And the bills—the gentleman from Michigan talked about bills that the Senate would pass. Some of the bills that we are sending over to the Senate passed unanimously. Boy, I mean, if that is not a signal that they overwhelmingly agree with the substance of these bills, I don't know what is, but they did. They voted unanimously, in some cases, for some of these bills we are sending over here.

Mr. Speaker, I include in the RECORD an article from ''The Washington Post'' titled: ''Unacceptable: Coast Guard's top officer criticizes lack of payment in government shutdown.''

[From the Washington Post, Jan. 22, 2019]

'UNACCEPTABLE': COAST GUARD'S TOP OFFICER CRITICIZES LACK OF PAYMENT IN GOVERNMENT SHUTDOWN

(By Dan Lamothe)

The Coast Guard's top admiral said Tuesday that members of the armed forces should not be expected to shoulder the burden of the partial government shutdown, citing the ''anxiety and stress'' it is causing military families as their pay is withheld.

Adm. Karl Schultz, the Coast Guard commandant, said he is heartened by the outpouring of support Coast Guard personnel have received across the country but expects more.

''Ultimately, I find it unacceptable that Coast Guard men and women have to rely on food pantries and donations to get through day-to-day life as service members,'' he said, speaking on a video posted to his Twitter account.

The comments marked the admiral's most forceful remarks about the shutdown since it began 32 days ago amid a dispute over President Trump's demands for funding for a southern border wall. While the majority of the U.S. military is part of the Defense Department and has funding, the Department of Homeland Security and is agencies, including the Coast Guard, are affected by the shutdown.

About 41,000 active-duty service members and 2,100 civilians who are considered ''essential personnel'' are working without a paycheck under the promise they will get back pay when the shutdown is resolved, said Lt. Cmdr. Scott McBride, a service spokesman. That situation grew more urgent Jan. 15, when service members missed a paycheck. An additional 6,000 civilians working for the service are furloughed.

Overall, about 800,000 federal workers are not receiving paychecks amid the shutdown, with nearly half furloughed.

Schultz, appearing alongside the service's top enlisted man, Master Chief Petty Officer of the Coast Guard Jason M. Vanderhaden, noted that civilian employees will miss another paycheck Friday and called it a 'sobering'' situation.

Senior Coast Guard officials and the American public, he said, ''stand in awe'' of the affected service members' 'continued dedication to duty and resilience'' and that of their families.

The admiral, in keeping with the military's tradition of not commenting directly on politics, did not blame anyone specific for the shutdown. He and Homeland Security Secretary Kirstjen Nielsen are making their case for the service on Capitol Hill, Schultz said.

The Coast Guard has continued to carry out operations across the globe during the shutdown.

On Sunday, the Coast Guard Cutter Bertholf departed from Alameda, Calif., with about 170 people aboard for a deployment to the Pacific that will last up to six months. The Defense Department will reimburse the service for the deployment, but Coast Guard personnel still will not be paid until the shutdown is resolved.

''The crew, like all other [Coast Guard] members, are affected by the lapse of appropriations, and are not being paid,'' said Lt. Cmdr. Steve Brickey, a service spokesman. ''It is always difficult to deploy for months and leave behind family and loved ones. That stress is of course magnified when you add on the uncertainly of the shutdown.''

Mr. McGOVERN. Admiral Schultz, the Coast Guard's commandant said: ''Ultimately, I find it unacceptable that Coast Guard men and women have to rely on food pantries and donations to get through day-to-day life as servicemembers.''

In total, 41,000 Active Duty servicemembers and 2,100 civilians are essential personnel and working without pay and have been for 33 days now. An additional 6,000 are furloughed. As of this Friday, these brave men and women will have missed two paychecks. That is unacceptable.

Mr. Speaker, I include in the RECORD an article titled: ''America's veterans said to be disproportionately affected by government shutdown.''

[From ABC News, Jan. 9, 2019]

AMERICA'S VETERANS SAID TO BE DISPROPORTIONATELY AFFECTED BY GOVERNMENT SHUTDOWN

(By Elizabeth McLaughlin)

As the partial government shutdown continues for a third week, veterans groups are sounding the alarm because of what they say is the disproportionate impact on America's veterans and a growing fear that financial uncertainty could lead to self-harm.

An estimated one-third of the federal workforce is made up of veterans, according to the Office of Personnel Management, meaning that more than 250,000 veterans are not currently receiving paychecks.

''This shutdown has consequences that go beyond loss of pay,'' the Union Veterans Council said in a statement this week. ''Financial instability is one of the main cause of suicides among the veterans' community. These hard-working men and women who sacrificed so much for their country should not have their families held hostage by lawmakers that cannot relate to living paycheck to paycheck.''

Edward M. Canales is a local union president with the American Federation of Government Employees and a veteran liaison officer who serves as a resource to veterans working in the U.S. Bureau of Prisons west of the Mississippi River.

He told ABC News that he's received numerous calls from veterans who aren't able to support their families during the shutdown and express ''no positive outlook on the future.''

''If this shutdown does not stop, we are going to have fatalities. We're going to have suicides,'' he said.

Canales, a U.S. Army veteran himself who deployed to Iraq during Operation Desert Storm, said he is referring calls to the Department of Veterans Affairs hotline out of concern that a veteran will self-harm.

He called the shutdown ''shameful,'' saying its ''slapping every veteran in the face who has served their country.''

As a special investigative service technician who worked in the federal prison system for 26 years, Canales is currently not receiving his retirement pay.

Toby Hauck, a six-year Air Force veteran, is an air traffic controller in Aurora, Illinois, who has gone without a paycheck since Dec. 31. He told ABC News that his father and grandfather served in the U.S. military and now his son and daughter-in-law are deploying overseas at the end of the month.

Hauck and his wife, a neonatal intensive care unit nurse, will be looking after their two-and-a-half-year-old granddaughter during the ten-month deployment, and the continued lack of pay causes added stress to their already hectic jobs, he said.

''We are hardworking, proud American employees doing a job for the American public that is essential as an air traffic controller,'' said Hauck, who is also a representative for the National Air Traffic Controllers Association. ''It's not acceptable as a veteran, as a federal employee, as an air traffic controller to use my profession and my livelihood as a political football.''

''[Veterans] are very proud of our heritage and what we've done for the country. And those of us who continue to serve the federal government as a federal employee continue that pride throughout their careers,'' he added.

Mr. McGOVERN. The Union Veterans Council said in a statement this week, ''Financial instability is one of the main causes of suicide among the veterans' community. These hardworking men and women who sacrificed so much for their country should not have their families held hostage by lawmakers that cannot relate to living paycheck to paycheck.''

According to the Office of Personnel Management, one-third of the Federal workforce is made up of veterans. That means 250,000 veterans are not receiving paychecks right now during this

Trump shutdown. That is an absolute disgrace.

Mr. Speaker, as the Trump shutdown continues, hundreds of Internal Revenue Service employees have received permission to skip work due to financial hardships, and absences are only expected to grow.

I would like to share a story about Marissa Scott, an IRS employee who is gravely affected by this Trump shutdown. Ms. Scott lives outside of Kansas City, Missouri. She drives 98 miles roundtrip to work each day. Right now, she cannot afford to fill her gas tank and has stopped going to work.

She shared that she typically helps 50 people a day with their tax returns and fears that this shutdown may cause delays in tax refunds for months as more employees like her are unable to continue working without a paycheck. These are tax refunds that Americans rely on and are eagerly waiting to be processed.

Mr. Speaker, I include in the RECORD an article from ''The Washington Post'' titled: ''Hundreds of IRS employees are skipping work. That could delay tax refunds.'' It also details Ms. Scott's story.

[From the Washington Post, Jan. 22, 2019]

HUNDREDS OF IRS EMPLOYEES ARE SKIPPING WORK. THAT COULD DELAY TAX REFUNDS

(By Danielle Paquette, Lisa Rein, Jeff Stein and Kimberly Kindy)

Hundreds of Internal Revenue Service employees have received permission to skip work during the partial government shutdown due to financial hardship, and union leaders said Tuesday that they expected absences to surge as part of a coordinated protest that could hamper the government's ability to process taxpayer refunds on time.

The Trump administration last week ordered at least 30,000 IRS workers back to their offices, where they have been working to process refunds without pay. It was one of the biggest steps the government has taken to mitigate the shutdown's impact on Americans' lives.

But IRS employees across the country—some in coordinated protest, others out of financial necessity—won't be clocking in, according to Tony Reardon, president of the National Treasury Employees Union, and several local union officials. The work action is widespread and includes employees from a processing center in Ogden, Utah, to the Brookhaven campus on New York's Long Island.

The move is the leading edge of pushback from within the IRS, and it signals the potential for civil servants to take actions that could slow or cripple government functions as the shutdown's political stalemate continues in Washington. U.S. Department of Agriculture meat inspectors have begun to call in sick, Transportation Security Administration sickouts at airports have been rising, and federal law enforcement agencies say the shutdown is increasing stress among agents and affecting investigations.

''They are definitely angry that they're not getting paid, and maybe some of them are angry enough to express their anger this way,'' said Reardon, whose union represents 150,000 employees at 33 federal agencies and departments. ''But these employees live paycheck to paycheck, and they can't scrape up the dollars to get to work or pay for child care.''

Not receiving pay for more than a month has taken a toll on employees across the government, but especially on those who are not in high-salary jobs. The employees summoned back from furlough to process tax refunds are paid between $25,800 and $51,000 a year, depending on their seniority. IRS employees will miss a second paycheck Monday if the government does not reopen this week.

''I'm at the point where I cannot afford to go to work,'' said Marissa Scott, 31, an IRS customer service representative who is out on hardship leave. Scott lives outside Kansas City, Mo., and drives 98 miles round trip to work each day. ''I cannot afford to fill my gas tank.''

Scott, who has worked at the IRS for four years, says she typically helps as many as 50 people a day with their returns during tax season, including U.S. troops stationed overseas. She said the shutdown could delay refunds for months, and without employees like her on the job, ''it's going to be a disaster all around.''

Many of the IRS employees who are choosing not to come to work despite getting called back are taking advantage of a provision in the union contract that allows them to miss work if they suffer a ''hardship'' during a shutdown, according to the labor groups.

That could mean a blown car tire, an empty gas tank or a child-care bill.

''I have fielded no less than 30 to 40 calls, emails or text messages about hardship requests from employees daily since Thursday,'' said Shannon Ellis, president of the NTEU's Chapter 66 in Kansas City.

In Andover, Mass., more than 100 customer service representatives, electronic filing workers and other IRS employees plan to use the hardship exemption and won't report to work, said Gary Karibian, chapter president of a local union.

''I would say a majority of employees are calling out under hardship,'' Karibian said. ''I'm getting reports whole teams are requesting out. One person told me, 'I'm the only one on my team here.' ''

The union lacks an official head count of absent workers—the IRS declined to share data on hardship exemptions—but staffers in Fresno, Calif.; Austin; Andover; Kansas City and Atlanta, among other locations, say they won't be showing up for work, Reardon said.

Duncan Giles, who has worked for 24 years at an IRS call center in Indianapolis, said more workers are requesting hardship leave as they learn it exists.

''The more this goes on and the tougher it is to get to work—they simply cannot afford it,'' said Giles, president of NTEU Chapter 49, noting that about 30 of the 170 employees who have been called back to work in Indianapolis have requested the exemption. ''Every single person wants to be at work. They want to help the American taxpayer. But we have to pay for gas and child care.''

The hardship exemption allows IRS employees not to have to use sick days to be absent from work, and managers must approve the exemptions.

Lawmakers also have heard reports of IRS staffers intending to miss work and are planning to ask Treasury, Secretary Steven Mnuchin for details when he testifies on Capitol Hill this Thursday, a House aide said.

The IRS declined to say how many workers are on hardship leave, and spokesman Matt Leas said the IRS is continuing its work to prepare for the beginning of filing season next week.

''We are continuing our recall operations, and we continue to assess the situation at this time,'' Leas said.

The IRS employees' moves come amid broad uncertainty about the Trump administration's attempts to minimize the impact of the shutdown. On Sunday, the number of TSA agents who failed to show up for work hit a record 10 percent, resulting in long wait times. Guards at federal prisons also are calling out at high rates, with union officials at 10 prisons contacted by The Washington Post this month saying the number of employees skipping work has doubled.

As a result, officers who report for duty often are working 16–hour shifts, and prison secretaries and janitors are being forced to patrol the halls and yards.

''All I have is pepper spray and a radio to call for help,'' said 52-year-old Opal Brown, who works as a secretary at Hazelton Federal Correctional Institution in West Virginia.

The FBI Agents Association said in a report Tuesday that the shutdown is hampering the ability of agents to perform their ''duties and fund necessary operations and investigations.''

USDA meat inspectors also have begun calling in sick—in numbers large enough to trigger an agency crackdown. The inspectors were told Jan. 11 to bring in a doctor's note, even if they were ill for a single day, records show.

Six days later, after protests from union leaders, agency officials reverted to existing policy, which calls for a doctor's note after three days.

Some front-line managers at the IRS have threatened their employees and said they could lose their jobs if they put in for the exemption, but Reardon, the union leader, said most have been instructed by senior management to approve the requests.

IRS employees are some of the most impactful federal workers caught in the middle of the shutdown, as the tax filing season begins and millions of Americans are expected to seek tax refunds in February. Last year, more than $140 billion in tax refunds was paid out through early March, according to IRS data.

Trump has expressed an interest in making sure that tax refunds are paid out next month, believing that if they are delayed he could face major public backlash. His budget office took the unprecedented step this month of ordering thousands of unpaid IRS workers back to the office, saying that processing refunds was an ''essential'' government function even if the workers weren't paid.

As much as 75 percent of the roughly 4,000 furloughed IRS employees in Kansas City could qualify for hardship leave, said Christina Bennett, executive vice president of the local National Treasury Employees Union chapter.''Right now, they're being lenient,'' Bennett said.

Employees who process tax refunds, she said, are among the lowest-paid IRS workers. Some are worried about losing their cars.

Bennett, 63, who has worked nearly four decades at the IRS, most recently as an accountant, said she, too, can no longer afford her commute. She plans to request hardship leave if the government calls her back to work.

''I just don't have it,'' she said. ''I'd have to walk a half-hour to get to a bus stop. And it's so cold. We've got rain, snow, rain, snow.''

Sakeya Cooks, 24, another IRS worker who guides taxpayers through the refund process, said she might never report back to work. She already has applied for a new job at a Kansas City bank.

''How am I supposed to live like this?'' she said. ''I'm worried about losing my apartment.''

John Koskinen, a former IRS commissioner, said federal employees are dedicated to the agency's mission but might be reaching their breaking point.

''As you put more and more pressure on the system, you increase the risk of a significant glitch,'' Koskinen said. ''If I were the

administration, I'd be troubled. The pressure is going to mount.''

Mr. MCGOVERN. Mr. Speaker, I reserve the balance of my time.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I wasn't kidding when I said I was looking for the olive branch in what my friend had to say. I genuinely believe, if you lock me and the gentleman from Massachusetts in a room together for 24, 48, maybe 72 or 96 hours, we could come to a solution and get us out of this box. But it does take sitting down with people that you trust to get a hard negotiation done.

I shared in the Rules Committee the other night, Mr. Speaker, and I will share with you today, the story of one of my constituents. His name is Doug Jenkins, and this is his story:

Jeanette Jenkins, age 76, of Lawrenceville, Georgia, passed away on Saturday, April 28, 2018. Jeanette was a member of Hebron Baptist Church for over 25 years and currently a member of First Baptist Church of Atlanta. Jeanette had a passion for serving in many capacities of the ministry, as a Sunday school teacher and volunteering in various activities. She was an avid reader and enjoyed sewing. She is survived by her loving husband of 57 years, Doug.

Jeanette didn't die of natural causes on April 28, Mr. Speaker. She was just running out to pick up some drugs at the drugstore. Her husband stayed at home. She was leaving the subdivision, waited for the light to turn green, and pulled out, when a van full of gentlemen who should not have been in this country, who were not in this country legally, ran that red light and killed her. She never recovered consciousness; died in the hospital later on that evening.

We can describe the President of the United States and his commitment to border security as a temper tantrum, but it is not true. We can describe the President of the United States and his commitment to border security as some sort of political fixation, but it is not true.

The stories that my friends tell about Federal employees missing paychecks, those are painful, those are hard, and we can do better. But the stories that each and every one of us have about members in our community who have lost loved ones, not for a week, not for 2 weeks, but forever, because we didn't do our job protecting American borders—I want to do better.

I was pleased to see the President talk about agricultural visas and how he wanted to expand those programs. It is important to us in Georgia. I am excited about EB visas, trying to get more investment in this country. We need more. I come from a community of immigrants. America's history is founded in immigration, and our future is founded there, too.

But nobody else could have protected Jeanette Jenkins. Nobody. My local law enforcement can't do it. My governor can't do it. That responsibility falls to the national government and the national government alone. The President campaigned on it; the President was elected on it; and we have an opportunity to come together and do it.

I don't want to kick the can down the road for another year. I don't want to kick the can down the road for another decade. I don't want to have another Jenkins family come into my office and say: Rob, where were you? What did you do when you had an opportunity to make a difference?

I regret that we are in the box that we are in. It is a box of our own making. But we can get out of it, and we can make America better as a result of it. It doesn't have to be a lose-lose. It can be a win-win.

Nobody is winning today. Nobody has benefited by the shutdown today. I cannot negotiate by myself. The President cannot negotiate by himself. We need folks to say ''yes'' to the invitation. Take the gentleman from Michigan's advice: Ask your leadership, as we have asked ours, to lock yourself in that room together and don't come out until you have an answer.

My friend from Massachusetts says he has no preexisting stipulations about what the package has to look like. I hope that is true. It has not been my experience—stripping out all the pro-life provisions, for example. That was something that your conference wanted. Not working on the CFPB provisions that the Financial Services Committee had done, not including those 20 bipartisan bills, there are conditions that folks have, as they should, because they were elected to this House, and they are obligated to serve their constituents.

We can get this done, Mr. Speaker, but I commit to you, we are not going to get it done by pointing the finger of blame at 1600 Pennsylvania Avenue. We are going to get it done by coming together right here and doing our job, the task the Constitution assigns to us, and, that is, agreeing on a provision amongst ourselves and sending it to the President for him to accept or to reject.

I believe in what we can do together, Mr. Speaker, and I hope my colleagues will again take ''yes'' to an invitation to the negotiating table as an answer.

Mr. Speaker, with that, I yield back the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Let me just say, at the outset here, that if we all agree that the government should be reopened, then what is there to negotiate about? We should just open up the government.

We have no preconditions about opening up the government. We have none. The gentleman from Georgia apparently has a precondition: whatever the President's whim is on a particular day. Yeah, the President did campaign on building a wall, but he didn't get up there and say: We want to build a wall and you pay for it, American taxpayers. What he campaigned on was saying: I want to build a wall, and Mexico is going to pay for it.

Well, he has had 2 years, and, obviously, he can't get Mexico to pay for it, so he wants to saddle the American taxpayers with that bill.

So, look, the bottom line is, we believe that border security is an important issue, and we, on this side, have been more than willing to invest in border security, and we are going to continue to do that.

As I mentioned before to the gentleman, President Trump's shutdown has put a strain on local and Federal law enforcement, undermining cooperation between them that helps keep our communities safe. While he is having his temper tantrum, you know, our local law enforcement officials are feeling the strain. That is why local law enforcement leaders across the country, including those serving in border States, are calling for an end to the shutdown.

Mr. Speaker, I include in the RECORD a letter to President Trump and Members of Congress.

[From the Law Enforcement Immigration Task Force, Jan. 22, 2019]

LAW ENFORCEMENT LEADERS CALL FOR AN END TO SHUTDOWN

DEAR PRESIDENT TRUMP AND MEMBERS OF CONGRESS: As law enforcement leaders who support commonsense immigration reforms consistent with public safety, we write to express our deep concern with the partial shutdown of the federal government.

State and local law enforcement work constructively with federal law enforcement to combat drug trafficking, gangs, organized crime, and other threats. In addition, the federal government provides needed training, equipment, and funding to state and local law enforcement agencies—support that is now threatened by the ongoing shutdown. A prolonged shutdown threatens this cooperation and strains local resources. It also negatively impacts our colleagues in federal law enforcement, forcing essential law enforcement personnel to work without pay. These circumstances threaten public safety and cannot continue.

Instead, we call on Congress and the Trump administration to reopen the federal government without delay and work together on bipartisan solutions to improve our immigration system. We believe there is room for compromise.

While there are partisan disagreements over the need for a border wall across our entire southern border, there is widespread agreement over commonsense steps that can improve border security. A bipartisan deal can build on these areas of agreement, improving border security by focusing on ports of entry, strategically deploying and using technology and ensuring that CBP has clear sight lines all along the Rio Grande. With nearly 700 miles of physical barriers already in place along the southern border, these targeted investments in border security can contribute to improving public safety and reassuring the American people that the border is a priority.

Similarly, bipartisan immigration reform will benefit the United States as a whole. We believe that immigrants should feel safe in their communities and comfortable calling upon law enforcement to report crimes, serving as witnesses, and calling for help in

emergencies. By reforming our immigration system to bring undocumented immigrants into the legal immigration system, immigrants are incentivized to become constructive partners with local police in public safety initiatives. Bipartisan immigration reform can provide undocumented immigrants with an opportunity to earn citizenship, requiring them to pay a fine and back taxes and pass a background check, encouraging further civic responsibility. This would improve community policing and safety for everyone.

The current impasse is an opportunity for Congress and the Trump administration to strike a bipartisan agreement to end the shutdown and fix our immigration system. The shutdown prevents state and local law enforcement agencies from having access to needed federal resources, strains federal law enforcement personnel, and undermines cooperation between state, federal, and local law enforcement.

We urge Congress and the Trump administration to break this deadlock and improve public safety by reopening the government without delay and working to reach a bipartisan compromise that includes commonsense border security as part of a comprehensive reform of the immigration system.

Thank you,

Chief Art Acevedo, LEITF Co-Chair, Houston, TX; Chief J. Thomas Manger, LEITF Co-Chair, Montgomery County, MD; Executive Director Dwayne Crawford, National Organization of Black Law Enforcement Executives (NOBLE); Executive Director Chuck Wexler, Police Executive Research Forum (PERF); Chief Ramon Batista, Mesa, AZ; Chief Roy Bermudez, Nogales, AZ; Sheriff Tony Estrada, Santa Cruz County, AZ; Chief Chris Magnus, Tucson, AZ; Chief Steve Stahl, Maricopa, AZ; Chief Roberto Villasenor, Retired, Tucson, AZ; Chief David Valentin, Santa Ana, CA; Sheriff Joe DiSalvo, Pitkin County, CO; Chief Dwight Henninger, Vail, CO; Chief Peter Newsham, Washington, DC; Chief Orlando Rolon, Orlando, FL; Sheriff Paul H. Fitzgerald, Story County, IA; Chief Wayne Jerman, Cedar Rapids, IA; Director of Public Safety Mark Prosser, Storm Lake, IA; Chief Mike Tupper, Marshalltown, IA; Sheriff John Idleburg, Lake County, IL.

Chief Michael Diekhoff, Bloomington, IN; Chief Scott Ruszkowski, South Bend, IN; Chief Ron Teachman, Retired, South Bend, IN; Chief James Hawkins, Retired, Garden City, KS; Commissioner William Gross, Boston, MA; Chief Brian Kyes, Chelsea, MA; Sheriff Kevin Joyce, Cumberland County, ME; Sheriff Jerry Clayton, Washtenaw County, MI; Chief Ron Haddad, Dearborn, MI; Chief Todd Axtell, Saint Paul, MN; Sheriff Mike Haley, Retired, Washoe County, NV; Chief Cel Rivera, Lorain, OH; Public Safety Commissioner Steven Pare, Providence, RI; Chief Fred Fletcher, Retired, Chattanooga, TN; Chief Frank Dixon, Denton, TX; Sheriff Ed Gonzalez, Harris County, TX; Chief Andy Harvey, Palestine, TX; Sheriff Sally Hernandez, Travis County, TX; Chief Mike Markle, Corpus Christi, TX; Sheriff Lupe Valdez, Retired, Dallas County, TX.

Chief Mike Brown, Salt Lake City, UT; Chief Chris Burbank, Retired/FBI National Executive Institute Associates President, Salt Lake City, UT; Sheriff Dana Lawhorne, Alexandria, VA; Chief Carmen Best, Seattle, WA; Sheriff Mitzi Johanknecht, King County, WA; Sheriff David J. Mahoney, Dane County, WI.

Mr. MCGOVERN. ''The New York Times'' reported yesterday that the Trump shutdown has also impacted the FBI's efforts to crack down on child trafficking, violent crime, and terrorism, needlessly putting our communities and constituents at risk. I say to my friends: Look at what you are doing here. Look what is happening. This has to end.

For example, a long-term MS–13 investigation that has resulted in 23 gang indictments has been constrained because of the inability—get this—the inability to pay for interpreters needed to communicate with informants. That is insane, Mr. Speaker.

□ 1315

Mr. Speaker, I include that article from The New York Times in the RECORD.

[From the New York Times, Jan. 22, 2019]

REPORT SAYS SHUTDOWN IS IMPEDING F.B.I.'S LAW ENFORCEMENT EFFORTS

(By Katie Benner)

WASHINGTON.—As the partial government shutdown enters its fifth week, the funding freeze has impeded F.B.I. efforts to crack down on child trafficking, violent crime and terrorism, according to a report issued Tuesday by the group that represents the bureau's 13,000 special agents.

''The resources available to support the work of F.B.I. agents are currently stretched to the breaking point and are dwindling day by day,'' said Thomas O'Connor, the president of the group, the F.B.I. Agents Association.

The report reflected the scope and seriousness of the shutdown's effects, and came as President Trump and the leaders of the two parties on Capitol Hill maneuvered to find a path out of the impasse. The Senate scheduled procedural votes for Thursday on competing Republican and Democratic proposals, although neither appears likely to win sufficient support to pass.

The Justice Department, which oversees the F.B.I., is one of the government agencies affected by the partial shutdown, along with the State Department, Transportation Department, Agriculture Department, Interior Department and others.

Mr. O'Connor said that national security was directly related to the bureau's financial security. ''It is critical to fund the F.B.I. immediately,'' he said.

Because of the shutdown, the F.B.I. has been unable to issue grand jury subpoenas and indictments in several cases cited in the report.

An agent working on an MS–13 investigation that has gone on for more than three years and resulted in 23 gang indictments for racketeering, murder and money laundering has been hamstrung by his inability to pay for an interpreter who can communicate with his Spanish-speaking informants, the report said.

The bureau has also not been able to pay its informants, an important source of intelligence in terrorism, narcotics, gang, illegal firearm and other national security cases. The F.B.I. could lose those informants.

''It is not a switch that we can turn on and off,'' the report said.

The 72-page report described how field offices in some cases have run out of basic supplies like tires for vehicles, copy paper and forensic supplies like DNA swab kits, and do not have the funds to buy replacements.

The F.B.I. is not the only part of the Justice Department struggling during the funding lapse. The department has had to ask the federal courts to postpone some major civil litigation, including a lawsuit over the lawfulness of the Affordable Care Act, which the department no longer defends in court.

The federal courts that hear Justice Department cases are also running out of money. The nation's legal system could soon be hobbled if Congress and the Trump administration cannot come to an agreement to reopen the portions of government that have been closed since last month. The federal courts will run out of money by around Feb. 1, requiring them to cut back to essential services at that point and furlough some workers.

The F.B.I. Agents Association has been warning of the negative effects of the shutdown for nearly two weeks.

On Jan. 10, the association and representatives from all of the F.B.I. field offices signed a petition that said the shutdown could create financial issues for agents that would make it hard for them to pass the routine financial background checks necessary for them to obtain certain security clearances. They also said the pay freeze would make it hard to retain and attract agents.

The latest report from the association, which is based on the accounts of scores of agents, outlines more dire consequences. The group allowed the agents to speak anonymously to protect them from retaliation and other negative repercussions.

Correction: Jan. 22, 2019—An earlier version of this article incorrectly described the F.B.I. Agents Association. It is a professional association, not a union.

Mr. MCGOVERN. Mr. Speaker, 40 million Americans struggle with hunger and food insecurity, and the Trump shutdown has needlessly made this terrible problem worse. Without funding for USDA in place, access to SNAP benefits for hungry families is threatened. Millions and millions of people will be affected.

Mr. Speaker, I include in the RECORD a report from the Center on Budget and Policy Priorities titled ''Many SNAP Households Will Experience Long Gap Between Monthly Benefits Even If Shutdown Ends.''

[From the Center on Budget and Policy Priorities, Jan. 22, 2019]

MANY SNAP HOUSEHOLDS WILL EXPERIENCE LONG GAP BETWEEN MONTHLY BENEFITS EVEN IF SHUTDOWN ENDS

(By Dorothy Rosenbaum)

The Administration and states' efforts to issue February Supplemental Nutrition Assistance Program (SNAP, or food stamp) benefits early to avoid deep benefit cuts in that month that might otherwise have occurred as a result of the partial government shutdown have created a new problem: a lengthy delay between February benefits (which most beneficiaries received by January 20) and March benefits.

In turn, this will place additional strain on the emergency food network and other community resources, which already are stretched.

MOST HOUSEHOLDS RECEIVING FEBRUARY SNAP BENEFITS IN JANUARY; MARCH SNAP BENEFITS REMAIN UNCERTAIN AND AT RISK

The Department of Agriculture (USDA) announced on January 8 that it would work with states to pay the vast majority of February SNAP benefits early, by January 20, to ensure that SNAP has the funding to stay open through February 2019. Despite the operational challenges of this approach, it appears that every state was able to issue benefits early, and in combination with SNAP's contingency reserve, there will be sufficient federal funding to cover all February SNAP benefits as a result.

These recent actions that USDA and states have taken protect millions of low-income households—including millions of poor children, parents, elderly people, and people with

disabilities—from having their basic food assistance cut back substantially in February. With a continuing shutdown, USDA would have to issue additional guidance to states explaining whether it has other options available to cover all of March benefits, or if not, how deep a benefit cut will be required in March and how states should implement it.

Ending the shutdown, and funding and reopening the Agriculture Department and other parts of the government that now are shuttered, would be the best way to avoid cutting millions of households' SNAP food assistance. For the remainder of this paper, we assume that SNAP will receive funding so that full SNAP benefits can continue in March and subsequent months—an assumption that is far from assured.

MANY HOUSEHOLDS WILL HAVE A LONG SNAP BENEFIT GAP EVEN IF THE SHUTDOWN ENDS

Some states may be able to adjust their March issuance schedules to partly address this issue, but if all states paid February SNAP benefits on January 20 and don't make changes to their March issuance schedules, we estimate that about 90 percent of SNAP households that receive ongoing SNAP benefits—about 15 million low-income households—will experience a more than 40-day gap between issuances. Almost 60 percent will experience a gap of more than 45 days, and 25 percent will experience more than a 50-day gap.

States have long had the option to pay SNAP benefits to different SNAP households on different days of the month. Spreading payments across multiple days evens state workloads across the month and helps to ensure that retailers that participate in SNAP do not face a severe increase in demand for food and staffing on the day that SNAP benefits become available. Any given household, however, must receive its SNAP benefits on or about the same day of the month, usually resulting in only 28 to 31 days between SNAP issuance dates. Only seven states issue SNAP to all households in the state on the first day of the month. Most others spread issuance out, often over ten or 20 days, and usually based on households' Social Security or case numbers or the first letter of the head of household's last name.

In fact, SNAP law requires that ''no household experience an interval between issuances of more than 40 days. It is not clear whether USDA will waive this requirement in response to the unusual circumstances resulting from the shutdown—as seems likely—or whether the agency will require states to develop an alternative issuance schedule to avoid gaps of longer than 40 days One possibility would be for states to change March issuance to occur on March 1, and to stagger the adjustment back to households' normal issuance cycle over several months, as needed to stay within the 40-day maximum interval between issuances.

HOUSEHOLDS IN ALMOST ALL STATES WILL SEE GAPS LONGER THAN 40 DAYS

The length of the gaps between February and March issuances will vary by state, but the vast majority will be longer than 40 days.

States where all households will have 40 days between SNAP issuances: Seven states, accounting for about 2 percent of SNAP issuances nationally, issue SNAP benefits to all households on the first day of the month. In these states, the gap for ongoing SNAP households that received the early February issuance on January 20 would be exactly 40 days, as households would receive their March benefits on March 1. Those states are: Alaska, Guam, Nevada, North Dakota, Rhode Island, Vermont, and Virgin Islands.

States where households will have 40–49 days between SNAP issuances: Another 21 states issue all (or almost all) of their ongoing SNAP benefits within the first ten days of the month. In these states, SNAP households will experience a 40- to 49-day gap in benefits. Those states are: California, Colorado, Connecticut, District of Columbia, Hawaii, Idaho, Illinois, Iowa, Kansas, Montana, Nebraska, New Hampshire, New Jersey, Oklahoma, Oregon, Pennsylvania, South Dakota, Virginia, Washington, West Virginia, and Wyoming.

States where some households will have 50 days or more between SNAP issuances: About half the states have some households that will have more than 50 days between SNAP issuances if the states do not change their issuance schedules. In states that issue some SNAP benefits for ongoing SNAP households after the 10th day of the month, those households will have at least a 50-day gap; households that typically receive their benefits after the 15th day of the month will have a gap of 55 days or more. These households account for much of these states' ongoing SNAP benefits: in 17 states, 50 percent or more of benefits will be issued with at least a 50-day gap.

LONG PERIOD BETWEEN SNAP ISSUANCES WILL CAUSE HARDSHIP FOR SOME SNAP HOUSEHOLDS

Assuming SNAP has full funding to continue in March, SNAP households should have available the same total amount of SNAP benefits over the three-month period (January through March) that they otherwise would have. However, the change in the timing of February's issuance and the long interval between January 20 and a March SNAP issuance is likely to cause hardship for some households and, as a result, increase the demands for emergency food assistance and other community services.

It's well documented that SNAP benefits normally run out for most households before the end of the month. Within a week of receiving SNAP, households redeem over half of their SNAP allotments. By the end of the second week, SNAP households have redeemed over three-quarters of their benefits, and by the end of the third week they have redeemed 90 percent.

SNAP benefits are not intended to cover the entire month for most households. The SNAP benefit formula assumes that families will spend 30 percent of their available cash income for food. Many households spend their SNAP benefits quickly because they can only be spent on food. Cash income from other sources is needed to pay for other expenses, such as rent or mortgage, utilities, essential non-food items, clothing, gasoline, and car repairs. As a result, families use their SNAP benefits first to make food purchases, saving cash for other needed expenses.

Moreover, SNAP benefits are low. SNAP is intended to provide additional benefits to meet the cost of the Thrifty Food Plan (TFP), the Agriculture Department's estimate of a bare-bones, nutritionally adequate diet. But substantial research has found that the TFP, which currently provides at most $1.85 per person per meal for a family of three (the average benefit is about $1.40 per person per meal), is not sufficient to meet the needs of most low-income households.

Because SNAP benefits often fall short of meeting basic monthly food needs, and because struggling households have to use available cash to meet non-food expenses, families can find themselves at the end of their 30-day SNAP benefit payment cycle without enough food or the resources available to buy more food. Research has found that food spending, food consumption, and diet quality fall and that food insecurity, hospital admissions, and school disciplinary problems rise after households have exhausted their monthly SNAP benefits. SNAP families often have to turn to social networks, food pantries, and others to get through the month.

Given the experience of the strain on low-income households' budgets and community resources under normal SNAP issuance patterns—when the gap between SNAP issuances is no more than 31 days—stretching that gap to 40 to 50 days or longer could create substantial hardship and hunger and sharply increase demand for local emergency food providers and other community social services providers.

Many SNAP households may find ways to weather this disruption. In general, households that participate in SNAP demonstrate a capacity to manage limited budgets. But extending the time between monthly benefit payments for the vast majority of SNAP households will certainly cause difficulty for some substantial number of poor families. Many families may not be able to budget the advance food-assistance benefit over an extended period of time for several reasons, including:

Lack of information. USDA, state officials, retailers, and state and local nonprofit groups and charities are working to educate SNAP households about the early issuance of February benefits and the fact that those households will not receive another issuance in February. States are urging households to factor the early payment and the delay until a March payment into their February food budget. But USDA did not require states to send SNAP households individual notices about the change in February benefits. Instead, states are trying to use newspaper stories, posts on their websites, fliers in local welfare offices, and their partners' networks to spread the news about the changes in the timing of SNAP benefit delivery. Many households likely won't understand that the benefits they received around January 20 are an early issuance of their February benefit and that a lengthy gap will ensue before they receive their next benefit insurance.

Confusion and misinformation. Reports are emerging that there is considerable confusion about why households are receiving early SNAP benefits for February and what to expect in the future, especially given the uncertainty resulting from the government shutdown. The confusion may result in some SNAP households spending their SNAP benefits relatively quickly, exacerbating their food shortages in the latter part of February and the first part of March.

Household income fluctuations or unexpected expenses. Households living with very low incomes experience shocks to their monthly income on a routine basis. Workers can see their hours and pay reduced with little warning. Individuals with monthly income below the poverty line rarely have savings to manage unexpected expenses. If their income drops or expenses spike unexpectedly during this timeframe, perhaps because of a high winter heating bill, households generally will use available cash to manage their non-food needs, leaving less money to buy food at the end of the SNAP payment cycle.

Differing abilities among SNAP participants. Even with advance warning and robust information, some SNAP households can struggle to manage a significant shift in their budget, particularly those with cognitive limitations. Managing a major monthly budget shift like this could be difficult for some individuals with mental impairments who do not receive assistance to manage their benefits.

CONCLUSION

Even if the government shutdown is resolved quickly, the disruption in the timing

of February SNAP benefits is likely to make it hard for many SNAP households to meet their basic food needs as they wait for their March SNAP benefit payment. Some 30 million people in about 15 million households—the vast majority of SNAP households—will not get their March benefit until at least 40 days after they received their February payment. Of these, 8 million people in more than 4 million households will need to wait more than 50 days. This benefit disruption will likely cause hardship for a substantial number of these households. We expect more households to try to turn to emergency food networks and other social services for help as they seek to stretch their benefits across more days.

Mr. MCGOVERN. The crisis already has started. Access to food for SNAP beneficiaries also is being threatened by the shutdown, as reports indicate that 2,500 retailers around the country are unable to take any form of SNAP EBT payments.

As PBS reported over the weekend, the licenses for these retailers are on hold due to the shutdown.

Mr. Speaker, I include in the RECORD the transcript of the PBS story.

PBS NEWS HOUR: WHY MANY STORES CAN'T ACCEPT FOOD STAMPS DURING THE SHUTDOWN

(Jan 17, 2019)

While so far there have been no major lapses in benefits for the nearly 39 million people who depend on food stamps amid the partial government shutdown, 2,500 retailers around the country are unable to take any form of SNAP EBT payments.

Judy Woodruff:

With the government shutdown now in its 27th day, many federal programs have been affected, including food stamps.

So far, there is no major lapse in benefits used by nearly 39 million people each month. That's because of the U.S. Department of Agriculture. It found a way to pay SNAP benefits, as they are called, earlier than normal.

February benefits, awarded through a debit-style card used at stores, are being paid out this week. Several states, including California and Florida, are warning users to be careful and make sure they manage to make the money last longer.

For 2,500 retailers, the problem is already here. That's because those stores needed to renew a license for the Electronic Benefit Transfer, or EBT debit card program, and they failed to meet a deadline before the shutdown. Those renewals, required every five years, are on hold.

Sarah Jackson is an employee at one store in Northern Arkansas.

Sarah Jackson:

We have been completely unable to take any form of SNAP EBT payments. Grocery stores need a license to process EBT payments, and ours expired and was unable to be renewed on schedule because of the government shutdown.

Because of an argument about a wall, I have to look people in the eyes every day and tell them they can't pay for their food, for their children's food.

Judy Woodruff:

Sarah Jackson in Arkansas.

We reached out to the U.S. Department of Agriculture for a response. A spokesperson wrote back—quote—''Over 99 percent of SNAP retailers are able to accept benefits as usual. There is a small percentage of stores that failed to complete a required reauthorization process that was due on December 21. These stores can take steps to update their status once funding is restored''—end quote.

Mr. MCGOVERN. Mr. Speaker, I could go on and on and on about the impacts here. If we all agree we should end the shutdown, let's just end the shutdown.

Maybe my Republican friends should be calling Senate Majority Leader MITCH MCCONNELL to say, you know, let's come together and pass a bill to reopen the government without any conditions. That is what the American people overwhelmingly want.

Mr. Speaker, I have heard my friends on the other side of the aisle rushing to congratulate the President for his so-called compromise plan over the weekend. Let me repeat: This is no compromise at all. Just read the fine print.

The Washington Post said simply: ''The proposal on the Dreamers was whittled down to the point where it only undoes the disaster Trump himself is orchestrating.''

That would be like an arsonist offering you a fire extinguisher to put out the wildfire that they created. That is a compromise? Are you kidding me?

I have an idea. Mr. President, stop causing disasters. Congress should be more than a cleanup crew for your messes and failed policies.

Let me close with this, Mr. Speaker. When I think of the best of the United States, I think of the Statue of Liberty. It wasn't built from within our borders. It was gifted to us by friends from abroad, the French, to represent the freedom that we stand for, to welcome all those immigrants who come to this country, not to transport drugs or crime, as the President portrays, but to live a better life that they can find only here in the United States.

When President Trump thinks of the best of America, he dreams about a concrete wall, something to prevent immigrants from coming here, something that offends our allies, that would make our country, a global leader, turn away from the rest of the world at a time when American leadership is badly needed.

On top of all of that, a wall will not work. It would be ineffective. If we built a 50-foot wall, someone would build a 51-foot ladder.

As I said, it is a medieval idea when we have better solutions here in the 21st century: cameras, sensors, radar, and drones. If anyone doubts that they work, go visit the border, as I have.

Democrats are for border security. The minibus includes $328 million in new funding to help secure the border. This is what professionals are asking us for. A concrete wall is being discussed as a viable option only at the President's rallies and in the right-wing media.

Here in the real world, hundreds of thousands of people are struggling. They need us to reopen the government today, right now, not years from now, as the President has suggested.

These bipartisan, bicameral bills will get us there. This continuing resolution to fund the Department of Homeland Security will get us there. Let's end this shutdown and reopen this government.

Mr. Speaker, I urge a ''yes'' vote on this rule and the underlying bill.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Passage of H.J. Res. 28;

Adoption of House Resolution 61; and

Agreeing to the Speaker's approval of the Journal, if ordered.

The first electronic vote will be conducted as a 15-minute vote. Pursuant to clause 9 of rule XX, remaining electronic votes will be conducted as 5-minute votes.

FURTHER ADDITIONAL CONTINUING APPROPRIATIONS ACT, 2019

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the order of the House of January 17, 2019, the unfinished business is the vote on passage of the joint resolution (H.J. Res. 28) making further continuing appropriations for fiscal year 2019, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

The vote was taken by electronic device, and there were—yeas 229, nays 184, not voting 19, as follows:

[Roll No. 46]

YEAS—229

Adams	Bustos	Connolly
Aguilar	Butterfield	Cooper
Allred	Carbajal	Correa
Axne	Cárdenas	Costa
Barragán	Carson (IN)	Courtney
Bass	Case	Cox (CA)
Beatty	Casten (IL)	Craig
Bera	Castor (FL)	Crist
Beyer	Castro (TX)	Crow
Bishop (GA)	Chu, Judy	Cuellar
Blumenauer	Cicilline	Cummings
Blunt Rochester	Cisneros	Cunningham
Bonamici	Clark (MA)	Davids (KS)
Boyle, Brendan F.	Clarke (NY)	Davis (CA)
	Clay	Davis, Danny K.
Brindisi	Cleaver	Dean
Brown (MD)	Clyburn	DeFazio
Brownley (CA)	Cohen	DeGette

DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Engel
Escobar
Eshoo
Espaillat
Evans
Finkenauer
Fitzpatrick
Fletcher
Foster
Frankel
Fudge
Gabbard
Gallego
Garamendi
García (IL)
Garcia (TX)
Golden
Gomez
Gonzalez (TX)
Gottheimer
Green (TX)
Grijalva
Haaland
Harder (CA)
Hayes
Heck
Herrera Beutler
Higgins (NY)
Hill (CA)
Himes
Horn, Kendra S.
Horsford
Houlahan
Hoyer
Huffman
Hurd (TX)
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kirkpatrick
Krishnamoorthi
Kuster (NH)
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Levin (CA)
Levin (MI)
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Matsui
McAdams
McBath
McCollum
McEachin
McGovern
Meeks
Meng
Moore
Morelle
Moulton
Mucarsel-Powell
Murphy
Nadler
Napolitano
Neguse
Norcross
O'Halleran
Omar
Pallone
Panetta
Pappas
Pascrell
Perlmutter
Peters
Peterson
Phillips
Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rose (NY)
Rouda
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shalala
Sherman
Sherrill
Sires
Slotkin
Smith (NJ)
Smith (WA)
Soto
Spanberger
Speier
Stanton
Stefanik
Stevens
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres Small (NM)
Trahan
Trone
Underwood
Van Drew
Vargas
Veasey
Vela
Visclosky
Wasserman Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Yarmuth

NAYS—184

Aderholt
Allen
Amash
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bergman
Biggs
Bilirakis
Bishop (UT)
Bost
Brady
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Cline
Cloud
Cole
Collins (GA)
Collins (NY)
Comer
Conaway
Cook
Crawford
Crenshaw
Curtis
Davidson (OH)
Davis, Rodney
DesJarlais
Diaz-Balart
Duncan
Dunn
Emmer
Estes
Ferguson
Fleischmann
Flores
Fortenberry
Foxx (NC)
Fulcher
Gaetz
Gallagher
Gianforte
Gohmert
Gonzalez (OH)
Gooden
Gosar
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green (TN)
Griffith
Grothman
Guest
Guthrie
Hagedorn
Harris
Hern, Kevin
Hice (GA)
Higgins (LA)
Hill (AR)
Holding
Hollingsworth
Hudson
Huizenga
Hunter
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Kustoff (TN)
LaHood
LaMalfa
Lamborn
Latta
Lesko
Long
Loudermilk
Lucas
Luetkemeyer
Marchant
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
Meadows
Meuser
Miller
Mitchell
Moolenaar
Mooney (WV)
Mullin
Newhouse
Norman
Nunes
Ocasio-Cortez
Olson
Palazzo
Palmer
Pence
Posey
Ratcliffe
Reed
Reschenthaler
Rice (SC)
Riggleman
Roby
Rodgers (WA)
Roe, David P.
Rogers (AL)
Rogers (KY)
Rose, John W.
Rouzer
Roy
Rutherford
Scalise
Schweikert
Scott, Austin
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smucker
Spano
Stauber
Steil
Steube
Stewart
Stivers
Taylor
Thompson (PA)
Thornberry
Timmons
Tipton
Turner
Upton
Wagner
Walberg
Walden
Walker
Walorski
Waltz
Watkins
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoho
Young
Zeldin

NOT VOTING—19

Abraham
Cartwright
DeLauro
Duffy
Gibbs
Hartzler
Hastings
Jones
Kind
McNerney
Neal
Payne
Perry
Rooney (FL)
Sánchez
Sensenbrenner
Velázquez
Wilson (FL)
Wright

□ 1344

Messrs. YOHO, ARRINGTON, Ms. GRANGER, and Mr. GROTHMAN changed their vote from ''yea'' to ''nay.''

So the joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 648, CONSOLIDATED APPROPRIATIONS ACT, 2019; PROVIDING FOR CONSIDERATION OF H.J. RES. 31, FURTHER CONTINUING APPROPRIATIONS FOR DEPARTMENT OF HOMELAND SECURITY, 2019; PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES; AND WAIVING A REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED FROM THE COMMITTEE ON RULES

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on adoption of the resolution (H. Res. 61) providing for consideration of the bill (H.R. 648) making appropriations for the fiscal year ending September 30, 2019, and for other purposes; providing for consideration of the joint resolution (H.J. Res. 31) making further continuing appropriations for the Department of Homeland Security for fiscal year 2019, and for other purposes; providing for consideration of motions to suspend the rules; and waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 223, nays 190, not voting 19, as follows:

[Roll No. 47]

YEAS—223

Adams
Aguilar
Allred
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brindisi
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Carbajal
Cárdenas
Carson (IN)
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crist
Crow
Cuellar
Cummings
Cunningham
Davids (KS)
Davis (CA)
Davis, Danny K.
Dean
DeFazio
DeGette
DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Engel
Escobar
Eshoo
Espaillat
Evans
Finkenauer
Fletcher
Foster
Frankel
Fudge
Gabbard
Gallego
Garamendi
García (IL)
Garcia (TX)
Golden
Gomez
Gonzalez (TX)
Gottheimer
Green (TX)
Grijalva
Haaland
Harder (CA)
Hayes
Heck
Higgins (NY)
Hill (CA)
Himes
Horn, Kendra S.
Horsford
Houlahan
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kirkpatrick
Krishnamoorthi
Kuster (NH)
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Levin (CA)
Levin (MI)
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Matsui
McAdams
McBath
McCollum
McEachin
McGovern
Meeks
Meng
Moore
Morelle
Moulton
Mucarsel-Powell
Murphy
Nadler
Napolitano
Neguse
Norcross
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Perlmutter
Peters
Peterson
Phillips
Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rose (NY)
Rouda
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shalala
Sherman
Sherrill
Sires
Slotkin
Smith (WA)
Soto
Spanberger
Speier
Stanton
Stevens
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres Small (NM)
Trahan
Trone
Underwood
Van Drew
Vargas
Veasey
Vela
Visclosky
Wasserman Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Yarmuth

NAYS—190

Aderholt
Allen
Amash
Amodei
Armstrong
Arrington
Axne
Babin
Bacon
Baird
Balderson
Banks
Barr
Bergman
Biggs
Bilirakis
Bishop (UT)
Bost
Brady
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Byrne
Calvert
Carter (GA)

Carter (TX)
Chabot
Cheney
Cline
Cloud
Cole
Collins (GA)
Collins (NY)
Comer
Conaway
Cook
Crawford
Crenshaw
Curtis
Davidson (OH)
Davis, Rodney
DesJarlais
Diaz-Balart
Duncan
Dunn
Emmer
Estes
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx (NC)
Fulcher
Gaetz
Gallagher
Gianforte
Gohmert
Gonzalez (OH)
Gooden
Gosar
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green (TN)
Griffith
Grothman
Guest
Guthrie
Hagedorn
Harris
Hern, Kevin
Herrera Beutler
Hice (GA)
Higgins (LA)
Hill (AR)
Holding
Hollingsworth
Hudson
Huizenga
Hunter
Hurd (TX)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Kustoff (TN)
LaHood
LaMalfa
Lamborn
Latta
Lesko
Long
Loudermilk
Lucas
Luetkemeyer
Marchant
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
Meadows
Meuser
Miller
Mitchell
Moolenaar
Mooney (WV)
Mullin
Newhouse
Norman
Nunes
Olson
Palazzo
Palmer
Pence
Posey
Ratcliffe
Reed
Reschenthaler
Rice (SC)
Riggleman
Roby
Rodgers (WA)
Roe, David P.
Rogers (AL)
Rogers (KY)
Rose, John W.
Rouzer
Roy
Rutherford
Scalise
Schweikert
Scott, Austin
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spano
Stauber
Stefanik
Steil
Steube
Stewart
Stivers
Taylor
Thompson (PA)
Thornberry
Timmons
Tipton
Turner
Upton
Wagner
Walberg
Walden
Walker
Walorski
Waltz
Watkins
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoho
Young
Zeldin

NOT VOTING—19

Abraham
Cartwright
DeLauro
Duffy
Gibbs
Hartzler
Hastings
Jones
Kind
McNerney
Neal
Payne
Perry
Rooney (FL)
Sánchez
Sensenbrenner
Velázquez
Wilson (FL)
Wright

□ 1356

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. PERRY. Mr. Speaker, I was unavoidably detained and not able to be present on the floor at the time of the vote.

Had I been present, I would have voted "nay" on rollcall No. 46 and "nay" on rollcall No. 47.

THE JOURNAL

The SPEAKER pro tempore (Mr. HORSFORD). Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

ELECTING MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. JEFFRIES. Mr. Speaker, by direction of the House Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 67

Resolved, That the following named Members be, and are hereby, elected to the following committees of the House of Representatives:

COMMITTEE ON HOMELAND SECURITY: Ms. Jackson Lee, Mr. Langevin, Mr. Richmond, Mr. Payne, Miss Rice of New York, Mr. Correa, Ms. Torres Small of New Mexico, Mr. Rose of New York, Ms. Underwood, Ms. Slotkin, Mr. Cleaver, Mr. Green of Texas, Ms. Clarke of New York, Ms. Titus, Mrs. Watson Coleman, Ms. Barragán, and Mrs. Demings.

COMMITTEE ON OVERSIGHT AND REFORM: Mrs. Carolyn B. Maloney of New York, Ms. Norton, Mr. Clay, Mr. Lynch, Mr. Cooper, Mr. Connolly, Mr. Krishnamoorthi, Mr. Raskin, Mr. Rouda, Ms. Hill of California, Ms. Wasserman Schultz, Mr. Sarbanes, Mr. Welch, Ms. Speier, Ms. Kelly of Illinois, Mr. DeSaulnier, Mrs. Lawrence, Ms. Plaskett, Mr. Khanna, Mr. Gomez, Ms. Ocasio-Cortez, Ms. Pressley, and Ms. Tlaib.

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY: Ms. Lofgren, Mr. Lipinski, Ms. Bonamici, Mr. Bera, Mr. Lamb, Mrs. Fletcher, Ms. Stevens, Ms. Kendra S. Horn of Oklahoma, Ms. Sherrill, Mr. Sherman, Mr. McNerney, Mr. Perlmutter, Mr. Tonko, Mr. Foster, Mr. Beyer, Mr. Crist, Mr. Casten of Illinois, Ms. Hill of California, Mr. McAdams, and Ms. Wexton.

Mr. JEFFRIES (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CONSOLIDATED APPROPRIATIONS ACT, 2019

Mrs. LOWEY. Mr. Speaker, pursuant to House Resolution 61, I call up the bill (H.R. 648) making appropriations for the fiscal year ending September 30, 2019, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 61, the bill is considered read.

The text of the bill is as follows:

H.R. 648

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Consolidated Appropriations Act, 2019''.

SEC. 2. TABLE OF CONTENTS.

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. References.
Sec. 4. Explanatory statement.
Sec. 5. Statement of appropriations.
Sec. 6. Availability of funds.

DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019

Title I—Agricultural Programs
Title II—Farm Production and Conservation Programs
Title III—Rural Development Programs
Title IV—Domestic Food Programs
Title V—Foreign Assistance and Related Programs
Title VI—Related Agency and Food and Drug Administration
Title VII—General Provisions

DIVISION B—COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019

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

DIVISION C—FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2019

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

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

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

DIVISION E—DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2019

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

DIVISION F—TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019

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

DIVISION G—OTHER MATTERS

Title I—Technical Corrections
Title II—Extensions of Authorities
Title III—Medicaid Extenders
Title IV—Budgetary Effects

SEC. 3. REFERENCES TO ACT.

Except as expressly provided otherwise, any reference to ''this Act'' contained in any division of this Act shall be treated as referring only to the provisions of that division.

SEC. 4. EXPLANATORY STATEMENT.

The explanatory statement regarding this Act, printed in the House section of the Congressional Record on or about January 17, 2019, and submitted by the Chairwoman of the Committee on Appropriations of the House, shall have the same effect with respect to the allocation of funds and implementation of divisions A through F of this

Act as if it were a joint explanatory statement of a committee of conference.

SEC. 5. STATEMENT OF APPROPRIATIONS.

The following sums in this Act are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2019.

SEC. 6. AVAILABILITY OF FUNDS.

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.

DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019

TITLE I

AGRICULTURAL PROGRAMS

PROCESSING, RESEARCH, AND MARKETING

OFFICE OF THE SECRETARY

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Secretary, $46,603,000, of which not to exceed $5,051,000 shall be available for the immediate Office of the Secretary; not to exceed $800,000 shall be available for the Office of the Assistant to the Secretary for Rural Development: *Provided*, That funds made available by this Act to an agency in the Rural Development mission area for salaries and expenses are available to fund up to one administrative support staff for the Office; not to exceed $1,496,000 shall be available for the Office of Homeland Security; not to exceed $4,711,000 shall be available for the Office of Partnerships and Public Engagement; not to exceed $23,176,000 shall be available for the Office of the Assistant Secretary for Administration, of which $22,301,000 shall be available for Departmental Administration to provide for necessary expenses for management support services to offices of the Department and for general administration, security, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department: *Provided further*, That funds made available by this Act to an agency in the Administration mission area for salaries and expenses are available to fund up to one administrative support staff for the Office; not to exceed $3,869,000 shall be available for the Office of Assistant Secretary for Congressional Relations to carry out the programs funded by this Act, including programs involving intergovernmental affairs and liaison within the executive branch; and not to exceed $7,500,000 shall be available for the Office of Communications: *Provided further*, That the Secretary of Agriculture is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: *Provided further*, That no appropriation for any office shall be increased or decreased by more than 5 percent: *Provided further*, That not to exceed $22,000 of the amount made available under this paragraph for the immediate Office of the Secretary shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary: *Provided further*, That the amount made available under this heading for Departmental Administration shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551–558: *Provided further*, That funds made available under this heading for the Office of the Assistant Secretary for Congressional Relations may be transferred to agencies of the Department of Agriculture funded by this Act to maintain personnel at the agency level: *Provided further*, That no funds made available under this heading for the Office of Assistant Secretary for Congressional Relations may be obligated after 30 days from the date of enactment of this Act, unless the Secretary has notified the Committees on Appropriations of both Houses of Congress on the allocation of these funds by USDA agency.

EXECUTIVE OPERATIONS

OFFICE OF THE CHIEF ECONOMIST

For necessary expenses of the Office of the Chief Economist, $21,286,000, of which $5,000,000 shall be for grants or cooperative agreements for policy research under 7 U.S.C. 3155.

OFFICE OF HEARINGS AND APPEALS

For necessary expenses of the Office of Hearings and Appeals, $15,222,000.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, $9,525,000.

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, $55,630,000, of which not less than $38,000,000 is for cybersecurity requirements of the department.

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, $6,028,000.

OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS

For necessary expenses of the Office of the Assistant Secretary for Civil Rights, $901,000: *Provided*, That funds made available by this Act to an agency in the Civil Rights mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $24,206,000.

AGRICULTURE BUILDINGS AND FACILITIES

(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92–313, including authorities pursuant to the 1984 delegation of authority from the Administrator of General Services to the Department of Agriculture under 40 U.S.C. 121, for programs and activities of the Department which are included in this Act, and for alterations and other actions needed for the Department and its agencies to consolidate unneeded space into configurations suitable for release to the Administrator of General Services, and for the operation, maintenance, improvement, and repair of Agriculture buildings and facilities, and for related costs, $59,967,000, to remain available until expended.

HAZARDOUS MATERIALS MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of Agriculture, to comply with the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.) and the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.), $3,503,000, to remain available until expended: *Provided*, That appropriations and funds available herein to the Department for Hazardous Materials Management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, including employment pursuant to the Inspector General Act of 1978 (Public Law 95–452; 5 U.S.C. App.), $98,208,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(9) of the Inspector General Act of 1978 (Public Law 95–452; 5 U.S.C. App.), and including not to exceed $125,000 for certain confidential operational expenses, including the payment of informants, to be expended under the direction of the Inspector General pursuant to the Inspector General Act of 1978 (Public Law 95–452; 5 U.S.C. App.) and section 1337 of the Agriculture and Food Act of 1981 (Public Law 97–98).

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, $45,146,000.

OFFICE OF ETHICS

For necessary expenses of the Office of Ethics, $4,136,000.

OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION, AND ECONOMICS

For necessary expenses of the Office of the Under Secretary for Research, Education, and Economics, $800,000: *Provided*, That funds made available by this Act to an agency in the Research, Education, and Economics mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

ECONOMIC RESEARCH SERVICE

For necessary expenses of the Economic Research Service, $86,757,000.

NATIONAL AGRICULTURAL STATISTICS SERVICE

For necessary expenses of the National Agricultural Statistics Service, $174,517,000, of which up to $45,300,000 shall be available until expended for the Census of Agriculture: *Provided*, That amounts made available for the Census of Agriculture may be used to conduct Current Industrial Report surveys subject to 7 U.S.C. 2204g(d) and (f).

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

For necessary expenses of the Agricultural Research Service and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed $100, and for land exchanges where the lands exchanged shall be of equal value or shall be equalized by a payment of money to the grantor which shall not exceed 25 percent of the total value of the land or interests transferred out of Federal ownership, $1,303,266,000, of which $10,600,000, to remain available until expended, shall be used to carry out the science program at the National Bio- and Agro-defense Facility located in Manhattan, Kansas: *Provided*, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: *Provided further*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of constructing any one building shall not exceed $500,000, except for headhouses or greenhouses which shall each be limited to $1,800,000, except for 10 buildings to be constructed or improved at a cost not to exceed $1,100,000 each, and except for two buildings to be constructed at a cost not to exceed $3,000,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building or $500,000, whichever is greater: *Provided further*, That appropriations hereunder shall be available for entering into lease agreements at any Agricultural Research Service location for the construction of a research facility by a non-Federal entity for use by the

Agricultural Research Service and a condition of the lease shall be that any facility shall be owned, operated, and maintained by the non-Federal entity and shall be removed upon the expiration or termination of the lease agreement: *Provided further*, That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: *Provided further*, That appropriations hereunder shall be available for granting easements at the Beltsville Agricultural Research Center: *Provided further*, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): *Provided further*, That appropriations hereunder shall be available for granting easements at any Agricultural Research Service location for the construction of a research facility by a non-Federal entity for use by, and acceptable to, the Agricultural Research Service and a condition of the easements shall be that upon completion the facility shall be accepted by the Secretary, subject to the availability of funds herein, if the Secretary finds that acceptance of the facility is in the interest of the United States: *Provided further*, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing or operating any research facility or research project of the Agricultural Research Service, as authorized by law.

BUILDINGS AND FACILITIES

For the acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the agricultural research programs of the Department of Agriculture, where not otherwise provided, $381,200,000 to remain available until expended, of which $247,700,000 shall be allocated for ARS facilities co-located with university partners.

NATIONAL INSTITUTE OF FOOD AND AGRICULTURE

RESEARCH AND EDUCATION ACTIVITIES

For payments to agricultural experiment stations, for cooperative forestry and other research, for facilities, and for other expenses, $927,649,000, which shall be for the purposes, and in the amounts, specified in the table titled ''National Institute of Food and Agriculture, Research and Education Activities'' in the joint explanatory statement accompanying this Act: *Provided*, That funds for research grants for 1994 institutions, education grants for 1890 institutions, capacity building for non-land-grant colleges of agriculture, the agriculture and food research initiative, veterinary medicine loan repayment, multicultural scholars, graduate fellowship and institution challenge grants, and grants management systems shall remain available until expended: *Provided further*, That each institution eligible to receive funds under the Evans-Allen program receives no less than $1,000,000: *Provided further*, That funds for education grants for Alaska Native and Native Hawaiian-serving institutions be made available to individual eligible institutions or consortia of eligible institutions with funds awarded equally to each of the States of Alaska and Hawaii: *Provided further*, That funds for education grants for 1890 institutions shall be made available to institutions eligible to receive funds under 7 U.S.C. 3221 and 3222: *Provided further*, That not more than 5 percent of the amounts made available by this or any other Act to carry out the Agriculture and Food Research Initiative under 7 U.S.C. 450i(b) may be retained by the Secretary of Agriculture to pay administrative costs incurred by the Secretary in carrying out that authority.

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

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

EXTENSION ACTIVITIES

For payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, the Northern Marianas, and American Samoa, $505,692,000, which shall be for the purposes, and in the amounts, specified in the table titled ''National Institute of Food and Agriculture, Extension Activities'' in the joint explanatory statement accompanying this Act: *Provided*, That funds for facility improvements at 1890 institutions shall remain available until expended: *Provided further*, That institutions eligible to receive funds under 7 U.S.C. 3221 for cooperative extension receive no less than $1,000,000: *Provided further*, That funds for cooperative extension under sections 3(b) and (c) of the Smith-Lever Act (7 U.S.C. 343(b) and (c)) and section 208(c) of Public Law 93–471 shall be available for retirement and employees' compensation costs for extension agents.

INTEGRATED ACTIVITIES

For the integrated research, education, and extension grants programs, including necessary administrative expenses, $38,000,000, which shall be for the purposes, and in the amounts, specified in the table titled ''National Institute of Food and Agriculture, Integrated Activities'' in the joint explanatory statement accompanying this Act: *Provided*, That funds for the Food and Agriculture Defense Initiative shall remain available until September 30, 2020: *Provided further*, That notwithstanding any other provision of law, indirect costs shall not be charged against any Extension Implementation Program Area grant awarded under the Crop Protection/Pest Management Program (7 U.S.C. 7626).

OFFICE OF THE UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

For necessary expenses of the Office of the Under Secretary for Marketing and Regulatory Programs, $901,000: *Provided*, That funds made available by this Act to an agency in the Marketing and Regulatory Programs mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Animal and Plant Health Inspection Service, including up to $30,000 for representation allowances and for expenses pursuant to the Foreign Service Act of 1980 (22 U.S.C. 4085), $1,011,136,000, of which $470,000, to remain available until expended, shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for control of pest animals and birds (''contingency fund'') to the extent necessary to meet emergency conditions; of which $11,520,000, to remain available until expended, shall be used for the cotton pests program for cost share purposes or for debt retirement for active eradication zones; of which $37,857,000, to remain available until expended, shall be for Animal Health Technical Services; of which $705,000 shall be for activities under the authority of the Horse Protection Act of 1970, as amended (15 U.S.C. 1831); of which $62,840,000, to remain available until expended, shall be used to support avian health; of which $4,251,000, to remain available until expended, shall be for information technology infrastructure; of which $186,013,000, to remain available until expended, shall be for specialty crop pests; of which, $11,826,000, to remain available until expended, shall be for field crop and rangeland ecosystem pests; of which $16,523,000, to remain available until expended, shall be for zoonotic disease management; of which $40,966,000, to remain available until expended, shall be for emergency preparedness and response; of which $60,000,000, to remain available until expended, shall be for tree and wood pests; of which $5,725,000, to remain available until expended, shall be for the National Veterinary Stockpile; of which up to $1,500,000, to remain available until expended, shall be for the scrapie program for indemnities; of which $2,500,000, to remain available until expended, shall be for the wildlife damage management program for aviation safety: *Provided*, That of amounts available under this heading for wildlife services methods development, $1,000,000 shall remain available until expended: *Provided further*, That of amounts available under this heading for the screwworm program, $4,990,000 shall remain available until expended; of which $13,600,000, to remain available until expended, shall be used to carry out the science program at the National Bio- and Agro-defense Facility located in Manhattan, Kansas: *Provided further*, That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by the States of at least 40 percent: *Provided further*, That this appropriation shall be available for the operation and maintenance of aircraft and the purchase of not to exceed five, of which two shall be for replacement only: *Provided further*, That in addition, in emergencies which threaten any segment of the agricultural production industry of the United States, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as may be deemed necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious disease or pests of animals, poultry, or plants, and for expenses in accordance with sections 10411 and 10417 of the Animal Health Protection Act (7 U.S.C. 8310 and 8316) and sections 431 and 442 of the Plant Protection Act (7 U.S.C. 7751 and 7772), and any unexpended balances of funds transferred for such emergency purposes in the preceding fiscal year shall be merged with such transferred amounts: *Provided further*, That appropriations hereunder shall be available pursuant to law (7 U.S.C. 2250) for the repair and alteration of leased buildings and improvements, but unless otherwise provided the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

In fiscal year 2019, the agency is authorized to collect fees to cover the total costs of providing technical assistance, goods, or services requested by States, other political subdivisions, domestic and international organizations, foreign governments, or individuals, provided that such fees are structured such that any entity's liability for such fees is reasonably based on the technical assistance, goods, or services provided to the entity by the agency, and such fees shall be reimbursed to this account, to remain available until expended, without further appropriation, for providing such assistance, goods, or services.

BUILDINGS AND FACILITIES

For plans, construction, repair, preventive maintenance, environmental support, improvement, extension, alteration, and purchase of fixed equipment or facilities, as authorized by 7 U.S.C. 2250, and acquisition of

land as authorized by 7 U.S.C. 428a, $3,175,000, to remain available until expended.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

For necessary expenses of the Agricultural Marketing Service, $159,095,000, of which $4,000,000 shall be available for the purposes of section 12306 of Public Law 113–79; and of which $1,500,000 shall be available for marketing activities authorized under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)) to provide to State departments of agriculture, State cooperative extension services, institutions of higher education, and nonprofit organizations grants to carry out programs and provide technical assistance to promote innovation, process improvement, and marketing relating to dairy products: *Provided*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

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

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $61,227,000 (from fees collected) shall be obligated during the current fiscal year for administrative expenses: *Provided*, That if crop size is understated and/or other uncontrollable events occur, the agency may exceed this limitation by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY (SECTION 32)

(INCLUDING TRANSFERS OF FUNDS)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), shall be used only for commodity program expenses as authorized therein, and other related operating expenses, except for: (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of 1956 (16 U.S.C. 742a et seq.); (2) transfers otherwise provided in this Act; and (3) not more than $20,705,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937 and the Agricultural Act of 1961 (Public Law 87–128).

PAYMENTS TO STATES AND POSSESSIONS

For payments to departments of agriculture, bureaus and departments of markets, and similar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)), $1,235,000.

LIMITATION ON INSPECTION AND WEIGHING SERVICES EXPENSES

Not to exceed $55,000,000 (from fees collected) shall be obligated during the current fiscal year for inspection and weighing services: *Provided*, That if grain export activities require additional supervision and oversight, or other uncontrollable factors occur, this limitation may be exceeded by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

For necessary expenses of the Office of the Under Secretary for Food Safety, $800,000: *Provided*, That funds made available by this Act to an agency in the Food Safety mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act, including not to exceed $10,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $1,049,344,000; and in addition, $1,000,000 may be credited to this account from fees collected for the cost of laboratory accreditation as authorized by section 1327 of the Food, Agriculture, Conservation and Trade Act of 1990 (7 U.S.C. 138f): *Provided*, That funds provided for the Public Health Data Communication Infrastructure system shall remain available until expended: *Provided further*, That no fewer than 148 full-time equivalent positions shall be employed during fiscal year 2019 for purposes dedicated solely to inspections and enforcement related to the Humane Methods of Slaughter Act (7 U.S.C. 1901 et seq.): *Provided further*, That the Food Safety and Inspection Service shall continue implementation of section 11016 of Public Law 110–246 as further clarified by the amendments made in section 12106 of Public Law 113–79: *Provided further*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

TITLE II

FARM PRODUCTION AND CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FARM PRODUCTION AND CONSERVATION

For necessary expenses of the Office of the Under Secretary for Farm Production and Conservation, $901,000: *Provided*, That funds made available by this Act to an agency in the Farm Production and Conservation mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

FARM PRODUCTION AND CONSERVATION BUSINESS CENTER

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Farm Production and Conservation Business Center, $216,350,000: *Provided*, That $60,228,000 of amounts appropriated for the current fiscal year pursuant to section 1241(a) of the Farm Security and Rural Investment Act of 1985 (16 U.S.C. 3841(a)) shall be transferred to and merged with this account.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Farm Service Agency, $1,081,655,000, of which not less than $20,000,000 shall be for the hiring of new employees to fill vacancies at Farm Service Agency county offices and farm loan officers and shall be available until September 30, 2020: *Provided*, That not more than 50 percent of the funding made available under this heading for information technology may be obligated until the Secretary submits to the Committees on Appropriations of both Houses of Congress, and receives written or electronic notification of receipt from such Committees of, a plan for expenditure that (1) identifies for each project/investment over $25,000 (a) the functional and performance capabilities to be delivered and the mission benefits to be realized, (b) the estimated lifecycle cost for the entirety of the project/investment, including estimates for development as well as maintenance and operations, and (c) key milestones to be met; (2) demonstrates that each project/investment is, (a) consistent with the Farm Service Agency Information Technology Roadmap, (b) being managed in accordance with applicable lifecycle management policies and guidance, and (c) subject to the applicable Department's capital planning and investment control requirements; and (3) has been reviewed by the Government Accountability Office and approved by the Committees on Appropriations of both Houses of Congress: *Provided further*, That the agency shall submit a report by the end of the fourth quarter of fiscal year 2019 to the Committees on Appropriations and the Government Accountability Office, that identifies for each project/investment that is operational (a) current performance against key indicators of customer satisfaction, (b) current performance of service level agreements or other technical metrics, (c) current performance against a pre-established cost baseline, (d) a detailed breakdown of current and planned spending on operational enhancements or upgrades, and (e) an assessment of whether the investment continues to meet business needs as intended as well as alternatives to the investment: *Provided further*, That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: *Provided further*, That other funds made available to the Agency for authorized activities may be advanced to and merged with this account: *Provided further*, That funds made available to county committees shall remain available until expended: *Provided further*, That none of the funds available to the Farm Service Agency shall be used to close Farm Service Agency county offices: *Provided further*, That none of the funds available to the Farm Service Agency shall be used to permanently relocate county based employees that would result in an office with two or fewer employees without prior notification and approval of the Committees on Appropriations of both Houses of Congress.

STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987, as amended (7 U.S.C. 5101–5106), $3,904,000.

GRASSROOTS SOURCE WATER PROTECTION PROGRAM

For necessary expenses to carry out wellhead or groundwater protection activities under section 1240O of the Food Security Act of 1985 (16 U.S.C. 3839bb–2), $6,500,000, to remain available until expended.

DAIRY INDEMNITY PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers and manufacturers of dairy products under a dairy indemnity program, such sums as may be necessary, to remain available until expended: *Provided*, That such program is carried out by the Secretary in the same manner as the dairy indemnity program described in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106–387, 114 Stat. 1549A–12).

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed farm ownership (7 U.S.C. 1922 et seq.) and operating (7 U.S.C. 1941 et seq.) loans, emergency loans (7 U.S.C. 1961 et seq.), Indian tribe land acquisition loans (25 U.S.C. 488), boll weevil loans (7 U.S.C. 1989), guaranteed conservation loans (7 U.S.C. 1924 et seq.), and Indian highly fractionated land loans (25 U.S.C. 488) to be available from funds in the Agricultural Credit Insurance Fund, as follows:

$2,750,000,000 for guaranteed farm ownership loans and $1,500,000,000 for farm ownership direct loans; $1,960,000,000 for unsubsidized guaranteed operating loans and $1,530,000,000 for direct operating loans; emergency loans, $37,668,000; Indian tribe land acquisition loans, $20,000,000; guaranteed conservation loans, $150,000,000; Indian highly fractionated land loans, $10,000,000; and for boll weevil eradication program loans, $30,000,000: *Provided*, That the Secretary shall deem the pink bollworm to be a boll weevil for the purpose of boll weevil eradication program loans.

For the cost of direct and guaranteed loans and grants, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: farm operating loans, $59,670,000 for direct operating loans, $21,168,000 for unsubsidized guaranteed operating loans, emergency loans, $1,567,000 and $2,134,000 for Indian highly fractionated land loans to remain available until expended.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $317,068,000: *Provided*, That of this amount, $290,917,000 shall be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses'': *Provided further*, That of this amount $16,081,000 shall be transferred to and merged with the appropriation for ''Farm Production and Conservation Business Center, Salaries and Expenses''.

Funds appropriated by this Act to the Agricultural Credit Insurance Program Account for farm ownership, operating and conservation direct loans and guaranteed loans may be transferred among these programs: *Provided*, That the Committees on Appropriations of both Houses of Congress are notified at least 15 days in advance of any transfer.

RISK MANAGEMENT AGENCY

SALARIES AND EXPENSES

For necessary expenses of the Risk Management Agency, $58,361,000: *Provided*, That not to exceed $1,000 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i).

NATURAL RESOURCES CONSERVATION SERVICE

CONSERVATION OPERATIONS

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands, water, and interests therein for use in the plant materials program by donation, exchange, or purchase at a nominal cost not to exceed $100 pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, $819,492,000, to remain available until September 30, 2020: *Provided*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements at plant materials centers, except that the cost of alterations and improvements to other buildings and other public improvements shall not exceed $250,000: *Provided further*, That when buildings or other structures are erected on non-Federal land, that the right to use such land is obtained as provided in 7 U.S.C. 2250a: *Provided further*, That of the amounts made available under this heading, $5,600,000, shall remain available until expended for the authorities under 16 U.S.C. 1001–1005 and 1007–1009 for authorized ongoing watershed projects with a primary purpose of providing water to rural communities.

WATERSHED AND FLOOD PREVENTION OPERATIONS

For necessary expenses to carry out preventive measures, including but not limited to surveys and investigations, engineering operations, works of improvement, and changes in use of land, in accordance with the Watershed Protection and Flood Prevention Act (16 U.S.C. 1001–1005 and 1007–1009) and in accordance with the provisions of laws relating to the activities of the Department, $150,000,000, to remain available until expended: *Provided*, That for funds provided by this Act or any other prior Act, the limitation regarding the size of the watershed or subwatershed exceeding two hundred and fifty thousand acres in which such activities can be undertaken shall only apply for activities undertaken for the primary purpose of flood prevention (including structural and land treatment measures): *Provided further*, That of the amounts made available under this heading, $50,000,000 shall be allocated to projects and activities that can commence promptly following enactment; that address regional priorities for flood prevention, agricultural water management, inefficient irrigation systems, fish and wildlife habitat, or watershed protection; or that address authorized ongoing projects under the authorities of section 13 of the Flood Control Act of December 22, 1944 (Public Law 78–534) with a primary purpose of watershed protection by preventing floodwater damage and stabilizing stream channels, tributaries, and banks to reduce erosion and sediment transport.

WATERSHED REHABILITATION PROGRAM

Under the authorities of section 14 of the Watershed Protection and Flood Prevention Act, $10,000,000 is provided: *Provided*, That of the amounts made available under this heading, $5,000,000 shall remain available until expended for watershed rehabilitation projects in states with high-hazard dams and other watershed structures and that have recently incurred flooding events which caused fatalities.

CORPORATIONS

The following corporations and agencies are hereby authorized to make expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such corporation or agency, except as hereinafter provided.

FEDERAL CROP INSURANCE CORPORATION FUND

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

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

(INCLUDING TRANSFERS OF FUNDS)

For the current fiscal year, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed, pursuant to section 2 of the Act of August 17, 1961 (15 U.S.C. 713a–11): *Provided*, That of the funds available to the Commodity Credit Corporation under section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i) for the conduct of its business with the Foreign Agricultural Service, up to $5,000,000 may be transferred to and used by the Foreign Agricultural Service for information resource management activities of the Foreign Agricultural Service that are not related to Commodity Credit Corporation business.

HAZARDOUS WASTE MANAGEMENT

(LIMITATION ON EXPENSES)

For the current fiscal year, the Commodity Credit Corporation shall not expend more than $5,000,000 for site investigation and cleanup expenses, and operations and maintenance expenses to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9607(g)), and section 6001 of the Solid Waste Disposal Act (42 U.S.C. 6961).

TITLE III

RURAL DEVELOPMENT PROGRAMS

RURAL DEVELOPMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of Rural Development programs, including activities with institutions concerning the development and operation of agricultural cooperatives; and for cooperative agreements; $236,835,000: *Provided*, That no less than $6,000,000 shall be for information technology investments: *Provided further*, That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that support Rural Development programs: *Provided further*, That in addition to any other funds appropriated for purposes authorized by section 502(i) of the Housing Act of 1949 (42 U.S.C. 1472(i)), any amounts collected under such section, as amended by this Act, will immediately be credited to this account and will remain available until expended for such purposes.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: $1,000,000,000 shall be for direct loans and $24,000,000,000 shall be for unsubsidized guaranteed loans; $28,000,000 for section 504 housing repair loans; $40,000,000 for section 515 rental housing; $230,000,000 for section 538 guaranteed multi-family housing loans; $10,000,000 for credit sales of single family housing acquired property; $5,000,000 for section 523 self-help housing land development loans; and $5,000,000 for section 524 site development loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, $67,700,000 shall be for direct loans; section 504 housing repair loans, $3,419,000; section 523 self-help housing land development loans, $431,000; section 524 site development loans, $176,000; and repair, rehabilitation, and new construction of section 515 rental housing, $9,484,000: *Provided*, That to support the loan program level for section 538 guaranteed loans made available under this heading the Secretary may charge or adjust any fees to cover the projected cost of such loan guarantees pursuant to the provisions of the Credit Reform Act of 1990 (2 U.S.C. 661 et seq.), and the interest on such loans may not be subsidized: *Provided further*,

That applicants in communities that have a current rural area waiver under section 541 of the Housing Act of 1949 (42 U.S.C. 1490q) shall be treated as living in a rural area for purposes of section 502 guaranteed loans provided under this heading: *Provided further*, That of the amounts available under this paragraph for section 502 direct loans, no less than $5,000,000 shall be available for direct loans for individuals whose homes will be built pursuant to a program funded with a mutual and self-help housing grant authorized by section 523 of the Housing Act of 1949 until June 1, 2019: *Provided further*, That the Secretary shall implement provisions to provide incentives to nonprofit organizations and public housing authorities to facilitate the acquisition of Rural Housing Service (RHS) multifamily housing properties by such nonprofit organizations and public housing authorities that commit to keep such properties in the RHS multifamily housing program for a period of time as determined by the Secretary, with such incentives to include, but not be limited to, the following: allow such nonprofit entities and public housing authorities to earn a Return on Investment on their own resources to include proceeds from low income housing tax credit syndication, own contributions, grants, and developer loans at favorable rates and terms, invested in a deal; and allow reimbursement of organizational costs associated with owner's oversight of asset referred to as ''Asset Management Fee'' of up to $7,500 per property.

In addition, for the cost of direct loans, grants, and contracts, as authorized by sections 514 and 516 of the Housing Act of 1949 (42 U.S.C. 1484, 1486), $16,853,000, to remain available until expended, for direct farm labor housing loans and domestic farm labor housing grants and contracts: *Provided*, That any balances available for the Farm Labor Program Account shall be transferred to and merged with this account.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $412,254,000 shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) of the Housing Act of 1949 or agreements entered into in lieu of debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, $1,331,400,000, of which $40,000,000 shall be available until September 30, 2020; and in addition such sums as may be necessary, as authorized by section 521(c) of the Act, to liquidate debt incurred prior to fiscal year 1992 to carry out the rental assistance program under section 521(a)(2) of the Act: *Provided*, That rental assistance agreements entered into or renewed during the current fiscal year shall be funded for a one-year period: *Provided further*, That any unexpended balances remaining at the end of such one-year agreements may be transferred and used for purposes of any debt reduction; maintenance, repair, or rehabilitation of any existing projects; preservation; and rental assistance activities authorized under title V of the Act: *Provided further*, That rental assistance provided under agreements entered into prior to fiscal year 2019 for a farm labor multi-family housing project financed under section 514 or 516 of the Act may not be recaptured for use in another project until such assistance has remained unused for a period of 12 consecutive months, if such project has a waiting list of tenants seeking such assistance or the project has rental assistance eligible tenants who are not receiving such assistance: *Provided further*, That such recaptured rental assistance shall, to the extent practicable, be applied to another farm labor multi-family housing project financed under section 514 or 516 of the Act: *Provided further*, That except as provided in the third proviso under this heading and notwithstanding any other provision of the Act, the Secretary may recapture rental assistance provided under agreements entered into prior to fiscal year 2019 for a project that the Secretary determines no longer needs rental assistance and use such recaptured funds for current needs.

MULTI-FAMILY HOUSING REVITALIZATION PROGRAM ACCOUNT

For the rural housing voucher program as authorized under section 542 of the Housing Act of 1949, but notwithstanding subsection (b) of such section, and for additional costs to conduct a demonstration program for the preservation and revitalization of multi-family rental housing properties described in this paragraph, $51,500,000, to remain available until expended: *Provided*, That of the funds made available under this heading, $27,000,000, shall be available for rural housing vouchers to any low-income household (including those not receiving rental assistance) residing in a property financed with a section 515 loan which has been prepaid after September 30, 2005: *Provided further*, That the amount of such voucher shall be the difference between comparable market rent for the section 515 unit and the tenant paid rent for such unit: *Provided further*, That funds made available for such vouchers shall be subject to the availability of annual appropriations: *Provided further*, That the Secretary shall, to the maximum extent practicable, administer such vouchers with current regulations and administrative guidance applicable to section 8 housing vouchers administered by the Secretary of the Department of Housing and Urban Development: *Provided further*, That if the Secretary determines that the amount made available for vouchers in this or any other Act is not needed for vouchers, the Secretary may use such funds for the demonstration program for the preservation and revitalization of multi-family rental housing properties described in this paragraph: *Provided further*, That of the funds made available under this heading, $24,500,000 shall be available for a demonstration program for the preservation and revitalization of the sections 514, 515, and 516 multi-family rental housing properties to restructure existing USDA multi-family housing loans, as the Secretary deems appropriate, expressly for the purposes of ensuring the project has sufficient resources to preserve the project for the purpose of providing safe and affordable housing for low-income residents and farm laborers including reducing or eliminating interest; deferring loan payments, subordinating, reducing or reamortizing loan debt; and other financial assistance including advances, payments and incentives (including the ability of owners to obtain reasonable returns on investment) required by the Secretary: *Provided further*, That the Secretary shall as part of the preservation and revitalization agreement obtain a restrictive use agreement consistent with the terms of the restructuring: *Provided further*, That if the Secretary determines that additional funds for vouchers described in this paragraph are needed, funds for the preservation and revitalization demonstration program may be used for such vouchers: *Provided further*, That if Congress enacts legislation to permanently authorize a multi-family rental housing loan restructuring program similar to the demonstration program described herein, the Secretary may use funds made available for the demonstration program under this heading to carry out such legislation with the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further*, That in addition to any other available funds, the Secretary may expend not more than $1,000,000 total, from the program funds made available under this heading, for administrative expenses for activities funded under this heading.

MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), $30,000,000, to remain available until expended.

RURAL HOUSING ASSISTANCE GRANTS

For grants for very low-income housing repair and rural housing preservation made by the Rural Housing Service, as authorized by 42 U.S.C. 1474, and 1490m, $45,000,000, to remain available until expended.

RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, $2,800,000,000 for direct loans and $148,287,000 for guaranteed loans.

For the cost of guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, $4,285,000, to remain available until expended.

For the cost of grants for rural community facilities programs as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, $45,778,000, to remain available until expended: *Provided*, That $6,000,000 of the amount appropriated under this heading shall be available for a Rural Community Development Initiative: *Provided further*, That such funds shall be used solely to develop the capacity and ability of private, nonprofit community-based housing and community development organizations, low-income rural communities, and Federally Recognized Native American Tribes to undertake projects to improve housing, community facilities, community and economic development projects in rural areas: *Provided further*, That such funds shall be made available to qualified private, nonprofit and public intermediary organizations proposing to carry out a program of financial and technical assistance: *Provided further*, That such intermediary organizations shall provide matching funds from other sources, including Federal funds for related activities, in an amount not less than funds provided: *Provided further*, That $5,778,000 of the amount appropriated under this heading shall be to provide grants for facilities in rural communities with extreme unemployment and severe economic depression (Public Law 106–387), with up to 5 percent for administration and capacity building in the State rural development offices: *Provided further*, That $4,000,000 of the amount appropriated under this heading shall be available for community facilities grants to tribal colleges, as authorized by section 306(a)(19) of such Act: *Provided further*, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading.

RURAL BUSINESS—COOPERATIVE SERVICE

RURAL BUSINESS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of loan guarantees and grants, for the rural business development programs

authorized by section 310B and described in subsections (a), (c), (f) and (g) of section 310B of the Consolidated Farm and Rural Development Act, $65,040,000, to remain available until expended: *Provided*, That of the amount appropriated under this heading, not to exceed $500,000 shall be made available for one grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development and $8,000,000 shall be for grants to the Delta Regional Authority (7 U.S.C. 2009aa et seq.), the Northern Border Regional Commission (40 U.S.C. 15101 et seq.), and the Appalachian Regional Commission (40 U.S.C. 14101 et seq.) for any Rural Community Advancement Program purpose as described in section 381E(d) of the Consolidated Farm and Rural Development Act, of which not more than 5 percent may be used for administrative expenses: *Provided further*, That $4,000,000 of the amount appropriated under this heading shall be for business grants to benefit Federally Recognized Native American Tribes, including $250,000 for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development: *Provided further*, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to funds made available under this heading.

INTERMEDIARY RELENDING PROGRAM FUND ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the principal amount of direct loans, as authorized by the Intermediary Relending Program Fund Account (7 U.S.C. 1936b), $18,889,000.

For the cost of direct loans, $4,157,000, as authorized by the Intermediary Relending Program Fund Account (7 U.S.C. 1936b), of which $557,000 shall be available through June 30, 2019, for Federally Recognized Native American Tribes; and of which $1,072,000 shall be available through June 30, 2019, for Mississippi Delta Region counties (as determined in accordance with Public Law 100–460): *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.

In addition, for administrative expenses to carry out the direct loan programs, $4,468,000 shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

For the principal amount of direct loans, as authorized under section 313 of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects, $50,000,000.

The cost of grants authorized under section 313 of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects shall not exceed $10,000,000.

RURAL COOPERATIVE DEVELOPMENT GRANTS

For rural cooperative development grants authorized under section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932), $29,100,000, of which $2,800,000 shall be for cooperative agreements for the appropriate technology transfer for rural areas program: *Provided*, That not to exceed $3,000,000 shall be for grants for cooperative development centers, individual cooperatives, or groups of cooperatives that serve socially disadvantaged groups and a majority of the boards of directors or governing boards of which are comprised of individuals who are members of socially disadvantaged groups; and of which $17,500,000, to remain available until expended, shall be for value-added agricultural product market development grants, as authorized by section 231 of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1632a), of which $2,500,000 may be used for Agriculture Innovation Centers authorized pursuant to section 6402 of Public Law 107–171.

RURAL ENERGY FOR AMERICA PROGRAM

For the cost of a program of loan guarantees, under the same terms and conditions as authorized by section 9007 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107), $334,500: *Provided*, That the cost of loan guarantees, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

RURAL UTILITIES SERVICE

RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct loans as authorized by section 306 and described in section 381E(d)(2) of the Consolidated Farm and Rural Development Act, $1,400,000,000. For loan guarantees and grants for rural water, waste water, waste disposal, and solid waste management programs authorized by sections 306, 306A, 306C, 306D, 306E, and 310B and described in sections 306C(a)(2), 306D, 306E, and 381E(d)(2) of the Consolidated Farm and Rural Development Act, $548,690,000, to remain available until expended, of which not to exceed $1,000,000 shall be available for the rural utilities program described in section 306(a)(2)(B) of such Act, and of which not to exceed $1,500,000 shall be available for the rural utilities program described in section 306E of such Act: *Provided*, That not to exceed $15,000,000 of the amount appropriated under this heading shall be for grants authorized by section 306A(i)(2) of the Consolidated Farm and Rural Development Act in addition to funding authorized by section 306A(i)(1) of such Act and such grants may not exceed $1,000,000 notwithstanding section 306A(f)(1) of such Act: *Provided further*, That $68,000,000 of the amount appropriated under this heading shall be for loans and grants including water and waste disposal systems grants authorized by section 306C(a)(2)(B) and section 306D of the Consolidated Farm and Rural Development Act, and Federally Recognized Native American Tribes authorized by 306C(a)(1) of such Act: *Provided further*, That funding provided for section 306D of the Consolidated Farm and Rural Development Act may be provided to a consortium formed pursuant to section 325 of Public Law 105–83: *Provided further*, That not more than 2 percent of the funding provided for section 306D of the Consolidated Farm and Rural Development Act may be used by the State of Alaska for training and technical assistance programs and not more than 2 percent of the funding provided for section 306D of the Consolidated Farm and Rural Development Act may be used by a consortium formed pursuant to section 325 of Public Law 105–83 for training and technical assistance programs: *Provided further*, That not to exceed $30,000,000 of the amount appropriated under this heading shall be for technical assistance grants for rural water and waste systems pursuant to section 306(a)(14) of such Act, unless the Secretary makes a determination of extreme need, of which $8,000,000 shall be made available for a grant to a qualified nonprofit multi-State regional technical assistance organization, with experience in working with small communities on water and waste water problems, the principal purpose of such grant shall be to assist rural communities with populations of 3,300 or less, in improving the planning, financing, development, operation, and management of water and waste water systems, and of which not less than $800,000 shall be for a qualified national Native American organization to provide technical assistance for rural water systems for tribal communities: *Provided further*, That not to exceed $19,000,000 of the amount appropriated under this heading shall be for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: *Provided further*, That not to exceed $4,000,000 shall be for solid waste management grants: *Provided further*, That $10,000,000 of the amount appropriated under this heading shall be transferred to, and merged with, the Rural Utilities Service, High Energy Cost Grants Account to provide grants authorized under section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a): *Provided further*, That any prior year balances for high-energy cost grants authorized by section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a) shall be transferred to and merged with the Rural Utilities Service, High Energy Cost Grants Account: *Provided further*, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading.

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

The principal amount of direct and guaranteed loans as authorized by sections 305, 306, and 317 of the Rural Electrification Act of 1936 (7 U.S.C. 935, 936, and 940g) shall be made as follows: loans made pursuant to sections 305, 306, and 317, notwithstanding 317(c), of that Act, rural electric, $5,500,000,000; guaranteed underwriting loans pursuant to section 313A, $750,000,000; 5 percent rural telecommunications loans, cost of money rural telecommunications loans, and for loans made pursuant to section 306 of that Act, rural telecommunications loans, $690,000,000: *Provided*, That up to $2,000,000,000 shall be used for the construction, acquisition, design and engineering or improvement of fossil-fueled electric generating plants (whether new or existing) that utilize carbon subsurface utilization and storage systems.

For the cost of direct loans as authorized by section 305 of the Rural Electrification Act of 1936 (7 U.S.C. 935), including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, cost of money rural telecommunications loans, $1,725,000.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $33,270,000, which shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND PROGRAM

For the principal amount of broadband telecommunication loans, $29,851,000.

For grants for telemedicine and distance learning services in rural areas, as authorized by 7 U.S.C. 950aaa et seq., $34,000,000, to remain available until expended: *Provided*, That $3,000,000 shall be made available for grants authorized by 379G of the Consolidated Farm and Rural Development Act: *Provided further*, That funding provided under this heading for grants under 379G of the Consolidated Farm and Rural Development Act may only be provided to entities that meet all of the eligibility criteria for a consortium as established by this section.

For the cost of broadband loans, as authorized by section 601 of the Rural Electrification Act, $5,830,000, to remain available until expended: *Provided*, That the cost of direct

loans shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, $30,000,000, to remain available until expended, for a grant program to finance broadband transmission in rural areas eligible for Distance Learning and Telemedicine Program benefits authorized by 7 U.S.C. 950aaa.

TITLE IV

DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD, NUTRITION, AND CONSUMER SERVICES

For necessary expenses of the Office of the Under Secretary for Food, Nutrition, and Consumer Services, $800,000: *Provided*, That funds made available by this Act to an agency in the Food, Nutrition and Consumer Services mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), except section 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17 and 21; $23,140,781,000 to remain available through September 30, 2020, of which such sums as are made available under section 14222(b)(1) of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246), as amended by this Act, shall be merged with and available for the same time period and purposes as provided herein: *Provided*, That of the total amount available, $17,004,000 shall be available to carry out section 19 of the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.): *Provided further*, That of the total amount available, $30,000,000 shall be available to provide competitive grants to State agencies for subgrants to local educational agencies and schools to purchase the equipment, with a value of greater than $1,000, needed to serve healthier meals, improve food safety, and to help support the establishment, maintenance, or expansion of the school breakfast program: *Provided further*, That of the total amount available, $28,000,000 shall remain available until expended to carry out section 749(g) of the Agriculture Appropriations Act of 2010 (Public Law 111–80): *Provided further*, That section 26(d) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769g(d)) is amended in the first sentence by striking ''2010 through 2018'' and inserting ''2010 through 2019'': *Provided further*, That section 9(h)(3) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(h)(3)) is amended in the first sentence by striking ''For fiscal year 2018'' and inserting ''For fiscal year 2019'': *Provided further*, That section 9(h)(4) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(h)(4)) is amended in the first sentence by striking ''For fiscal year 2018'' and inserting ''For fiscal year 2019''.

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

For necessary expenses to carry out the special supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), $6,075,000,000, to remain available through September 30, 2020: *Provided*, That notwithstanding section 17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(h)(10)), not less than $60,000,000 shall be used for breastfeeding peer counselors and other related activities, and $19,000,000 shall be used for infrastructure, of which $5,000,000 shall be for telehealth competitive grants to supplement the nutrition education and breastfeeding support offered in the WIC clinic, and to decrease barriers to access to WIC services, particularly in rural communities, and other populations facing barriers to accessing support: *Provided further*, That none of the funds provided in this account shall be available for the purchase of infant formula except in accordance with the cost containment and competitive bidding requirements specified in section 17 of such Act: *Provided further*, That none of the funds provided shall be available for activities that are not fully reimbursed by other Federal Government departments or agencies unless authorized by section 17 of such Act: *Provided further*, That upon termination of a federally mandated vendor moratorium and subject to terms and conditions established by the Secretary, the Secretary may waive the requirement at 7 CFR 246.12(g)(6) at the request of a State agency.

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

For necessary expenses to carry out the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), $73,476,921,000, of which $3,000,000,000, to remain available through December 31, 2020, shall be placed in reserve for use only in such amounts and at such times as may become necessary to carry out program operations: *Provided*, That funds provided herein shall be expended in accordance with section 16 of the Food and Nutrition Act of 2008: *Provided further*, That of the funds made available under this heading, $998,000 may be used to provide nutrition education services to State agencies and Federally Recognized Tribes participating in the Food Distribution Program on Indian Reservations: *Provided further*, That this appropriation shall be subject to any work registration or workfare requirements as may be required by law: *Provided further*, That funds made available for Employment and Training under this heading shall remain available through September 30, 2020: *Provided further*, That funds made available under this heading for section 28(d)(1), section 4(b), and section 27(a) of the Food and Nutrition Act of 2008 shall remain available through September 30, 2020: *Provided further*, That none of the funds made available under this heading may be obligated or expended in contravention of section 213A of the Immigration and Nationality Act (8 U.S.C. 1183A): *Provided further*, That funds made available under this heading may be used to enter into contracts and employ staff to conduct studies, evaluations, or to conduct activities related to program integrity provided that such activities are authorized by the Food and Nutrition Act of 2008.

COMMODITY ASSISTANCE PROGRAM

For necessary expenses to carry out disaster assistance and the Commodity Supplemental Food Program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note); the Emergency Food Assistance Act of 1983; special assistance for the nuclear affected islands, as authorized by section 103(f)(2) of the Compact of Free Association Amendments Act of 2003 (Public Law 108–188); and the Farmers' Market Nutrition Program, as authorized by section 17(m) of the Child Nutrition Act of 1966, $322,139,000, to remain available through September 30, 2020: *Provided*, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program: *Provided further*, That notwithstanding any other provision of law, effective with funds made available in fiscal year 2019 to support the Seniors Farmers' Market Nutrition Program, as authorized by section 4402 of the Farm Security and Rural Investment Act of 2002, such funds shall remain available through September 30, 2020: *Provided further*, That of the funds made available under section 27(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)), the Secretary may use up to 15 percent for costs associated with the distribution of commodities: *Provided further*, That $30,000,000 of prior year unobligated balances of the Commodity Supplemental Food Program shall be transferred to The Emergency Food Assistance Program to be used for administrative expenses.

NUTRITION PROGRAMS ADMINISTRATION

For necessary administrative expenses of the Food and Nutrition Service for carrying out any domestic nutrition assistance program, $164,688,000, of which $12,297,000 shall remain available through September 30, 2021, for the development and dissemination of the Dietary Guidelines for Americans: *Provided*, That of the funds provided herein, $2,000,000 shall be used for the purposes of section 4404 of Public Law 107–171, as amended by section 4401 of Public Law 110–246.

TITLE V

FOREIGN ASSISTANCE AND RELATED PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR TRADE AND FOREIGN AGRICULTURAL AFFAIRS

For necessary expenses of the Office of the Under Secretary for Trade and Foreign Agricultural Affairs, $875,000: *Provided*, That funds made available by this Act to any agency in the Trade and Foreign Agricultural Affairs mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

OFFICE OF CODEX ALIMENTARIUS

For necessary expenses of the Office of Codex Alimentarius, $3,976,000, including not to exceed $40,000 for official reception and representation expenses.

FOREIGN AGRICULTURAL SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Foreign Agricultural Service, including not to exceed $250,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $213,890,000, of which no more than 6 percent shall remain available until September 30, 2020, for overseas operations to include the payment of locally employed staff: *Provided*, That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1737) and the foreign assistance programs of the United States Agency for International Development: *Provided further*, That funds made available for middle-income country training programs, funds made available for the Borlaug International Agricultural Science and Technology Fellowship program, and up to $2,000,000 of the Foreign Agricultural Service appropriation solely for the purpose of offsetting fluctuations in international currency exchange rates, subject to documentation by the Foreign Agricultural Service, shall remain available until expended.

FOOD FOR PEACE TITLE I DIRECT CREDIT AND FOOD FOR PROGRESS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the credit program of title I, Food for Peace Act (Public Law 83–480) and the Food for Progress Act of 1985, $142,000, shall be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses''.

FOOD FOR PEACE TITLE II GRANTS

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest

thereon, under the Food for Peace Act (Public Law 83–480), for commodities supplied in connection with dispositions abroad under title II of said Act, $1,500,000,000, to remain available until expended.

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

For necessary expenses to carry out the provisions of section 3107 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o–1), $210,255,000, to remain available until expended, of which $1,000,000 is for the use of recently developed potable water technologies in school feeding projects: *Provided*, That the Commodity Credit Corporation is authorized to provide the services, facilities, and authorities for the purpose of implementing such section, subject to reimbursement from amounts provided herein: *Provided further*, That of the amount made available under this heading, $15,000,000, shall remain available until expended for necessary expenses to carry out the provisions of section 3207 of the Agricultural Act of 2014 (7 U.S.C. 1726c).

COMMODITY CREDIT CORPORATION EXPORT (LOANS) CREDIT GUARANTEE PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the Commodity Credit Corporation's Export Guarantee Program, GSM 102 and GSM 103, $8,845,000; to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, of which $6,382,000 shall be transferred to and merged with the appropriation for ''Foreign Agricultural Service, Salaries and Expenses'', and of which $2,463,000 shall be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses''.

TITLE VI

RELATED AGENCY AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for payment of space rental and related costs pursuant to Public Law 92–313 for programs and activities of the Food and Drug Administration which are included in this Act; for rental of special purpose space in the District of Columbia or elsewhere; in addition to amounts appropriated to the FDA Innovation Account, for carrying out the activities described in section 1002(b)(4) of the 21st Century Cures Act (Public Law 114–255); for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed $25,000; and notwithstanding section 521 of Public Law 107–188; $5,584,965,000: *Provided*, That of the amount provided under this heading, $1,010,323,000 shall be derived from prescription drug user fees authorized by 21 U.S.C. 379h, and shall be credited to this account and remain available until expended; $204,730,000 shall be derived from medical device user fees authorized by 21 U.S.C. 379j, and shall be credited to this account and remain available until expended; $501,721,000 shall be derived from human generic drug user fees authorized by 21 U.S.C. 379j–42, and shall be credited to this account and remain available until expended; $38,847,000 shall be derived from biosimilar biological product user fees authorized by 21 U.S.C. 379j–52, and shall be credited to this account and remain available until expended; $30,331,000 shall be derived from animal drug user fees authorized by 21 U.S.C. 379j–12, and shall be credited to this account and remain available until expended; $18,335,000 shall be derived from generic new animal drug user fees authorized by 21 U.S.C. 379j–21, and shall be credited to this account and remain available until expended; $712,000,000 shall be derived from tobacco product user fees authorized by 21 U.S.C. 387s, and shall be credited to this account and remain available until expended: *Provided further*, That in addition to and notwithstanding any other provision under this heading, amounts collected for prescription drug user fees, medical device user fees, human generic drug user fees, biosimilar biological product user fees, animal drug user fees, and generic new animal drug user fees that exceed the respective fiscal year 2019 limitations are appropriated and shall be credited to this account and remain available until expended: *Provided further*, That fees derived from prescription drug, medical device, human generic drug, biosimilar biological product, animal drug, and generic new animal drug assessments for fiscal year 2019, including any such fees collected prior to fiscal year 2019 but credited for fiscal year 2019, shall be subject to the fiscal year 2019 limitations: *Provided further*, That the Secretary may accept payment during fiscal year 2019 of user fees specified under this heading and authorized for fiscal year 2020, prior to the due date for such fees, and that amounts of such fees assessed for fiscal year 2020 for which the Secretary accepts payment in fiscal year 2019 shall not be included in amounts under this heading: *Provided further*, That none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701: *Provided further*, That of the total amount appropriated: (1) $1,059,980,000 shall be for the Center for Food Safety and Applied Nutrition and related field activities in the Office of Regulatory Affairs, of which no less than $15,000,000 shall be used for inspections of foreign seafood manufacturers and field examinations of imported seafood; (2) $1,879,927,000 shall be for the Center for Drug Evaluation and Research and related field activities in the Office of Regulatory Affairs; (3) $402,144,000 shall be for the Center for Biologics Evaluation and Research and for related field activities in the Office of Regulatory Affairs; (4) $223,611,000 shall be for the Center for Veterinary Medicine and for related field activities in the Office of Regulatory Affairs; (5) $556,179,000 shall be for the Center for Devices and Radiological Health and for related field activities in the Office of Regulatory Affairs; (6) $66,712,000 shall be for the National Center for Toxicological Research; (7) $666,832,000 shall be for the Center for Tobacco Products and for related field activities in the Office of Regulatory Affairs; (8) $173,847,000 shall be for Rent and Related activities, of which $50,587,000 is for White Oak Consolidation, other than the amounts paid to the General Services Administration for rent; (9) $237,849,000 shall be for payments to the General Services Administration for rent; and (10) $317,884,000 shall be for other activities, including the Office of the Commissioner of Food and Drugs, the Office of Foods and Veterinary Medicine, the Office of Medical and Tobacco Products, the Office of Global and Regulatory Policy, the Office of Operations, the Office of the Chief Scientist, and central services for these offices: *Provided further*, That not to exceed $25,000 of this amount shall be for official reception and representation expenses, not otherwise provided for, as determined by the Commissioner: *Provided further*, That any transfer of funds pursuant to section 770(n) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379dd(n)) shall only be from amounts made available under this heading for other activities: *Provided further*, That of the amounts that are made available under this heading for ''other activities'', and that are not derived from user fees, $1,500,000 shall be transferred to and merged with the appropriation for ''Department of Health and Human Services—Office of Inspector General'' for oversight of the programs and operations of the Food and Drug Administration and shall be in addition to funds otherwise made available for oversight of the Food and Drug Administration: *Provided further*, That of the total amount made available under this heading, $3,000,000 shall be used by the Commissioner of Food and Drugs, in coordination with the Secretary of Agriculture, for consumer outreach and education regarding agricultural biotechnology and biotechnology-derived food products and animal feed, including through publication and distribution of science-based educational information on the environmental, nutritional, food safety, economic, and humanitarian impacts of such biotechnology, food products, and feed: *Provided further*, That funds may be transferred from one specified activity to another with the prior approval of the Committees on Appropriations of both Houses of Congress.

In addition, mammography user fees authorized by 42 U.S.C. 263b, export certification user fees authorized by 21 U.S.C. 381, priority review user fees authorized by 21 U.S.C. 360n and 360ff, food and feed recall fees, food reinspection fees, and voluntary qualified importer program fees authorized by 21 U.S.C. 379j–31, outsourcing facility fees authorized by 21 U.S.C. 379j–62, prescription drug wholesale distributor licensing and inspection fees authorized by 21 U.S.C. 353(e)(3), third-party logistics provider licensing and inspection fees authorized by 21 U.S.C. 360eee–3(c)(1), third-party auditor fees authorized by 21 U.S.C. 384d(c)(8), and medical countermeasure priority review voucher user fees authorized by 21 U.S.C. 360bbb–4a, and, contingent upon the enactment of the Over-the-Counter Monograph User Fee Act of 2018, fees relating to over-the-counter monograph drugs authorized by part 10 of subchapter C of Chapter VII of the Federal Food, Drug and Cosmetic Act shall be credited to this account, to remain available until expended.

BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, demolition, and purchase of fixed equipment or facilities of or used by the Food and Drug Administration, where not otherwise provided, $11,788,000, to remain available until expended.

FDA INNOVATION ACCOUNT, CURES ACT

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the purposes described under section 1002(b)(4) of the 21st Century Cures Act, in addition to amounts available for such purposes under the heading ''Salaries and Expenses'', $70,000,000, to remain available until expended: *Provided*, That amounts appropriated in this paragraph are appropriated pursuant to section 1002(b)(3) of the 21st Century Cures Act, are to be derived from amounts transferred under section 1002(b)(2)(A) of such Act, and may be transferred by the Commissioner of Food and Drugs to the appropriation for ''Department of Health and Human Services Food and Drug Administration Salaries and Expenses'' solely for the purposes provided in such Act: *Provided further*, That upon a determination by the Commissioner 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 such transfer authority is in addition to any other transfer authority provided by law.

INDEPENDENT AGENCY

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $74,600,000 (from assessments collected from farm credit institutions, including the Federal Agricultural Mortgage Corporation) shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249: *Provided*, That this limitation shall not apply to expenses associated with receiverships: *Provided further*, That the agency may exceed this limitation by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

TITLE VII

GENERAL PROVISIONS

(INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

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

SEC. 702. Notwithstanding any other provision of this Act, the Secretary of Agriculture may transfer unobligated balances of discretionary funds appropriated by this Act or any other available unobligated discretionary balances that are remaining available of the Department of Agriculture to the Working Capital Fund for the acquisition of plant and capital equipment necessary for the delivery of financial, administrative, and information technology services of primary benefit to the agencies of the Department of Agriculture, such transferred funds to remain available until expended: *Provided*, That none of the funds made available by this Act or any other Act shall be transferred to the Working Capital Fund without the prior approval of the agency administrator: *Provided further*, That none of the funds transferred to the Working Capital Fund pursuant to this section shall be available for obligation without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further*, That none of the funds appropriated by this Act or made available to the Department's Working Capital Fund shall be available for obligation or expenditure to make any changes to the Department's National Finance Center without written notification to and prior approval of the Committees on Appropriations of both Houses of Congress as required by section 717 of this Act: *Provided further*, That none of the funds appropriated by this Act or made available to the Department's Working Capital Fund shall be available for obligation or expenditure to initiate, plan, develop, implement, or make any changes to remove or relocate any systems, missions, or functions of the offices of the Chief Financial Officer or any personnel from the National Finance Center prior to written notification to and prior approval of the Committee on Appropriations of both Houses of Congress and in accordance with the requirements of section 717 of this Act: *Provided further*, That the Secretary of Agriculture and the offices of the Chief Financial Officer shall actively market to existing and new Departments and other government agencies National Finance Center shared services including, but not limited to, payroll, financial management, and human capital shared services and allow the National Finance Center to perform technology upgrades: *Provided further*, That of annual income amounts in the Working Capital Fund of the Department of Agriculture attributable to the amounts in excess of the true costs of the shared services provided by the National Finance Center and budgeted for the National Finance Center, the Secretary shall reserve not more than 4 percent for the replacement or acquisition of capital equipment, including equipment for the improvement, delivery, and implementation of financial, administrative, and information technology services, and other systems of the National Finance Center or to pay any unforeseen, extraordinary cost of the National Finance Center: *Provided further*, That none of the amounts reserved shall be available for obligation unless the Secretary submits written notification of the obligation to the Committees on Appropriations of both Houses of Congress: *Provided further*, That the limitations on the obligation of funds pending notification to Congressional Committees shall not apply to any obligation that, as determined by the Secretary, is necessary to respond to a declared state of emergency that significantly impacts the operations of the National Finance Center; or to evacuate employees of the National Finance Center to a safe haven to continue operations of the National Finance Center.

SEC. 703. 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. 704. No funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 percent of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two parties. This does not preclude appropriate payment of indirect costs on grants and contracts with such institutions when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.

SEC. 705. Appropriations to the Department of Agriculture for the cost of direct and guaranteed loans made available in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year for the following accounts: the Rural Development Loan Fund program account, the Rural Electrification and Telecommunication Loans program account, and the Rural Housing Insurance Fund program account.

SEC. 706. None of the funds made available to the Department of Agriculture by this Act may be used to acquire new information technology systems or significant upgrades, as determined by the Office of the Chief Information Officer, without the approval of the Chief Information Officer and the concurrence of the Executive Information Technology Investment Review Board: *Provided*, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act may be transferred to the Office of the Chief Information Officer without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further*, That, notwithstanding section 11319 of title 40, United States Code, none of the funds available to the Department of Agriculture for information technology shall be obligated for projects, contracts, or other agreements over $25,000 prior to receipt of written approval by the Chief Information Officer: *Provided further*, That the Chief Information Officer may authorize an agency to obligate funds without written approval from the Chief Information Officer for projects, contracts, or other agreements up to $250,000 based upon the performance of an agency measured against the performance plan requirements described in the explanatory statement accompanying Public Law 113–235.

SEC. 707. Funds made available under section 524(b) of the Federal Crop Insurance Act (7 U.S.C. 1524(b)) in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year.

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

SEC. 709. Except as otherwise specifically provided by law, not more than $20,000,000 in unobligated balances from appropriations made available for salaries and expenses in this Act for the Farm Service Agency shall remain available through September 30, 2020, for information technology expenses: *Provided*, That except as otherwise specifically provided by law, unobligated balances from appropriations made available for salaries and expenses in this Act for the Rural Development mission area shall remain available through September 30, 2020, for information technology expenses.

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

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

(1) such funds shall be available for salaries and related administrative expenses, including technical assistance, associated with the implementation of the program, without regard to the limitation on the total amount of allotments and fund transfers contained in section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i); and

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

SEC. 712. Of the funds made available by this Act, not more than $2,900,000 shall be used to cover necessary expenses of activities related to all advisory committees, panels, commissions, and task forces of the Department of Agriculture, except for panels used to comply with negotiated rule makings and panels used to evaluate competitively awarded grants.

SEC. 713. None of the funds in this Act shall be available to pay indirect costs charged against any agricultural research, education, or extension grant awards issued by the National Institute of Food and Agriculture that

exceed 30 percent of total Federal funds provided under each award: *Provided*, That notwithstanding section 1462 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310), funds provided by this Act for grants awarded competitively by the National Institute of Food and Agriculture shall be available to pay full allowable indirect costs for each grant awarded under section 9 of the Small Business Act (15 U.S.C. 638).

SEC. 714. (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. 715. Notwithstanding subsection (b) of section 14222 of Public Law 110–246 (7 U.S.C. 612c–6; in this section referred to as ''section 14222''), none of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out a program under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c; in this section referred to as ''section 32'') in excess of $1,299,600,000 (exclusive of carryover appropriations from prior fiscal years), as follows: Child Nutrition Programs Entitlement Commodities—$485,000,000; State Option Contracts—$5,000,000; Removal of Defective Commodities—$2,500,000; Administration of Section 32 Commodity Purchases—$35,853,000: *Provided*, That of the total funds made available in the matter preceding this proviso that remain unobligated on October 1, 2019, such unobligated balances shall carryover into fiscal year 2020 and shall remain available until expended for any of the purposes of section 32, except that any such carryover funds used in accordance with clause (3) of section 32 may not exceed $350,000,000 and may not be obligated until the Secretary of Agriculture provides written notification of the expenditures to the Committees on Appropriations of both Houses of Congress at least two weeks in advance: *Provided further*, That, with the exception of any available carryover funds authorized in any prior appropriations Act to be used for the purposes of clause (3) of section 32, none of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries or expenses of any employee of the Department of Agriculture to carry out clause (3) of section 32.

SEC. 716. None of the funds appropriated by this or any other Act shall be used to pay the salaries and expenses of personnel who prepare or submit appropriations language as part of the President's budget submission to the Congress for programs under the jurisdiction of the Appropriations Subcommittees on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies that assumes revenues or reflects a reduction from the previous year due to user fees proposals that have not been enacted into law prior to the submission of the budget unless such budget submission identifies which additional spending reductions should occur in the event the user fees proposals are not enacted prior to the date of the convening of a committee of conference for the fiscal year 2020 appropriations Act.

SEC. 717. (a) None of the funds provided by this Act, or provided by previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming, transfer of funds, or reimbursements as authorized by the Economy Act, or in the case of the Department of Agriculture, through use of the authority provided by section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257) or section 8 of Public Law 89–106 (7 U.S.C. 2263), 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) relocates an office or employees;

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

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

unless the Secretary of Agriculture, or the Secretary of Health and Human Services (as the case may be) notifies in writing and receives approval from the Committees on Appropriations of both Houses of Congress at least 30 days in advance of the reprogramming of such funds or the use of such authority.

(b) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming or use of the authorities referred to in subsection (a) involving funds in excess of $500,000 or 10 percent, whichever is less, that—

(1) augments existing programs, 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 Secretary of Agriculture or the Secretary of Health and Human Services (as the case may be) notifies in writing and receives approval from the Committees on Appropriations of both Houses of Congress at least 30 days in advance of the reprogramming or transfer of such funds or the use of such authority.

(c) The Secretary of Agriculture or the Secretary of Health and Human Services shall notify in writing and receive approval from the Committees on Appropriations of both Houses of Congress before implementing any program or activity not carried out during the previous fiscal year unless the program or activity is funded by this Act or specifically funded by any other Act.

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

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

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

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

(e) As described in this section, no funds may be used for any activities unless the Secretary of Agriculture or the Secretary of Health and Human Services receives from the Committee on Appropriations of both Houses of Congress written or electronic mail confirmation of receipt of the notification as required in this section.

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

SEC. 719. None of the funds appropriated or otherwise made available to the Department of Agriculture, the Food and Drug Administration, or the Farm Credit Administration shall be used to transmit or otherwise make available reports, questions, or responses to questions that are a result of information requested for the appropriations hearing process to any non-Department of Agriculture, non-Department of Health and Human Services, or non-Farm Credit Administration employee.

SEC. 720. Unless otherwise authorized by existing law, none of the funds provided in this Act, may be used by an executive branch agency to produce any prepackaged news story intended for broadcast or distribution in the United States unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.

SEC. 721. No employee of the Department of Agriculture may be detailed or assigned from an agency or office funded by this Act or any other Act to any other agency or office of the Department for more than 60 days in a fiscal year unless the individual's employing agency or office is fully reimbursed by the receiving agency or office for the salary and expenses of the employee for the period of assignment.

SEC. 722. For the purposes of determining eligibility or level of program assistance for Rural Development programs the Secretary shall not include incarcerated prison populations.

SEC. 723. Not later than 30 days after the date of enactment of this Act, the Secretary of Agriculture, the Commissioner of the Food and Drug Administration, and the Chairman of the Farm Credit Administration shall submit to the Committees on Appropriations of both Houses of Congress a detailed spending plan by program, project, and activity for all the funds made available under this Act including appropriated user fees, as defined in the joint explanatory statement accompanying this Act.

SEC. 724. Of the unobligated balances from amounts made available for the supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), $500,000,000 are hereby rescinded.

SEC. 725. The Secretary shall continue an intermediary loan packaging program based on the pilot program in effect for fiscal year 2013 for packaging and reviewing section 502 single family direct loans. The Secretary shall continue agreements with current intermediary organizations and with additional qualified intermediary organizations.

The Secretary shall work with these organizations to increase effectiveness of the section 502 single family direct loan program in rural communities and shall set aside and make available from the national reserve section 502 loans an amount necessary to support the work of such intermediaries and provide a priority for review of such loans.

SEC. 726. For loans and loan guarantees that do not require budget authority and the program level has been established in this Act, the Secretary of Agriculture may increase the program level for such loans and loan guarantees by not more than 25 percent: *Provided*, That prior to the Secretary implementing such an increase, the Secretary notifies, in writing, the Committees on Appropriations of both Houses of Congress at least 15 days in advance.

SEC. 727. None of the credit card refunds or rebates transferred to the Working Capital Fund pursuant to section 729 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2002 (7 U.S.C. 2235a; Public Law 107–76) shall be available for obligation without written notification to, and the prior approval of, the Committees on Appropriations of both Houses of Congress: *Provided*, That the refunds or rebates so transferred shall be available for obligation only for the acquisition of plant and capital equipment necessary for the delivery of financial, administrative, and information technology services of primary benefit to the agencies of the Department of Agriculture.

SEC. 728. None of the funds made available by this Act may be used to implement, administer, or enforce the ''variety'' requirements of the final rule entitled ''Enhancing Retailer Standards in the Supplemental Nutrition Assistance Program (SNAP)'' published by the Department of Agriculture in the Federal Register on December 15, 2016 (81 Fed. Reg. 90675) until the Secretary of Agriculture amends the definition of the term ''variety'' as de fined in section 278.1(b)(1)(ii)(C) of title 7, Code of Federal Regulations, and ''variety'' as applied in the definition of the term ''staple food'' as defined in section 271.2 of title 7, Code of Federal Regulations, to increase the number of items that qualify as acceptable varieties in each staple food category so that the total number of such items in each staple food category exceeds the number of such items in each staple food category included in the final rule as published on December 15, 2016: *Provided*, That until the Secretary promulgates such regulatory amendments, the Secretary shall apply the requirements regarding acceptable varieties and breadth of stock to Supplemental Nutrition Assistance Program retailers that were in effect on the day before the date of the enactment of the Agricultural Act of 2014 (Public Law 113–79).

SEC. 729. None of the funds made available by this Act or any other Act may be used—

(1) in contravention of section 7606 of the Agricultural Act of 2014 (7 U.S.C. 5940); or

(2) to prohibit the transportation, processing, sale, or use of industrial hemp, or seeds of such plant, that is grown or cultivated in accordance with subsection section 7606 of the Agricultural Act of 2014, within or outside the State in which the industrial hemp is grown or cultivated.

SEC. 730. Funds provided by this or any prior Appropriations Act for the Agriculture and Food Research Initiative under 7 U.S.C. 450i(b) shall be made available without regard to section 7128 of the Agricultural Act of 2014 (7 U.S.C. 3371 note), under the matching requirements in laws in effect on the date before the date of enactment of such section: *Provided*, That the requirements of 7 U.S.C. 450i(b)(9) shall continue to apply.

SEC. 731. In carrying out subsection (h) of section 502 of the Housing Act of 1949 (42 U.S.C. 1472), the Secretary of Agriculture shall have the same authority with respect to loans guaranteed under such section and eligible lenders for such loans as the Secretary has under subsections (h) and (j) of section 538 of such Act (42 U.S.C. 1490p–2) with respect to loans guaranteed under such section 538 and eligible lenders for such loans.

SEC. 732. None of the funds made available by this Act may be used to propose, promulgate, or implement any rule, or take any other action with respect to, allowing or requiring information intended for a prescribing health care professional, in the case of a drug or biological product subject to section 503(b)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 353(b)(1)), to be distributed to such professional electronically (in lieu of in paper form) unless and until a Federal law is enacted to allow or require such distribution.

SEC. 733. None of the funds made available by this Act may be used to notify a sponsor or otherwise acknowledge receipt of a submission for an exemption for investigational use of a drug or biological product under section 505(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(i)) or section 351(a)(3) of the Public Health Service Act (42 U.S.C. 262(a)(3)) in research in which a human embryo is intentionally created or modified to include a heritable genetic modification. Any such submission shall be deemed to have not been received by the Secretary, and the exemption may not go into effect.

SEC. 734. None of the funds made available by this or any other Act may be used to carry out the final rule promulgated by the Food and Drug Administration and put into effect November 16, 2015, in regards to the hazard analysis and risk-based preventive control requirements of the current good manufacturing practice, hazard analysis, and risk-based preventive controls for food for animals rule with respect to the regulation of the production, distribution, sale, or receipt of dried spent grain byproducts of the alcoholic beverage production process.

SEC. 735. Hereafter, notwithstanding 5 U.S.C.5315, the Administrator for Rural Utilities Service, U.S. Department of Agriculture, shall receive basic pay at a rate not to exceed the maximum amount of compensation payable to a member of the Senior Executive Service under subsection (b) of section 5382 of title 5 United States Code, except that the certification requirement in that subsection shall not apply to the compensation of the Administrator.

SEC. 736. Funds made available under title II of the Food for Peace Act (7 U.S.C. 1721 et seq.) may only be used to provide assistance to recipient nations if adequate monitoring and controls, as determined by the Administrator, are in place to ensure that emergency food aid is received by the intended beneficiaries in areas affected by food shortages and not diverted for unauthorized or inappropriate purposes.

SEC. 737. None of the funds made available by this Act may be used by the Secretary of Agriculture, acting through the Food and Nutrition Service, to commence any new research and evaluation projects until the Secretary submits to the Committees on Appropriations of both Houses of Congress a research and evaluation plan for fiscal year 2019, prepared in coordination with the Research, Education, and Economics mission area of the Department of Agriculture, and a period of 30 days beginning on the date of the submission of the plan expires to permit Congressional review of the plan.

SEC. 738. There is hereby appropriated $10,000,000, to remain available until expended, to carry out section 6407 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107a): *Provided*, That the Secretary may allow eligible entities, or comparable entities that provide energy efficiency services using their own billing mechanism to offer loans to customers in any part of their service territory and to offer loans to replace a manufactured housing unit with another manufactured housing unit, if replacement would be more cost effective in saving energy.

SEC. 739. (a) The Secretary of Agriculture shall—

(1) conduct audits in a manner that evaluates the following factors in the country or region being audited, as applicable—

(A) veterinary control and oversight;

(B) disease history and vaccination practices;

(C) livestock demographics and traceability;

(D) epidemiological separation from potential sources of infection;

(E) surveillance practices;

(F) diagnostic laboratory capabilities; and

(G) emergency preparedness and response; and

(2) promptly make publicly available the final reports of any audits or reviews conducted pursuant to subsection (1).

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

SEC. 740. No food that bears or contains partially hydrogenated oils (as defined in the order published by the Food and Drug Administration in the Federal Register on June 17, 2015 (80 Fed. Reg. 34650 et seq.)) shall be considered to be adulterated within the meaning of subsection (a)(1) or (a)(2)(C)(i) of section 402 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 342(a)) because such food contains such partially hydrogenated oils until the applicable compliance dates specified by FDA in the Federal Register on May 21, 2018 (83 Fed. Reg. 23358 et seq.).

SEC. 741. For fiscal years 2019 through 2025, the Administrators of the Agricultural Research Service and the Animal and Plant Health Inspection Service may make not to exceed 50 appointments in any fiscal year for employees of such agencies at the National Bio- and Agro-defense Facility (NBAF) in Manhattan, Kansas: *Provided*, That such appointments may be made in the manner provided by 7 U.S.C. 7657(b)(4)(A)(i–v): *Provided further*, That such appointments may be made at a rate of basic pay that exceeds the rate payable for such positions under the General Schedule or other applicable schedule, as appropriate, but may not be more than the rate payable for a position at level I of the Executive Schedule, unless the rate is approved by the President under section 5377(d)(2) of title 5.

SEC. 742. There is hereby appropriated $1,000,000 for the Secretary to carry out a pilot program that provides forestry inventory analysis, forest management and economic outcomes modelling for certain currently enrolled Conservation Reserve Program participants. The Secretary shall allow the Commodity Credit Corporation to enter into agreements with and provide grants to qualified non-profit organizations dedicated to conservation, forestry and wildlife habitats, that also have experience in conducting accurate forest inventory analysis through the use of advanced, cost-effective technology. The Secretary shall focus the analysis on lands enrolled for at least eight years and located in areas with a substantial concentration of acres enrolled under conservation practices devoted to multiple bottomland hardwood tree species including CP03, CP03A, CP11, CP22, CP31 and CP40.

SEC. 743. In addition to amounts otherwise made available by this Act and notwithstanding the last sentence of 16 U.S.C. 1310, there is appropriated $4,000,000, to remain available until expended, to implement nonrenewable agreements on eligible lands, including flooded agricultural lands, as determined by the Secretary, under the Water Bank Act (16 U.S.C. 1301–1311).

SEC. 744. There is hereby appropriated $1,996,000 to carry out section 1621 of Public Law 110–246.

SEC. 745. None of the funds made available by this Act may be used to carry out any activities or incur any expense related to the issuance of licenses under section 3 of the Animal Welfare Act (7 U.S.C. 2133), or the renewal of such licenses, to class B dealers who sell dogs and cats for use in research, experiments, teaching, or testing.

SEC. 746. There is appropriated $6,000,000 to the Commodity Credit Corporation, in addition to amounts otherwise made available, for section 1110(f)(3) of the Food Security Act of 1985 (7 U.S.C. 1736o(f)(3)).

SEC. 747. (a)(1) No Federal funds made available for this fiscal year for the rural water, waste water, waste disposal, and solid waste management programs authorized by sections 306, 306A, 306C, 306D, 306E, and 310B of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926 et seq.) shall be used for a project for the construction, alteration, maintenance, or repair of a public water or wastewater system unless all of the iron and steel products used in the project are produced in the United States.

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

(b) Subsection (a) shall not apply in any case or category of cases in which the Secretary of Agriculture (in this section referred to as the ''Secretary'') or the designee of the Secretary finds that—

(1) applying subsection (a) would be inconsistent with the public interest;

(2) iron and steel products are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or

(3) inclusion of iron and steel products produced in the United States will increase the cost of the overall project by more than 25 percent.

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

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

(e) The Secretary may retain up to 0.25 percent of the funds appropriated in this Act for ''Rural Utilities Service—Rural Water and Waste Disposal Program Account'' for carrying out the provisions described in subsection (a)(1) for management and oversight of the requirements of this section.

(f) Subsection (a) shall not apply with respect to a project for which the engineering plans and specifications include use of iron and steel products otherwise prohibited by such subsection if the plans and specifications have received required approvals from State agencies prior to the date of enactment of this Act.

(g) For purposes of this section, the terms ''United States'' and ''State'' shall include each of the several States, the District of Columbia, and each federally recognized Indian tribe.

SEC. 748. The Secretary shall set aside for Rural Economic Area Partnership (REAP) Zones, until August 15, 2019, an amount of funds made available in title III under the headings of Rural Housing Insurance Fund Program Account, Mutual and Self-Help Housing Grants, Rural Housing Assistance Grants, Rural Community Facilities Program Account, Rural Business Program Account, Rural Development Loan Fund Program Account, and Rural Water and Waste Disposal Program Account, equal to the amount obligated in REAP Zones with respect to funds provided under such headings in the most recent fiscal year any such funds were obligated under such headings for REAP Zones.

SEC. 749. There is hereby appropriated $1,000,000, to remain available until expended, for a pilot program for the Secretary to provide grants to qualified non-profit organizations and public housing authorities to provide technical assistance, including financial and legal services, to RHS multi-family housing borrowers to facilitate the acquisition of RHS multi-family housing properties in areas where the Secretary determines a risk of loss of affordable housing, by non-profit housing organizations and public housing authorities as authorized by law that commit to keep such properties in the RHS multi-family housing program for a period of time as determined by the Secretary.

SEC. 750. 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. 751. (a) The Secretary of Agriculture (referred to in this section as the ''Secretary'') shall carry out a pilot program during fiscal year 2019 with respect to the 2018 crop year for county-level agriculture risk coverage payments under section 1117(b)(1) of the Agricultural Act of 2014 (7 U.S.C. 9017(b)(1)), that provides all or some of the State Farm Service Agency offices in each State the opportunity to provide agricultural producers in the State a supplemental payment described in subsection (c) based on the alternate calculation method described in subsection (b) for 1 or more counties in a State if the office for that State determines that the alternate calculation method is necessary to ensure that, to the maximum extent practicable, there are not significant yield calculation disparities between comparable counties in the State.

(b) The alternate calculation method referred to in subsection (a) is a method of calculating the actual yield for the 2018 crop year for county-level agriculture risk coverage payments under section 1117(b)(1) of the Agricultural Act of 2014 (7 U.S.C. 9017(b)(1)), under which—

(1) county data of the National Agricultural Statistics Service (referred to in this section as ''NASS data'') is used for the calculations;

(2) if there is insufficient NASS data for a county (as determined under standards of the Secretary in effect as of the date of enactment of this Act) or the available NASS data produces a substantially disparate result, the calculation of the county yield is determined using comparable contiguous county NASS data as determined by the Farm Service Agency office in the applicable State; and

(3) if there is insufficient NASS data for a comparable contiguous county (as determined under standards of the Secretary in effect as of the date of enactment of this Act), the calculation of the county yield is determined using reliable yield data from other sources, such as Risk Management Agency data, National Agricultural Statistics Service district data, National Agricultural Statistics Service State yield data, or other data as determined by the Farm Service Agency office in the applicable State.

(c)(1) A supplemental payment made under the pilot program established under this section may be made to an agricultural producer who is subject to the alternate calculation method described in subsection (b) if that agricultural producer would otherwise receive a county-level agriculture risk coverage payment for the 2018 crop year in an amount that is less than the payment that the agricultural producer would receive under the alternate calculation method.

(2) The amount of a supplemental payment to an agricultural producer under this section may not exceed the difference between—

(A) the payment that the agricultural producer would have received without the alternate calculation method described in subsection (b); and

(B) the payment that the agricultural producer would receive using the alternate calculation method.

(d)(1) There is appropriated to the Secretary, out of funds of the Treasury not otherwise appropriated, $5,000,000, to remain available until September 30, 2020, to carry out the pilot program described in this section.

(2) Of the funds appropriated, the Secretary shall use not more than $5,000,000 to carry out the pilot program described in this section.

(e)(1) To the maximum extent practicable, the Secretary shall select States to participate in the pilot program under this section so the cost of the pilot program equals the amount provided under subsection (d).

(2) To the extent that the cost of the pilot program exceeds the amount made available, the Secretary shall reduce all payments under the pilot program on a pro rata basis.

(f) Nothing in this section affects the calculation of actual yield for purposes of county-level agriculture risk coverage payments under section 1117(b)(1) of the Agricultural Act of 2014 (7 U.S.C. 9017(b)(1)) other than payments made in accordance with the pilot program under this section.

(g) A calculation of actual yield made using the alternate calculation method described in subsection (b) shall not be used as a basis for any agriculture risk coverage payment determinations under section 1117 of the Agricultural Act of 2014 (7 U.S.C. 9017) other than for purposes of the pilot program under this section.

SEC. 752. The Secretary of Agriculture and the Secretary's designees are hereby granted the same access to information and subject to the same requirements applicable to the Secretary of Housing and Urban Development as provided in section 453 of the Social Security Act (42 U.S.C. 653) and section 6103(1)(7)(D)(ix) of the Internal Revenue Code of 1986 (26 U.S.C. 1603(1)(7)(D)(ix)) to verify the income for individuals participating in sections 502, 504, 521, and 542 of the Housing Act of 1949 (42 U.S.C. 1472, 1474, 1490a, and 1490r), notwithstanding section 453(l)(1) of the Social Security Act.

SEC. 753. None of the funds made available by this Act may be used to procure raw or processed poultry products imported into the United States from the People's Republic of China for use in the school lunch program

under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), the Child and Adult Care Food Program under section 17 of such Act (42 U.S.C. 1766), the Summer Food Service Program for Children under section 13 of such Act (42 U.S.C. 1761), or the school breakfast program under the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.).

SEC. 754. In response to an eligible community where the drinking water supplies are inadequate due to a natural disaster, as determined by the Secretary, including drought or severe weather, the Secretary may provide potable water through the Emergency Community Water Assistance Grant Program for an additional period of time not to exceed 120 days beyond the established period provided under the Program in order to protect public health.

SEC. 755. Of the total amounts made available by this Act for direct loans and grants in the following headings: ''Rural Housing Service—Rural Housing Insurance Fund Program Account''; ''Rural Housing Service—Mutual and Self-Help Housing Grants''; ''Rural Housing Service—Rural Housing Assistance Grants''; ''Rural Housing Service—Rural Community Facilities Program Account''; ''Rural Business-Cooperative Service—Rural Business Program Account''; ''Rural Business-Cooperative Service—Rural Economic Development Loans Program Account''; ''Rural Business-Cooperative Service—Rural Cooperative Development Grants''; ''Rural Utilities Service—Rural Water and Waste Disposal Program Account''; ''Rural Utilities Service—Rural Electrification and Telecommunications Loans Program Account''; and ''Rural Utilities Service—Distance Learning, Telemedicine, and Broadband Program'', to the maximum extent feasible, at least 10 percent of the funds shall be allocated for assistance in persistent poverty counties under this section, including, notwithstanding any other provision regarding population limits, any county seat of such a persistent poverty county that has a population that does not exceed the authorized population limit by more than 10 percent: *Provided*, That for purposes of this section, the term ''persistent poverty counties'' means any county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1980, 1990, and 2000 decennial censuses, and 2007–2011 American Community Survey 5-year average: *Provided further*, That with respect to specific activities for which program levels have been made available by this Act that are not supported by budget authority, the requirements of this section shall be applied to such program level.

SEC. 756. (a) No funds shall be used to finalize the proposed rule entitled ''Eligibility of the People's Republic of China (PRC) to Export to the United States Poultry Products from Birds Slaughtered in the PRC'' published in the Federal Register by the Department of Agriculture on June 16, 2017 (82 Fed. Reg. 27625), unless the Secretary of Agriculture shall—

(1) ensure that the poultry slaughter inspection system for the PRC is equivalent to that of the United States;

(2) ensure that, before any poultry products can enter the United States from any such poultry plant, such poultry products comply with all other applicable requirements for poultry products in interstate commerce in the United States;

(3) conduct periodic verification reviews and audits of any such plants in the PRC intending to export into the United States processed poultry products;

(4) conduct re-inspection of such poultry products at United States ports-of-entry to check the general condition of such products, for the proper certification and labeling of such products, and for any damage to such products that may have occurred during transportation; and

(5) ensure that shipments of any such poultry products selected to enter the United States are subject to additional re-inspection procedures at appropriate levels to verify that the products comply with relevant Federal regulations or standards, including examinations for product defects and laboratory analyses to detect harmful chemical residues or pathogen testing appropriate for the products involved.

(b) This section shall be applied in a manner consistent with obligations of the United States under any trade agreement to which the United States is a party.

SEC. 757. In addition to any other funds made available in this Act or any other Act, there is appropriated $5,000,000 to carry out section 18(g)(8) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769(g)), to remain available until expended.

SEC. 758. None of the funds made available by this Act may be used by the Food and Drug Administration to develop, issue, promote, or advance any regulations applicable to food manufacturers for population-wide sodium reduction actions or to develop, issue, promote or advance final guidance applicable to food manufacturers for long term population-wide sodium reduction actions until the date on which a dietary reference intake report with respect to sodium is completed.

SEC. 759. There is hereby appropriated $2,000,000, to remain available until September 30, 2020, for the cost of loans and grants that is consistent with section 4206 of the Agricultural Act of 2014, for necessary expenses of the Secretary to support projects that provide access to healthy food in underserved areas, to create and preserve quality jobs, and to revitalize low-income communities.

SEC. 760. For an additional amount for ''Animal and Plant Health Inspection Service—Salaries and Expenses'', $8,500,000, to remain available until September 30, 2020, for one-time control and management and associated activities directly related to the multiple-agency response to citrus greening.

SEC. 761. None of the funds made available by this or any other Act may be used to enforce the final rule promulgated by the Food and Drug Administration entitled ''Standards for the Growing, Harvesting, Packing, and Holding of Produce for Human Consumption,'' and published on November 27, 2015, with respect to the regulation of the production, distribution, sale, or receipt of grape varietals that are grown, harvested and used solely for wine and receive commercial processing that adequately reduces the presence of microorganisms of public health significance.

SEC. 762. None of the funds made available by this Act may be used to revoke an exception made—

(1) pursuant to the final rule of the Department of Agriculture entitled ''Exceptions to Geographic Areas for Official Agencies Under the USGSA'' (68 Fed. Reg. 19137 (April 18, 2003)); and

(2) on a date before April 14, 2017.

SEC. 763. For school year 2019–2020, only a school food authority that had a negative balance in the nonprofit school food service account as of December 31, 2018, shall be required to establish a price for paid lunches in accordance with Section 12(p) of the Richard B. Russell National School Lunch Act, 42 U.S.C. 1760(p).

SEC. 764. There is hereby appropriated $16,000,000, to remain available until expended, for an additional amount for telemedicine and distance learning services in rural areas, as authorized by 7 U.S.C. 950aaa et seq., to help address the opioid epidemic in rural America.

SEC. 765. (a) There is hereby appropriated $125,000,000, to remain available until expended, for an additional amount for Sec. 779 of Public Law 115–141.

(b) Section 313 of the Rural Electrification Act of 1936, as amended (7 U.S.C. 940c), shall be applied for fiscal year 2019 as if the following were inserted after the final period in subsection (b)(2)(B): ''In addition, the Secretary shall use $425,000,000 of funds available in fiscal year 2019 for an additional amount for the same purpose as funds appropriated by Sec. 779 of Public Law 115–141.'': *Provided*, That any use of such funds shall be treated as a reprogramming of funds under section 717 of this Act.

SEC. 766. For an additional amount for the cost of direct loans and grants made under the ''Rural Water and Waste Disposal Program Account'', $75,000,000, to remain available until expended.

SEC. 767. There is hereby appropriated $5,000,000, to remain available until September 30, 2020, for a pilot program for the National Institute of Food and Agriculture to provide grants to nonprofit organizations for programs and services to establish and enhance farming and ranching opportunities for military veterans.

SEC. 768. Not later than September 30, 2019, the Secretary of Health and Human Services shall finalize the draft guidance for industry entitled ''Bacterial Risk Control Strategies for Blood Collection Establishments and Transfusion Services to Enhance the Safety and Availability of Platelets for Transfusion'' issued by the Food and Drug Administration in March of 2016.

SEC. 769. Not later than 180 days after the date of the enactment of this section, the Secretary of Agriculture shall submit a report to the Committees on Appropriations of both Houses of Congress that includes a summary of the process used in establishing the 2020-2025 Dietary Guidelines for Americans published pursuant to section 301 of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341) and an explanation with respect to the decision to incorporate or exclude in such Dietary Guidelines for Americans recommendations from the report by the National Academies of Science, Engineering, and Medicine entitled ''Redesigning the Process for Establishing the Dietary Guidelines for Americans'' and issued September, 2017.

SEC. 770. None of the funds made available by this Act shall be used to implement, administer, or enforce the requirement in the final rule entitled ''Food Labeling: Revision of the Nutrition and Supplement Facts Labels'', published in the Federal Register on May 27, 2016 (81 Fed. Reg. 33742), that any single ingredient sugar, honey, agave, or syrup (including maple syrup) that is packaged and offered for sale as a single ingredient food bear the declaration ''Includes 'X'g Added Sugars''.

SEC. 771. Paragraph (4) of section 1444(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3221 (a)) is amended—

(1) by striking ''No more than'' and inserting the following: ''For fiscal years ending on or before September 30, 2018, no more than'';

(2) by striking ''by an institution'' and inserting ''by an eligible institution under this section''; and

(3) by adding at the end the following new sentence: ''For fiscal years beginning on or after October 1, 2018, the limitation specified in the preceding sentence shall not apply and 100 percent of such funds may be carried forward to the succeeding fiscal year.''

SEC. 772. None of the funds made available by this Act may be used to implement or enforce the matter following the first comma in the second sentence of footnote (c) of section 220.8(c) of title 7, Code of Federal Regulations, with respect to the substitution of vegetables for fruits under the school breakfast program established under section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773).

SEC. 773. The Secretary of Agriculture shall provide to any State or county impacted by a volcanic eruption covered by a major disaster declared by the President in calendar year 2018 in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) technical assistance—

(1) to assess damage to agricultural production and rural infrastructure; and

(2) to develop recovery plans for impacted farmers, ranchers, and rural communities.

SEC. 774. (a) The Secretary of Agriculture, in coordination with the Administrator of the National Oceanic and Atmospheric Administration, shall establish a working group (referred to in this section as the ''working group'')—

(1) to study how mangroves, kelp forests, tidal marshes, and seagrass meadows could help deacidify the oceans;

(2) to study emerging ocean farming practices that use kelp and seagrass to deacidify the oceans while providing feedstock for agriculture and other commercial and industrial inputs; and

(3) to coordinate and conduct research to develop and enhance pilot-scale research for farming of kelp and seagrass in order—

(A) to deacidify ocean environments;

(B) to produce a feedstock for agriculture; and

(C) to develop other scalable commercial applications for kelp, seagrass, or products derived from kelp or seagrass.

(b) The working group shall include—

(1) the Secretary of Agriculture;

(2) the Administrator of the National Oceanic and Atmospheric Administration;

(3) representatives of any relevant offices within the National Oceanic and Atmospheric Administration; and

(4) the Assistant Secretary of Energy for Energy Efficiency and Renewable Energy.

(c) Not later than 2 years after the date of enactment of this Act, the working group shall submit to Congress a report that includes—

(1) the findings of the research described in subsection (a);

(2) the results of the pilot-scale research described in subsection (a)(3); and

(3) any policy recommendations based on those findings and results.

SEC. 775. Not later than 180 days after the date of enactment of this Act, the Secretary of Agriculture shall submit to Congress a report describing the ways in which conservation programs administered by the Natural Resources Conservation Service may be better used for the conservation of ocelots (Leopardus pardalis) and any action taken by the Chief of the Natural Resources Conservation Service relating to the conservation of ocelots.

SEC. 776. Not later than 1 year after the date of enactment of this Act, the Rural Housing Service of the Department of Agriculture shall submit to Congress a report including—

(1) a description of—

(A) the number of properties assisted under title V of the Housing Act of 1949 (42 U.S.C. 1471 et seq.) that are reaching the end of their loan term;

(B) the location of each property described in subparagraph (A);

(C) the number of units in each property described in subparagraph (A); and

(D) the date on which each the loan for each property described in subparagraph (A) is expected to reach maturity;

(2) the strategy of the Rural Housing Service to preserve the long-term affordability of the properties described in paragraph (1)(A) when the loan matures; and

(3) a description of the resources and tools that the Rural Housing Service needs from Congress in order to preserve the long-term affordability of the properties described in paragraph (1) (A).

SEC. 777. Out of amounts appropriated to the Food and Drug Administration under title VI, the Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs, shall, not later than July 1, 2019, and following the review required under Executive Order 12866 (5 U.S.C. 601 note; relating to regulatory planning and review), issue advice revising the advice provided in the notice of availability entitled ''Advice About Eating Fish, From the Environmental Protection Agency and Food and Drug Administration; Revised Fish Advice; Availability'' (82 Fed. Reg. 6571 (January 19, 2017)), in a manner that is consistent with nutrition science recognized by the Food and Drug Administration on the net effects of seafood consumption.

SEC. 778. In addition to any funds made available in this Act or any other Act, there is hereby appropriated $5,000,000, to remain available until September 30, 2020, for grants from the National Institute of Food and Agriculture to the 1890 Institutions to support the Centers of Excellence.

SEC. 779. Section 6(e)(1)(B) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1755(e)(1)(B)) is amended by striking ''September 30, 2020'' and inserting ''September 30, 2018''.

SEC. 780. During fiscal year 2019, the Food and Drug Administration shall not allow the introduction or delivery for introduction into interstate commerce of any food that contains genetically engineered salmon until the FDA publishes final labeling guidelines for informing consumers of such content.

SEC. 781. In addition to funds appropriated in this Act, there is hereby appropriated $216,000,000, to remain available until expended, under the heading ''Food for Peace Title II Grants'': *Provided*, That the funds made available under this section shall be used for the purposes set forth in the Food for Peace Act for both emergency and nonemergency purposes.

SEC. 782. Title III of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 301 et. seq.) is amended by adding at the end the following— ''SEC. 310. CONVERSION AUTHORITY. Notwithstanding Title 5, United States Code, a student, who is a U.S. Citizen and who participates in a scholarship program carried out by the Department may be noncompetitively converted to an appointment in the competitive service by an agency or office within the Department, provided the student meets the requirements for such conversion, as determined by the Secretary''.

SEC. 783. There is appropriated to the ''Farm Service Agency'' $9,000,000 for purposes of making payments to producers impacted by an oriental fruit fly quarantine as referenced in H.Rpt.115-232 to remain available until expended: *Provided*, That of the unobligated balances available under Treasury symbol code 128/90600, $5,000,000 are rescinded.

SEC. 784. In administering the pilot program established by section 779 of division A of the Consolidated Appropriations Act, 2018 (Public Law 115–141), the Secretary of Agriculture shall—

(1) ensure that applicants that are determined to be ineligible for the pilot program have a means of appealing or otherwise challenging that determination in a timely fashion; and

(2) in determining whether an entity may overbuild or duplicate broadband expansion efforts made by any entity that has received a broadband loan from the Rural Utilities Service, not consider loans that were rescinded or defaulted on, or loans the terms and conditions of which were not met, if the entity under consideration has not previously defaulted on, or failed to meet the terms and conditions of, a Rural Utilities Service loan or had a Rural Utilities Service loan rescinded.

SEC. 785. For the cost of loans and grants, $3,000,000 under the same terms and conditions as authorized by section 379E of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008s): *Provided*, That such costs of loans, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

SEC. 786. None of the funds made available by this Act may be used to pay the salaries or expenses of personnel—

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

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

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

This division may be cited as the ''Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2019''.

DIVISION B—COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019

TITLE I

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

For necessary expenses for international trade activities of the Department of Commerce provided for by law, and for engaging in trade promotional activities abroad, including expenses of grants and cooperative agreements for the purpose of promoting exports of United States firms, without regard to sections 3702 and 3703 of title 44, United States Code; full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the International Trade Administration between two points abroad, without regard to section 40118 of title 49, United States Code; employment of citizens of the United States and aliens by contract for services; rental of space abroad for periods not exceeding 10 years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; payment of tort claims, in the manner authorized in the first paragraph of section 2672 of title 28, United States Code, when such claims arise in foreign countries; not to exceed $294,300 for official representation expenses abroad; purchase of passenger motor vehicles for official use abroad, not to exceed $45,000 per vehicle; obtaining insurance on official motor vehicles; and rental of tie lines, $495,000,000, to remain available until September 30, 2020, of which $11,000,000 is to be derived from fees to be retained and used by the International Trade Administration, notwithstanding section 3302 of title 31, United States Code: *Provided*, That, of amounts provided under this heading, not less than $16,400,000 shall be for China antidumping and countervailing duty

enforcement and compliance activities: *Provided further*, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities; and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act of 1961 shall include payment for assessments for services provided as part of these activities.

BUREAU OF INDUSTRY AND SECURITY

OPERATIONS AND ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent members of immediate families of employees stationed overseas; employment of citizens of the United States and aliens by contract for services abroad; payment of tort claims, in the manner authorized in the first paragraph of section 2672 of title 28, United States Code, when such claims arise in foreign countries; not to exceed $13,500 for official representation expenses abroad; awards of compensation to informers under the Export Control Reform Act of 2018 (subtitle B of title XVII of the John S. McCain National Defense Authorization Act for Fiscal Year 2019; Public Law 115–232; 132 Stat. 2208; 50 U.S.C. 4801 et seq.), and as authorized by section 1(b) of the Act of June 15, 1917 (40 Stat. 223; 22 U.S.C. 401(b)); and purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use with special requirement vehicles eligible for purchase without regard to any price limitation otherwise established by law, $118,050,000, to remain available until expended, except that of the amount appropriated, not less than $4,550,000 shall remain available until September 30, 2019, and shall only be available for contractor support to implement the product exclusion process for articles covered by actions taken under section 232 of the Trade Expansion Act of 1962 (19 U.S.C. 1862): *Provided*, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities: *Provided further*, That payments and contributions collected and accepted for materials or services provided as part of such activities may be retained for use in covering the cost of such activities, and for providing information to the public with respect to the export administration and national security activities of the Department of Commerce and other export control programs of the United States and other governments: *Provided further*, That the Secretary of Commerce may transfer up to $2,000,000 to this account, from funds available for ''Departmental Management, Salaries and Expenses'' or for ''Departmental Management, Renovation and Modernization'': *Provided further*, That any funds transferred pursuant to the previous proviso shall remain available until September 30, 2019, and shall only be available for contractor support to implement the product exclusion process for articles covered by actions taken under section 232 of the Trade Expansion Act of 1962 (19 U.S.C. 1862): *Provided further*, That such transfer authority is in addition to any other transfer authority contained in this Act: *Provided further*, That any such transfer shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For grants for economic development assistance as provided by the Public Works and Economic Development Act of 1965, for trade adjustment assistance, and for grants authorized by section 27 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3722), $265,000,000, to remain available until expended, of which $23,500,000 shall be for grants under such section 27.

SALARIES AND EXPENSES

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

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, including expenses of grants, contracts, and other agreements with public or private organizations, $40,000,000.

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of economic and statistical analysis programs of the Department of Commerce, $101,000,000, to remain available until September 30, 2020.

BUREAU OF THE CENSUS

CURRENT SURVEYS AND PROGRAMS

For necessary expenses for collecting, compiling, analyzing, preparing, and publishing statistics, provided for by law, $270,000,000: *Provided*, That, from amounts provided herein, funds may be used for promotion, outreach, and marketing activities.

PERIODIC CENSUSES AND PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for collecting, compiling, analyzing, preparing, and publishing statistics for periodic censuses and programs provided for by law, $3,551,388,000, to remain available until September 30, 2021: *Provided*, That, from amounts provided herein, funds may be used for promotion, outreach, and marketing activities: *Provided further*, That within the amounts appropriated, $3,556,000 shall be transferred to the ''Office of Inspector General'' account for activities associated with carrying out investigations and audits related to the Bureau of the Census: *Provided further*, That not more than 50 percent of the amounts made available under this heading for information technology related to 2020 census delivery, including the Census Enterprise Data Collection and Processing (CEDCaP) program, may be obligated until the Secretary updates the previous expenditure plan and resubmits to the Committees on Appropriations of the House of Representatives and the Senate a plan for expenditure that: (1) identifies for each CEDCaP project/investment over $25,000: (A) the functional and performance capabilities to be delivered and the mission benefits to be realized; (B) an updated estimated lifecycle cost, including cumulative expenditures to date by fiscal year, and all revised estimates for development, maintenance, and operations; (C) key milestones to be met; and (D) impacts of cost variances on other Census programs; (2) details for each project/investment: (A) reasons for any cost and schedule variances; and (B) top risks and mitigation strategies; and (3) has been submitted to the Government Accountability Office.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration (NTIA), $39,500,000, of which not to exceed $15,000,000 shall remain available until September 30, 2020: *Provided*, That, notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce shall charge Federal agencies for costs incurred in spectrum management, analysis, operations, and related services, and such fees shall be retained and used as offsetting collections for costs of such spectrum services, to remain available until expended: *Provided further*, That the Secretary of Commerce is authorized to retain and use as offsetting collections all funds transferred, or previously transferred, from other Government agencies for all costs incurred in telecommunications research, engineering, and related activities by the Institute for Telecommunication Sciences of NTIA, in furtherance of its assigned functions under this paragraph, and such funds received from other Government agencies shall remain available until expended.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

For the administration of prior-year grants, recoveries and unobligated balances of funds previously appropriated are available for the administration of all open grants until their expiration.

UNITED STATES PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the United States Patent and Trademark Office (USPTO) provided for by law, including defense of suits instituted against the Under Secretary of Commerce for Intellectual Property and Director of the USPTO, $3,370,000,000, to remain available until expended: *Provided*, That the sum herein appropriated from the general fund shall be reduced as offsetting collections of fees and surcharges assessed and collected by the USPTO under any law are received during fiscal year 2019, so as to result in a fiscal year 2019 appropriation from the general fund estimated at $0: *Provided further*, That during fiscal year 2019, should the total amount of such offsetting collections be less than $3,370,000,000 this amount shall be reduced accordingly: *Provided further*, That any amount received in excess of $3,370,000,000 in fiscal year 2019 and deposited in the Patent and Trademark Fee Reserve Fund shall remain available until expended: *Provided further*, That the Director of USPTO shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate for any amounts made available by the preceding proviso and such spending plan shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That any amounts reprogrammed in accordance with the preceding proviso shall be transferred to the United States Patent and Trademark Office ''Salaries and Expenses'' account: *Provided further*, That from amounts provided herein, not to exceed $900 shall be made available in fiscal year 2019 for official reception and representation expenses: *Provided further*, That in fiscal year 2019 from the amounts made available for

''Salaries and Expenses'' for the USPTO, the amounts necessary to pay (1) the difference between the percentage of basic pay contributed by the USPTO and employees under section 8334(a) of title 5, United States Code, and the normal cost percentage (as defined by section 8331(17) of that title) as provided by the Office of Personnel Management (OPM) for USPTO's specific use, of basic pay, of employees subject to subchapter III of chapter 83 of that title, and (2) the present value of the otherwise unfunded accruing costs, as determined by OPM for USPTO's specific use of post-retirement life insurance and post-retirement health benefits coverage for all USPTO employees who are enrolled in Federal Employees Health Benefits (FEHB) and Federal Employees Group Life Insurance (FEGLI), shall be transferred to the Civil Service Retirement and Disability Fund, the FEGLI Fund, and the FEHB Fund, as appropriate, and shall be available for the authorized purposes of those accounts: *Provided further*, That any differences between the present value factors published in OPM's yearly 300 series benefit letters and the factors that OPM provides for USPTO's specific use shall be recognized as an imputed cost on USPTO's financial statements, where applicable: *Provided further*, That, notwithstanding any other provision of law, all fees and surcharges assessed and collected by USPTO are available for USPTO only pursuant to section 42(c) of title 35, United States Code, as amended by section 22 of the Leahy-Smith America Invents Act (Public Law 112–29): *Provided further*, That within the amounts appropriated, $1,500,000 shall be transferred to the ''Office of Inspector General'' account for activities associated with carrying out investigations and audits related to the USPTO.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the National Institute of Standards and Technology (NIST), $724,500,000, to remain available until expended, of which not to exceed $9,000,000 may be transferred to the ''Working Capital Fund'': *Provided*, That not to exceed $5,000 shall be for official reception and representation expenses: *Provided further*, That NIST may provide local transportation for summer undergraduate research fellowship program participants.

INDUSTRIAL TECHNOLOGY SERVICES

For necessary expenses for industrial technology services, $155,000,000, to remain available until expended, of which $140,000,000 shall be for the Hollings Manufacturing Extension Partnership, and of which $15,000,000 shall be for the National Network for Manufacturing Innovation (also known as ''Manufacturing USA'').

CONSTRUCTION OF RESEARCH FACILITIES

For construction of new research facilities, including architectural and engineering design, and for renovation and maintenance of existing facilities, not otherwise provided for the National Institute of Standards and Technology, as authorized by sections 13 through 15 of the National Institute of Standards and Technology Act (15 U.S.C. 278c–278e), $106,000,000, to remain available until expended: *Provided*, That the Secretary of Commerce shall include in the budget justification materials that the Secretary submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) an estimate for each National Institute of Standards and Technology construction project having a total multi-year program cost of more than $5,000,000, and simultaneously the budget justification materials shall include an estimate of the budgetary requirements for each such project for each of the 5 subsequent fiscal years.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including maintenance, operation, and hire of aircraft and vessels; pilot programs for state-led fisheries management, notwithstanding any other provision of law; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities, $3,596,997,000, to remain available until September 30, 2020: *Provided*, That fees and donations received by the National Ocean Service for the management of national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding section 3302 of title 31, United States Code: *Provided further*, That in addition, $157,980,000 shall be derived by transfer from the fund entitled ''Promote and Develop Fishery Products and Research Pertaining to American Fisheries'', which shall only be used for fishery activities related to the Saltonstall-Kennedy Grant Program; Fisheries Data Collections, Surveys and Assessments; and Interjurisdictional Fisheries Grants: *Provided further*, That of the $3,772,477,000 provided for in direct obligations under this heading, $3,596,997,000 is appropriated from the general fund, $157,980,000 is provided by transfer, and $17,500,000 is derived from recoveries of prior year obligations: *Provided further*, That any deviation from the amounts designated for specific activities in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act: *Provided further*, That in addition, for necessary retired pay expenses under the Retired Serviceman's Family Protection and Survivor Benefits Plan, and for payments for the medical care of retired personnel and their dependents under the Dependents' Medical Care Act (10 U.S.C. ch. 55), such sums as may be necessary.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

(INCLUDING TRANSFER OF FUNDS)

For procurement, acquisition and construction of capital assets, including alteration and modification costs, of the National Oceanic and Atmospheric Administration, $1,755,349,000, to remain available until September 30, 2021, except that funds provided for acquisition and construction of vessels and construction of facilities shall remain available until expended: *Provided*, That of the $1,768,349,000 provided for in direct obligations under this heading, $1,755,349,000 is appropriated from the general fund and $13,000,000 is provided from recoveries of prior year obligations: *Provided further*, That any deviation from the amounts designated for specific activities in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act: *Provided further*, That the Secretary of Commerce shall include in budget justification materials that the Secretary submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) an estimate for each National Oceanic and Atmospheric Administration procurement, acquisition or construction project having a total of more than $5,000,000 and simultaneously the budget justification shall include an estimate of the budgetary requirements for each such project for each of the 5 subsequent fiscal years: *Provided further*, That, within the amounts appropriated, $1,302,000 shall be transferred to the ''Office of Inspector General'' account for activities associated with carrying out investigations and audits related to satellite procurement, acquisition and construction.

PACIFIC COASTAL SALMON RECOVERY

For necessary expenses associated with the restoration of Pacific salmon populations, $65,000,000, to remain available until September 30, 2020: *Provided*, That, of the funds provided herein, the Secretary of Commerce may issue grants to the States of Washington, Oregon, Idaho, Nevada, California, and Alaska, and to the Federally recognized tribes of the Columbia River and Pacific Coast (including Alaska), for projects necessary for conservation of salmon and steelhead populations that are listed as threatened or endangered, or that are identified by a State as at-risk to be so listed, for maintaining populations necessary for exercise of tribal treaty fishing rights or native subsistence fishing, or for conservation of Pacific coastal salmon and steelhead habitat, based on guidelines to be developed by the Secretary of Commerce: *Provided further*, That all funds shall be allocated based on scientific and other merit principles and shall not be available for marketing activities: *Provided further*, That funds disbursed to States shall be subject to a matching requirement of funds or documented in-kind contributions of at least 33 percent of the Federal funds.

FISHERMEN'S CONTINGENCY FUND

For carrying out the provisions of title IV of Public Law 95–372, not to exceed $349,000, to be derived from receipts collected pursuant to that Act, to remain available until expended.

FISHERY DISASTER ASSISTANCE

For the necessary expenses associated with the mitigation of fishery disasters, $15,000,000 to remain available until expended: *Provided*, That funds shall be used for mitigating the effects of commercial fishery failures and fishery resource disasters as declared by the Secretary of Commerce.

FISHERIES FINANCE PROGRAM ACCOUNT

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2019, obligations of direct loans may not exceed $24,000,000 for Individual Fishing Quota loans and not to exceed $100,000,000 for traditional direct loans as authorized by the Merchant Marine Act of 1936.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for the management of the Department of Commerce provided for by law, including not to exceed $4,500 for official reception and representation, $63,000,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), $34,744,000: *Provided*, That notwithstanding section 6413(b) of the Middle Class Tax Relief and Job Creation Act of 2012 (Public Law 112–96), $2,000,000, to remain

available until expended, from the amounts provided under this heading, shall be derived from the Public Safety Trust Fund for activities associated with carrying out investigations and audits related to the First Responder Network Authority (FirstNet).

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 26, 1949 (15 U.S.C. 1514), to the extent and in the manner prescribed by the Act, and, notwithstanding 31 U.S.C. 3324, may be used for advanced payments not otherwise authorized only upon the certification of officials designated by the Secretary of Commerce that such payments are in the public interest.

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

SEC. 103. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That the Secretary of Commerce shall notify the Committees on Appropriations at least 15 days in advance of the acquisition or disposal of any capital asset (including land, structures, and equipment) not specifically provided for in this Act or any other law appropriating funds for the Department of Commerce.

SEC. 104. The requirements set forth by section 105 of the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2012 (Public Law 112–55), as amended by section 105 of title I of division B of Public Law 113–6, are hereby adopted by reference and made applicable with respect to fiscal year 2019: *Provided*, That the life cycle cost for the Joint Polar Satellite System is $11,322,125,000 and the life cycle cost for the Geostationary Operational Environmental Satellite R-Series Program is $10,828,059,000.

SEC. 105. Notwithstanding any other provision of law, the Secretary may furnish services (including but not limited to utilities, telecommunications, and security services) necessary to support the operation, maintenance, and improvement of space that persons, firms, or organizations are authorized, pursuant to the Public Buildings Cooperative Use Act of 1976 or other authority, to use or occupy in the Herbert C. Hoover Building, Washington, DC, or other buildings, the maintenance, operation, and protection of which has been delegated to the Secretary from the Administrator of General Services pursuant to the Federal Property and Administrative Services Act of 1949 on a reimbursable or non-reimbursable basis. Amounts received as reimbursement for services provided under this section or the authority under which the use or occupancy of the space is authorized, up to $200,000, shall be credited to the appropriation or fund which initially bears the costs of such services.

SEC. 106. Nothing in this title shall be construed to prevent a grant recipient from deterring child pornography, copyright infringement, or any other unlawful activity over its networks.

SEC. 107. The Administrator of the National Oceanic and Atmospheric Administration is authorized to use, with their consent, with reimbursement and subject to the limits of available appropriations, the land, services, equipment, personnel, and facilities of any department, agency, or instrumentality of the United States, or of any State, local government, Indian tribal government, Territory, or possession, or of any political subdivision thereof, or of any foreign government or international organization, for purposes related to carrying out the responsibilities of any statute administered by the National Oceanic and Atmospheric Administration.

SEC. 108. The National Technical Information Service shall not charge any customer for a copy of any report or document generated by the Legislative Branch unless the Service has provided information to the customer on how an electronic copy of such report or document may be accessed and downloaded for free online. Should a customer still require the Service to provide a printed or digital copy of the report or document, the charge shall be limited to recovering the Service's cost of processing, reproducing, and delivering such report or document.

SEC. 109. To carry out the responsibilities of the National Oceanic and Atmospheric Administration (NOAA), the Administrator of NOAA is authorized to: (1) enter into grants and cooperative agreements with; (2) use on a non-reimbursable basis land, services, equipment, personnel, and facilities provided by; and (3) receive and expend funds made available on a consensual basis from: a Federal agency, State or subdivision thereof, local government, tribal government, territory, or possession or any subdivisions thereof: *Provided*, That funds received for permitting and related regulatory activities pursuant to this section shall be deposited under the heading ''National Oceanic and Atmospheric Administration—Operations, Research, and Facilities'' and shall remain available until September 30, 2021, for such purposes: *Provided further*, That all funds within this section and their corresponding uses are subject to section 505 of this Act.

SEC. 110. Amounts provided by this Act or by any prior appropriations Act that remain available for obligation, for necessary expenses of the programs of the Economics and Statistics Administration of the Department of Commerce, including amounts provided for programs of the Bureau of Economic Analysis and the Bureau of the Census, shall be available for expenses of cooperative agreements with appropriate entities, including any Federal, State, or local governmental unit, or institution of higher education, to aid and promote statistical, research, and methodology activities which further the purposes for which such amounts have been made available.

SEC. 111. Section 110(a) of the Department of Commerce Appropriations Act, 2016 (Public Law 114–113) is amended—

(1) by striking ''management is'' and inserting ''management is: (1)''; and

(2) by striking ''subsection (b).'' and inserting ''subsection (b); or (2) for law enforcement activities conducted by States under a joint enforcement agreement pursuant to section 311(h) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1861(h)), any other agreement with the Secretary entered into pursuant to section 311(a) of such Act, or any similar agreement authorized by law.''.

SEC. 112. Title II of Division B of Public Law 115–123 is amended by striking ''Federal'' each place it appears under the heading ''Department of Commerce—National Oceanic and Atmospheric Administration''.

This title may be cited as the ''Department of Commerce Appropriations Act, 2019''.

TITLE II

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For expenses necessary for the administration of the Department of Justice, $113,000,000, of which not to exceed $4,000,000 for security and construction of Department of Justice facilities shall remain available until expended.

JUSTICE INFORMATION SHARING TECHNOLOGY

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for information sharing technology, including planning, development, deployment and departmental direction, $32,000,000, to remain available until expended: *Provided*, That the Attorney General may transfer up to $40,000,000 to this account, from funds available to the Department of Justice for information technology, to remain available until expended, for enterprise-wide information technology initiatives: *Provided further*, That the transfer authority in the preceding proviso is in addition to any other transfer authority contained in this Act: *Provided further*, That any transfer pursuant to the first proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

EXECUTIVE OFFICE FOR IMMIGRATION REVIEW

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the administration of immigration-related activities of the Executive Office for Immigration Review, $563,407,000, of which $4,000,000 shall be derived by transfer from the Executive Office for Immigration Review fees deposited in the ''Immigration Examinations Fee'' account, and of which not less than $11,400,000 shall be available for services and activities provided by the Legal Orientation Program: *Provided*, That not to exceed $35,000,000 of the total amount made available under this heading shall remain available until expended.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, $101,000,000, including not to exceed $10,000 to meet unforeseen emergencies of a confidential character.

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the United States Parole Commission as authorized, $13,000,000: *Provided*, That, notwithstanding any other provision of law, upon the expiration of a term of office of a Commissioner, the Commissioner may continue to act until a successor has been appointed.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed $20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; the administration of pardon and clemency petitions; and rent of private or Government-owned space in the District of Columbia, $904,000,000, of which not to exceed $20,000,000 for litigation support contracts shall remain available until expended: *Provided*, That of the amount provided for INTERPOL Washington dues payments, not to exceed $685,000 shall remain

available until expended: *Provided further*, That of the total amount appropriated, not to exceed $9,000 shall be available to INTERPOL Washington for official reception and representation expenses: *Provided further*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for litigation activities of the Civil Division, the Attorney General may transfer such amounts to ''Salaries and Expenses, General Legal Activities'' from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That of the amount appropriated, such sums as may be necessary shall be available to the Civil Rights Division for salaries and expenses associated with the election monitoring program under section 8 of the Voting Rights Act of 1965 (52 U.S.C. 10305) and to reimburse the Office of Personnel Management for such salaries and expenses: *Provided further*, That of the amounts provided under this heading for the election monitoring program, $3,390,000 shall remain available until expended: *Provided further*, That of the amount appropriated, not less than $193,715,000 shall be available for the Criminal Division, including related expenses for the Mutual Legal Assistance Treaty Program.

In addition, for reimbursement of expenses of the Department of Justice associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed $10,000,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

SALARIES AND EXPENSES, ANTITRUST DIVISION

For expenses necessary for the enforcement of antitrust and kindred laws, $164,977,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection (and estimated to be $136,000,000 in fiscal year 2019), shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2019, so as to result in a final fiscal year 2019 appropriation from the general fund estimated at $28,977,000.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For necessary expenses of the Offices of the United States Attorneys, including intergovernmental and cooperative agreements, $2,212,000,000: *Provided*, That of the total amount appropriated, not to exceed $7,200 shall be available for official reception and representation expenses: *Provided further*, That not to exceed $25,000,000 shall remain available until expended: *Provided further*, That each United States Attorney shall establish or participate in a task force on human trafficking.

UNITED STATES TRUSTEE SYSTEM FUND

For necessary expenses of the United States Trustee Program, as authorized, $226,000,000, to remain available until expended: *Provided*, That, notwithstanding any other provision of law, deposits to the United States Trustee System Fund and amounts herein appropriated shall be available in such amounts as may be necessary to pay refunds due depositors: *Provided further*, That, notwithstanding any other provision of law, fees deposited into the Fund pursuant to section 589a(b) of title 28, United States Code (as limited by section 1004(b) of the Bankruptcy Judgeship Act of 2017 (division B of Public Law 115–72)), shall be retained and used for necessary expenses in this appropriation and shall remain available until expended: *Provided further*, That to the extent that fees deposited into the Fund in fiscal year 2019, net of amounts necessary to pay refunds due depositors, exceed $226,000,000, those excess amounts shall be 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 2019, net of amounts necessary to pay refunds due depositors, (estimated at $360,000,000) and (2) to the extent that any remaining general fund appropriations can be derived from amounts deposited in the Fund in previous fiscal years that are not otherwise appropriated, so as to result in a final fiscal year 2019 appropriation from the general fund estimated at $0.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

For expenses necessary to carry out the activities of the Foreign Claims Settlement Commission, including services as authorized by section 3109 of title 5, United States Code, $2,409,000.

FEES AND EXPENSES OF WITNESSES

For fees and expenses of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses, including advances, and for expenses of foreign counsel, $270,000,000, to remain available until expended, of which not to exceed $16,000,000 is for construction of buildings for protected witness safesites; not to exceed $3,000,000 is for the purchase and maintenance of armored and other vehicles for witness security caravans; and not to exceed $18,000,000 is for the purchase, installation, maintenance, and upgrade of secure telecommunications equipment and a secure automated information network to store and retrieve the identities and locations of protected witnesses: *Provided*, That amounts made available under this heading may not be transferred pursuant to section 205 of this Act.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Community Relations Service, $15,500,000: *Provided*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for conflict resolution and violence prevention activities of the Community Relations Service, the Attorney General may transfer such amounts to the Community Relations Service, from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

ASSETS FORFEITURE FUND

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

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Marshals Service, $1,358,000,000, of which not to exceed $6,000 shall be available for official reception and representation expenses, and not to exceed $25,000,000 shall remain available until expended.

CONSTRUCTION

For construction in space controlled, occupied or utilized by the United States Marshals Service for prisoner holding and related support, $15,000,000, to remain available until expended.

FEDERAL PRISONER DETENTION

For necessary expenses related to United States prisoners in the custody of the United States Marshals Service as authorized by section 4013 of title 18, United States Code, $1,552,397,000, to remain available until expended: *Provided*, That not to exceed $20,000,000 shall be considered ''funds appropriated for State and local law enforcement assistance'' pursuant to section 4013(b) of title 18, United States Code: *Provided further*, That the United States Marshals Service shall be responsible for managing the Justice Prisoner and Alien Transportation System.

NATIONAL SECURITY DIVISION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary to carry out the activities of the National Security Division, $101,369,000, of which not to exceed $5,000,000 for information technology systems shall remain available until expended: *Provided*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for the activities of the National Security Division, the Attorney General may transfer such amounts to this heading from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

For necessary expenses for the identification, investigation, and prosecution of individuals associated with the most significant drug trafficking organizations, transnational organized crime, and money laundering organizations not otherwise provided for, to include inter-governmental agreements with State and local law enforcement agencies engaged in the investigation and prosecution of individuals involved in transnational organized crime and drug trafficking, $560,000,000, of which $50,000,000 shall remain available until expended: *Provided*, That any amounts obligated from appropriations under this heading may be used under authorities available to the organizations reimbursed from this appropriation.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For necessary expenses of the Federal Bureau of Investigation for detection, investigation, and prosecution of crimes against the United States, $9,192,137,000, of which not to exceed $216,900,000 shall remain available until expended: *Provided*, That not to exceed $184,500 shall be available for official reception and representation expenses: *Provided further*, That in addition to other funds provided for Construction projects, the Federal Bureau of Investigation may use up to

$150,000,000 appropriated in prior years under this heading for all costs related to construction, renovation, and modification of federally owned and leased space and expansion of network capabilities.

CONSTRUCTION

For necessary expenses, to include the cost of equipment, furniture, and information technology requirements, related to construction or acquisition of buildings, facilities and sites by purchase, or as otherwise authorized by law; conversion, modification and extension of federally owned buildings; preliminary planning and design of projects; and operation and maintenance of secure work environment facilities and secure networking capabilities; $385,000,000, to remain available until expended.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Drug Enforcement Administration, including not to exceed $70,000 to meet unforeseen emergencies of a confidential character pursuant to section 530C of title 28, United States Code; and expenses for conducting drug education and training programs, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs, $2,267,000,000, of which not to exceed $75,000,000 shall remain available until expended and not to exceed $90,000 shall be available for official reception and representation expenses: *Provided*, That the Drug Enforcement Administration may use up to $5,700,000 appropriated in prior year funds under this heading for necessary expenses of construction.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

SALARIES AND EXPENSES

For necessary expenses of the Bureau of Alcohol, Tobacco, Firearms and Explosives, for training of State and local law enforcement agencies with or without reimbursement, including training in connection with the training and acquisition of canines for explosives and fire accelerants detection; and for provision of laboratory assistance to State and local law enforcement agencies, with or without reimbursement, $1,316,678,000, of which not to exceed $36,000 shall be for official reception and representation expenses, not to exceed $1,000,000 shall be available for the payment of attorneys' fees as provided by section 924(d)(2) of title 18, United States Code, and not to exceed $20,000,000 shall remain available until expended: *Provided*, That none of the funds appropriated herein shall be available to investigate or act upon applications for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code: *Provided further*, That such funds shall be available to investigate and act upon applications filed by corporations for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code: *Provided further*, That no funds made available by this or any other Act may be used to transfer the functions, missions, or activities of the Bureau of Alcohol, Tobacco, Firearms and Explosives to other agencies or Departments.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Federal Prison System for the administration, operation, and maintenance of Federal penal and correctional institutions, and for the provision of technical assistance and advice on corrections related issues to foreign governments, $7,250,000,000: *Provided*, That the Attorney General may transfer to the Department of Health and Human Services such amounts as may be necessary for direct expenditures by that Department for medical relief for inmates of Federal penal and correctional institutions: *Provided further*, That the Director of the Federal Prison System, where necessary, may enter into contracts with a fiscal agent or fiscal intermediary claims processor to determine the amounts payable to persons who, on behalf of the Federal Prison System, furnish health services to individuals committed to the custody of the Federal Prison System: *Provided further*, That not to exceed $5,400 shall be available for official reception and representation expenses: *Provided further*, That not to exceed $50,000,000 shall remain available for necessary operations until September 30, 2020: *Provided further*, That, of the amounts provided for contract confinement, not to exceed $20,000,000 shall remain available until expended to make payments in advance for grants, contracts and reimbursable agreements, and other expenses: *Provided further*, That the Director of the Federal Prison System may accept donated property and services relating to the operation of the prison card program from a not-for-profit entity which has operated such program in the past, notwithstanding the fact that such not-for-profit entity furnishes services under contracts to the Federal Prison System relating to the operation of pre-release services, halfway houses, or other custodial facilities.

BUILDINGS AND FACILITIES

For planning, acquisition of sites, and construction of new facilities; purchase and acquisition of facilities and remodeling, and equipping of such facilities for penal and correctional use, including all necessary expenses incident thereto, by contract or force account; and constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions, including all necessary expenses incident thereto, by contract or force account, $264,000,000, to remain available until expended, of which $175,000,000 shall be available only for costs related to construction of new facilities: *Provided*, That labor of United States prisoners may be used for work performed under this appropriation.

FEDERAL PRISON INDUSTRIES, INCORPORATED

The Federal Prison Industries, Incorporated, is hereby authorized to make such expenditures within the limits of funds and borrowing authority available, and in accord with the law, and to make such contracts 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 program set forth in the budget for the current fiscal year for such corporation.

LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED

Not to exceed $2,700,000 of the funds of the Federal Prison Industries, Incorporated, shall be available for its administrative expenses, and for services as authorized by section 3109 of title 5, United States Code, to be computed on an accrual basis to be determined in accordance with the corporation's current prescribed accounting system, and such amounts shall be exclusive of depreciation, payment of claims, and expenditures which such accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES

OFFICE ON VIOLENCE AGAINST WOMEN

VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For grants, contracts, cooperative agreements, and other assistance for the prevention and prosecution of violence against women, as authorized by the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10101 et seq.) (''the 1968 Act''); the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322) (''the 1994 Act''); the Victims of Child Abuse Act of 1990 (Public Law 101–647) (''the 1990 Act''); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108–21); the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11101 et seq.) (''the 1974 Act''); the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386) (''the 2000 Act''); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) (''the 2005 Act''); the Violence Against Women Reauthorization Act of 2013 (Public Law 113–4) (''the 2013 Act''); and the Rape Survivor Child Custody Act of 2015 (Public Law 114–22) (''the 2015 Act''); and for related victims services, $497,500,000, to remain available until expended, which shall be derived by transfer from amounts available for obligation in this Act from the Fund established by section 1402 of chapter XIV of title II of Public Law 98–473 (34 U.S.C. 20101), notwithstanding section 1402(d) of such Act of 1984, and merged with the amounts otherwise made available under this heading: *Provided*, That except as otherwise provided by law, not to exceed 5 percent of funds made available under this heading may be used for expenses related to evaluation, training, and technical assistance: *Provided further*, That of the amount provided—

(1) $215,000,000 is for grants to combat violence against women, as authorized by part T of the 1968 Act;

(2) $36,000,000 is for transitional housing assistance grants for victims of domestic violence, dating violence, stalking, or sexual assault as authorized by section 40299 of the 1994 Act;

(3) $3,000,000 is for the National Institute of Justice and the Bureau of Justice Statistics for research, evaluation, and statistics of violence against women and related issues addressed by grant programs of the Office on Violence Against Women, which shall be transferred to ''Research, Evaluation and Statistics'' for administration by the Office of Justice Programs;

(4) $11,000,000 is for a grant program to provide services to advocate for and respond to youth victims of domestic violence, dating violence, sexual assault, and stalking; assistance to children and youth exposed to such violence; programs to engage men and youth in preventing such violence; and assistance to middle and high school students through education and other services related to such violence: *Provided*, That unobligated balances available for the programs authorized by sections 41201, 41204, 41303, and 41305 of the 1994 Act, prior to its amendment by the 2013 Act, shall be available for this program: *Provided further*, That 10 percent of the total amount available for this grant program shall be available for grants under the program authorized by section 2015 of the 1968 Act: *Provided further*, That the definitions and grant conditions in section 40002 of the 1994 Act shall apply to this program;

(5) $53,000,000 is for grants to encourage arrest policies as authorized by part U of the 1968 Act, of which $4,000,000 is for a homicide reduction initiative;

(6) $37,500,000 is for sexual assault victims assistance, as authorized by section 41601 of the 1994 Act;

(7) $42,000,000 is for rural domestic violence and child abuse enforcement assistance grants, as authorized by section 40295 of the 1994 Act;

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

(9) $45,000,000 is for legal assistance for victims, as authorized by section 1201 of the 2000 Act;

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

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

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

(13) $1,000,000 is for the National Resource Center on Workplace Responses to assist victims of domestic violence, as authorized by section 41501 of the 1994 Act;

(14) $1,000,000 is for analysis and research on violence against Indian women, including as authorized by section 904 of the 2005 Act: *Provided*, That such funds may be transferred to ''Research, Evaluation and Statistics'' for administration by the Office of Justice Programs;

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

(16) $4,000,000 is for grants to assist tribal governments in exercising special domestic violence criminal jurisdiction, as authorized by section 904 of the 2013 Act: *Provided*, That the grant conditions in section 40002(b) of the 1994 Act shall apply to this program; and

(17) $1,500,000 is for the purposes authorized under the 2015 Act.

OFFICE OF JUSTICE PROGRAMS

RESEARCH, EVALUATION AND STATISTICS

For grants, contracts, cooperative agreements, and other assistance authorized by title I of the Omnibus Crime Control and Safe Streets Act of 1968 (''the 1968 Act''); the Juvenile Justice and Delinquency Prevention Act of 1974 (''the 1974 Act''); the Missing Children's Assistance Act (34 U.S.C. 11291 et seq.); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108–21); the Justice for All Act of 2004 (Public Law 108–405); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) (''the 2005 Act''); the Victims of Child Abuse Act of 1990 (Public Law 101–647); the Second Chance Act of 2007 (Public Law 110–199); the Victims of Crime Act of 1984 (Public Law 98–473); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248) (''the Adam Walsh Act''); the PROTECT Our Children Act of 2008 (Public Law 110–401); subtitle D of title II of the Homeland Security Act of 2002 (Public Law 107–296) (''the 2002 Act''); the NICS Improvement Amendments Act of 2007 (Public Law 110–180); the Violence Against Women Reauthorization Act of 2013 (Public Law 113–4) (''the 2013 Act''); and other programs, $80,000,000, to remain available until expended, of which—

(1) $43,000,000 is for criminal justice statistics programs, and other activities, as authorized by part C of title I of the 1968 Act, of which $5,000,000 is for a nationwide incident-based crime statistics program; and

(2) $37,000,000 is for research, development, and evaluation programs, and other activities as authorized by part B of title I of the 1968 Act and subtitle D of title II of the 2002 Act, of which $4,000,000 is for research targeted toward developing a better understanding of the domestic radicalization phenomenon, and advancing evidence-based strategies for effective intervention and prevention; $1,000,000 is for research to study the root causes of school violence to include the impact and effectiveness of grants made under the STOP School Violence Act; $1,000,000 is for a study to better protect children against online predatory behavior as part of the National Juvenile Online Victimization Studies (N–JOVS); and $3,000,000 is for a national center for restorative justice.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

For grants, contracts, cooperative agreements, and other assistance authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322) (''the 1994 Act''); the Omnibus Crime Control and Safe Streets Act of 1968 (''the 1968 Act''); the Justice for All Act of 2004 (Public Law 108–405); the Victims of Child Abuse Act of 1990 (Public Law 101–647) (''the 1990 Act''); the Trafficking Victims Protection Reauthorization Act of 2005 (Public Law 109–164); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) (''the 2005 Act''); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248) (''the Adam Walsh Act''); the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386); the NICS Improvement Amendments Act of 2007 (Public Law 110–180); subtitle D of title II of the Homeland Security Act of 2002 (Public Law 107–296) (''the 2002 Act''); the Second Chance Act of 2007 (Public Law 110–199); the Prioritizing Resources and Organization for Intellectual Property Act of 2008 (Public Law 110–403); the Victims of Crime Act of 1984 (Public Law 98–473); the Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2008 (Public Law 110–416); the Violence Against Women Reauthorization Act of 2013 (Public Law 113–4) (''the 2013 Act''); the Comprehensive Addiction and Recovery Act of 2016 (Public Law 114–198) (''CARA''); the Justice for All Reauthorization Act of 2016 (Public Law 114–324); Kevin and Avonte's Law (division Q of Public Law 115–141) (''Kevin and Avonte's Law''); the Keep Young Athletes Safe Act of 2018 (title III of division S of Public Law 115–141) (''the Keep Young Athletes Safe Act''); the STOP School Violence Act of 2018 (title V of division S of Public Law 115–141) (''the STOP School Violence Act''); the Fix NICS Act of 2018 (title VI of division S of Public Law 115–141); the Project Safe Neighborhoods Grant Program Authorization Act of 2018 (Public Law 115–185); and the SUPPORT for Patients and Communities Act (Public Law 115–271); and other programs, $1,723,000,000, to remain available until expended as follows—

(1) $423,500,000 for the Edward Byrne Memorial Justice Assistance Grant program as authorized by subpart 1 of part E of title I of the 1968 Act (except that section 1001(c), and the special rules for Puerto Rico under section 505(g) of title I of the 1968 Act shall not apply for purposes of this Act), of which, notwithstanding such subpart 1, $12,000,000 is for the Officer Robert Wilson III Memorial Initiative on Preventing Violence Against Law Enforcement Officer Resilience and Survivability (VALOR), $7,500,000 is for an initiative to support evidence-based policing, $8,000,000 is for an initiative to enhance prosecutorial decision-making, $2,400,000 is for the operationalization, maintenance and expansion of the National Missing and Unidentified Persons System, $2,500,000 is for an academic based training initiative to improve police-based responses to people with mental illness or developmental disabilities, $2,000,000 is for a student loan repayment assistance program pursuant to section 952 of Public Law 110–315, $15,500,000 is for prison rape prevention and prosecution grants to States and units of local government, and other programs, as authorized by the Prison Rape Elimination Act of 2003 (Public Law 108–79), $2,000,000 is for a grant program authorized by Kevin and Avonte's Law, $3,000,000 is for a regional law enforcement technology initiative, $20,000,000 is for programs to reduce gun crime and gang violence, as authorized by Public Law 115–185, $5,000,000 is for the Capital Litigation Improvement Grant Program, as authorized by section 426 of Public Law 108–405, and for grants for wrongful conviction review, $2,000,000 is for emergency law enforcement assistance for events occurring during or after fiscal year 2019, as authorized by section 609M of the Justice Assistance Act of 1984 (34 U.S.C. 50101), $2,000,000 is for grants to States and units of local government to deploy managed access systems to combat contraband cell phone use in prison, $2,000,000 is for a program to improve juvenile indigent defense, and $8,000,000 is for community-based violence prevention initiatives;

(2) $243,500,000 for the State Criminal Alien Assistance Program, as authorized by section 241(i)(5) of the Immigration and Nationality Act (8 U.S.C. 1231(i)(5)): *Provided*, That no jurisdiction shall request compensation for any cost greater than the actual cost for Federal immigration and other detainees housed in State and local detention facilities;

(3) $85,000,000 for victim services programs for victims of trafficking, as authorized by section 107(b)(2) of Public Law 106–386, for programs authorized under Public Law 109–164, or programs authorized under Public Law 113–4;

(4) $14,000,000 for economic, high technology, white collar, and Internet crime prevention grants, including as authorized by section 401 of Public Law 110–403, of which $2,500,000 is for competitive grants that help State and local law enforcement tackle intellectual property thefts, and $2,000,000 for a competitive grant program for training students in computer forensics and digital investigation;

(5) $20,000,000 for sex offender management assistance, as authorized by the Adam Walsh Act, and related activities;

(6) $25,000,000 for the matching grant program for law enforcement armor vests, as authorized by section 2501 of title I of the 1968 Act: *Provided*, That $1,500,000 is transferred directly to the National Institute of Standards and Technology's Office of Law Enforcement Standards for research, testing and evaluation programs;

(7) $1,000,000 for the National Sex Offender Public Website;

(8) $75,000,000 for grants to States to upgrade criminal and mental health records for the National Instant Criminal Background Check System, of which no less than $25,000,000 shall be for grants made under the authorities of the NICS Improvement Amendments Act of 2007 (Public Law 110–180) and Fix NICS Act of 2018;

(9) $30,000,000 for Paul Coverdell Forensic Sciences Improvement Grants under part BB of title I of the 1968 Act;

(10) $130,000,000 for DNA-related and forensic programs and activities, of which—

(A) $120,000,000 is for a DNA analysis and capacity enhancement program and for other local, State, and Federal forensic activities, including the purposes authorized under section 2 of the DNA Analysis Backlog Elimination Act of 2000 (Public Law 106–546) (the Debbie Smith DNA Backlog Grant Program): *Provided*, That up to 4 percent of funds made available under this paragraph may be used for the purposes described in the DNA Training and Education for Law Enforcement, Correctional Personnel, and Court Officers program (Public Law 108–405, section 303);

(B) $6,000,000 is for the purposes described in the Kirk Bloodsworth Post-Conviction DNA Testing Grant Program (Public Law 108–405, section 412); and

(C) $4,000,000 is for Sexual Assault Forensic Exam Program grants, including as authorized by section 304 of Public Law 108–405;

(11) $48,000,000 for a grant program for community-based sexual assault response reform;

(12) $12,000,000 for the court-appointed special advocate program, as authorized by section 217 of the 1990 Act;

(13) $37,500,000 for assistance to Indian tribes;

(14) $87,500,000 for offender reentry programs and research, as authorized by the Second Chance Act of 2007 (Public Law 110–199), without regard to the time limitations specified at section 6(1) of such Act, of which not to exceed $6,000,000 is for a program to improve State, local, and tribal probation or parole supervision efforts and strategies, $5,000,000 is for Children of Incarcerated Parents Demonstrations to enhance and maintain parental and family relationships for incarcerated parents as a reentry or recidivism reduction strategy, and $4,000,000 is for additional replication sites employing the Project HOPE Opportunity Probation with Enforcement model implementing swift and certain sanctions in probation, and for a research project on the effectiveness of the model: *Provided*, That up to $7,500,000 of funds made available in this paragraph may be used for performance-based awards for Pay for Success projects, of which up to $5,000,000 shall be for Pay for Success programs implementing the Permanent Supportive Housing Model;

(15) $66,500,000 for initiatives to improve police-community relations, of which $22,500,000 is for a competitive matching grant program for purchases of body-worn cameras for State, local and Tribal law enforcement, $27,000,000 is for a justice reinvestment initiative, for activities related to criminal justice reform and recidivism reduction, and $17,000,000 is for an Edward Byrne Memorial criminal justice innovation program;

(16) $347,000,000 for comprehensive opioid abuse reduction activities, including as authorized by CARA, and for the following programs, which shall address opioid abuse reduction consistent with underlying program authorities—

(A) $77,000,000 for Drug Courts, as authorized by section 1001(a)(25)(A) of title I of the 1968 Act;

(B) $31,000,000 for mental health courts and adult and juvenile collaboration program grants, as authorized by parts V and HH of title I of the 1968 Act, and the Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2008 (Public Law 110–416);

(C) $30,000,000 for grants for Residential Substance Abuse Treatment for State Prisoners, as authorized by part S of title I of the 1968 Act;

(D) $22,000,000 for a veterans treatment courts program;

(E) $30,000,000 for a program to monitor prescription drugs and scheduled listed chemical products; and

(F) $157,000,000 for a comprehensive opioid abuse program;

(17) $2,500,000 for a competitive grant program authorized by the Keep Young Athletes Safe Act; and

(18) $75,000,000 for grants to be administered by the Bureau of Justice Assistance for purposes authorized under the STOP School Violence Act:

Provided, That, if a unit of local government uses any of the funds made available under this heading to increase the number of law enforcement officers, the unit of local government will achieve a net gain in the number of law enforcement officers who perform non-administrative public sector safety service.

JUVENILE JUSTICE PROGRAMS

For grants, contracts, cooperative agreements, and other assistance authorized by the Juvenile Justice and Delinquency Prevention Act of 1974 (''the 1974 Act''); the Omnibus Crime Control and Safe Streets Act of 1968 (''the 1968 Act''); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) (''the 2005 Act''); the Missing Children's Assistance Act (34 U.S.C. 11291 et seq.); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108–21); the Victims of Child Abuse Act of 1990 (Public Law 101–647) (''the 1990 Act''); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248) (''the Adam Walsh Act''); the PROTECT Our Children Act of 2008 (Public Law 110–401); the Violence Against Women Reauthorization Act of 2013 (Public Law 113–4) (''the 2013 Act''); the Justice for All Reauthorization Act of 2016 (Public Law 114-324); and other juvenile justice programs, $287,000,000, to remain available until expended as follows—

(1) $60,000,000 for programs authorized by section 221 of the 1974 Act, and for training and technical assistance to assist small, nonprofit organizations with the Federal grants process: *Provided*, That of the amounts provided under this paragraph, $500,000 shall be for a competitive demonstration grant program to support emergency planning among State, local and tribal juvenile justice residential facilities;

(2) $95,000,000 for youth mentoring grants;

(3) $24,500,000 for delinquency prevention, as authorized by section 505 of the 1974 Act, of which, pursuant to sections 261 and 262 thereof—

(A) $5,000,000 shall be for the Tribal Youth Program;

(B) $500,000 shall be for an Internet site providing information and resources on children of incarcerated parents;

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

(D) $9,000,000 shall be for an opioid-affected youth initiative; and

(E) $8,000,000 shall be for an initiative relating to children exposed to violence;

(4) $22,500,000 for programs authorized by the Victims of Child Abuse Act of 1990;

(5) $82,000,000 for missing and exploited children programs, including as authorized by sections 404(b) and 405(a) of the 1974 Act (except that section 102(b)(4)(B) of the PROTECT Our Children Act of 2008 (Public Law 110–401) shall not apply for purposes of this Act); and

(6) $3,000,000 for child abuse training programs for judicial personnel and practitioners, as authorized by section 222 of the 1990 Act:

Provided, That not more than 10 percent of each amount may be used for research, evaluation, and statistics activities designed to benefit the programs or activities authorized: *Provided further*, That not more than 2 percent of the amounts designated under paragraphs (1) through (3) and (6) may be used for training and technical assistance: *Provided further*, That the two preceding provisos shall not apply to grants and projects administered pursuant to sections 261 and 262 of the 1974 Act and to missing and exploited children programs.

PUBLIC SAFETY OFFICER BENEFITS

(INCLUDING TRANSFER OF FUNDS)

For payments and expenses authorized under section 1001(a)(4) of title I of the Omnibus Crime Control and Safe Streets Act of 1968, such sums as are necessary (including amounts for administrative costs), to remain available until expended; and $24,800,000 for payments authorized by section 1201(b) of such Act and for educational assistance authorized by section 1218 of such Act, to remain available until expended: *Provided*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for such disability and education payments, the Attorney General may transfer such amounts to ''Public Safety Officer Benefits'' from available appropriations for the Department of Justice as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

COMMUNITY ORIENTED POLICING SERVICES

COMMUNITY ORIENTED POLICING SERVICES PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For activities authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322); the Omnibus Crime Control and Safe Streets Act of 1968 (''the 1968 Act''); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) (''the 2005 Act''); and the SUPPORT for Patients and Communities Act (Public Law 115–271), $303,500,000, to remain available until expended: *Provided*, That any balances made available through prior year deobligations shall only be available in accordance with section 505 of this Act: *Provided further*, That of the amount provided under this heading—

(1) $228,500,000 is for grants under section 1701 of title I of the 1968 Act (34 U.S.C. 10381) for the hiring and rehiring of additional career law enforcement officers under part Q of such title notwithstanding subsection (i) of such section: *Provided*, That, notwithstanding section 1704(c) of such title (34 U.S.C. 10384(c)), funding for hiring or rehiring a career law enforcement officer may not exceed $125,000 unless the Director of the Office of Community Oriented Policing Services grants a waiver from this limitation: *Provided further*, That within the amounts appropriated under this paragraph, $27,000,000 is for improving tribal law enforcement, including hiring, equipment, training, anti-methamphetamine activities, and anti-opioid activities: *Provided further*, That of the amounts appropriated under this paragraph, $6,500,000 is for community policing development activities in furtherance of the purposes in section 1701: *Provided further*, That of the amounts appropriated under this paragraph $37,000,000 is for regional information sharing activities, as authorized by part M of title I of the 1968 Act, which shall be transferred to and merged with ''Research,

Evaluation, and Statistics'' for administration by the Office of Justice Programs: *Provided further*, That within the amounts appropriated under this paragraph, no less than $3,000,000 is to support the Tribal Access Program: *Provided further*, That within the amounts appropriated under this paragraph, $2,000,000 is for training, peer mentoring, and mental health program activities as authorized under the Law Enforcement Mental Health and Wellness Act (Public Law 115–113);

(2) $10,000,000 is for activities authorized by the POLICE Act of 2016 (Public Law 114–199);

(3) $8,000,000 is for competitive grants to State law enforcement agencies in States with high seizures of precursor chemicals, finished methamphetamine, laboratories, and laboratory dump seizures: *Provided*, That funds appropriated under this paragraph shall be utilized for investigative purposes to locate or investigate illicit activities, including precursor diversion, laboratories, or methamphetamine traffickers;

(4) $32,000,000 is for competitive grants to statewide law enforcement agencies in States with high rates of primary treatment admissions for heroin and other opioids: *Provided*, That these funds shall be utilized for investigative purposes to locate or investigate illicit activities, including activities related to the distribution of heroin or unlawful distribution of prescription opioids, or unlawful heroin and prescription opioid traffickers through statewide collaboration; and

(5) $25,000,000 is for competitive grants to be administered by the Community Oriented Policing Services Office for purposes authorized under the STOP School Violence Act (title V of division S of Public Law 115–141).

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

(INCLUDING TRANSFER OF FUNDS)

SEC. 201. In addition to amounts otherwise made available in this title for official reception and representation expenses, a total of not to exceed $50,000 from funds appropriated to the Department of Justice in this title shall be available to the Attorney General for official reception and representation expenses.

SEC. 202. None of the funds appropriated by this title shall be available to pay for an abortion, except where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape or incest: *Provided*, That should this prohibition be declared unconstitutional by a court of competent jurisdiction, this section shall be null and void.

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

SEC. 204. Nothing in the preceding section shall remove the obligation of the Director of the Bureau of Prisons to provide escort services necessary for a female inmate to receive such service outside the Federal facility: *Provided*, That nothing in this section in any way diminishes the effect of section 203 intended to address the philosophical beliefs of individual employees of the Bureau of Prisons.

SEC. 205. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Justice in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

SEC. 206. None of the funds made available under this title may be used by the Federal Bureau of Prisons or the United States Marshals Service for the purpose of transporting an individual who is a prisoner pursuant to conviction for crime under State or Federal law and is classified as a maximum or high security prisoner, other than to a prison or other facility certified by the Federal Bureau of Prisons as appropriately secure for housing such a prisoner.

SEC. 207. (a) None of the funds appropriated by this Act may be used by Federal prisons to purchase cable television services, or to rent or purchase audiovisual or electronic media or equipment used primarily for recreational purposes.

(b) Subsection (a) does not preclude the rental, maintenance, or purchase of audiovisual or electronic media or equipment for inmate training, religious, or educational programs.

SEC. 208. None of the funds made available under this title shall be obligated or expended for any new or enhanced information technology program having total estimated development costs in excess of $100,000,000, unless the Deputy Attorney General and the investment review board certify to the Committees on Appropriations of the House of Representatives and the Senate that the information technology program has appropriate program management controls and contractor oversight mechanisms in place, and that the program is compatible with the enterprise architecture of the Department of Justice.

SEC. 209. The notification thresholds and procedures set forth in section 505 of this Act shall apply to deviations from the amounts designated for specific activities in this Act and in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), and to any use of deobligated balances of funds provided under this title in previous years.

SEC. 210. None of the funds appropriated by this Act may be used to plan for, begin, continue, finish, process, or approve a public-private competition under the Office of Management and Budget Circular A–76 or any successor administrative regulation, directive, or policy for work performed by employees of the Bureau of Prisons or of Federal Prison Industries, Incorporated.

SEC. 211. Notwithstanding any other provision of law, no funds shall be available for the salary, benefits, or expenses of any United States Attorney assigned dual or additional responsibilities by the Attorney General or his designee that exempt that United States Attorney from the residency requirements of section 545 of title 28, United States Code.

SEC. 212. At the discretion of the Attorney General, and in addition to any amounts that otherwise may be available (or authorized to be made available) by law, with respect to funds appropriated by this title under the headings ''Research, Evaluation and Statistics'', ''State and Local Law Enforcement Assistance'', and ''Juvenile Justice Programs''—

(1) up to 3 percent of funds made available to the Office of Justice Programs for grant or reimbursement programs may be used by such Office to provide training and technical assistance; and

(2) up to 2.5 percent of funds made available for grant or reimbursement programs under such headings, except for amounts appropriated specifically for research, evaluation, or statistical programs administered by the National Institute of Justice and the Bureau of Justice Statistics, shall be transferred to and merged with funds provided to the National Institute of Justice and the Bureau of Justice Statistics, to be used by them for research, evaluation, or statistical purposes, without regard to the authorizations for such grant or reimbursement programs.

SEC. 213. Upon request by a grantee for whom the Attorney General has determined there is a fiscal hardship, the Attorney General may, with respect to funds appropriated in this or any other Act making appropriations for fiscal years 2016 through 2019 for the following programs, waive the following requirements:

(1) For the adult and juvenile offender State and local reentry demonstration projects under part FF of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10631 et seq.), the requirements under section 2976(g)(1) of such part (34 U.S.C. 10631(g)(1)).

(2) For State, Tribal, and local reentry courts under part FF of title I of such Act of 1968 (34 U.S.C. 10631 et seq.), the requirements under section 2978(e)(1) and (2) of such part (34 U.S.C. 10633(e)(1) and (2)).

(3) For the prosecution drug treatment alternatives to prison program under part CC of title I of such Act of 1968 (34 U.S.C. 10581), the requirements under the second sentence of section 2901(f) of such part (34 U.S.C. 10581(f)).

SEC. 214. Notwithstanding any other provision of law, section 20109(a) of subtitle A of title II of the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. 12109(a)) shall not apply to amounts made available by this or any other Act.

SEC. 215. None of the funds made available under this Act, other than for the national instant criminal background check system established under section 103 of the Brady Handgun Violence Prevention Act (34 U.S.C. 40901), may be used by a Federal law enforcement officer to facilitate the transfer of an operable firearm to an individual if the Federal law enforcement officer knows or suspects that the individual is an agent of a drug cartel, unless law enforcement personnel of the United States continuously monitor or control the firearm at all times.

SEC. 216. (a) None of the income retained in the Department of Justice Working Capital Fund pursuant to title I of Public Law 102–140 (105 Stat. 784; 28 U.S.C. 527 note) shall be available for obligation during fiscal year 2019, except up to $12,000,000 may be obligated for implementation of a unified Department of Justice financial management system.

(b) Not to exceed $30,000,000 of the unobligated balances transferred to the capital account of the Department of Justice Working Capital Fund pursuant to title I of Public Law 102–140 (105 Stat. 784; 28 U.S.C. 527 note) shall be available for obligation in fiscal year 2019, and any use, obligation, transfer or allocation of such funds shall be treated as a reprogramming of funds under section 505 of this Act.

(c) Not to exceed $10,000,000 of the excess unobligated balances available under section 524(c)(8)(E) of title 28, United States Code, shall be available for obligation during fiscal year 2019, and any use, obligation, transfer or allocation of such funds shall be treated as a reprogramming of funds under section 505 of this Act.

SEC. 217. Discretionary funds that are made available in this Act for the Office of Justice Programs may be used to participate in Performance Partnership Pilots authorized under section 526 of division H of Public Law 113–76, section 524 of division G of Public Law 113–235, section 525 of division H of Public Law 114–113, and such authorities as are enacted for Performance Partnership Pilots in an appropriations Act for fiscal years 2018 and 2019.

This title may be cited as the ''Department of Justice Appropriations Act, 2019''.

TITLE III

SCIENCE

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

For necessary expenses of the Office of Science and Technology Policy, in carrying out the purposes of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601 et seq.), hire of passenger motor vehicles, and services as authorized by section 3109 of title 5, United States Code, not to exceed $2,250 for official reception and representation expenses, and rental of conference rooms in the District of Columbia, $5,544,000.

NATIONAL SPACE COUNCIL

For necessary expenses of the National Space Council, in carrying out the purposes of Title V of Public Law 100–685 and Executive Order 13803, hire of passenger motor vehicles, and services as authorized by section 3109 of title 5, United States Code, not to exceed $2,250 for official reception and representation expenses, $1,965,000: *Provided*, That notwithstanding any other provision of law, the National Space Council may accept personnel support from Federal agencies, departments, and offices, and such Federal agencies, departments, and offices may detail staff without reimbursement to the National Space Council for purposes provided herein.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

SCIENCE

For necessary expenses, not otherwise provided for, in the conduct and support of science research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $6,905,700,000, to remain available until September 30, 2020: *Provided*, That, of the amounts provided, $545,000,000 is for an orbiter and $195,000,000 is for a lander to meet the science goals for the Jupiter Europa mission as recommended in previous Planetary Science Decadal surveys: *Provided further*, That the National Aeronautics and Space Administration shall use the Space Launch System as the launch vehicles for the Jupiter Europa missions, plan for an orbiter launch no later than 2023 and a lander launch no later than 2025, and include in the fiscal year 2020 budget the 5-year funding profile necessary to achieve these goals.

AERONAUTICS

For necessary expenses, not otherwise provided for, in the conduct and support of aeronautics research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $725,000,000, to remain available until September 30, 2020.

SPACE TECHNOLOGY

For necessary expenses, not otherwise provided for, in the conduct and support of space technology research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $926,900,000, to remain available until September 30, 2020: *Provided*, That $180,000,000 shall be for RESTORE–L.

EXPLORATION

For necessary expenses, not otherwise provided for, in the conduct and support of exploration research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $5,050,800,000, to remain available until September 30, 2020: *Provided*, That not less than $1,350,000,000 shall be for the Orion Multi-Purpose Crew Vehicle: *Provided further*, That not less than $2,150,000,000 shall be for the Space Launch System (SLS) launch vehicle, which shall have a lift capability not less than 130 metric tons and which shall have core elements and an Exploration Upper Stage developed simultaneously: *Provided further*, That of the amounts provided for SLS, not less than $150,000,000 shall be for Exploration Upper Stage development: *Provided further*, That $592,800,000 shall be for Exploration Ground Systems, including $48,000,000 for a second mobile launch platform and associated SLS activities: *Provided further*, That the National Aeronautics and Space Administration (NASA) shall provide to the Committees on Appropriations of the House of Representatives and the Senate, concurrent with the annual budget submission, a 5-year budget profile for an integrated system that includes the Space Launch System, the Orion Multi-Purpose Crew Vehicle, and associated ground systems that will ensure an Exploration Mission-2 crewed launch as early as possible, as well as a system-based funding profile for a sustained launch cadence beyond the initial crewed test launch: *Provided further*, That $958,000,000 shall be for exploration research and development.

SPACE OPERATIONS

For necessary expenses, not otherwise provided for, in the conduct and support of space operations research and development activities, including research, development, operations, support and services; space flight, spacecraft control and communications activities, including operations, production, and services; maintenance and repair, facility planning and design; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, $4,639,100,000, to remain available until September 30, 2020.

SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS ENGAGEMENT

For necessary expenses, not otherwise provided for, in the conduct and support of aerospace and aeronautical education research and development activities, including research, development, operations, support, and services; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $110,000,000, to remain available until September 30, 2020, of which $21,000,000 shall be for the Established Program to Stimulate Competitive Research and $44,000,000 shall be for the National Space Grant College and Fellowship Program.

SAFETY, SECURITY AND MISSION SERVICES

For necessary expenses, not otherwise provided for, in the conduct and support of science, aeronautics, space technology, exploration, space operations and education research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; not to exceed $63,000 for official reception and representation expenses; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $2,755,000,000, to remain available until September 30, 2020.

CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses for construction of facilities including repair, rehabilitation, revitalization, and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, and restoration, and acquisition or condemnation of real property, as authorized by law, and environmental compliance and restoration, $348,200,000, to remain available until September 30, 2024: *Provided*, That proceeds from leases deposited into this account shall be available for a period of 5 years to the extent and in amounts as provided in annual appropriations Acts: *Provided further*, That such proceeds referred to in the preceding proviso shall be available for obligation for fiscal year 2019 in an amount not to exceed $17,000,000: *Provided further*, That each annual budget request shall include an annual estimate of gross receipts and collections and proposed use of all funds collected pursuant to section 20145 of title 51, United States Code.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, $39,300,000, of which $500,000 shall remain available until September 30, 2020.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

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

Not to exceed 5 percent of any appropriation made available for the current fiscal year for the National Aeronautics and Space Administration in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers. Balances so transferred shall be merged with and available for the same purposes and the

same time period as the appropriations to which transferred. Any transfer pursuant to this provision shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

The spending plan required by this Act shall be provided by NASA at the theme, program, project and activity level. The spending plan, as well as any subsequent change of an amount established in that spending plan that meets the notification requirements of section 505 of this Act, shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

The unexpired balances of the ''Education'' account, for activities for which funds are provided in this Act, may be transferred to the ''Science, Technology, Engineering, and Mathematics Engagement'' account established in this Act. Balances so transferred shall be merged with the funds in the newly established account, but shall be available under the same terms, conditions and period of time as previously appropriated.

Not more than 50 percent of the amounts made available in this Act for the Lunar Orbital Platform; Advanced Cislunar and Surface Capabilities; Commercial LEO Development; and Lunar Discovery and Exploration, excluding the Lunar Reconnaissance Orbiter, may be obligated until the Administrator submits a multi-year plan to the Committees on Appropriations of the House of Representatives and the Senate that identifies estimated dates, by fiscal year, for Space Launch System flights to build the Lunar Orbital Platform; the commencement of partnerships with commercial entities for additional LEO missions to land humans and rovers on the Moon; and conducting additional scientific activities on the Moon. The multi-year plan shall include key milestones to be met by fiscal year to achieve goals for each of the lunar programs described in the previous sentence and funding required by fiscal year to achieve such milestones.

NATIONAL SCIENCE FOUNDATION

RESEARCH AND RELATED ACTIVITIES

For necessary expenses in carrying out the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), and Public Law 86–209 (42 U.S.C. 1880 et seq.); services as authorized by section 3109 of title 5, United States Code; maintenance and operation of aircraft and purchase of flight services for research support; acquisition of aircraft; and authorized travel; $6,520,000,000, to remain available until September 30, 2020, of which not to exceed $544,000,000 shall remain available until expended for polar research and operations support, and for reimbursement to other Federal agencies for operational and science support and logistical and other related activities for the United States Antarctic program: *Provided*, That receipts for scientific support services and materials furnished by the National Research Centers and other National Science Foundation supported research facilities may be credited to this appropriation.

MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION

For necessary expenses for the acquisition, construction, commissioning, and upgrading of major research equipment, facilities, and other such capital assets pursuant to the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), including authorized travel, $295,740,000, to remain available until expended.

EDUCATION AND HUMAN RESOURCES

For necessary expenses in carrying out science, mathematics and engineering education and human resources programs and activities pursuant to the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), including services as authorized by section 3109 of title 5, United States Code, authorized travel, and rental of conference rooms in the District of Columbia, $910,000,000, to remain available until September 30, 2020.

AGENCY OPERATIONS AND AWARD MANAGEMENT

For agency operations and award management necessary in carrying out the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.); services authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles; uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; rental of conference rooms in the District of Columbia; and reimbursement of the Department of Homeland Security for security guard services; $329,540,000: *Provided*, That not to exceed $8,280 is for official reception and representation expenses: *Provided further*, That contracts may be entered into under this heading in fiscal year 2019 for maintenance and operation of facilities and for other services to be provided during the next fiscal year.

OFFICE OF THE NATIONAL SCIENCE BOARD

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms in the District of Columbia, and the employment of experts and consultants under section 3109 of title 5, United States Code) involved in carrying out section 4 of the National Science Foundation Act of 1950 (42 U.S.C. 1863) and Public Law 86–209 (42 U.S.C. 1880 et seq.), $4,370,000: *Provided*, That not to exceed $2,500 shall be available for official reception and representation expenses.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General as authorized by the Inspector General Act of 1978, $15,350,000, of which $400,000 shall remain available until September 30, 2020.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

Not to exceed 5 percent of any appropriation made available for the current fiscal year for the National Science Foundation in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers. Any transfer pursuant to this paragraph shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

The Director of the National Science Foundation (NSF) shall notify the Committees on Appropriations of the House of Representatives and the Senate at least 30 days in advance of any planned divestment through transfer, decommissioning, termination, or deconstruction of any NSF-owned facilities or any NSF capital assets (including land, structures, and equipment) valued greater than $2,500,000.

This title may be cited as the ''Science Appropriations Act, 2019''.

TITLE IV

RELATED AGENCIES

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, $10,065,000: *Provided*, That none of the funds appropriated in this paragraph may be used to employ any individuals under Schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations exclusive of one special assistant for each Commissioner: *Provided further*, That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the chairperson, who is permitted 125 billable days: *Provided further*, That none of the funds appropriated in this paragraph shall be used for any activity or expense that is not explicitly authorized by section 3 of the Civil Rights Commission Act of 1983 (42 U.S.C. 1975a).

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission as authorized by title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Equal Pay Act of 1963, the Americans with Disabilities Act of 1990, section 501 of the Rehabilitation Act of 1973, the Civil Rights Act of 1991, the Genetic Information Nondiscrimination Act (GINA) of 2008 (Public Law 110–233), the ADA Amendments Act of 2008 (Public Law 110–325), and the Lilly Ledbetter Fair Pay Act of 2009 (Public Law 111–2), including services as authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles as authorized by section 1343(b) of title 31, United States Code; nonmonetary awards to private citizens; and up to $29,500,000 for payments to State and local enforcement agencies for authorized services to the Commission, $379,500,000: *Provided*, That the Commission is authorized to make available for official reception and representation expenses not to exceed $2,250 from available funds: *Provided further*, That the Commission may take no action to implement any workforce repositioning, restructuring, or reorganization until such time as the Committees on Appropriations of the House of Representatives and the Senate have been notified of such proposals, in accordance with the reprogramming requirements of section 505 of this Act: *Provided further*, That the Chair is authorized to accept and use any gift or donation to carry out the work of the Commission.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the International Trade Commission, including hire of passenger motor vehicles and services as authorized by section 3109 of title 5, United States Code, and not to exceed $2,250 for official reception and representation expenses, $95,000,000, to remain available until expended.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, $415,000,000, of which $380,500,000 is for basic field programs and required independent audits; $5,100,000 is for the Office of Inspector General, of which such amounts as may be necessary may be used to conduct additional audits of recipients; $19,400,000 is for management and grants oversight; $4,000,000 is for client self-help and information technology; $4,500,000 is for a Pro Bono Innovation Fund; and $1,500,000 is for loan repayment assistance: *Provided*, That the Legal Services Corporation may continue to provide locality pay to officers and employees at a rate no greater than that provided by the Federal Government to Washington, DC-based employees as authorized by section 5304 of title 5, United States Code, notwithstanding section 1005(d) of the Legal Services Corporation Act (42 U.S.C. 2996d(d)): *Provided further*,

That the authorities provided in section 205 of this Act shall be applicable to the Legal Services Corporation: *Provided further*, That, for the purposes of section 505 of this Act, the Legal Services Corporation shall be considered an agency of the United States Government.

ADMINISTRATIVE PROVISION—LEGAL SERVICES CORPORATION

None of the funds appropriated in this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501, 502, 503, 504, 505, and 506 of Public Law 105–119, and all funds appropriated in this Act to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 502 and 503 to 1997 and 1998 shall be deemed to refer instead to 2018 and 2019, respectively.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission as authorized by title II of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et seq.), $3,516,000.

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

For necessary expenses of the Office of the United States Trade Representative, including the hire of passenger motor vehicles and the employment of experts and consultants as authorized by section 3109 of title 5, United States Code, $53,000,000, of which $1,000,000 shall remain available until expended: *Provided*, That of the total amount made available under this heading, not to exceed $124,000 shall be available for official reception and representation expenses.

TRADE ENFORCEMENT TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

For activities of the United States Trade Representative authorized by section 611 of the Trade Facilitation and Trade Enforcement Act of 2015 (19 U.S.C. 4405), including transfers, $15,000,000, to be derived from the Trade Enforcement Trust Fund: *Provided*, That any transfer pursuant to subsection (d)(1) of such section shall be treated as a reprogramming under section 505 of this Act.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

For necessary expenses of the State Justice Institute, as authorized by the State Justice Institute Act of 1984 (42 U.S.C. 10701 et seq.) $5,971,000, of which $500,000 shall remain available until September 30, 2020: *Provided*, That not to exceed $2,250 shall be available for official reception and representation expenses: *Provided further*, That, for the purposes of section 505 of this Act, the State Justice Institute shall be considered an agency of the United States Government.

TITLE V

GENERAL PROVISIONS

(INCLUDING RESCISSIONS)

(INCLUDING TRANSFER OF FUNDS)

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

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

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

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

SEC. 505. 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 2019, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or 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 by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes or renames offices, programs or activities; (6) contracts out or privatizes any functions or activities presently performed by Federal employees; (7) augments existing programs, projects or activities in excess of $500,000 or 10 percent, whichever is less, or reduces by 10 percent funding for any program, project or activity, or numbers of personnel by 10 percent; or (8) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, projects or activities as approved by Congress; unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds.

SEC. 506. (a) If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

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

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

SEC. 507. (a) The Departments of Commerce and Justice, the National Science Foundation, and the National Aeronautics and Space Administration shall provide to the Committees on Appropriations of the House of Representatives and the Senate a quarterly report on the status of balances of appropriations at the account level. For unobligated, uncommitted balances and unobligated, committed balances the quarterly reports shall separately identify the amounts attributable to each source year of appropriation from which the balances were derived. For balances that are obligated, but unexpended, the quarterly reports shall separately identify amounts by the year of obligation.

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

(c) If a department or agency is unable to fulfill any aspect of a reporting requirement described in subsection (a) due to a limitation of a current accounting system, the department or agency shall fulfill such aspect to the maximum extent practicable under such accounting system and shall identify and describe in each quarterly report the extent to which such aspect is not fulfilled.

SEC. 508. Any costs incurred by a department or agency funded under this Act resulting from, or to prevent, personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available 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 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That for the Department of Commerce, this section shall also apply to actions taken for the care and protection of loan collateral or grant property.

SEC. 509. None of the funds provided 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.

SEC. 510. Notwithstanding any other provision of law, amounts deposited or available in the Fund established by section 1402 of chapter XIV of title II of Public Law 98–473 (34 U.S.C. 20101) in any fiscal year in excess of $3,353,000,000 shall not be available for obligation until the following fiscal year: *Provided*, That notwithstanding section 1402(d) of such Act, of the amounts available from the Fund for obligation: (1) $10,000,000 shall remain available until expended to the Department of Justice Office of Inspector General for oversight and auditing purposes; and (2) 5 percent shall be available to the Office for Victims of Crime for grants, consistent with the requirements of the Victims of Crime Act, to Indian tribes to improve services for victims of crime.

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

SEC. 512. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 513. (a) The Inspectors General of the Department of Commerce, the Department of Justice, the National Aeronautics and Space Administration, the National Science Foundation, and the Legal Services Corporation shall conduct audits, pursuant to the Inspector General Act (5 U.S.C. App.), of grants or contracts for which funds are appropriated by this Act, and shall submit reports to Congress on the progress of such audits, which may include preliminary findings and a description of areas of particular interest, within 180 days after initiating such an audit and every 180 days thereafter until any such audit is completed.

(b) Within 60 days after the date on which an audit described in subsection (a) by an Inspector General is completed, the Secretary,

Attorney General, Administrator, Director, or President, as appropriate, shall make the results of the audit available to the public on the Internet website maintained by the Department, Administration, Foundation, or Corporation, respectively. The results shall be made available in redacted form to exclude—

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

(2) sensitive personal information for any individual, the public access to which could be used to commit identity theft or for other inappropriate or unlawful purposes.

(c) Any person awarded a grant or contract funded by amounts appropriated by this Act shall submit a statement to the Secretary of Commerce, the Attorney General, the Administrator, Director, or President, as appropriate, certifying that no funds derived from the grant or contract will be made available through a subcontract or in any other manner to another person who has a financial interest in the person awarded the grant or contract.

(d) The provisions of the preceding subsections of this section shall take effect 30 days after the date on which the Director of the Office of Management and Budget, in consultation with the Director of the Office of Government Ethics, determines that a uniform set of rules and requirements, substantially similar to the requirements in such subsections, consistently apply under the executive branch ethics program to all Federal departments, agencies, and entities.

SEC. 514. (a) None of the funds appropriated or otherwise made available under this Act may be used by the Departments of Commerce and Justice, the National Aeronautics and Space Administration, or the National Science Foundation to acquire a high-impact or moderate-impact information system, as defined for security categorization in the National Institute of Standards and Technology's (NIST) Federal Information Processing Standard Publication 199, ''Standards for Security Categorization of Federal Information and Information Systems'' unless the agency has—

(1) reviewed the supply chain risk for the information systems against criteria developed by NIST and the Federal Bureau of Investigation (FBI) to inform acquisition decisions for high-impact and moderate-impact information systems within the Federal Government;

(2) reviewed the supply chain risk from the presumptive awardee against available and relevant threat information provided by the FBI and other appropriate agencies; and

(3) in consultation with the FBI or other appropriate Federal entity, conducted an assessment of any risk of cyber-espionage or sabotage associated with the acquisition of such system, including any risk associated with such system being produced, manufactured, or assembled by one or more entities identified by the United States Government as posing a cyber threat, including but not limited to, those that may be owned, directed, or subsidized by the People's Republic of China, the Islamic Republic of Iran, the Democratic People's Republic of Korea, or the Russian Federation.

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

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

(2) determined, in consultation with NIST and the FBI, that the acquisition of such system is in the national interest of the United States; and

(3) reported that determination to the Committees on Appropriations of the House of Representatives and the Senate and the agency Inspector General.

SEC. 515. None of the funds made available in this Act shall be used in any way whatsoever to support or justify the use of torture by any official or contract employee of the United States Government.

SEC. 516. (a) Notwithstanding any other provision of law or treaty, none of the funds appropriated or otherwise made available under this Act or any other Act may be expended or obligated by a department, agency, or instrumentality of the United States to pay administrative expenses or to compensate an officer or employee of the United States in connection with requiring an export license for the export to Canada of components, parts, accessories or attachments for firearms listed in Category I, section 121.1 of title 22, Code of Federal Regulations (International Trafficking in Arms Regulations (ITAR), part 121, as it existed on April 1, 2005) with a total value not exceeding $500 wholesale in any transaction, provided that the conditions of subsection (b) of this section are met by the exporting party for such articles.

(b) The foregoing exemption from obtaining an export license—

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

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

(A) fully automatic firearms and components and parts for such firearms, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada;

(B) barrels, cylinders, receivers (frames) or complete breech mechanisms for any firearm listed in Category I, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada; or

(C) articles for export from Canada to another foreign destination.

(c) In accordance with this section, the District Directors of Customs and postmasters shall permit the permanent or temporary export without a license of any unclassified articles specified in subsection (a) to Canada for end use in Canada or return to the United States, or temporary import of Canadian-origin items from Canada for end use in the United States or return to Canada for a Canadian citizen.

(d) The President may require export licenses under this section on a temporary basis if the President determines, upon publication first in the Federal Register, that the Government of Canada has implemented or maintained inadequate import controls for the articles specified in subsection (a), such that a significant diversion of such articles has and continues to take place for use in international terrorism or in the escalation of a conflict in another nation. The President shall terminate the requirements of a license when reasons for the temporary requirements have ceased.

SEC. 517. Notwithstanding any other provision of law, no department, agency, or instrumentality of the United States receiving appropriated funds under this Act or any other Act shall obligate or expend in any way such funds to pay administrative expenses or the compensation of any officer or employee of the United States to deny any application submitted pursuant to 22 U.S.C. 2778(b)(1)(B) and qualified pursuant to 27 CFR section 478.112 or .113, for a permit to import United States origin ''curios or relics'' firearms, parts, or ammunition.

SEC. 518. None of the funds made available in this Act may be used to include in any new bilateral or multilateral trade agreement the text of—

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

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

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

SEC. 519. None of the funds made available in this Act may be used to authorize or issue a national security letter in contravention of any of the following laws authorizing the Federal Bureau of Investigation to issue national security letters: The Right to Financial Privacy Act of 1978; The Electronic Communications Privacy Act of 1986; The Fair Credit Reporting Act; The National Security Act of 1947; USA PATRIOT Act; USA FREEDOM Act of 2015; and the laws amended by these Acts.

SEC. 520. If at any time during any quarter, the program manager of a project within the jurisdiction of the Departments of Commerce or Justice, the National Aeronautics and Space Administration, or the National Science Foundation totaling more than $75,000,000 has reasonable cause to believe that the total program cost has increased by 10 percent or more, the program manager shall immediately inform the respective Secretary, Administrator, or Director. The Secretary, Administrator, or Director shall notify the House and Senate Committees on Appropriations within 30 days in writing of such increase, and shall include in such notice: the date on which such determination was made; a statement of the reasons for such increases; the action taken and proposed to be taken to control future cost growth of the project; changes made in the performance or schedule milestones and the degree to which such changes have contributed to the increase in total program costs or procurement costs; new estimates of the total project or procurement costs; and a statement validating that the project's management structure is adequate to control total project or procurement costs.

SEC. 521. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence or intelligence related activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 3094) during fiscal year 2019 until the enactment of the Intelligence Authorization Act for fiscal year 2019.

SEC. 522. None of the funds appropriated or otherwise made available by this Act may be used to enter into a contract in an amount greater than $5,000,000 or to award a grant in excess of such amount unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that, to the best of its knowledge and belief, the contractor or grantee has filed all Federal tax returns required during the three years preceding the certification, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has not, more than 90 days prior to certification, been notified of any unpaid Federal tax assessment for which the liability remains unsatisfied, unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default, or the assessment is the subject of a non-frivolous administrative or judicial proceeding.

(RESCISSIONS)

SEC. 523. (a) Of the unobligated balances from prior year appropriations available to

the Department of Commerce, the following funds are hereby rescinded, not later than September 30, 2019, from the following accounts in the specified amounts—

(1) ''Economic Development Administration, Economic Development Assistance Programs'', $10,000,000; and

(2) ''National Institute of Standards and Technology, Industrial Technology Services'', $2,000,000.

(b) Of the unobligated balances available to the Department of Justice, the following funds are hereby rescinded, not later than September 30, 2019, from the following accounts in the specified amounts—

(1) ''Working Capital Fund'', $151,000,000;

(2) ''Federal Bureau of Investigation, Salaries and Expenses'', $124,326,000 including from, but not limited to, fees collected to defray expenses for the automation of fingerprint identification and criminal justice information services and associated costs;

(3) ''State and Local Law Enforcement Activities, Office on Violence Against Women, Violence Against Women Prevention and Prosecution Programs'', $10,000,000;

(4) ''State and Local Law Enforcement Activities, Office of Justice Programs'', $70,000,000;

(5) ''State and Local Law Enforcement Activities, Community Oriented Policing Services'', $16,500,000; and

(6) ''Legal Activities, Assets Forfeiture Fund'', $674,000,000, is permanently rescinded.

(c) The Departments of Commerce and Justice shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report no later than September 1, 2019, specifying the amount of each rescission made pursuant to subsections (a) and (b).

(d) The amounts rescinded in subsections (a) and (b) shall not be from amounts that were designated by the Congress as an emergency or disaster relief requirement pursuant to the concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 524. (a) Any unobligated balances identified in the following Treasury Appropriation Fund Symbols are hereby permanently cancelled: 80X0114; 80X0111; 80X0110; and 80X0112.

(b) Upon enactment of this Act:

(1) obligated balances in 80X0114 shall be transferred to and merged with 80–0130, Construction and Environmental Compliance and Restoration, and any upward adjustments to such obligations may be made from 80–0130;

(2) obligated balances in 80X0111 shall be transferred to and merged with 80–0122, Safety, Security and Mission Services, 80–0115, Space Flight Capabilities and 80–0130, Construction and Environmental Compliance and Restoration, and any upward adjustments to such obligations may be made from 80–0122, 80–0115 and 80–0130;

(3) obligated balances in 80X0110 shall be transferred to and merged with 80–0130, Construction and Environmental Compliance and Restoration, and any upward adjustments to said obligations may be made from 80–0130; and

(4) obligated balances in 80X0112 shall be transferred to and merged with 80–0122, Safety, Security and Mission Services and 80–0130, Construction and Environmental Compliance and Restoration, and any upward adjustments to such obligations may be made from 80–0122 and 80–0130.

(c) Following the cancellation of unobligated balances and transfer of obligated balances in 80X0114, 80X0111, 80X0110 and 80X0112, such accounts shall be closed. Any collections authorized or required to be credited to these accounts that are not received before closing of such accounts shall be deposited in the Treasury as miscellaneous receipts.

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

SEC. 526. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees from a Federal department or agency, who are stationed in the United States, at any single conference occurring outside the United States unless such conference is a law enforcement training or operational conference for law enforcement personnel and the majority of Federal employees in attendance are law enforcement personnel stationed outside the United States.

SEC. 527. 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 the United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 528. (a) None of the funds appropriated or otherwise made available in this or any other Act may be used to construct, acquire, or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.

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

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

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

(2) is—

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

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

SEC. 529. The Director of the Office of Management and Budget shall instruct any department, agency, or instrumentality of the United States receiving funds appropriated under this Act to track undisbursed balances in expired grant accounts and include in its annual performance plan and performance and accountability reports the following:

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

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

(3) Identification of undisbursed balances in expired grant accounts that may be returned to the Treasury of the United States.

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

SEC. 530. (a) None of the funds made available by this Act may be used for the National Aeronautics and Space Administration (NASA), the Office of Science and Technology Policy (OSTP), or the National Space Council (NSC) to develop, design, plan, promulgate, implement, or execute a bilateral policy, program, order, or contract of any kind to participate, collaborate, or coordinate bilaterally in any way with China or any Chinese-owned company unless such activities are specifically authorized by a law enacted after the date of enactment of this Act.

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

(c) The limitations described in subsections (a) and (b) shall not apply to activities which NASA, OSTP, or NSC, after consultation with the Federal Bureau of Investigation, have certified—

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

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

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

SEC. 531. None of the funds made available by this Act may be used to pay the salaries or expenses of personnel to deny, or fail to act on, an application for the importation of any model of shotgun if—

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

(2) no application for the importation of such model of shotgun, in the same configuration, had been denied by the Attorney General prior to January 1, 2011, on the basis that the shotgun was not particularly suitable for or readily adaptable to sporting purposes.

SEC. 532. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

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

SEC. 533. The Departments of Commerce and Justice, the National Aeronautics and Space Administration, the National Science Foundation, the Commission on Civil Rights, the Equal Employment Opportunity Commission, the International Trade Commission, the Legal Services Corporation, the Marine Mammal Commission, the Offices of Science and Technology Policy and the United States Trade Representative, the National Space Council, and the State Justice Institute shall submit spending plans, signed by the respective department or agency head, to the Committees on Appropriations of the House of Representatives and the Senate within 45 days after the date of enactment of this Act.

SEC. 534. None of the funds made available by this Act may be obligated or expended to implement the Arms Trade Treaty until the Senate approves a resolution of ratification for the Treaty.

SEC. 535. Notwithstanding any other provision of this Act, none of the funds appropriated or otherwise made available by this Act may be used to pay award or incentive fees for contractor performance that has been judged to be below satisfactory performance or for performance that does not meet the basic requirements of a contract.

SEC. 536. None of the funds made available by this Act may be used in contravention of section 7606 (''Legitimacy of Industrial Hemp Research'') of the Agricultural Act of 2014 (Public Law 113–79) by the Department of Justice or the Drug Enforcement Administration.

SEC. 537. None of the funds made available under this Act to the Department of Justice may be used, with respect to any of the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming, or with respect to the District of Columbia, the Commonwealth of the Northern Mariana Islands, Guam, or Puerto Rico, to prevent any of them from implementing their own laws that authorize the use, distribution, possession, or cultivation of medical marijuana.

SEC. 538. The Department of Commerce, the National Aeronautics and Space Administration, and the National Science Foundation shall provide a quarterly report to the Committees on Appropriations of the House of Representatives and the Senate on any official travel to China by any employee of such Department or agency, including the purpose of such travel.

SEC. 539. Of the amounts made available by this Act, not less than 10 percent of each total amount provided, respectively, for Public Works grants authorized by the Public Works and Economic Development Act of 1965 and grants authorized by section 27 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3722) shall be allocated for assistance in persistent poverty counties: *Provided*, That for purposes of this section, the term ''persistent poverty counties'' means any county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1990 and 2000 decennial censuses and the most recent Small Area Income and Poverty Estimates.

SEC. 540. None of the funds provided in this Act shall be available for obligation for the James Webb Space Telescope (JWST) after December 31, 2019, if the individual identified under subsection (c)(2)(E) of section 30104 of title 51, United States Code, as responsible for JWST determines that the formulation and development costs (with development cost as defined under section 30104 of title 51, United States Code) are likely to exceed $8,802,700,000, unless the program is modified so that the costs do not exceed $8,802,700,000.

SEC. 541. None of the funds made available by this Act may be expended during fiscal year 2019 to prepare for the shutdown of the Stratospheric Observatory for Infrared Astronomy.

This division may be cited as the ''Commerce, Justice, Science, and Related Agencies Appropriations Act, 2019''.

DIVISION C—FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2019

TITLE I

DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

For necessary expenses of the Departmental Offices including operation and maintenance of the Treasury Building and Freedman's Bank Building; hire of passenger motor vehicles; maintenance, repairs, and improvements of, and purchase of commercial insurance policies for, real properties leased or owned overseas, when necessary for the performance of official business; executive direction program activities; international affairs and economic policy activities; domestic finance and tax policy activities, including technical assistance to Puerto Rico; and Treasury-wide management policies and programs activities, $214,576,000: *Provided*, That of the amount appropriated under this heading—

(1) not to exceed $700,000 is for official reception and representation expenses, of which necessary amounts shall be available for expenses to support activities of the Financial Action Task Force, and not to exceed $350,000 shall be for other official reception and representation expenses;

(2) not to exceed $258,000 is for unforeseen emergencies of a confidential nature to be allocated and expended under the direction of the Secretary of the Treasury and to be accounted for solely on the Secretary's certificate; and

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

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

(B) information technology modernization requirements;

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

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

(E) operations and maintenance of facilities; and

(F) international operations.

OFFICE OF TERRORISM AND FINANCIAL INTELLIGENCE

SALARIES AND EXPENSES

For the necessary expenses of the Office of Terrorism and Financial Intelligence to safeguard the financial system against illicit use and to combat rogue nations, terrorist facilitators, weapons of mass destruction proliferators, money launderers, drug kingpins, and other national security threats, $159,000,000: *Provided*, That of the amounts appropriated under this heading, up to $10,000,000 shall remain available until September 30, 2020.

CYBERSECURITY ENHANCEMENT ACCOUNT

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

DEPARTMENT-WIDE SYSTEMS AND CAPITAL INVESTMENTS PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For development and acquisition of automatic data processing equipment, software, and services and for repairs and renovations to buildings owned by the Department of the Treasury, $4,000,000, to remain available until September 30, 2021: *Provided*, That these funds shall be transferred to accounts and in amounts as necessary to satisfy the requirements of the Department's offices, bureaus, and other organizations: *Provided further*, That this transfer authority shall be in addition to any other transfer authority provided in this Act: *Provided further*, That none of the funds appropriated under this heading shall be used to support or supplement ''Internal Revenue Service, Operations Support'' or ''Internal Revenue Service, Business Systems Modernization''.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

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

TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Treasury Inspector General for Tax Administration in carrying out the Inspector General Act of 1978, as amended, including purchase and hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services authorized by 5 U.S.C. 3109, at such rates as may be determined by the Inspector General for Tax Administration; $170,250,000, of which $5,000,000 shall remain available until September 30, 2020; of which not to exceed $6,000,000 shall be available for official travel expenses; of which not to exceed $500,000 shall be available for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General for Tax Administration; and of which not to exceed $1,500 shall be available for official reception and representation expenses.

SPECIAL INSPECTOR GENERAL FOR THE TROUBLED ASSET RELIEF PROGRAM

SALARIES AND EXPENSES

For necessary expenses of the Office of the Special Inspector General in carrying out the provisions of the Emergency Economic Stabilization Act of 2008 (Public Law 110–343), $23,000,000.

FINANCIAL CRIMES ENFORCEMENT NETWORK

SALARIES AND EXPENSES

For necessary expenses of the Financial Crimes Enforcement Network, including hire

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

TREASURY FORFEITURE FUND

(RESCISSION)

Of the unobligated balances available under this heading, $175,000,000 are hereby permanently rescinded not later than September 30, 2019.

BUREAU OF THE FISCAL SERVICE

SALARIES AND EXPENSES

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

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

ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

SALARIES AND EXPENSES

For necessary expenses of carrying out section 1111 of the Homeland Security Act of 2002, including hire of passenger motor vehicles, $119,600,000; of which not to exceed $6,000 for official reception and representation expenses; and of which not to exceed $50,000 shall be available for cooperative research and development programs for laboratory services; and provision of laboratory assistance to State and local agencies with or without reimbursement: *Provided*, That of the amount appropriated under this heading, $5,000,000 shall be for the costs of accelerating the processing of formula and label applications: *Provided further*, That of the amount appropriated under this heading, $5,000,000, to remain available until September 30, 2020, shall be for the costs associated with enforcement of the trade practice provisions of the Federal Alcohol Administration Act (27 U.S.C. 201 et seq.).

UNITED STATES MINT

UNITED STATES MINT PUBLIC ENTERPRISE FUND

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

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND PROGRAM ACCOUNT

To carry out the Riegle Community Development and Regulatory Improvement Act of 1994 (subtitle A of title I of Public Law 103–325), including services authorized by section 3109 of title 5, United States Code, but at rates for individuals not to exceed the per diem rate equivalent to the rate for EX–3, $250,000,000. Of the amount appropriated under this heading—

(1) not less than $160,000,000, notwithstanding section 108(e) of Public Law 103–325 (12 U.S.C. 4707(e)) with regard to Small and/or Emerging Community Development Financial Institutions Assistance awards, is available until September 30, 2020, for financial assistance and technical assistance under subparagraphs (A) and (B) of section 108(a)(1), respectively, of Public Law 103–325 (12 U.S.C. 4707(a)(1)(A) and (B)), of which up to $1,600,000 may be available for training and outreach under section 109 of Public Law 103–325 (12 U.S.C. 4708), of which up to $2,527,250 may be used for the cost of direct loans, and of which up to $3,000,000, notwithstanding subsection (d) of section 108 of Public Law 103–325 (12 U.S.C. 4707 (d)), may be available to provide financial assistance, technical assistance, training, and outreach to community development financial institutions to expand investments that benefit individuals with disabilities: *Provided*, That the cost of direct and guaranteed loans, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $25,000,000;

(2) not less than $16,000,000, notwithstanding section 108(e) of Public Law 103–325 (12 U.S.C. 4707(e)), is available until September 30, 2020, for financial assistance, technical assistance, training, and outreach programs designed to benefit Native American, Native Hawaiian, and Alaska Native communities and provided primarily through qualified community development lender organizations with experience and expertise in community development banking and lending in Indian country, Native American organizations, tribes and tribal organizations, and other suitable providers;

(3) not less than $25,000,000 is available until September 30, 2020, for the Bank Enterprise Award program;

(4) not less than $22,000,000, notwithstanding subsections (d) and (e) of section 108 of Public Law 103–325 (12 U.S.C. 4707(d) and (e)), is available until September 30, 2020, for a Healthy Food Financing Initiative to provide financial assistance, technical assistance, training, and outreach to community development financial institutions for the purpose of offering affordable financing and technical assistance to expand the availability of healthy food options in distressed communities;

(5) up to $27,000,000 is available until September 30, 2019, for administrative expenses, including administration of CDFI fund programs and the New Markets Tax Credit Program, of which not less than $1,000,000 is for development of tools to better assess and inform CDFI investment performance, and up to $300,000 is for administrative expenses to carry out the direct loan program; and

(6) during fiscal year 2019, none of the funds available under this heading are available for the cost, as defined in section 502 of the Congressional Budget Act of 1974, of commitments to guarantee bonds and notes under section 114A of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4713a): *Provided*, That commitments to guarantee bonds and notes under such section 114A shall not exceed $500,000,000: *Provided further*, That such section 114A shall remain in effect until December 31, 2019: *Provided further*, That of the funds awarded under this heading, not less than 10 percent shall be used for awards that support investments that serve populations living in persistent poverty counties: *Provided further*, That for the purposes of this paragraph and paragraph (1) above, the term ''persistent poverty counties'' means any county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1990 and 2000 decennial censuses and the 2011–2015 5-year data series available from the American Community Survey of the Census Bureau.

INTERNAL REVENUE SERVICE

TAXPAYER SERVICES

For necessary expenses of the Internal Revenue Service to provide taxpayer services, including pre-filing assistance and education, filing and account services, taxpayer advocacy services, and other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $2,491,554,000, of which not less than $9,890,000 shall be for the Tax Counseling for the Elderly Program, of which not less than $12,000,000 shall be available for low-income taxpayer clinic grants, of which not less than $18,000,000, to remain available until September 30, 2020, shall be available for a Community Volunteer Income Tax Assistance matching grants program for tax return preparation assistance, and of which not less than $207,000,000 shall be available for operating expenses of the Taxpayer Advocate Service: *Provided*, That of the amounts made available for the Taxpayer Advocate Service, not less than $5,500,000 shall be for identity theft and refund fraud casework.

ENFORCEMENT

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

OPERATIONS SUPPORT

For necessary expenses of the Internal Revenue Service to support taxpayer services and enforcement programs, including rent payments; facilities services; printing; postage; physical security; headquarters and other IRS-wide administration activities; research and statistics of income; telecommunications; information technology development, enhancement, operations, maintenance, and security; the hire of passenger motor vehicles (31 U.S.C. 1343(b)); the operations of the Internal Revenue Service Oversight Board; and other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner; $3,724,000,000, of which not to exceed $50,000,000 shall remain available until September 30, 2020; of which not to exceed $10,000,000 shall remain available until expended for acquisition of equipment and construction, repair and renovation of facilities; of which not to exceed $1,000,000 shall remain available until September 30, 2021, for research; of which not to exceed $20,000 shall be for official reception and representation expenses: *Provided*, That not later than 30 days after the end of each quarter, the Internal Revenue Service shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate and the Comptroller General of the United States detailing the cost and schedule performance for its major information technology investments, including the purpose and life-cycle stages of the investments; the reasons for any cost and schedule variances; the risks of such investments and

strategies the Internal Revenue Service is using to mitigate such risks; and the expected developmental milestones to be achieved and costs to be incurred in the next quarter: *Provided further*, That the Internal Revenue Service shall include, in its budget justification for fiscal year 2020, a summary of cost and schedule performance information for its major information technology systems.

BUSINESS SYSTEMS MODERNIZATION

For necessary expenses of the Internal Revenue Service's business systems modernization program, $150,000,000, to remain available until September 30, 2021, for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including related Internal Revenue Service labor costs, and contractual costs associated with operations authorized by 5 U.S.C. 3109: *Provided*, That not later than 30 days after the end of each quarter, the Internal Revenue Service shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate and the Comptroller General of the United States detailing the cost and schedule performance for major information technology investments, including the purposes and life-cycle stages of the investments; the reasons for any cost and schedule variances; the risks of such investments and the strategies the Internal Revenue Service is using to mitigate such risks; and the expected developmental milestones to be achieved and costs to be incurred in the next quarter.

ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE

(INCLUDING TRANSFERS OF FUNDS)

SEC. 101. Not to exceed 4 percent of the appropriation made available in this Act to the Internal Revenue Service under the ''Enforcement'' heading, and not to exceed 5 percent of any other appropriation made available in this Act to the Internal Revenue Service, may be transferred to any other Internal Revenue Service appropriation upon the advance approval of the Committees on Appropriations of the House of Representatives and the Senate.

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

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

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

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

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

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

SEC. 108. None of funds made available by this Act to the Internal Revenue Service shall be obligated or expended on conferences that do not adhere to the procedures, verification processes, documentation requirements, and policies issued by the Chief Financial Officer, Human Capital Office, and Agency-Wide Shared Services as a result of the recommendations in the report published on May 31, 2013, by the Treasury Inspector General for Tax Administration entitled ''Review of the August 2010 Small Business/Self-Employed Division's Conference in Anaheim, California'' (Reference Number 2013–10–037).

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

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

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

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

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

SEC. 112. In addition to the amounts otherwise made available in this Act for the Internal Revenue Service, $77,000,000, to be available until September 30, 2020, shall be transferred by the Commissioner to the ''Taxpayer Services'', ''Enforcement'', or ''Operations Support'' accounts of the Internal Revenue Service for an additional amount to be used solely for carrying out Public Law 115–97: *Provided*, That such funds shall not be available until the Commissioner submits to the Committees on Appropriations of the House of Representatives and the Senate a spending plan for such funds.

ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE TREASURY

(INCLUDING TRANSFERS OF FUNDS)

SEC. 113. Appropriations to the Department of the Treasury in this Act shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning; purchase of insurance for official motor vehicles operated in foreign countries; purchase of motor vehicles without regard to the general purchase price limitations for vehicles purchased and used overseas for the current fiscal year; entering into contracts with the Department of State for the furnishing of health and medical services to employees and their dependents serving in foreign countries; and services authorized by 5 U.S.C. 3109.

SEC. 114. Not to exceed 2 percent of any appropriations in this title made available under the headings ''Departmental Offices—Salaries and Expenses'', ''Office of Inspector General'', ''Special Inspector General for the Troubled Asset Relief Program'', ''Financial Crimes Enforcement Network'', ''Bureau of the Fiscal Service'', and ''Alcohol and Tobacco Tax and Trade Bureau'' may be transferred between such appropriations upon the advance approval of the Committees on Appropriations of the House of Representatives and the Senate: *Provided*, That no transfer under this section may increase or decrease any such appropriation by more than 2 percent.

SEC. 115. Not to exceed 2 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to the Treasury Inspector General for Tax Administration's appropriation upon the advance approval of the Committees on Appropriations of the House of Representatives and the Senate: *Provided*, That no transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 116. None of the funds appropriated in this Act or otherwise available to the Department of the Treasury or the Bureau of Engraving and Printing may be used to redesign the $1 Federal Reserve note.

SEC. 117. The Secretary of the Treasury may transfer funds from the ''Bureau of the Fiscal Service-Salaries and Expenses'' to the Debt Collection Fund as necessary to cover the costs of debt collection: *Provided*, That such amounts shall be reimbursed to such salaries and expenses account from debt collections received in the Debt Collection Fund.

SEC. 118. None of the funds appropriated or otherwise made available by this or any other Act may be used by the United States Mint to construct or operate any museum without the explicit approval of the Committees on Appropriations of the House of Representatives and the Senate, the House Committee on Financial Services, and the Senate Committee on Banking, Housing, and Urban Affairs.

SEC. 119. None of the funds appropriated or otherwise made available by this or any other Act or source to the Department of the Treasury, the Bureau of Engraving and Printing, and the United States Mint, individually or collectively, may be used to consolidate any or all functions of the Bureau of Engraving and Printing and the United States Mint without the explicit approval of the House Committee on Financial Services; the Senate Committee on Banking, Housing, and Urban Affairs; and the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 120. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for the Department of the Treasury's intelligence or intelligence related activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2019 until the enactment of the Intelligence Authorization Act for Fiscal Year 2019.

SEC. 121. Not to exceed $5,000 shall be made available from the Bureau of Engraving and Printing's Industrial Revolving Fund for necessary official reception and representation expenses.

SEC. 122. The Secretary of the Treasury shall submit a Capital Investment Plan to the Committees on Appropriations of the Senate and the House of Representatives not later than 30 days following the submission of the annual budget submitted by the President: *Provided*, That such Capital Investment Plan shall include capital investment spending from all accounts within the Department of the Treasury, including but not limited to the Department-wide Systems and Capital Investment Programs account, Treasury Franchise Fund account, and the Treasury Forfeiture Fund account: *Provided further*,

That such Capital Investment Plan shall include expenditures occurring in previous fiscal years for each capital investment project that has not been fully completed.

SEC. 123. Within 45 days after the date of enactment of this Act, the Secretary of the Treasury shall submit an itemized report to the Committees on Appropriations of the House of Representatives and the Senate on the amount of total funds charged to each office by the Franchise Fund including the amount charged for each service provided by the Franchise Fund to each office, a detailed description of the services, a detailed explanation of how each charge for each service is calculated, and a description of the role customers have in governing in the Franchise Fund.

SEC. 124. During fiscal year 2019—

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

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

SEC. 125. (a) Not later than 60 days after the end of each quarter, the Office of Financial Stability and the Office of Financial Research shall submit reports on their activities to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Financial Services of the House of Representatives and the Senate Committee on Banking, Housing, and Urban Affairs.

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

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

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

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

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

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

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

SEC. 126. Amounts made available under the heading ''Office of Terrorism and Financial Intelligence'' shall be available to reimburse the ''Departmental Offices—Salaries and Expenses'' account for expenses incurred in such account for reception and representation expenses to support activities of the Financial Action Task Force.

SEC. 127. Beginning in fiscal year 2019 and for each fiscal year thereafter, amounts in the Bureau of Engraving and Printing Fund may be used for the acquisition of necessary land for, and construction of, a replacement currency production facility.

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

TITLE II

EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

THE WHITE HOUSE

SALARIES AND EXPENSES

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

EXECUTIVE RESIDENCE AT THE WHITE HOUSE

OPERATING EXPENSES

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

REIMBURSABLE EXPENSES

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

WHITE HOUSE REPAIR AND RESTORATION

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

COUNCIL OF ECONOMIC ADVISERS

SALARIES AND EXPENSES

For necessary expenses of the Council of Economic Advisers in carrying out its functions under the Employment Act of 1946 (15 U.S.C. 1021 et seq.), $4,187,000.

NATIONAL SECURITY COUNCIL AND HOMELAND SECURITY COUNCIL

SALARIES AND EXPENSES

For necessary expenses of the National Security Council and the Homeland Security Council, including services as authorized by 5 U.S.C. 3109, $12,000,000.

OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Administration, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, and hire of passenger motor vehicles, $100,000,000, of which not to exceed $12,800,000 shall remain available until expended for continued modernization of information resources within the Executive Office of the President.

OFFICE OF MANAGEMENT AND BUDGET

SALARIES AND EXPENSES

For necessary expenses of the Office of Management and Budget, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, to carry out the provisions of chapter 35 of title 44, United States Code, and to prepare and submit the budget of the United States Government, in accordance with section 1105(a) of title 31, United States Code, $102,000,000, of which not to exceed $3,000 shall be available for official representation expenses: *Provided*, That none of the funds appropriated in this Act for the Office of Management and Budget may be used for the purpose of reviewing any agricultural marketing orders or any activities or regulations under the provisions of the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601 et seq.): *Provided further*, That none of the funds made available for the Office of Management and Budget by this Act may be expended for the altering of the transcript of actual testimony of witnesses, except for testimony of officials of the Office of Management and Budget, before the Committees on Appropriations or their subcommittees: *Provided further*, That none of the funds made available for the Office of Management and Budget by this Act may be expended for the altering of the annual work plan developed by the Corps of Engineers for submission to the Committees on Appropriations: *Provided further*, That of the funds made available for the Office of Management and Budget by this Act, no less than three full-time equivalent senior staff position shall be dedicated solely to the Office of the

Intellectual Property Enforcement Coordinator: *Provided further*, That none of the funds provided in this or prior Acts shall be used, directly or indirectly, by the Office of Management and Budget, for evaluating or determining if water resource project or study reports submitted by the Chief of Engineers acting through the Secretary of the Army are in compliance with all applicable laws, regulations, and requirements relevant to the Civil Works water resource planning process: *Provided further*, That the Office of Management and Budget shall have not more than 60 days in which to perform budgetary policy reviews of water resource matters on which the Chief of Engineers has reported: *Provided further*, That the Director of the Office of Management and Budget shall notify the appropriate authorizing and appropriating committees when the 60-day review is initiated: *Provided further*, That if water resource reports have not been transmitted to the appropriate authorizing and appropriating committees within 15 days after the end of the Office of Management and Budget review period based on the notification from the Director, Congress shall assume Office of Management and Budget concurrence with the report and act accordingly.

In addition, $1,000,000 for the Office of Information and Regulatory Affairs to hire additional personnel dedicated to regulatory review and reforms: *Provided*, That these amounts shall be in addition to any other amounts available for such purpose: *Provided further*, That these funds may not be used to backfill vacancies.

OFFICE OF NATIONAL DRUG CONTROL POLICY

SALARIES AND EXPENSES

For necessary expenses of the Office of National Drug Control Policy; for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109–469); not to exceed $10,000 for official reception and representation expenses; and for participation in joint projects or in the provision of services on matters of mutual interest with nonprofit, research, or public organizations or agencies, with or without reimbursement, $18,400,000: *Provided*, That the Office is authorized to accept, hold, administer, and utilize gifts, both real and personal, public and private, without fiscal year limitation, for the purpose of aiding or facilitating the work of the Office.

FEDERAL DRUG CONTROL PROGRAMS

HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

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

OTHER FEDERAL DRUG CONTROL PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

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

UNANTICIPATED NEEDS

For expenses necessary to enable the President to meet unanticipated needs, in furtherance of the national interest, security, or defense which may arise at home or abroad during the current fiscal year, as authorized by 3 U.S.C. 108, $1,000,000, to remain available until September 30, 2020.

INFORMATION TECHNOLOGY OVERSIGHT AND REFORM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the furtherance of integrated, efficient, secure, and effective uses of information technology in the Federal Government, $28,500,000, to remain available until expended: *Provided*, That the Director of the Office of Management and Budget may transfer these funds to one or more other agencies to carry out projects to meet these purposes.

SPECIAL ASSISTANCE TO THE PRESIDENT

SALARIES AND EXPENSES

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

OFFICIAL RESIDENCE OF THE VICE PRESIDENT

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

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

ADMINISTRATIVE PROVISIONS—EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

(INCLUDING TRANSFER OF FUNDS)

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

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

(b) Any such statement shall include—

(1) a narrative summary of the budgetary impact of such order or memorandum on the Federal Government;

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

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

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

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

This title may be cited as the ''Executive Office of the President Appropriations Act, 2019''.

TITLE III

THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

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

may approve, $84,703,000, of which $1,500,000 shall remain available until expended.

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

CARE OF THE BUILDING AND GROUNDS

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

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

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

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

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

For salaries of officers and employees of the court, services, and necessary expenses of the court, as authorized by law, $18,882,000.

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

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

For the salaries of judges of the United States Court of Federal Claims, magistrate judges, and all other officers and employees of the Federal Judiciary not otherwise specifically provided for, necessary expenses of the courts, and the purchase, rental, repair, and cleaning of uniforms for Probation and Pretrial Services Office staff, as authorized by law, $5,144,383,000 (including the purchase of firearms and ammunition); of which not to exceed $27,817,000 shall remain available until expended for space alteration projects and for furniture and furnishings related to new space alteration and construction projects.

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

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

DEFENDER SERVICES

For the operation of Federal Defender organizations; the compensation and reimbursement of expenses of attorneys appointed to represent persons under 18 U.S.C. 3006A and 3599, and for the compensation and reimbursement of expenses of persons furnishing investigative, expert, and other services for such representations as authorized by law; the compensation (in accordance with the maximums under 18 U.S.C. 3006A) and reimbursement of expenses of attorneys appointed to assist the court in criminal cases where the defendant has waived representation by counsel; the compensation and reimbursement of expenses of attorneys appointed to represent jurors in civil actions for the protection of their employment, as authorized by 28 U.S.C. 1875(d)(1); the compensation and reimbursement of expenses of attorneys appointed under 18 U.S.C. 983(b)(1) in connection with certain judicial civil forfeiture proceedings; the compensation and reimbursement of travel expenses of guardians ad litem appointed under 18 U.S.C. 4100(b); and for necessary training and general administrative expenses, $1,150,450,000 to remain available until expended.

FEES OF JURORS AND COMMISSIONERS

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

COURT SECURITY

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses, not otherwise provided for, incident to the provision of protective guard services for United States courthouses and other facilities housing Federal court operations, and the procurement, installation, and maintenance of security systems and equipment for United States courthouses and other facilities housing Federal court operations, including building ingress-egress control, inspection of mail and packages, directed security patrols, perimeter security, basic security services provided by the Federal Protective Service, and other similar activities as authorized by section 1010 of the Judicial Improvement and Access to Justice Act (Public Law 100–702), $607,110,000, of which not to exceed $20,000,000 shall remain available until expended, to be expended directly or transferred to the United States Marshals Service, which shall be responsible for administering the Judicial Facility Security Program consistent with standards or guidelines agreed to by the Director of the Administrative Office of the United States Courts and the Attorney General.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

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

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

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

UNITED STATES SENTENCING COMMISSION

SALARIES AND EXPENSES

For the salaries and expenses necessary to carry out the provisions of chapter 58 of title 28, United States Code, $18,953,000, of which not to exceed $1,000 is authorized for official reception and representation expenses.

ADMINISTRATIVE PROVISIONS—THE JUDICIARY

(INCLUDING TRANSFER OF FUNDS)

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

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

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

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

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

SEC. 306. (a) Section 203(c) of the Judicial Improvements Act of 1990 (Public Law 101–650; 28 U.S.C. 133 note), is amended in the matter following paragraph 12—

(1) in the second sentence (relating to the District of Kansas), by striking ''27 years and 6 months'' and inserting ''28 years and 6 months''; and

(2) in the sixth sentence (relating to the District of Hawaii), by striking ''24 years and 6 months'' and inserting ''25 years and 6 months''.

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

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

(1) in the first sentence by striking ''16 years'' and inserting ''17 years'';

(2) in the second sentence (relating to the central District of California), by striking ''15 years and 6 months'' and inserting ''16 years and 6 months''; and

(3) in the third sentence (relating to the western district of North Carolina), by striking ''14 years'' and inserting ''15 years''.

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

TITLE IV

DISTRICT OF COLUMBIA

FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

For a Federal payment to the District of Columbia, to be deposited into a dedicated account, for a nationwide program to be administered by the Mayor, for District of Columbia resident tuition support, $40,000,000, to remain available until expended: *Provided*, That such funds, including any interest accrued thereon, may be used on behalf of eligible District of Columbia residents to pay an amount based upon the difference between in-State and out-of-State tuition at public institutions of higher education, or to pay up to $2,500 each year at eligible private institutions of higher education: *Provided further*, That the awarding of such funds may be prioritized on the basis of a resident's academic merit, the income and need of eligible students and such other factors as may be authorized: *Provided further*, That the District of Columbia government shall maintain a dedicated account for the Resident Tuition Support Program that shall consist of the Federal funds appropriated to the Program in this Act and any subsequent appropriations, any unobligated balances from prior fiscal years, and any interest earned in this or any fiscal year: *Provided further*, That the account shall be under the control of the District of Columbia Chief Financial Officer, who shall use those funds solely for the purposes of carrying out the Resident Tuition Support Program: *Provided further*, That the Office of the Chief Financial Officer shall provide a quarterly financial report to the Committees on Appropriations of the House of Representatives and the Senate for these funds showing, by object class, the expenditures made and the purpose therefor.

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

For a Federal payment of necessary expenses, as determined by the Mayor of the District of Columbia in written consultation with the elected county or city officials of surrounding jurisdictions, $12,000,000, to remain available until expended, for the costs of providing public safety at events related to the presence of the National Capital in the District of Columbia, including support requested by the Director of the United States Secret Service in carrying out protective duties under the direction of the Secretary of Homeland Security, and for the costs of providing support to respond to immediate and specific terrorist threats or attacks in the District of Columbia or surrounding jurisdictions.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

For salaries and expenses for the District of Columbia Courts, $258,394,000 to be allocated as follows: for the District of Columbia Court of Appeals, $14,594,000, of which not to exceed $2,500 is for official reception and representation expenses; for the Superior Court of the District of Columbia, $124,400,000, of which not to exceed $2,500 is for official reception and representation expenses; for the District of Columbia Court System, $74,400,000, of which not to exceed $2,500 is for official reception and representation expenses; and $45,000,000, to remain available until September 30, 2020, for capital improvements for District of Columbia courthouse facilities: *Provided*, That funds made available for capital improvements shall be expended consistent with the District of Columbia Courts master plan study and facilities condition assessment: *Provided further*, That, in addition to the amounts appropriated herein, fees received by the District of Columbia Courts for administering bar examinations and processing District of Columbia bar admissions may be retained and credited to this appropriation, to remain available until expended, for salaries and expenses associated with such activities, notwithstanding section 450 of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1–204.50): *Provided further*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: *Provided further*, That 30 days after providing written notice to the Committees on Appropriations of the House of Representatives and the Senate, the District of Columbia Courts may reallocate not more than $9,000,000 of the funds provided under this heading among the items and entities funded under this heading: *Provided further*, That the Joint Committee on Judicial Administration in the District of Columbia may, by regulation, establish a program substantially similar to the program set forth in subchapter II of chapter 35 of title 5, United States Code, for employees of the District of Columbia Courts.

FEDERAL PAYMENT FOR DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

(INCLUDING TRANSFER OF FUNDS)

For payments authorized under section 11–2604 and section 11–2605, D.C. Official Code (relating to representation provided under the District of Columbia Criminal Justice Act), payments for counsel appointed in proceedings in the Family Court of the Superior Court of the District of Columbia under chapter 23 of title 16, D.C. Official Code, or pursuant to contractual agreements to provide guardian ad litem representation, training, technical assistance, and such other services as are necessary to improve the quality of guardian ad litem representation, payments for counsel appointed in adoption proceedings under chapter 3 of title 16, D.C. Official Code, and payments authorized under section 21–2060, D.C. Official Code (relating to services provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986), $46,005,000, to remain available until expended: *Provided*, That not more than $20,000,000 in unobligated funds provided in this account may be transferred to and merged with funds made available under the heading ''Federal Payment to the District of Columbia Courts,'' to be available for the same period and purposes as funds made available under that heading for capital improvements to District of Columbia courthouse facilities: *Provided further*, That funds provided under this heading shall be administered by the Joint Committee on Judicial Administration in the District of Columbia: *Provided further*, That, notwithstanding any other provision of law, this appropriation shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for expenses of other Federal agencies.

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

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

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA PUBLIC DEFENDER SERVICE

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

FEDERAL PAYMENT TO THE CRIMINAL JUSTICE COORDINATING COUNCIL

For a Federal payment to the Criminal Justice Coordinating Council, $2,150,000, to remain available until expended, to support initiatives related to the coordination of Federal and local criminal justice resources in the District of Columbia.

FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS

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

FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

For a Federal payment for a school improvement program in the District of Columbia, $52,500,000, to remain available until expended, for payments authorized under the Scholarships for Opportunity and Results Act (division C of Public Law 112–10): *Provided*, That, to the extent that funds are available for opportunity scholarships and following the priorities included in section 3006 of such Act, the Secretary of Education shall make scholarships available to students eligible under section 3013(3) of such Act (Public Law 112–10; 125 Stat. 211) including students who were not offered a scholarship during any previous school year: *Provided further*, That within funds provided for

opportunity scholarships up to $1,200,000 shall be for the activities specified in sections 3007(b) through 3007(d) of the Act and up to $500,000 shall be for the activities specified in section 3009 of the Act.

FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA NATIONAL GUARD

For a Federal payment to the District of Columbia National Guard, $435,000, to remain available until expended for the Major General David F. Wherley, Jr. District of Columbia National Guard Retention and College Access Program.

FEDERAL PAYMENT FOR TESTING AND TREATMENT OF HIV/AIDS

For a Federal payment to the District of Columbia for the testing of individuals for, and the treatment of individuals with, human immunodeficiency virus and acquired immunodeficiency syndrome in the District of Columbia, $3,000,000.

DISTRICT OF COLUMBIA FUNDS

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

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

For a Federal payment to the District of Columbia Water and Sewer Authority, $8,000,000, to remain available until expended, to continue implementation of the Combined Sewer Overflow Long-Term Plan: *Provided*, That the District of Columbia Water and Sewer Authority provides a 100 percent match for this payment.

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

TITLE V

INDEPENDENT AGENCIES

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

SALARIES AND EXPENSES

For necessary expenses of the Administrative Conference of the United States, authorized by 5 U.S.C. 591 et seq., $3,100,000, to remain available until September 30, 2020, of which not to exceed $1,000 is for official reception and representation expenses.

COMMODITY FUTURES TRADING COMMISSION

For necessary expenses to carry out the provisions of the Commodity Exchange Act (7 U.S.C. 1 et seq.), including the purchase and hire of passenger motor vehicles, and the rental of space (to include multiple year leases), in the District of Columbia and elsewhere, $268,000,000, including not to exceed $3,000 for official reception and representation expenses, and not to exceed $25,000 for the expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, of which not less than $50,000,000, to remain available until September 30, 2020, shall be for the purchase of information technology and of which not less than $3,000,000 shall be for expenses of the Office of the Inspector General: *Provided*, That notwithstanding the limitations in 31 U.S.C. 1553, amounts provided under this heading are available for the liquidation of obligations equal to current year payments on leases entered into prior to the date of enactment of this Act: *Provided further*, That for the purpose of recording and liquidating any lease obligations that should have been recorded and liquidated against accounts closed pursuant to 31 U.S.C. 1552, and consistent with the preceding proviso, such amounts shall be transferred to and recorded in a no-year account in the Treasury, which has been established for the sole purpose of recording adjustments for and liquidating such unpaid obligations.

CONSUMER PRODUCT SAFETY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Consumer Product Safety Commission, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable under 5 U.S.C. 5376, purchase of nominal awards to recognize non-Federal officials' contributions to Commission activities, and not to exceed $4,000 for official reception and representation expenses, $127,000,000, of which $800,000 shall remain available until expended to carry out the program, including administrative costs, required by section 1405 of the Virginia Graeme Baker Pool and Spa Safety Act (Public Law 110–140; 15 U.S.C. 8004).

ADMINISTRATIVE PROVISION—CONSUMER PRODUCT SAFETY COMMISSION

SEC. 501. During fiscal year 2019, none of the amounts made available by this Act may be used to finalize or implement the Safety Standard for Recreational Off-Highway Vehicles published by the Consumer Product Safety Commission in the Federal Register on November 19, 2014 (79 Fed. Reg. 68964) until after—

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

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

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

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

(D) the effect on the utility of ROVs used by the United States military if the proposed requirements were adopted; and

(2) a report containing the results of the study completed under paragraph (1) is delivered to—

(A) the Committee on Commerce, Science, and Transportation of the Senate;

(B) the Committee on Energy and Commerce of the House of Representatives;

(C) the Committee on Appropriations of the Senate; and

(D) the Committee on Appropriations of the House of Representatives.

ELECTION ASSISTANCE COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the Help America Vote Act of 2002 (Public Law 107–252), $9,200,000, of which $1,250,000 shall be transferred to the National Institute of Standards and Technology for election reform activities authorized under the Help America Vote Act of 2002.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Communications Commission, as authorized by law, including uniforms and allowances therefor, as authorized by 5 U.S.C. 5901–5902; not to exceed $4,000 for official reception and representation expenses; purchase and hire of motor vehicles; special counsel fees; and services as authorized by 5 U.S.C. 3109, $339,000,000, to remain available until expended: *Provided*, That $339,000,000 of offsetting collections shall be assessed and collected pursuant to section 9 of title I of the Communications Act of 1934, shall be retained and used for necessary expenses and shall remain available until expended: *Provided further*, That the sum herein appropriated shall be reduced as such offsetting collections are received during fiscal year 2019 so as to result in a final fiscal year 2019 appropriation estimated at $0: *Provided further*, That any offsetting collections received in excess of $339,000,000 in fiscal year 2019 shall not be available for obligation: *Provided further*, That remaining offsetting collections from prior years collected in excess of the amount specified for collection in each such year and otherwise becoming available on October 1, 2018, shall not be available for obligation: *Provided further*, That, notwithstanding 47 U.S.C. 309(j)(8)(B), proceeds from the use of a competitive bidding system that may be retained and made available for obligation shall not exceed $130,284,000 for fiscal year 2019: *Provided further*, That, of the amount appropriated under this heading, not less than $11,064,000 shall be for the salaries and expenses of the Office of Inspector General.

ADMINISTRATIVE PROVISION—FEDERAL COMMUNICATIONS COMMISSION

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

FEDERAL DEPOSIT INSURANCE CORPORATION

OFFICE OF THE INSPECTOR GENERAL

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

FEDERAL ELECTION COMMISSION

SALARIES AND EXPENSES

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

FEDERAL LABOR RELATIONS AUTHORITY

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Federal Labor Relations Authority, pursuant to Reorganization Plan Numbered 2 of 1978, and the Civil Service Reform Act of 1978, including services authorized by 5 U.S.C. 3109, and including hire of experts and consultants, hire of passenger motor vehicles, and including official reception and representation expenses (not to exceed $1,500) and rental of conference rooms in the District of Columbia and elsewhere, $26,200,000: *Provided*, That public members of the Federal Service Impasses Panel may be paid travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons employed intermittently in the Government service, and compensation as authorized by 5 U.S.C. 3109: *Provided further*, That, notwithstanding 31 U.S.C. 3302, funds received from fees charged to non-Federal participants at labor-management relations conferences shall be credited to and merged with this account, to be available without further appropriation for the costs of carrying out these conferences.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Trade Commission, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; and not to exceed $2,000 for official reception and representation expenses, $309,700,000, to remain available until expended: *Provided*, That not to exceed $300,000 shall be available for use to contract with a person or persons for collection services in accordance with the terms of 31 U.S.C. 3718: *Provided further*, That, notwithstanding any other provision of law, not to exceed $136,000,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection, shall be retained and used for necessary expenses in this appropriation: *Provided further*, That, notwithstanding any other provision of law, not to exceed $17,000,000 in offsetting collections derived from fees sufficient to implement and enforce the Telemarketing Sales Rule, promulgated under the Telemarketing and Consumer Fraud and Abuse Prevention Act (15 U.S.C. 6101 et seq.), shall be credited to this account, and be retained and used for necessary expenses in this appropriation: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2019, so as to result in a final fiscal year 2019 appropriation from the general fund estimated at not more than $156,700,000: *Provided further*, That none of the funds made available to the Federal Trade Commission may be used to implement subsection (e)(2)(B) of section 43 of the Federal Deposit Insurance Act (12 U.S.C. 1831t).

GENERAL SERVICES ADMINISTRATION

REAL PROPERTY ACTIVITIES

FEDERAL BUILDINGS FUND

LIMITATIONS ON AVAILABILITY OF REVENUE

(INCLUDING TRANSFERS OF FUNDS)

Amounts in the Fund, including revenues and collections deposited into the Fund, shall be available for necessary expenses of real property management and related activities not otherwise provided for, including operation, maintenance, and protection of federally owned and leased buildings; rental of buildings in the District of Columbia; restoration of leased premises; moving governmental agencies (including space adjustments and telecommunications relocation expenses) in connection with the assignment, allocation, and transfer of space; contractual services incident to cleaning or servicing buildings, and moving; repair and alteration of federally owned buildings, including grounds, approaches, and appurtenances; care and safeguarding of sites; maintenance, preservation, demolition, and equipment; acquisition of buildings and sites by purchase, condemnation, or as otherwise authorized by law; acquisition of options to purchase buildings and sites; conversion and extension of federally owned buildings; preliminary planning and design of projects by contract or otherwise; construction of new buildings (including equipment for such buildings); and payment of principal, interest, and any other obligations for public buildings acquired by installment purchase and purchase contract; in the aggregate amount of $9,847,304,000, of which—

(1) $1,521,122,000 shall remain available until expended for construction and acquisition (including funds for sites and expenses, and associated design and construction services) as follows:

(A) $767,900,000 shall be for the Department of Transportation Lease Purchase Option, Washington, District of Columbia;

(B) $229,000,000 shall be for the DHS Consolidation at St. Elizabeths, Washington, District of Columbia;

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

(D) $248,322,000 shall be for the San Luis Land Port of Entry, San Luis, Arizona:

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

(2) $663,219,000 shall remain available until expended for repairs and alterations, including associated design and construction services, of which—

(A) $276,837,000 is for Major Repairs and Alterations;

(B) $356,382,000 is for Basic Repairs and Alterations; and

(C) $30,000,000 is for Special Emphasis Programs for Fire and Life Safety:

Provided, That funds made available in this or any previous Act in the Federal Buildings Fund for Repairs and Alterations shall, for prospectus projects, be limited to the amount identified for each project, except each project in this or any previous Act may be increased by an amount not to exceed 10 percent unless advance approval is obtained from the Committees on Appropriations of a greater amount: *Provided further*, That additional projects for which prospectuses have been fully approved may be funded under this category only if advance approval is obtained from the Committees on Appropriations: *Provided further*, That the amounts provided in this or any prior Act for ''Repairs and Alterations'' may be used to fund costs associated with implementing security improvements to buildings necessary to meet the minimum standards for security in accordance with current law and in compliance with the reprogramming guidelines of the appropriate Committees of the House and Senate: *Provided further*, That the difference between the funds appropriated and expended on any projects in this or any prior Act, under the heading ''Repairs and Alterations'', may be transferred to Basic Repairs and Alterations or used to fund authorized increases in prospectus projects: *Provided further*, That the amount provided in this or any prior Act for Basic Repairs and Alterations may be used to pay claims against the Government arising from any projects under the heading ''Repairs and Alterations'' or used to fund authorized increases in prospectus projects;

(3) $5,418,845,000 for rental of space to remain available until expended; and

(4) $2,244,118,000 for building operations to remain available until expended: *Provided*, That the total amount of funds made available from this Fund to the General Services Administration shall not be available for expenses of any construction, repair, alteration and acquisition project for which a prospectus, if required by 40 U.S.C. 3307(a), has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus: *Provided further*, That funds available in the Federal Buildings Fund may be expended for emergency repairs when advance approval is obtained from the Committees on Appropriations: *Provided further*, That amounts necessary to provide reimbursable special services to other agencies under 40 U.S.C. 592(b)(2) and amounts to provide such reimbursable fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control as may be appropriate to enable the United States Secret Service to perform its protective functions pursuant to 18 U.S.C. 3056, shall be available from such revenues and collections: *Provided further*, That revenues and collections and any other sums accruing to this Fund during fiscal year 2019, excluding reimbursements under 40 U.S.C. 592(b)(2), in excess of the aggregate new obligational authority authorized for Real Property Activities of the Federal Buildings Fund in this Act shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.

GENERAL ACTIVITIES

GOVERNMENT-WIDE POLICY

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

OPERATING EXPENSES

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

CIVILIAN BOARD OF CONTRACT APPEALS

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

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General and service authorized by 5 U.S.C. 3109, $65,000,000: *Provided*, That not to exceed $50,000 shall be available for payment for information and detection of fraud against the Government, including payment for recovery of stolen Government property: *Provided further*, That not to exceed $2,500 shall be available for awards to employees of other Federal agencies and private citizens in recognition of efforts and initiatives resulting in enhanced Office of Inspector General effectiveness.

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

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

FEDERAL CITIZEN SERVICES FUND

(INCLUDING TRANSFER OF FUNDS)

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

TECHNOLOGY MODERNIZATION FUND

For the Technology Modernization Fund, $25,000,000, to remain available until expended, for technology-related modernization activities.

ASSET PROCEEDS AND SPACE MANAGEMENT FUND

For carrying out the purposes of the Federal Assets Sale and Transfer Act of 2016 (Public Law 114–287), $25,000,000, to be deposited into the Asset Proceeds and Space Management Fund, to remain available until expended.

ENVIRONMENTAL REVIEW IMPROVEMENT FUND

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

ADMINISTRATIVE PROVISIONS—GENERAL SERVICES ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

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

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

SEC. 522. Except as otherwise provided in this title, funds made available by this Act shall be used to transmit a fiscal year 2020 request for United States Courthouse construction only if the request: (1) meets the design guide standards for construction as established and approved by the General Services Administration, the Judicial Conference of the United States, and the Office of Management and Budget; (2) reflects the priorities of the Judicial Conference of the United States as set out in its approved Courthouse Project Priorities plan; and (3) includes a standardized courtroom utilization study of each facility to be constructed, replaced, or expanded.

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

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

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

SEC. 526. With respect to each project funded under the heading ''Major Repairs and Alterations'' or ''Judiciary Capital Security Program'', and with respect to E–Government projects funded under the heading ''Federal Citizen Services Fund'', the Administrator of General Services shall submit a spending plan and explanation for each project to be undertaken to the Committees on Appropriations of the House of Representatives and the Senate not later than 60 days after the date of enactment of this Act.

SEC. 527. The Administrator of General Services shall submit a report to the Committees on Appropriations of the Senate and House of Representatives not later than 30 days following implementation of the initiative established under (c)(2) of Section 846 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 41 U.S.C. 1901 note) containing a market analysis and an implementation strategy related to the requirements under subparagraph (h) of Section 846. The report shall address strategies and processes for proper government safeguards to data management and privacy for incorporation into the implementation of Section 846 to ensure a competitive environment.

HARRY S TRUMAN SCHOLARSHIP FOUNDATION

SALARIES AND EXPENSES

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

MERIT SYSTEMS PROTECTION BOARD

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

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

MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION

MORRIS K. UDALL AND STEWART L. UDALL TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

For payment to the Morris K. Udall and Stewart L. Udall Trust Fund, pursuant to the Morris K. Udall and Stewart L. Udall Foundation Act (20 U.S.C. 5601 et seq.), $1,875,000, to remain available until expended, of which, notwithstanding sections 8 and 9 of such Act: (1) up to $50,000 shall be used to conduct financial audits pursuant to the Accountability of Tax Dollars Act of 2002 (Public Law 107–289); and (2) up to $1,000,000 shall be available to carry out the activities authorized by section 6(7) of Public Law 102–259 and section 817(a) of Public Law 106–568 (20 U.S.C. 5604(7)): *Provided*, That of the total amount made available under this heading $200,000 shall be transferred to the Office of Inspector General of the Department of the Interior, to remain available until expended, for audits and investigations of the Morris K. Udall and Stewart L. Udall Foundation, consistent with the Inspector General Act of 1978 (5 U.S.C. App.).

ENVIRONMENTAL DISPUTE RESOLUTION FUND

For payment to the Environmental Dispute Resolution Fund to carry out activities authorized in the Environmental Policy and Conflict Resolution Act of 1998, $3,200,000, to remain available until expended.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

OPERATING EXPENSES

For necessary expenses in connection with the administration of the National Archives and Records Administration and archived Federal records and related activities, as provided by law, and for expenses necessary for the review and declassification of documents, the activities of the Public Interest Declassification Board, the operations and maintenance of the electronic records archives, the hire of passenger motor vehicles,

and for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning, $373,000,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Reform Act of 2008, Public Law 110–409, 122 Stat. 4302–16 (2008), and the Inspector General Act of 1978 (5 U.S.C. App.), and for the hire of passenger motor vehicles, $4,823,000.

REPAIRS AND RESTORATION

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

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

GRANTS PROGRAM

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

NATIONAL CREDIT UNION ADMINISTRATION

COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

For the Community Development Revolving Loan Fund program as authorized by 42 U.S.C. 9812, 9822 and 9910, $2,000,000 shall be available until September 30, 2020, for technical assistance to low-income designated credit unions.

OFFICE OF GOVERNMENT ETHICS

SALARIES AND EXPENSES

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

OFFICE OF PERSONNEL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses to carry out functions of the Office of Personnel Management (OPM) pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109; medical examinations performed for veterans by private physicians on a fee basis; rental of conference rooms in the District of Columbia and elsewhere; hire of passenger motor vehicles; not to exceed $2,500 for official reception and representation expenses; advances for reimbursements to applicable funds of OPM and the Federal Bureau of Investigation for expenses incurred under Executive Order No. 10422 of January 9, 1953, as amended; and payment of per diem and/or subsistence allowances to employees where Voting Rights Act activities require an employee to remain overnight at his or her post of duty, $132,172,000: *Provided*, That of the total amount made available under this heading, not to exceed $14,000,000 shall remain available until September 30, 2020, for information technology infrastructure modernization and Trust Fund Federal Financial System migration or modernization, and shall be in addition to funds otherwise made available for such purposes: *Provided further*, That of the total amount made available under this heading, $639,018 may be made available for strengthening the capacity and capabilities of the acquisition workforce (as defined by the Office of Federal Procurement Policy Act, as amended (41 U.S.C. 4001 et seq.)), including the recruitment, hiring, training, and retention of such workforce and information technology in support of acquisition workforce effectiveness or for management solutions to improve acquisition management; and in addition $133,483,000 for administrative expenses, to be transferred from the appropriate trust funds of OPM without regard to other statutes, including direct procurement of printed materials, for the retirement and insurance programs: *Provided further*, That the provisions of this appropriation shall not affect the authority to use applicable trust funds as provided by sections 8348(a)(1)(B), 8958(f)(2)(A), 8988(f)(2)(A), and 9004(f)(2)(A) of title 5, United States Code: *Provided further*, That no part of this appropriation shall be available for salaries and expenses of the Legal Examining Unit of OPM established pursuant to Executive Order No. 9358 of July 1, 1943, or any successor unit of like purpose: *Provided further*, That the President's Commission on White House Fellows, established by Executive Order No. 11183 of October 3, 1964, may, during fiscal year 2019, accept donations of money, property, and personal services: *Provided further*, That such donations, including those from prior years, may be used for the development of publicity materials to provide information about the White House Fellows, except that no such donations shall be accepted for travel or reimbursement of travel expenses, or for the salaries of employees of such Commission.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, including services as authorized by 5 U.S.C. 3109, hire of passenger motor vehicles, $5,000,000, and in addition, not to exceed $25,265,000 for administrative expenses to audit, investigate, and provide other oversight of the Office of Personnel Management's retirement and insurance programs, to be transferred from the appropriate trust funds of the Office of Personnel Management, as determined by the Inspector General: *Provided*, That the Inspector General is authorized to rent conference rooms in the District of Columbia and elsewhere.

OFFICE OF SPECIAL COUNSEL

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Special Counsel pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978 (Public Law 95–454), the Whistleblower Protection Act of 1989 (Public Law 101–12) as amended by Public Law 107–304, the Whistleblower Protection Enhancement Act of 2012 (Public Law 112–199), and the Uniformed Services Employment and Reemployment Rights Act of 1994 (Public Law 103–353), including services as authorized by 5 U.S.C. 3109, payment of fees and expenses for witnesses, rental of conference rooms in the District of Columbia and elsewhere, and hire of passenger motor vehicles; $26,535,000.

POSTAL REGULATORY COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Postal Regulatory Commission in carrying out the provisions of the Postal Accountability and Enhancement Act (Public Law 109–435), $15,200,000, to be derived by transfer from the Postal Service Fund and expended as authorized by section 603(a) of such Act.

PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

SALARIES AND EXPENSES

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

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

For necessary expenses for the Securities and Exchange Commission, including services as authorized by 5 U.S.C. 3109, the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, and not to exceed $3,500 for official reception and representation expenses, $1,674,902,000, to remain available until expended; of which not less than $15,206,000 shall be for the Office of Inspector General; of which not to exceed $75,000 shall be available for a permanent secretariat for the International Organization of Securities Commissions; and of which not to exceed $100,000 shall be available for expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, members of their delegations and staffs to exchange views concerning securities matters, such expenses to include necessary logistic and administrative expenses and the expenses of Commission staff and foreign invitees in attendance including: (1) incidental expenses such as meals; (2) travel and transportation; and (3) related lodging or subsistence; and of which not less than $75,081,000 shall be for the Division of Economic and Risk Analysis.

In addition to the foregoing appropriation, for costs associated with relocation under a replacement lease for the Commission's New York regional office facilities, not to exceed $37,189,000, to remain available until expended: *Provided*, That for purposes of calculating the fee rate under section 31(j) of the Securities Exchange Act of 1934 (15 U.S.C. 78ee(j)) for fiscal year 2019, all amounts appropriated under this heading shall be deemed to be the regular appropriation to the Commission for fiscal year 2019: *Provided further*, That fees and charges authorized by section 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78ee) shall be credited to this account as offsetting collections: *Provided further*, That not to exceed $1,674,902,000 of such offsetting collections shall be available until expended for necessary expenses of this account and not to exceed $37,189,000 of such offsetting collections shall be available until expended for costs under this heading associated with relocation under a replacement lease for the Commission's New York regional office facilities: *Provided further*, That the total amount appropriated under this heading from the general fund for fiscal year 2019 shall be reduced as such offsetting fees are received so as to result in a final total fiscal year 2019 appropriation from the general fund estimated at not more than $0: *Provided further*, That if any amount of the appropriation for costs associated with relocation under a replacement lease for the Commission's New York regional office facilities is subsequently de-obligated by the Commission, such amount that was derived from the general fund shall be returned to the general fund, and such amounts that were derived from fees or assessments collected for such purpose shall be paid to each national securities exchange and national securities association, respectively, in proportion to any fees or assessments paid by such national securities exchange or national securities association under section 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78ee) in fiscal year 2019.

SELECTIVE SERVICE SYSTEM

SALARIES AND EXPENSES

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

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the Small Business Administration, including hire of passenger motor vehicles as authorized by sections 1343 and 1344 of title 31, United States Code, and not to exceed $3,500 for official reception and representation expenses, $267,500,000, of which not less than $12,000,000 shall be available for examinations, reviews, and other lender oversight activities: *Provided*, That the Administrator is authorized to charge fees to cover the cost of publications developed by the Small Business Administration, and certain loan program activities, including fees authorized by section 5(b) of the Small Business Act: *Provided further*, That, notwithstanding 31 U.S.C. 3302, revenues received from all such activities shall be credited to this account, to remain available until expended, for carrying out these purposes without further appropriations: *Provided further*, That the Small Business Administration may accept gifts in an amount not to exceed $4,000,000 and may co-sponsor activities, each in accordance with section 132(a) of division K of Public Law 108–447, during fiscal year 2019: *Provided further*, That $6,100,000 shall be available for the Loan Modernization and Accounting System, to be available until September 30, 2020: *Provided further*, That $3,000,000 shall be for the Federal and State Technology Partnership Program under section 34 of the Small Business Act (15 U.S.C. 657d).

ENTREPRENEURIAL DEVELOPMENT PROGRAMS

For necessary expenses of programs supporting entrepreneurial and small business development, $247,700,000, to remain available until September 30, 2020: *Provided*, That $131,000,000 shall be available to fund grants for performance in fiscal year 2019 or fiscal year 2020 as authorized by section 21 of the Small Business Act: *Provided further*, That $31,000,000 shall be for marketing, management, and technical assistance under section 7(m) of the Small Business Act (15 U.S.C. 636(m)(4)) by intermediaries that make microloans under the microloan program: *Provided further*, That $18,000,000 shall be available for grants to States to carry out export programs that assist small business concerns authorized under section 22(l) of the Small Business Act (15 U.S.C. 649(l)).

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $21,900,000.

OFFICE OF ADVOCACY

For necessary expenses of the Office of Advocacy in carrying out the provisions of title II of Public Law 94–305 (15 U.S.C. 634a et seq.) and the Regulatory Flexibility Act of 1980 (5 U.S.C. 601 et seq.), $9,120,000, to remain available until expended.

BUSINESS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $4,000,000, to remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2019 commitments to guarantee loans under section 503 of the Small Business Investment Act of 1958 shall not exceed $7,500,000,000: *Provided further*, That during fiscal year 2019 commitments for general business loans authorized under section 7(a) of the Small Business Act shall not exceed $30,000,000,000 for a combination of amortizing term loans and the aggregated maximum line of credit provided by revolving loans: *Provided further*, That during fiscal year 2019 commitments for loans authorized under subparagraph (C) of section 502(7) of The Small Business Investment Act of 1958 (15 U.S.C. 696(7)) shall not exceed $7,500,000,000: *Provided further*, That during fiscal year 2019 commitments to guarantee loans for debentures under section 303(b) of the Small Business Investment Act of 1958 shall not exceed $4,000,000,000: *Provided further*, That during fiscal year 2019, guarantees of trust certificates authorized by section 5(g) of the Small Business Act shall not exceed a principal amount of $12,000,000,000. In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $155,150,000, which may be transferred to and merged with the appropriations for Salaries and Expenses.

DISASTER LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the direct loan program authorized by section 7(b) of the Small Business Act, $10,000,000, to be available until expended, of which $1,000,000 is for the Office of Inspector General of the Small Business Administration for audits and reviews of disaster loans and the disaster loan programs and shall be transferred to and merged with the appropriations for the Office of Inspector General; and of which $9,000,000 is for indirect administrative expenses for the direct loan program, which may be transferred to and merged with the appropriations for Salaries and Expenses.

ADMINISTRATIVE PROVISIONS—SMALL BUSINESS ADMINISTRATION

(INCLUDING RESCISSION AND TRANSFER OF FUNDS)

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

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

SEC. 532. Section 12085 of Public Law 110–246 is repealed.

SEC. 533. Not to exceed 3 percent of any appropriation made available in this Act for the Small Business Administration under the headings ''Salaries and Expenses'' and ''Business Loans Program Account'' may be transferred to the Administration's information technology system modernization and working capital fund (IT WCF), as authorized by Section 1077(b)(1) of title X of division A of the National Defense Authorization Act for Fiscal Year 2018, for the purposes specified in section 1077(b)(3) of such Act, upon the advance approval of the Committees on Appropriations of the House of Representatives and the Senate: *Provided*, That amounts transferred to the IT WCF under this section shall remain available for obligation through September 30, 2022.

UNITED STATES POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

For payment to the Postal Service Fund for revenue forgone on free and reduced rate mail, pursuant to subsections (c) and (d) of section 2401 of title 39, United States Code, $55,235,000: *Provided*, That mail for overseas voting and mail for the blind shall continue to be free: *Provided further*, That 6-day delivery and rural delivery of mail shall continue at not less than the 1983 level: *Provided further*, That none of the funds made available to the Postal Service by this Act shall be used to implement any rule, regulation, or policy of charging any officer or employee of any State or local child support enforcement agency, or any individual participating in a State or local program of child support enforcement, a fee for information requested or provided concerning an address of a postal customer: *Provided further*, That none of the funds provided in this Act shall be used to consolidate or close small rural and other small post offices.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

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

UNITED STATES TAX COURT

SALARIES AND EXPENSES

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

TITLE VI

GENERAL PROVISIONS—THIS ACT

SEC. 601. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 602. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 603. The expenditure of any appropriation under this Act for any consulting service through procurement contract pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a

matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 604. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

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

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

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

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

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

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

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

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

(b) Subsection (a) shall not apply—

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

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

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

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

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

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

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

SEC. 616. Notwithstanding section 1353 of title 31, United States Code, no officer or employee of any regulatory agency or commission funded by this Act may accept on behalf of that agency, nor may such agency or commission accept, payment or reimbursement from a non-Federal entity for travel, subsistence, or related expenses for the purpose of enabling an officer or employee to attend and participate in any meeting or similar function relating to the official duties of the officer or employee when the entity offering payment or reimbursement is a person or entity subject to regulation by such agency or commission, or represents a person or entity subject to regulation by such agency or commission, unless the person or entity is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

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

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

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

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

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

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

(2) Payments to—

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

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

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

(3) Payment of Government contributions—

(A) with respect to the health benefits of retired employees, as authorized by chapter 89 of title 5, United States Code, and the Retired Federal Employees Health Benefits Act (74 Stat. 849); and

(B) with respect to the life insurance benefits for employees retiring after December 31, 1989 (5 U.S.C. ch. 87).

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

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

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

SEC. 620. In addition to amounts made available in prior fiscal years, the Public Company Accounting Oversight Board (Board) shall have authority to obligate funds for the scholarship program established by section 109(c)(2) of the Sarbanes-

Oxley Act of 2002 (Public Law 107–204) in an aggregate amount not exceeding the amount of funds collected by the Board between January 1, 2018 and December 31, 2018, including accrued interest, as a result of the assessment of monetary penalties. Funds available for obligation in fiscal year 2019 shall remain available until expended. Beginning in fiscal year 2020 and for each fiscal year thereafter, monetary penalties collected pursuant to 15 U.S.C. 7215 shall be deposited in the Public Company Accounting Oversight Board account as discretionary offsetting receipts.

SEC. 621. None of the funds made available in this Act may be used by the Federal Trade Commission to complete the draft report entitled ''Interagency Working Group on Food Marketed to Children: Preliminary Proposed Nutrition Principles to Guide Industry Self-Regulatory Efforts'' unless the Interagency Working Group on Food Marketed to Children complies with Executive Order No. 13563.

SEC. 622. None of the funds in this Act may be used for the Director of the Office of Personnel Management to award a contract, enter an extension of, or exercise an option on a contract to a contractor conducting the final quality review processes for background investigation fieldwork services or background investigation support services that, as of the date of the award of the contract, are being conducted by that contractor.

SEC. 623. (a) The head of each executive branch agency funded by this Act shall ensure that the Chief Information Officer of the agency has the authority to participate in decisions regarding the budget planning process related to information technology.

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

SEC. 624. None of the funds made available in this Act may be used in contravention of chapter 29, 31, or 33 of title 44, United States Code.

SEC. 625. None of the funds made available in this Act may be used by a governmental entity to require the disclosure by a provider of electronic communication service to the public or remote computing service of the contents of a wire or electronic communication that is in electronic storage with the provider (as such terms are defined in sections 2510 and 2711 of title 18, United States Code) in a manner that violates the Fourth Amendment to the Constitution of the United States.

SEC. 626. None of the funds appropriated by this Act may be used by the Federal Communications Commission to modify, amend, or change the rules or regulations of the Commission for universal service high-cost support for competitive eligible telecommunications carriers in a way that is inconsistent with paragraph (e)(5) or (e)(6) of section 54.307 of title 47, Code of Federal Regulations, as in effect on July 15, 2015: *Provided*, That this section shall not prohibit the Commission from considering, developing, or adopting other support mechanisms as an alternative to Mobility Fund Phase II.

SEC. 627. No funds provided in this Act shall be used to deny an Inspector General funded under this Act timely access to any records, documents, or other materials available to the department or agency over which that Inspector General has responsibilities under the Inspector General Act of 1978, or to prevent or impede that Inspector General's access to such records, documents, or other materials, under any provision of law, except a provision of law that expressly refers to the Inspector General and expressly limits the Inspector General's right of access. A department or agency covered by this section shall provide its Inspector General with access to all such records, documents, and other materials in a timely manner. Each Inspector General shall ensure compliance with statutory limitations on disclosure relevant to the information provided by the establishment over which that Inspector General has responsibilities under the Inspector General Act of 1978. Each Inspector General covered by this section shall report to the Committees on Appropriations of the House of Representatives and the Senate within 5 calendar days any failures to comply with this requirement.

SEC. 628. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

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

SEC. 629. None of the funds made available by this Act shall be used by the Securities and Exchange Commission to finalize, issue, or implement any rule, regulation, or order regarding the disclosure of political contributions, contributions to tax exempt organizations, or dues paid to trade associations.

SEC. 630. None of the funds appropriated or other-wise made available by this Act may be used to pay award or incentive fees for contractors whose performance has been judged to be below satisfactory, behind schedule, over budget, or has failed to meet the basic requirements of a contract, unless the Agency determines that any such deviations are due to unforeseeable events, government-driven scope changes, or are not significant within the overall scope of the project and/or program and unless such awards or incentive fees are consistent with 16.401(e)(2) of the FAR.

SEC. 631. (a) None of the funds made available under this Act may be used to pay for travel and conference activities that result in a total cost to an Executive branch department, agency, board or commission of more than $500,000 at any single conference unless the agency or entity determines that such attendance is in the national interest and advance notice is transmitted to the Committees on Appropriations of the House of Representatives and the Senate that includes the basis of that determination.

(b) None of the funds made available under this Act may be used to pay for the travel to or attendance of more than 50 employees, who are stationed in the United States, at any single conference occurring outside the United States unless the agency or entity determines that such attendance is in the national interest and advance notice is transmitted to the Committees on Appropriations of the House of Representatives and the Senate that includes the basis of that determination.

SEC. 632. None of the funds made available by this Act may be used for first-class or business-class travel by the employees of executive branch agencies funded by this Act in contravention of sections 301–10.122 through 301–10.125 of title 41, Code of Federal Regulations.

SEC. 633. In addition to any amounts appropriated or otherwise made available for expenses related to enhancements to www.oversight.gov, $2,000,000, to remain available until expended, shall be provided for an additional amount for such purpose to the Inspectors General Council Fund (Fund) established pursuant to Section 11(c)(3)(B) of the Inspector General Act of 1978 (5 U.S.C. App.), as amended: *Provided*, That these amounts shall be in addition to any amounts or any authority available to the Council of the Inspectors General on Integrity and Efficiency under section 11 of the Inspector General Act of 1978 (5 U.S.C. App.), as amended.

TITLE VII

GENERAL PROVISIONS—GOVERNMENT-WIDE

DEPARTMENTS, AGENCIES, AND CORPORATIONS

(INCLUDING TRANSFER OF FUNDS)

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

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

SEC. 703. Appropriations of the executive departments and independent establishments for the current fiscal year available for expenses of travel, or for the expenses of the activity concerned, are hereby made available for quarters allowances and cost-of-living allowances, in accordance with 5 U.S.C. 5922–5924.

SEC. 704. Unless otherwise specified in law during the current fiscal year, no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in the continental United States unless such person: (1) is a citizen of the United States; (2) is a person who is lawfully admitted for permanent residence and is seeking citizenship as outlined in 8 U.S.C. 1324b(a)(3)(B); (3) is a person who is admitted as a refugee under 8 U.S.C. 1157 or is granted asylum under 8 U.S.C. 1158 and has

filed a declaration of intention to become a lawful permanent resident and then a citizen when eligible; or (4) is a person who owes allegiance to the United States: *Provided*, That for purposes of this section, affidavits signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his or her status are being complied with: *Provided further*, That for purposes of subsections (2) and (3) such affidavits shall be submitted prior to employment and updated thereafter as necessary: *Provided further*, That any person making a false affidavit shall be guilty of a felony, and upon conviction, shall be fined no more than $4,000 or imprisoned for not more than 1 year, or both: *Provided further*, That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further*, That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government: *Provided further*, That this section shall not apply to any person who is an officer or employee of the Government of the United States on the date of enactment of this Act, or to international broadcasters employed by the Broadcasting Board of Governors, or to temporary employment of translators, or to temporary employment in the field service (not to exceed 60 days) as a result of emergencies: *Provided further*, That this section does not apply to the employment as Wildland firefighters for not more than 120 days of nonresident aliens employed by the Department of the Interior or the USDA Forest Service pursuant to an agreement with another country.

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

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

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

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

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

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

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

SEC. 709. None of the funds made available pursuant to the provisions of this or any other Act shall be used to implement, administer, or enforce any regulation which has been disapproved pursuant to a joint resolution duly adopted in accordance with the applicable law of the United States.

SEC. 710. During the period in which the head of any department or agency, or any other officer or civilian employee of the Federal Government appointed by the President of the United States, holds office, no funds may be obligated or expended in excess of $5,000 to furnish or redecorate the office of such department head, agency head, officer, or employee, or to purchase furniture or make improvements for any such office, unless advance notice of such furnishing or redecoration is transmitted to the Committees on Appropriations of the House of Representatives and the Senate. For the purposes of this section, the term ''office'' shall include the entire suite of offices assigned to the individual, as well as any other space used primarily by the individual or the use of which is directly controlled by the individual.

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

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

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

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

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

(2) removes, suspends from duty without pay, demotes, reduces in rank, seniority, status, pay, or performance or efficiency rating, denies promotion to, relocates, reassigns, transfers, disciplines, or discriminates in regard to any employment right, entitlement, or benefit, or any term or condition of employment of, any other officer or employee of the Federal Government, or attempts or threatens to commit any of the foregoing actions with respect to such other officer or employee, by reason of any communication or contact of such other officer or employee with any Member, committee, or subcommittee of the Congress as described in paragraph (1).

SEC. 714. (a) None of the funds made available in this or any other Act may be obligated or expended for any employee training that—

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

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

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

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

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

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

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

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

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

SEC. 718. No part of any appropriation contained in this or any other Act shall be used directly or indirectly, including by private contractor, for publicity or propaganda purposes within the United States not heretofore authorized by Congress.

SEC. 719. (a) In this section, the term ''agency''—

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

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

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

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

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

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

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

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

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

(1) to collect, review, or create any aggregation of data, derived from any means, that includes any personally identifiable information relating to an individual's access to or use of any Federal Government Internet site of the agency; or

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

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

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

(2) any voluntary submission of personally identifiable information;

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

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

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

(1) The term ''regulatory'' means agency actions to implement, interpret or enforce authorities provided in law.

(2) The term ''supervisory'' means examinations of the agency's supervised institutions, including assessing safety and soundness, overall financial condition, management practices and policies and compliance with applicable standards as provided in law.

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

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

(1) any of the following religious plans:

(A) Personal Care's HMO; and

(B) OSF HealthPlans, Inc.; and

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

(c) In implementing this section, any plan that enters into or renews a contract under this section may not subject any individual to discrimination on the basis that the individual refuses to prescribe or otherwise provide for contraceptives because such activities would be contrary to the individual's religious beliefs or moral convictions.

(d) Nothing in this section shall be construed to require coverage of abortion or abortion-related services.

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

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

SEC. 729. Notwithstanding any other provision of law, none of the funds appropriated or made available under this or any other appropriations Act may be used to implement or enforce restrictions or limitations on the Coast Guard Congressional Fellowship Program, or to implement the proposed regulations of the Office of Personnel Management to add sections 300.311 through 300.316 to part 300 of title 5 of the Code of Federal Regulations, published in the Federal Register, volume 68, number 174, on September 9, 2003 (relating to the detail of executive branch employees to the legislative branch).

SEC. 730. Notwithstanding any other provision of law, no executive branch agency shall purchase, construct, or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations of the House of Representatives and the Senate, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training which cannot be accommodated in existing Center facilities.

SEC. 731. Unless otherwise authorized by existing law, none of the funds provided in this or any other Act may be used by an executive branch agency to produce any prepackaged news story intended for broadcast or distribution in the United States, unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.

SEC. 732. None of the funds made available in this Act may be used in contravention of section 552a of title 5, United States Code (popularly known as the Privacy Act), and regulations implementing that section.

SEC. 733. (a) IN GENERAL.—None of the funds appropriated or otherwise made available by this or any other Act may be used for any Federal Government contract with any foreign incorporated entity which is treated as an inverted domestic corporation under section 835(b) of the Homeland Security Act of 2002 (6 U.S.C. 395(b)) or any subsidiary of such an entity.

(b) WAIVERS.—

(1) IN GENERAL.—Any Secretary shall waive subsection (a) with respect to any Federal Government contract under the authority of such Secretary if the Secretary determines that the waiver is required in the interest of national security.

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

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

SEC. 734. During fiscal year 2019, for each employee who—

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

(2) retires under any other provision of subchapter III of chapter 83 or chapter 84 of such title 5 and receives a payment as an incentive to separate, the separating agency shall remit to the Civil Service Retirement and Disability Fund an amount equal to the Office of Personnel Management's average unit cost of processing a retirement claim for the preceding fiscal year. Such amounts shall be available until expended to the Office of Personnel Management and shall be deemed to be an administrative expense under section 8348(a)(1)(B) of title 5, United States Code.

SEC. 735. (a) None of the funds made available in this or any other Act may be used to recommend or require any entity submitting an offer for a Federal contract to disclose any of the following information as a condition of submitting the offer:

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

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

(b) In this section, each of the terms ''contribution'', ''expenditure'', ''independent expenditure'', ''electioneering communication'', ''candidate'', ''election'', and ''Federal office'' has the meaning given such term in the Federal Election Campaign Act of 1971 (52 U.S.C. 30101 et seq.).

SEC. 736. None of the funds made available in this or any other Act may be used to pay for the painting of a portrait of an officer or employee of the Federal government, including the President, the Vice President, a member of Congress (including a Delegate or a Resident Commissioner to Congress), the head of an executive branch agency (as defined in section 133 of title 41, United States Code), or the head of an office of the legislative branch.

SEC. 737. (a)(1) Notwithstanding any other provision of law, and except as otherwise provided in this section, no part of any of the funds appropriated for fiscal year 2019, by this or any other Act, may be used to pay any prevailing rate employee described in section 5342(a)(2)(A) of title 5, United States Code—

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

(B) during the period consisting of the remainder of fiscal year 2019, in an amount that exceeds, as a result of a wage survey adjustment, the rate payable under subparagraph (A) by more than the sum of—

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

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

(2) Notwithstanding any other provision of law, no prevailing rate employee described in subparagraph (B) or (C) of section 5342(a)(2) of title 5, United States Code, and no employee covered by section 5348 of such title, may be paid during the periods for which paragraph (1) is in effect at a rate that exceeds the rates that would be payable under paragraph (1) were paragraph (1) applicable to such employee.

(3) For the purposes of this subsection, the rates payable to an employee who is covered by this subsection and who is paid from a schedule not in existence on September 30, 2018, shall be determined under regulations prescribed by the Office of Personnel Management.

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

(5) This subsection shall apply with respect to pay for service performed after September 30, 2018.

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

(7) Nothing in this subsection shall be considered to permit or require the payment to any employee covered by this subsection at a rate in excess of the rate that would be payable were this subsection not in effect.

(8) The Office of Personnel Management may provide for exceptions to the limitations imposed by this subsection if the Office determines that such exceptions are necessary to ensure the recruitment or retention of qualified employees.

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

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

(2) effective as of the first day of the first applicable pay period beginning after September 30, 2018.

SEC. 738. (a) The head of any Executive branch department, agency, board, commission, or office funded by this or any other appropriations Act shall submit annual reports to the Inspector General or senior ethics official for any entity without an Inspector General, regarding the costs and contracting procedures related to each conference held by any such department, agency, board, commission, or office during fiscal year 2019 for which the cost to the United States Government was more than $100,000.

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

(1) a description of its purpose;

(2) the number of participants attending;

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

(A) the cost of any food or beverages;

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

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

(D) a discussion of the methodology used to determine which costs relate to the conference; and

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

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

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

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

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

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

SEC. 739. None of the funds made available in this or any other appropriations Act may be used to increase, eliminate, or reduce funding for a program, project, or activity as proposed in the President's budget request for a fiscal year until such proposed change is subsequently enacted in an appropriation Act, or unless such change is made pursuant to the reprogramming or transfer provisions of this or any other appropriations Act.

SEC. 740. None of the funds made available by this or any other Act may be used to implement, administer, enforce, or apply the rule entitled ''Competitive Area'' published by the Office of Personnel Management in the Federal Register on April 15, 2008 (73 Fed. Reg. 20180 et seq.).

SEC. 741. None of the funds appropriated or otherwise made available by this or any other Act may be used to begin or announce a study or public-private competition regarding the conversion to contractor performance of any function performed by Federal employees pursuant to Office of Management and Budget Circular A–76 or any other administrative regulation, directive, or policy.

SEC. 742. (a) None of the funds appropriated or otherwise made available by this or any other Act may be available for a contract, grant, or cooperative agreement with an entity that requires employees or contractors of such entity seeking to report fraud, waste, or abuse to sign internal confidentiality agreements or statements prohibiting or otherwise restricting such employees or contractors from lawfully reporting such waste,

fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information.

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

SEC. 743. (a) No funds appropriated in this or any other Act may be used to implement or enforce the agreements in Standard Forms 312 and 4414 of the Government or any other nondisclosure policy, form, or agreement if such policy, form, or agreement does not contain the following provisions: ''These provisions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by existing statute or Executive order relating to (1) classified information, (2) communications to Congress, (3) the reporting to an Inspector General of a violation of any law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, or (4) any other whistleblower protection. The definitions, requirements, obligations, rights, sanctions, and liabilities created by controlling Executive orders and statutory provisions are incorporated into this agreement and are controlling.'': *Provided*, That notwithstanding the preceding provision of this section, a nondisclosure policy form or agreement that is to be executed by a person connected with the conduct of an intelligence or intelligence-related activity, other than an employee or officer of the United States Government, may contain provisions appropriate to the particular activity for which such document is to be used. Such form or agreement shall, at a minimum, require that the person will not disclose any classified information received in the course of such activity unless specifically authorized to do so by the United States Government. Such nondisclosure forms shall also make it clear that they do not bar disclosures to Congress, or to an authorized official of an executive agency or the Department of Justice, that are essential to reporting a substantial violation of law.

(b) A nondisclosure agreement may continue to be implemented and enforced notwithstanding subsection (a) if it complies with the requirements for such agreement that were in effect when the agreement was entered into.

(c) No funds appropriated in this or any other Act may be used to implement or enforce any agreement entered into during fiscal year 2014 which does not contain substantially similar language to that required in subsection (a).

SEC. 744. None of the funds made available by this or any other Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless a Federal agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 745. None of the funds made available by this or any other Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless a Federal agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 746. (a) During fiscal year 2019, on the date on which a request is made for a transfer of funds in accordance with section 1017 of Public Law 111–203, the Bureau of Consumer Financial Protection shall notify the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Financial Services of the House of Representatives, and the Committee on Banking, Housing, and Urban Affairs of the Senate of such request.

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

SEC. 747. If, for fiscal year 2019, new budget authority provided in appropriations Acts exceeds the discretionary spending limit for any category set forth in section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 due to estimating differences with the Congressional Budget Office, an adjustment to the discretionary spending limit in such category for fiscal year 2019 shall be made by the Director of the Office of Management and Budget in the amount of the excess but the total of all such adjustments shall not exceed 0.2 percent of the sum of the adjusted discretionary spending limits for all categories for that fiscal year.

SEC. 748. (a) The adjustment in rates of basic pay for employees under the statutory pay systems that takes effect in fiscal year 2019 under section 5303 of title 5, United States Code, shall be an increase of 1.4 percent, and the overall average percentage of the adjustments taking effect in such fiscal year under sections 5304 and 5304a of such title 5 shall be an increase of 0.5 percent (with comparability payments to be determined and allocated among pay localities by the President). All adjustments under this subsection shall be effective as of the first day of the first applicable pay period beginning on or after January 1, 2019.

(b) Notwithstanding section 737, the adjustment in rates of basic pay for the statutory pay systems that take place in fiscal year 2019 under sections 5344 and 5348 of title 5, United States Code, shall be no less than the percentages in subsection (a) as employees in the same location whose rates of basic pay are adjusted pursuant to the statutory pay systems under section 5303, 5304, and 5304a of title 5, United States Code. Prevailing rate employees at locations where there are no employees whose pay is increased pursuant to sections 5303, 5304, and 5304a of such title 5 and prevailing rate employees described in section 5343(a)(5) of such title 5 shall be considered to be located in the pay locality designated as "Rest of U.S." pursuant to section 5304 of such title 5 for purposes of this subsection.

(c) Funds used to carry out this section shall be paid from appropriations, which are made to each applicable department or agency for salaries and expenses for fiscal year 2019.

SEC. 749. (a) Notwithstanding the official rate adjusted under section 104 of title 3, United States Code, the rate payable to the Vice President during calendar year 2019 shall be 1.9 percent above the rate payable to the Vice President on December 31, 2018, as limited under section 738 of division E of the Consolidated Appropriations Act, 2018 (Public Law 115–141).

(b) Notwithstanding the official rate adjusted under section 5318 of title 5, United States Code, or any other provision of law, the payable rate for an employee serving in an Executive Schedule position, or in a position for which the rate of pay is fixed by statute at an Executive Schedule rate, shall be increased by 1.9 percent (relative to the preexisting rate actually payable) at the time the official rate is adjusted in January 2019. Such an employee may receive no other pay increase during calendar year 2019, except as provided in subsection (i).

(c) Notwithstanding section 401 of the Foreign Service Act of 1980 (Public Law 96–465) or any other provision of law, a chief of mission or ambassador at large is subject to subsection (b) in the same manner as other employees who are paid at an Executive Schedule rate.

(d)(1) This subsection applies to—

(A) a noncareer appointee in the Senior Executive Service paid a rate of basic pay at or above the official rate for level IV of the Executive Schedule; or

(B) a limited term appointee or limited emergency appointee in the Senior Executive Service serving under a political appointment and paid a rate of basic pay at or above the official rate for level IV of the Executive Schedule.

(2) Notwithstanding sections 5382 and 5383 of title 5, United States Code, an employee described in paragraph (1) who is serving at the time official rates of the Executive Schedule are adjusted may receive a single increase in the employee's pay rate of no more than 1.9 percent during calendar year 2019, subject to the normally applicable pay rules and pay limitations in effect on December 31, 2013, after those pay limitations are increased by 1.9 percent (after applicable rounding). Such an employee may receive no other pay increase during calendar year 2019, except as provided in subsection (i).

(e) Notwithstanding any other provision of law, any employee paid a rate of basic pay (including any locality-based payments under section 5304 of title 5, United States Code, or similar authority) at or above the official rate for level IV of the Executive Schedule who serves under a political appointment, and who is serving at the time official rates of the Executive Schedule are adjusted, may receive a single increase in the employee's pay rate of no more than 1.9 percent during calendar year 2019, subject to the normally applicable pay rules and pay limitations in effect on December 31, 2013, after those pay limitations are increased by 1.9 percent (after applicable rounding). Such an employee may receive no other pay increase during calendar year 2019, except as provided in subsection (i). This subsection does not apply to employees in the General Schedule pay system or the Foreign Service pay system, to employees appointed under section 3161 of title 5, United States Code, or to employees in another pay system whose position would be classified at GS–15 or below if chapter 51 of title 5, United States Code, applied to them.

(f) Nothing in subsections (b) through (e) shall prevent employees who do not serve under a political appointment from receiving pay increases as otherwise provided under applicable law.

(g) This section does not apply to an individual who makes an election to retain Senior Executive Service basic pay under section 3392(c) of title 5, United States Code, for such time as that election is in effect.

(h) This section does not apply to an individual who makes an election to retain Senior Foreign Service pay entitlements under section 302(b) of the Foreign Service Act of 1980 (Public Law 96–465) for such time as that election is in effect.

(i) Notwithstanding subsections (b) through (e), an employee in a covered position may receive a pay rate increase upon an authorized movement to a different covered position only if that new position has higher-level duties and a pre-established level or range of pay higher than the level or range for the position held immediately before the movement. Any such increase must be based on the rates of pay and applicable pay limitations in effect on December 31, 2013, after those rates and pay limitations are increased by 1.9 percent (after applicable rounding).

(j) Notwithstanding any other provision of law, for an individual who is newly appointed to a covered position during the period of time subject to this section, the initial pay rate shall be based on the rates of pay and applicable pay limitations in effect on December 31, 2013, after those rates and pay limitations are increased by 1.9 percent (after applicable rounding).

(k) If an employee affected by this section is subject to a biweekly pay period that begins in calendar year 2019 but ends in calendar year 2020, the bar on the employee's receipt of pay rate increases shall apply through the end of that pay period.

(l) For the purpose of this section, the term ''covered position'' means a position occupied by an employee whose pay is restricted under this section.

(m) This section takes effect on the first day of the first applicable pay period beginning on or after January 1, 2019.

SEC. 750. Except as expressly provided otherwise, any reference to ''this Act'' contained in any title other than title IV or VIII shall not apply to such title IV or VIII.

TITLE VIII

GENERAL PROVISIONS—DISTRICT OF COLUMBIA

(INCLUDING TRANSFERS OF FUNDS)

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

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

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

(1) creates new programs;

(2) eliminates a program, project, or responsibility center;

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

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

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

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

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

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

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

SEC. 804. None of the Federal funds provided in this Act may be used by the District of Columbia to provide for salaries, expenses, or other costs associated with the offices of United States Senator or United States Representative under section 4(d) of the District of Columbia Statehood Constitutional Convention Initiatives of 1979 (D.C. Law 3–171; D.C. Official Code, sec. 1–123).

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

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

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

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

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

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

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

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

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

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

SEC. 807. None of the Federal funds contained in this Act may be used to distribute any needle or syringe for the purpose of preventing the spread of blood borne pathogens in any location that has been determined by the local public health or local law enforcement authorities to be inappropriate for such distribution.

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

SEC. 809. (a) None of the Federal funds contained in this Act may be used to enact or carry out any law, rule, or regulation to legalize or otherwise reduce penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substances Act (21 U.S.C. 801 et seq.) or any tetrahydrocannabinols derivative.

(b) No funds available for obligation or expenditure by the District of Columbia government under any authority may be used to enact any law, rule, or regulation to legalize or otherwise reduce penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substances Act (21 U.S.C. 801 et seq.) or any tetrahydrocannabinols derivative for recreational purposes.

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

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

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

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

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

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

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

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

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

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

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

(b) Appropriations made by subsection (a) shall cease to be available—

(1) during any period in which a District of Columbia continuing resolution for fiscal year 2020 is in effect; or

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

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

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

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

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

(2) specifically provides that no appropriation shall be made, no funds shall be made available, or no authority shall be granted for such project or activity to continue for such period.

(f) Nothing in this section shall be construed to affect obligations of the government of the District of Columbia mandated by other law.

SEC. 817. Section 3(c)(2)(G) of the District of Columbia College Access Act of 1999 (Public Law 106–98; sec. 38–2702(c)(2)(G), D.C. Official Code) is amended—

(1) in clause (i), by striking ''and'' after ''$1,000,000'' and inserting a semicolon;

(2) in clause (ii)—

(A) by inserting ''but before school year 2019–2020'' after ''in or after school year 2016–2017''; and

(B) by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(iii) For individuals who begin an undergraduate course of study in or after school year 2019–2020, is from a family with a taxable annual income of less than $500,000. Beginning with school year 2020–2021, the Mayor shall adjust the amount in the previous sentence for inflation, as measured by the percentage increase, if any, from the preceding fiscal year in the Consumer Price Index for All Urban Consumers, published by the Bureau of Labor Statistics of the Department of Labor.''.

SEC. 818. Except as expressly provided otherwise, any reference to ''this Act'' contained in this title or in title IV shall be treated as referring only to the provisions of this title or of title IV.

This division may be cited as the ''Financial Services and General Government Appropriations Act, 2019''.

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

TITLE I

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For necessary expenses for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau, and assessment of mineral potential of public lands pursuant to section 1010(a) of Public Law 96–487 (16 U.S.C. 3150(a)), $1,198,000,000, to remain available until expended, including all such amounts as are collected from permit processing fees, as authorized but made subject to future appropriation by section 35(d)(3)(A)(i) of the Mineral Leasing Act (30 U.S.C. 191), except that amounts from permit processing fees may be used for any bureau-related expenses associated with the processing of oil and gas applications for permits to drill and related use of authorizations.

In addition, $39,696,000 is for Mining Law Administration program operations, including the cost of administering the mining claim fee program, to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation from mining claim maintenance fees and location fees that are hereby authorized for fiscal year 2019, so as to result in a final appropriation estimated at not more than $1,198,000,000, and $2,000,000, to remain available until expended, from communication site rental fees established by the Bureau for the cost of administering communication site activities.

LAND ACQUISITION

(INCLUDING RESCISSION OF FUNDS)

For expenses necessary to carry out sections 205, 206, and 318(d) of Public Law 94–579, including administrative expenses and acquisition of lands or waters, or interests therein, $28,316,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

Of the unobligated balances from amounts made available for Land Acquisition and derived from the Land and Water Conservation Fund, $1,800,000 is hereby permanently rescinded from previously appropriated emergencies, hardships, and inholdings funding: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

OREGON AND CALIFORNIA GRANT LANDS

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

RANGE IMPROVEMENTS

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

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

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

MISCELLANEOUS TRUST FUNDS

In addition to amounts authorized to be expended under existing laws, there is hereby appropriated such amounts as may be contributed under section 307 of Public Law 94–

579 (43 U.S.C. 1737), and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act (43 U.S.C. 1721(b)), to remain available until expended.

ADMINISTRATIVE PROVISIONS

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

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

For necessary expenses of the United States Fish and Wildlife Service, as authorized by law, and for scientific and economic studies, general administration, and for the performance of other authorized functions related to such resources, $1,292,078,000, to remain available until September 30, 2020: *Provided*, That not to exceed $18,318,000 shall be used for implementing subsections (a), (b), (c), and (e) of section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533) (except for processing petitions, developing and issuing proposed and final regulations, and taking any other steps to implement actions described in subsection (c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii)).

CONSTRUCTION

(INCLUDING RESCISSION OF FUNDS)

For construction, improvement, acquisition, or removal of buildings and other facilities required in the conservation, management, investigation, protection, and utilization of fish and wildlife resources, and the acquisition of lands and interests therein; $55,613,000, to remain available until expended.

Of the unobligated balances available for Construction, $1,500,000 is permanently rescinded, including $300,000 of unobligated balances available for Construction under Public Law 111–8: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

LAND ACQUISITION

For expenses necessary to carry out chapter 2003 of title 54, United States Code, including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the United States Fish and Wildlife Service, $65,189,000, to be derived from the Land and Water Conservation Fund and to remain available until expended, of which, notwithstanding section 200306 of title 54, United States Code, not more than $20,000,000 shall be for land conservation partnerships authorized by the Highlands Conservation Act of 2004, including not to exceed $320,000 for administrative expenses: *Provided*, That none of the funds appropriated for specific land acquisition projects may be used to pay for any administrative overhead, planning or other management costs.

COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

(INCLUDING RESCISSION OF FUNDS)

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

Of the unobligated balances made available from the Cooperative Endangered Species Conservation Fund, $7,500,000 is permanently rescinded: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL WILDLIFE REFUGE FUND

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

NORTH AMERICAN WETLANDS CONSERVATION FUND

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

NEOTROPICAL MIGRATORY BIRD CONSERVATION

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

MULTINATIONAL SPECIES CONSERVATION FUND

For expenses necessary to carry out the African Elephant Conservation Act (16 U.S.C. 4201 et seq.), the Asian Elephant Conservation Act of 1997 (16 U.S.C. 4261 et seq.), the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5301 et seq.), the Great Ape Conservation Act of 2000 (16 U.S.C. 6301 et seq.), and the Marine Turtle Conservation Act of 2004 (16 U.S.C. 6601 et seq.), $11,561,000, to remain available until expended.

STATE AND TRIBAL WILDLIFE GRANTS

For wildlife conservation grants to States and to the District of Columbia, Puerto Rico, Guam, the United States Virgin Islands, the Northern Mariana Islands, American Samoa, and Indian tribes under the provisions of the Fish and Wildlife Act of 1956 and the Fish and Wildlife Coordination Act, for the development and implementation of programs for the benefit of wildlife and their habitat, including species that are not hunted or fished, $64,571,000, to remain available until expended: *Provided*, That of the amount provided herein, $4,209,000 is for a competitive grant program for Indian tribes not subject to the remaining provisions of this appropriation: *Provided further*, That $6,362,000 is for a competitive grant program to implement approved plans for States, territories, and other jurisdictions and at the discretion of affected States, the regional Associations of fish and wildlife agencies, not subject to the remaining provisions of this appropriation: *Provided further*, That the Secretary shall, after deducting $10,571,000 and administrative expenses, apportion the amount provided herein in the following manner: (1) to the District of Columbia and to the Commonwealth of Puerto Rico, each a sum equal to not more than one-half of 1 percent thereof; and (2) to Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands, each a sum equal to not more than one-fourth of 1 percent thereof: *Provided further*, That the Secretary shall apportion the remaining amount in the following manner: (1) one-third of which is based on the ratio to which the land area of such State bears to the total land area of all such States; and (2) two-thirds of which is based on the ratio to which the population of such State bears to the total population of all such States: *Provided further*, That the amounts apportioned under this paragraph shall be adjusted equitably so that no State shall be apportioned a sum which is less than 1 percent of the amount available for apportionment under this paragraph for any fiscal year or more than 5 percent of such amount: *Provided further*, That the Federal share of planning grants shall not exceed 75 percent of the total costs of such projects and the Federal share of implementation grants shall not exceed 65 percent of the total costs of such projects: *Provided further*, That the non-Federal share of such projects may not be derived from Federal grant programs: *Provided further*, That any amount apportioned in 2019 to any State, territory, or other jurisdiction that remains unobligated as of September 30, 2020, shall be reapportioned, together with funds appropriated in 2021, in the manner provided herein.

ADMINISTRATIVE PROVISIONS

(INCLUDING RESCISSION OF FUNDS)

The United States Fish and Wildlife Service may carry out the operations of Service programs by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities. Appropriations and funds available to the United States Fish and Wildlife Service shall be available for repair of damage to public roads within and adjacent to reservation areas caused by operations of the Service; options for the purchase of land at not to exceed $1 for each option; facilities incident to such public recreational uses on conservation areas as are consistent with their primary purpose; and the maintenance and improvement of aquaria, buildings, and other facilities under the jurisdiction of the Service and to which the United States has title, and which are used pursuant to law in connection with management, and investigation of fish and wildlife resources: *Provided*, That notwithstanding 44 U.S.C. 501, the Service may, under cooperative cost sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share at least one-half the cost of printing either in cash or services and the Service determines the cooperator is capable of meeting accepted quality standards: *Provided further*, That the Service may accept donated aircraft as replacements for existing aircraft: *Provided further*, That notwithstanding 31 U.S.C. 3302, all fees collected for non-toxic shot review and approval shall be deposited under the heading ''United States Fish and Wildlife

Service—Resource Management'' and shall be available to the Secretary, without further appropriation, to be used for expenses of processing of such non-toxic shot type or coating applications and revising regulations as necessary, and shall remain available until expended.

Of the unobligated balances available for grants under Public Law 109–58, title III, subtitle G, section 384, $15,000,000 is permanently rescinded: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service and for the general administration of the National Park Service, $2,502,711,000, of which $10,032,000 for planning and interagency coordination in support of Everglades restoration and $135,980,000 for maintenance, repair, or rehabilitation projects for constructed assets and $151,575,000 for cyclic maintenance projects for constructed assets and cultural resources shall remain available until September 30, 2020: *Provided*, That funds appropriated under this heading in this Act are available for the purposes of section 5 of Public Law 95–348: *Provided further*, That notwithstanding section 9(a) of the United States Semiquincentennial Commission Act of 2016 (Public Law 114–196; 130 Stat. 691), $500,000 of the funds made available under this heading shall be provided to the organization selected under section 9(b) of that Act for expenditure by the United States Semiquincentennial Commission in accordance with that Act.

NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs, environmental compliance and review, international park affairs, and grant administration, not otherwise provided for, $64,138,000.

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the National Historic Preservation Act (division A of subtitle III of title 54, United States Code), $102,660,000, to be derived from the Historic Preservation Fund and to remain available until September 30, 2020, of which $13,000,000 shall be for Save America's Treasures grants for preservation of national significant sites, structures and artifacts as authorized by section 7303 of the Omnibus Public Land Management Act of 2009 (54 U.S.C. 3089): *Provided*, That an individual Save America's Treasures grant shall be matched by non-Federal funds: *Provided further*, That individual projects shall only be eligible for one grant: *Provided further*, That all projects to be funded shall be approved by the Secretary of the Interior in consultation with the House and Senate Committees on Appropriations: *Provided further*, That of the funds provided for the Historic Preservation Fund, $750,000 is for competitive grants for the survey and nomination of properties to the National Register of Historic Places and as National Historic Landmarks associated with communities currently under-represented, as determined by the Secretary, $14,500,000 is for competitive grants to preserve the sites and stories of the Civil Rights movement, $8,000,000 is for grants to Historically Black Colleges and Universities, and $5,000,000 is for competitive grants for the restoration of historic properties of national, State and local significance listed on or eligible for inclusion on the National Register of Historic Places, to be made without imposing the usage or direct grant restrictions of section 101(e)(3) (54 U.S.C. 302904) of the National Historical Preservation Act: *Provided further*, That such competitive grants shall be made without imposing the matching requirements in section 302902(b)(3) of title 54, United States Code, to States and Indian tribes as defined in chapter 3003 of such title, Native Hawaiian organizations, local governments, including Certified Local Governments, and non-profit organizations.

CONSTRUCTION

For construction, improvements, repair, or replacement of physical facilities, and compliance and planning for programs and areas administered by the National Park Service, $364,704,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, for any project initially funded in fiscal year 2019 with a future phase indicated in the National Park Service 5-Year Line Item Construction Plan, a single procurement may be issued which includes the full scope of the project: *Provided further*, That the solicitation and contract shall contain the clause availability of funds found at 48 CFR 52.232–18: *Provided further*, That National Park Service Donations, Park Concessions Franchise Fees, and Recreation Fees may be made available for the cost of adjustments and changes within the original scope of effort for projects funded by the National Park Service Construction appropriation: *Provided further*, That the Secretary of the Interior shall consult with the Committees on Appropriations, in accordance with current reprogramming thresholds, prior to making any charges authorized by this section.

LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out chapter 2003 of title 54, United States Code, including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with the statutory authority applicable to the National Park Service, $168,444,000, to be derived from the Land and Water Conservation Fund and to remain available until expended, of which $124,006,000 is for the State assistance program and of which $10,000,000 shall be for the American Battlefield Protection Program grants as authorized by chapter 3081 of title 54, United States Code.

CENTENNIAL CHALLENGE

For expenses necessary to carry out the provisions of section 101701 of title 54, United States Code, relating to challenge cost share agreements, $20,000,000, to remain available until expended, for Centennial Challenge projects and programs: *Provided*, That not less than 50 percent of the total cost of each project or program shall be derived from non-Federal sources in the form of donated cash, assets, or a pledge of donation guaranteed by an irrevocable letter of credit.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

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

For the costs of administration of the Land and Water Conservation Fund grants authorized by section 105(a)(2)(B) of the Gulf of Mexico Energy Security Act of 2006 (Public Law 109–432), the National Park Service may retain up to 3 percent of the amounts which are authorized to be disbursed under such section, such retained amounts to remain available until expended.

National Park Service funds may be transferred to the Federal Highway Administration (FHWA), Department of Transportation, for purposes authorized under 23 U.S.C. 204. Transfers may include a reasonable amount for FHWA administrative support costs.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the United States Geological Survey to perform surveys, investigations, and research covering topography, geology, hydrology, biology, and the mineral and water resources of the United States, its territories and possessions, and other areas as authorized by 43 U.S.C. 31, 1332, and 1340; classify lands as to their mineral and water resources; give engineering supervision to power permittees and Federal Energy Regulatory Commission licensees; administer the minerals exploration program (30 U.S.C. 641); conduct inquiries into the economic conditions affecting mining and materials processing industries (30 U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(1)) and related purposes as authorized by law; and to publish and disseminate data relative to the foregoing activities; $1,160,596,000, to remain available until September 30, 2020; of which $84,337,000 shall remain available until expended for satellite operations; and of which $15,164,000 shall be available until expended for deferred maintenance and capital improvement projects that exceed $100,000 in cost: *Provided*, That none of the funds provided for the ecosystem research activity shall be used to conduct new surveys on private property, unless specifically authorized in writing by the property owner: *Provided further*, That no part of this appropriation shall be used to pay more than one-half the cost of topographic mapping or water resources data collection and investigations carried on in cooperation with States and municipalities.

ADMINISTRATIVE PROVISIONS

From within the amount appropriated for activities of the United States Geological Survey such sums as are necessary shall be available for contracting for the furnishing of topographic maps and for the making of geophysical or other specialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of lands for gauging stations, observation wells, and seismic equipment; expenses of the United States National Committee for Geological Sciences; and payment of compensation and expenses of persons employed by the Survey duly appointed to represent the United States in the negotiation and administration of interstate compacts: *Provided*, That activities funded by appropriations herein made may be accomplished through the use of contracts, grants, or cooperative agreements as defined in section 6302 of title 31, United States Code: *Provided further*, That the United States Geological Survey may enter into contracts or cooperative agreements directly with individuals or indirectly with institutions or nonprofit organizations, without regard to 41 U.S.C. 6101, for

the temporary or intermittent services of students or recent graduates, who shall be considered employees for the purpose of chapters 57 and 81 of title 5, United States Code, relating to compensation for travel and work injuries, and chapter 171 of title 28, United States Code, relating to tort claims, but shall not be considered to be Federal employees for any other purposes.

BUREAU OF OCEAN ENERGY MANAGEMENT

OCEAN ENERGY MANAGEMENT

For expenses necessary for granting and administering leases, easements, rights-of-way and agreements for use for oil and gas, other minerals, energy, and marine-related purposes on the Outer Continental Shelf and approving operations related thereto, as authorized by law; for environmental studies, as authorized by law; for implementing other laws and to the extent provided by Presidential or Secretarial delegation; and for matching grants or cooperative agreements, $179,266,000, of which $129,450,000 is to remain available until September 30, 2020, and of which $49,816,000 is to remain available until expended: *Provided*, That this total appropriation shall be reduced by amounts collected by the Secretary and credited to this appropriation from additions to receipts resulting from increases to lease rental rates in effect on August 5, 1993, and from cost recovery fees from activities conducted by the Bureau of Ocean Energy Management pursuant to the Outer Continental Shelf Lands Act, including studies, assessments, analysis, and miscellaneous administrative activities: *Provided further*, That the sum herein appropriated shall be reduced as such collections are received during the fiscal year, so as to result in a final fiscal year 2019 appropriation estimated at not more than $129,450,000: *Provided further*, That not to exceed $3,000 shall be available for reasonable expenses related to promoting volunteer beach and marine cleanup activities.

BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT

OFFSHORE SAFETY AND ENVIRONMENTAL ENFORCEMENT

For expenses necessary for the regulation of operations related to leases, easements, rights-of-way and agreements for use for oil and gas, other minerals, energy, and marine-related purposes on the Outer Continental Shelf, as authorized by law; for enforcing and implementing laws and regulations as authorized by law and to the extent provided by Presidential or Secretarial delegation; and for matching grants or cooperative agreements, $145,475,000, of which $121,351,000 is to remain available until September 30, 2020, and of which $24,124,000 is to remain available until expended: *Provided*, That this total appropriation shall be reduced by amounts collected by the Secretary and credited to this appropriation from additions to receipts resulting from increases to lease rental rates in effect on August 5, 1993, and from cost recovery fees from activities conducted by the Bureau of Safety and Environmental Enforcement pursuant to the Outer Continental Shelf Lands Act, including studies, assessments, analysis, and miscellaneous administrative activities: *Provided further*, That the sum herein appropriated shall be reduced as such collections are received during the fiscal year, so as to result in a final fiscal year 2019 appropriation estimated at not more than $121,351,000.

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

OIL SPILL RESEARCH

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

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, $115,804,000, to remain available until September 30, 2020: *Provided*, That appropriations for the Office of Surface Mining Reclamation and Enforcement may provide for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training: *Provided further*, That of the amounts made available under this heading and notwithstanding the Federal share limits contained in section 705 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1295), not to exceed $2,300,000 shall be for the Secretary of the Interior to make grants to any State with active coal mine operations within its borders that does not have an approved State regulatory program under section 503 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1253) for the purpose of developing a State program under such Act.

In addition, for costs to review, administer, and enforce permits issued by the Office pursuant to section 507 of Public Law 95–87 (30 U.S.C. 1257), $40,000, to remain available until expended: *Provided*, That fees assessed and collected by the Office pursuant to such section 507 shall be credited to this account as discretionary offsetting collections, to remain available until expended: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as collections are received during the fiscal year, so as to result in a fiscal year 2019 appropriation estimated at not more than $115,804,000.

ABANDONED MINE RECLAMATION FUND

For necessary expenses to carry out title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, $24,672,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended: *Provided*, That pursuant to Public Law 97–365, the Department of the Interior is authorized to use up to 20 percent from the recovery of the delinquent debt owed to the United States Government to pay for contracts to collect these debts: *Provided further*, That funds made available under title IV of Public Law 95–87 may be used for any required non-Federal share of the cost of projects funded by the Federal Government for the purpose of environmental restoration related to treatment or abatement of acid mine drainage from abandoned mines: *Provided further*, That such projects must be consistent with the purposes and priorities of the Surface Mining Control and Reclamation Act: *Provided further*, That amounts provided under this heading may be used for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

In addition, $115,000,000, to remain available until expended, for grants to States and federally recognized Indian Tribes for reclamation of abandoned mine lands and other related activities in accordance with the terms and conditions in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act): *Provided*, That such additional amount shall be used for economic and community development in conjunction with the priorities in section 403(a) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1233(a)): *Provided further*, That of such additional amount, $75,000,000 shall be distributed in equal amounts to the 3 Appalachian States with the greatest amount of unfunded needs to meet the priorities described in paragraphs (1) and (2) of such section, $30,000,000 shall be distributed in equal amounts to the 3 Appalachian States with the subsequent greatest amount of unfunded needs to meet such priorities, and $10,000,000 shall be for grants to federally recognized Indian Tribes without regard to their status as certified or uncertified under the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1233(a)), for reclamation of abandoned mine lands and other related activities in accordance with the terms and conditions in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act) and shall be used for economic and community development in conjunction with the priorities in section 403(a) of the Surface Mining Control and Reclamation Act of 1977: *Provided further*, That such additional amount shall be allocated to States and Indian Tribes within 60 days after the date of enactment of this Act.

BUREAU OF INDIAN AFFAIRS AND BUREAU OF INDIAN EDUCATION

OPERATION OF INDIAN PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the operation of Indian programs, as authorized by law, including the Snyder Act of November 2, 1921 (25 U.S.C. 13), the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 5301 et seq.), the Education Amendments of 1978 (25 U.S.C. 2001–2019), and the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.), $2,414,577,000, to remain available until September 30, 2020, except as otherwise provided herein; of which not to exceed $8,500 may be for official reception and representation expenses; of which not to exceed $76,000,000 shall be for welfare assistance payments: *Provided*, That in cases of designated Federal disasters, the Secretary may exceed such cap, from the amounts provided herein, to provide for disaster relief to Indian communities affected by the disaster: *Provided further*, That federally recognized Indian tribes and tribal organizations of federally recognized Indian tribes may use their tribal priority allocations for unmet welfare assistance costs: *Provided further*, That not to exceed $683,572,000 for school operations costs of Bureau-funded schools and other education programs shall become available on July 1, 2019, and shall remain available until September 30, 2020: *Provided further*, That not to exceed $55,174,000 shall remain available until expended for housing improvement, road maintenance, attorney fees, litigation support, land records improvement, and the Navajo-Hopi Settlement Program: *Provided further*, That notwithstanding

any other provision of law, including but not limited to the Indian Self-Determination Act of 1975 (25 U.S.C. 5301 et seq.) and section 1128 of the Education Amendments of 1978 (25 U.S.C. 2008), not to exceed $82,935,000 within and only from such amounts made available for school operations shall be available for administrative cost grants associated with grants approved prior to July 1, 2019: *Provided further*, That any forestry funds allocated to a federally recognized tribe which remain unobligated as of September 30, 2020, may be transferred during fiscal year 2021 to an Indian forest land assistance account established for the benefit of the holder of the funds within the holder's trust fund account: *Provided further*, That any such unobligated balances not so transferred shall expire on September 30, 2021: *Provided further*, That in order to enhance the safety of Bureau field employees, the Bureau may use funds to purchase uniforms or other identifying articles of clothing for personnel: *Provided further*, That the Bureau of Indian Affairs may accept transfers of funds from U.S. Customs and Border Protection to supplement any other funding available for reconstruction or repair of roads owned by the Bureau of Indian Affairs as identified on the National Tribal Transportation Facility Inventory, 23 U.S.C. 202(b)(1).

CONTRACT SUPPORT COSTS

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

CONSTRUCTION

(INCLUDING TRANSFER OF FUNDS)

For construction, repair, improvement, and maintenance of irrigation and power systems, buildings, utilities, and other facilities, including architectural and engineering services by contract; acquisition of lands, and interests in lands; and preparation of lands for farming, and for construction of the Navajo Indian Irrigation Project pursuant to Public Law 87–483; $358,719,000, to remain available until expended: *Provided*, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation: *Provided further*, That not to exceed 6 percent of contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund may be used to cover the road program management costs of the Bureau: *Provided further*, That any funds provided for the Safety of Dams program pursuant to the Act of November 2, 1921 (25 U.S.C. 13), shall be made available on a nonreimbursable basis: *Provided further*, That for fiscal year 2019, in implementing new construction, replacement facilities construction, or facilities improvement and repair project grants in excess of $100,000 that are provided to grant schools under Public Law 100–297, the Secretary of the Interior shall use the Administrative and Audit Requirements and Cost Principles for Assistance Programs contained in part 12 of title 43, Code of Federal Regulations, as the regulatory requirements: *Provided further*, That such grants shall not be subject to section 12.61 of title 43, Code of Federal Regulations; the Secretary and the grantee shall negotiate and determine a schedule of payments for the work to be performed: *Provided further*, That in considering grant applications, the Secretary shall consider whether such grantee would be deficient in assuring that the construction projects conform to applicable building standards and codes and Federal, tribal, or State health and safety standards as required by section 1125(b) of title XI of Public Law 95–561 (25 U.S.C. 2005(b)), with respect to organizational and financial management capabilities: *Provided further*, That if the Secretary declines a grant application, the Secretary shall follow the requirements contained in section 5206(f) of Public Law 100–297 (25 U.S.C. 2504(f)): *Provided further*, That any disputes between the Secretary and any grantee concerning a grant shall be subject to the disputes provision in section 5208(e) of Public Law 107–110 (25 U.S.C. 2507(e)): *Provided further*, That in order to ensure timely completion of construction projects, the Secretary may assume control of a project and all funds related to the project, if, within 18 months of the date of enactment of this Act, any grantee receiving funds appropriated in this Act or in any prior Act, has not completed the planning and design phase of the project and commenced construction: *Provided further*, That this appropriation may be reimbursed from the Office of the Special Trustee for American Indians appropriation for the appropriate share of construction costs for space expansion needed in agency offices to meet trust reform implementation: *Provided further*, That of the funds made available under this heading, $10,000,000 shall be derived from the Indian Irrigation Fund established by section 3211 of the WIIN Act (Public Law 114–322; 130 Stat. 1749): *Provided further*, That for funds appropriated under this heading, the date specified in section 3216 of Public Law 114–322 shall be applied as substituting ''September 30, 2028'' for ''September 30, 2021''.

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

For payments and necessary administrative expenses for implementation of Indian land and water claim settlements pursuant to Public Laws 99–264, 100–580, 101–618, 111–11, 111–291, and 114–322, and for implementation of other land and water rights settlements, $50,057,000, to remain available until expended: *Provided*, That the Secretary shall make payments in such amounts as necessary to satisfy the total authorized amount for the Navajo Nation Water Rights Trust Fund.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

For the cost of guaranteed loans and insured loans, $10,779,000, of which $1,455,000 is for administrative expenses, as authorized by the Indian Financing Act of 1974: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed or insured, not to exceed $174,616,164.

ADMINISTRATIVE PROVISIONS

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

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

Notwithstanding any other provision of law, no funds available to the Bureau of Indian Affairs for central office oversight and Executive Direction and Administrative Services (except executive direction and administrative services funding for Tribal Priority Allocations, regional offices, and facilities operations and maintenance) shall be available for contracts, grants, compacts, or cooperative agreements with the Bureau of Indian Affairs under the provisions of the Indian Self-Determination Act or the Tribal Self-Governance Act of 1994 (Public Law 103–413).

In the event any tribe returns appropriations made available by this Act to the Bureau of Indian Affairs, this action shall not diminish the Federal Government's trust responsibility to that tribe, or the government-to-government relationship between the United States and that tribe, or that tribe's ability to access future appropriations.

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

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

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

Funds available under this Act may not be used to establish satellite locations of schools in the Bureau school system as of September 1, 1996, except that the Secretary

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

DEPARTMENTAL OFFICES

OFFICE OF THE SECRETARY

DEPARTMENTAL OPERATIONS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for management of the Department of the Interior and for grants and cooperative agreements, as authorized by law, $124,673,000, to remain available until September 30, 2020; of which not to exceed $15,000 may be for official reception and representation expenses; and of which up to $1,000,000 shall be available for workers compensation payments and unemployment compensation payments associated with the orderly closure of the United States Bureau of Mines; and of which $9,000,000 for the Office of Valuation Services is to be derived from the Land and Water Conservation Fund and shall remain available until expended; and of which $9,704,000 for Indian land, mineral, and resource valuation activities shall remain available until expended: *Provided*, That funds for Indian land, mineral, and resource valuation activities may, as needed, be transferred to and merged with the Bureau of Indian Affairs and Bureau of Indian Education ''Operation of Indian Programs'' account and the Office of the Special Trustee for American Indians ''Federal Trust Programs'' account: *Provided further*, That funds made available through contracts or grants obligated during fiscal year 2019, as authorized by the Indian Self-Determination Act of 1975 (25 U.S.C. 5301 et seq.), shall remain available until expended by the contractor or grantee: *Provided further*, That of the amounts made available under this heading, $400,000 shall be made available to the commission established by section 3(a) of the Alyce Spotted Bear and Walter Soboleff Commission on Native Children Act (Public Law 114–244; 130 Stat. 981).

ADMINISTRATIVE PROVISIONS

For fiscal year 2019, up to $400,000 of the payments authorized by chapter 69 of title 31, United States Code, may be retained for administrative expenses of the Payments in Lieu of Taxes Program: *Provided*, That the amounts provided under this Act specifically for the Payments in Lieu of Taxes program are the only amounts available for payments authorized under chapter 69 of title 31, United States Code: *Provided further*, That in the event the sums appropriated for any fiscal year for payments pursuant to this chapter are insufficient to make the full payments authorized by that chapter to all units of local government, then the payment to each local government shall be made proportionally: *Provided further*, That the Secretary may make adjustments to payment to individual units of local government to correct for prior overpayments or underpayments: *Provided further*, That no payment shall be made pursuant to that chapter to otherwise eligible units of local government if the computed amount of the payment is less than $100.

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

For expenses necessary for assistance to territories under the jurisdiction of the Department of the Interior and other jurisdictions identified in section 104(e) of Public Law 108–188, $100,688,000, of which: (1) $91,240,000 shall remain available until expended for territorial assistance, including general technical assistance, maintenance assistance, disaster assistance, coral reef initiative activities, and brown tree snake control and research; grants to the judiciary in American Samoa for compensation and expenses, as authorized by law (48 U.S.C. 1661(c)); grants to the Government of American Samoa, in addition to current local revenues, for construction and support of governmental functions; grants to the Government of the Virgin Islands, as authorized by law; grants to the Government of Guam, as authorized by law; and grants to the Government of the Northern Mariana Islands , as authorized by law (Public Law 94–241; 90 Stat. 272); and (2) $9,448,000 shall be available until September 30, 2020, for salaries and expenses of the Office of Insular Affairs: *Provided*, That all financial transactions of the territorial and local governments herein provided for, including such transactions of all agencies or instrumentalities established or used by such governments, may be audited by the Government Accountability Office, at its discretion, in accordance with chapter 35 of title 31, United States Code: *Provided further*, That Northern Mariana Islands Covenant grant funding shall be provided according to those terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands approved by Public Law 104–134: *Provided further*, That the funds for the program of operations and maintenance improvement are appropriated to institutionalize routine operations and maintenance improvement of capital infrastructure with territorial participation and cost sharing to be determined by the Secretary based on the grantee's commitment to timely maintenance of its capital assets: *Provided further*, That any appropriation for disaster assistance under this heading in this Act or previous appropriations Acts may be used as non–Federal matching funds for the purpose of hazard mitigation grants provided pursuant to section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c).

COMPACT OF FREE ASSOCIATION

For grants and necessary expenses, $3,413,000, to remain available until expended, as provided for in sections 221(a)(2) and 233 of the Compact of Free Association for the Republic of Palau; and section 221(a)(2) of the Compacts of Free Association for the Government of the Republic of the Marshall Islands and the Federated States of Micronesia, as authorized by Public Law 99–658 and Public Law 108–188.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

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

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

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

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

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

OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN INDIANS

FEDERAL TRUST PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For the operation of trust programs for Indians by direct expenditure, contracts, cooperative agreements, compacts, and grants, $111,540,000, to remain available until expended, of which not to exceed $19,016,000 from this or any other Act, may be available for historical accounting: *Provided*, That funds for trust management improvements and litigation support may, as needed, be transferred to or merged with the Bureau of Indian Affairs and Bureau of Indian Education, ''Operation of Indian Programs'' account; the Office of the Solicitor, ''Salaries and Expenses'' account; and the Office of the Secretary, ''Departmental Operations'' account: *Provided further*, That funds made available through contracts or grants obligated during fiscal year 2019, as authorized by the Indian Self-Determination Act of 1975 (25 U.S.C. 5301 et seq.), shall remain available until expended by the contractor or grantee: *Provided further*, That notwithstanding any other provision of law, the Secretary shall not be required to provide a quarterly statement of performance for any Indian trust account that has not had activity for at least 15 months and has a balance of $15 or less: *Provided further*, That the Secretary shall issue an annual account statement and maintain a record of any such accounts and shall permit the balance in each such account to be withdrawn upon the express written request of the account holder: *Provided further*, That not to exceed $50,000 is available for the Secretary to make payments to correct administrative errors of either disbursements from or deposits to Individual Indian Money or Tribal accounts after September 30, 2002: *Provided further*, That erroneous payments that are recovered shall be credited to and remain available in this account for this purpose: *Provided further*, That the Secretary shall not be required to reconcile Special Deposit Accounts with a balance of less than $500 unless the Office of the Special Trustee receives proof of ownership

from a Special Deposit Accounts claimant: *Provided further*, That notwithstanding section 102 of the American Indian Trust Fund Management Reform Act of 1994 (Public Law 103–412) or any other provision of law, the Secretary may aggregate the trust accounts of individuals whose whereabouts are unknown for a continuous period of at least five years and shall not be required to generate periodic statements of performance for the individual accounts: *Provided further*, That with respect to the eighth proviso, the Secretary shall continue to maintain sufficient records to determine the balance of the individual accounts, including any accrued interest and income, and such funds shall remain available to the individual account holders.

DEPARTMENT-WIDE PROGRAMS

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for fire preparedness, fire suppression operations, fire science and research, emergency rehabilitation, fuels management activities, and rural fire assistance by the Department of the Interior, $941,211,000, to remain available until expended, of which not to exceed $18,427,000 shall be for the renovation or construction of fire facilities: *Provided*, That such funds are also available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: *Provided further*, That of the funds provided $189,000,000 is for fuels management activities: *Provided further*, That of the funds provided $20,470,000 is for burned area rehabilitation: *Provided further*, That persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation: *Provided further*, That notwithstanding 42 U.S.C. 1856d, sums received by a bureau or office of the Department of the Interior for fire protection rendered pursuant to 42 U.S.C. 1856 et seq., protection of United States property, may be credited to the appropriation from which funds were expended to provide that protection, and are available without fiscal year limitation: *Provided further*, That using the amounts designated under this title of this Act, the Secretary of the Interior may enter into procurement contracts, grants, or cooperative agreements, for fuels management activities, and for training and monitoring associated with such fuels management activities on Federal land, or on adjacent non-Federal land for activities that benefit resources on Federal land: *Provided further*, That the costs of implementing any cooperative agreement between the Federal Government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: *Provided further*, That notwithstanding requirements of the Competition in Contracting Act, the Secretary, for purposes of fuels management activities, may obtain maximum practicable competition among: (1) local private, nonprofit, or cooperative entities; (2) Youth Conservation Corps crews, Public Lands Corps (Public Law 109–154), or related partnerships with State, local, or nonprofit youth groups; (3) small or micro-businesses; or (4) other entities that will hire or train locally a significant percentage, defined as 50 percent or more, of the project workforce to complete such contracts: *Provided further*, That in implementing this section, the Secretary shall develop written guidance to field units to ensure accountability and consistent application of the authorities provided herein: *Provided further*, That funds appropriated under this heading may be used to reimburse the United States Fish and Wildlife Service and the National Marine Fisheries Service for the costs of carrying out their responsibilities under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) to consult and conference, as required by section 7 of such Act, in connection with wildland fire management activities: *Provided further*, That the Secretary of the Interior may use wildland fire appropriations to enter into leases of real property with local governments, at or below fair market value, to construct capitalized improvements for fire facilities on such leased properties, including but not limited to fire guard stations, retardant stations, and other initial attack and fire support facilities, and to make advance payments for any such lease or for construction activity associated with the lease: *Provided further*, That the Secretary of the Interior and the Secretary of Agriculture may authorize the transfer of funds appropriated for wildland fire management, in an aggregate amount not to exceed $50,000,000, between the Departments when such transfers would facilitate and expedite wildland fire management programs and projects: *Provided further*, That funds provided for wildfire suppression shall be available for support of Federal emergency response actions: *Provided further*, That funds appropriated under this heading shall be available for assistance to or through the Department of State in connection with forest and rangeland research, technical information, and assistance in foreign countries, and, with the concurrence of the Secretary of State, shall be available to support forestry, wildland fire management, and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with United States and international organizations.

CENTRAL HAZARDOUS MATERIALS FUND

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

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

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

WORKING CAPITAL FUND

For the operation and maintenance of a departmental financial and business management system, information technology improvements of general benefit to the Department, cybersecurity, and the consolidation of facilities and operations throughout the Department, $55,735,000, to remain available until expended: *Provided*, That none of the funds appropriated in this Act or any other Act may be used to establish reserves in the Working Capital Fund account other than for accrued annual leave and depreciation of equipment without prior approval of the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That the Secretary may assess reasonable charges to State, local and tribal government employees for training services provided by the National Indian Program Training Center, other than training related to Public Law 93–638: *Provided further*, That the Secretary may lease or otherwise provide space and related facilities, equipment or professional services of the National Indian Program Training Center to State, local and tribal government employees or persons or organizations engaged in cultural, educational, or recreational activities (as defined in section 3306(a) of title 40, United States Code) at the prevailing rate for similar space, facilities, equipment, or services in the vicinity of the National Indian Program Training Center: *Provided further*, That all funds received pursuant to the two preceding provisos shall be credited to this account, shall be available until expended, and shall be used by the Secretary for necessary expenses of the National Indian Program Training Center: *Provided further*, That the Secretary may enter into grants and cooperative agreements to support the Office of Natural Resource Revenue's collection and disbursement of royalties, fees, and other mineral revenue proceeds, as authorized by law.

ADMINISTRATIVE PROVISION

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

OFFICE OF NATURAL RESOURCES REVENUE

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

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

(INCLUDING TRANSFERS OF FUNDS)

EMERGENCY TRANSFER AUTHORITY—INTRA-BUREAU

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

EMERGENCY TRANSFER AUTHORITY—DEPARTMENT-WIDE

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of wildland fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions

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

AUTHORIZED USE OF FUNDS

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

AUTHORIZED USE OF FUNDS, INDIAN TRUST MANAGEMENT

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

REDISTRIBUTION OF FUNDS, BUREAU OF INDIAN AFFAIRS

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

ELLIS, GOVERNORS, AND LIBERTY ISLANDS

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

OUTER CONTINENTAL SHELF INSPECTION FEES

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

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

(1) $10,500 for facilities with no wells, but with processing equipment or gathering lines;

(2) $17,000 for facilities with 1 to 10 wells, with any combination of active or inactive wells; and

(3) $31,500 for facilities with more than 10 wells, with any combination of active or inactive wells.

(c) Fees for drilling rigs shall be assessed for all inspections completed in fiscal year 2019. Fees for fiscal year 2019 shall be:

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

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

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

BUREAU OF OCEAN ENERGY MANAGEMENT, REGULATION AND ENFORCEMENT REORGANIZATION

SEC. 108. The Secretary of the Interior, in order to implement a reorganization of the Bureau of Ocean Energy Management, Regulation and Enforcement, may transfer funds among and between the successor offices and bureaus affected by the reorganization only in conformance with the reprogramming guidelines described in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

CONTRACTS AND AGREEMENTS FOR WILD HORSE AND BURRO HOLDING FACILITIES

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

MASS MARKING OF SALMONIDS

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

CONTRACTS AND AGREEMENTS WITH INDIAN AFFAIRS

SEC. 111. Notwithstanding any other provision of law, during fiscal year 2019, in carrying out work involving cooperation with State, local, and tribal governments or any political subdivision thereof, Indian Affairs may record obligations against accounts receivable from any such entities, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available at the end of the fiscal year.

HUMANE TRANSFER OF EXCESS ANIMALS

SEC. 112. Notwithstanding any other provision of law, the Secretary of the Interior may transfer excess wild horses or burros that have been removed from the public lands to other Federal, State, and local government agencies for use as work animals: *Provided*, That the Secretary may make any such transfer immediately upon request of such Federal, State, or local government agency: *Provided further*, That any excess animal transferred under this provision shall lose its status as a wild free-roaming horse or burro as defined in the Wild Free-Roaming Horses and Burros Act: *Provided further*, That any Federal, State, or local government agency receiving excess wild horses or burros as authorized in this section shall not: destroy the horses or burros in a way that results in their destruction into commercial products; sell or otherwise transfer the horses or burros in a way that results in their destruction for processing into commercial products; or euthanize the horses or burros except upon the recommendation of a licensed veterinarian, in cases of severe injury, illness, or advanced age.

DEPARTMENT OF THE INTERIOR EXPERIENCED SERVICES PROGRAM

SEC. 113. (a) Notwithstanding any other provision of law relating to Federal grants and cooperative agreements, the Secretary of the Interior is authorized to make grants to, or enter into cooperative agreements with, private nonprofit organizations designated by the Secretary of Labor under title V of the Older Americans Act of 1965 to utilize the talents of older Americans in programs authorized by other provisions of law administered by the Secretary and consistent with such provisions of law.

(b) Prior to awarding any grant or agreement under subsection (a), the Secretary shall ensure that the agreement would not—

(1) result in the displacement of individuals currently employed by the Department, including partial displacement through reduction of non-overtime hours, wages, or employment benefits;

(2) result in the use of an individual under the Department of the Interior Experienced

Services Program for a job or function in a case in which a Federal employee is in a layoff status from the same or substantially equivalent job within the Department; or

(3) affect existing contracts for services.

CONTRIBUTION AUTHORITY

SEC. 114. Section 113 of Division G of Public Law 113–76 is amended by striking ''2019,'' and inserting ''2024,''.

INDIANA DUNES NATIONAL LAKESHORE RETITLED; PAUL H. DOUGLAS TRAIL REDESIGNATION

SEC. 115. (a) INDIANA DUNES NATIONAL LAKE SHORE RETITLED.—

(1) IN GENERAL.—Public Law 89–761 (16 U.S.C. 460u et seq.) is amended—

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

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

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

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

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

(b) PAUL H. DOUGLAS TRAIL REDESIGNATION.—The 1.6 mile trail within the Indiana Dunes National Park designated the ''Miller-Woods Trail'' is hereby redesignated as the ''Paul H. Douglas Trail''.

PAYMENTS IN LIEU OF TAXES (PILT)

SEC. 116. Section 6906 of title 31, United States Code, is amended by striking ''fiscal year 2018'' and inserting ''fiscal year 2019''.

TECHNICAL CORRECTION

SEC. 117. Division II of Public Law 104–333 (54 U.S.C. 320101 note), as amended by section 116(b)(2) of Public Law 114–113, is amended in each of sections 208, 310, and 607, by striking ''2017'' and inserting ''2019''.

DESIGNATION OF PETER B. WEBSTER III MEMORIAL AREA

SEC. 118. (a)(1) The rest area bound by Alexandria Avenue, West Boulevard Drive, and the George Washington Memorial Parkway on the Mount Vernon Trail within the George Washington Memorial Parkway is designated as the ''Peter B. Webster III Memorial Area''.

(2) Any reference in a law, map, regulation, document, paper, or other record of the United States to the rest area described in paragraph (1) shall be deemed to be a reference to the ''Peter B. Webster III Memorial Area''.

(b)(1) A plaque honoring Peter B. Webster III may be installed at the Peter B. Webster III Memorial Area on a signpost, bench, or other appropriate structure, on the condition that the Director of the National Park Service shall approve the design and placement of the plaque.

(2) No Federal funds may be used to design, procure, prepare, or install the plaque authorized under paragraph (1).

(3) The Secretary of the Interior may accept and expend private contributions for the design, procurement, preparation, and installation of the plaque authorized under paragraph (1).

OBLIGATION OF FUNDS

SEC. 119. Amounts appropriated by this Act to the Department of the Interior shall be available for obligation and expenditure not later than 60 days after the date of enactment of this Act.

SAGE-GROUSE

SEC. 120. None of the funds made available by this or any other Act may be used by the Secretary of the Interior to write or issue pursuant to section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533)—

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

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

TITLE II

ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

(INCLUDING RESCISSION OF FUNDS)

For science and technology, including research and development activities, which shall include research and development activities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980; necessary expenses for personnel and related costs and travel expenses; procurement of laboratory equipment and supplies; and other operating expenses in support of research and development, $717,723,000, to remain available until September 30, 2020: *Provided*, That of the funds included under this heading, $5,000,000 shall be for Research: National Priorities as specified in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act): *Provided further*, That of the unobligated balances from appropriations made available under this heading, $11,250,000 are permanently rescinded: *Provided further*, That no amounts may be rescinded pursuant to the preceding proviso from amounts made available in the first proviso for Research: National Priorities.

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

(INCLUDING RESCISSION OF FUNDS)

For environmental programs and management, including necessary expenses, not otherwise provided for, for personnel and related costs and travel expenses; hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; administrative costs of the brownfields program under the Small Business Liability Relief and Brownfields Revitalization Act of 2002; implementation of a coal combustion residual permit program under section 2301 of the Water and Waste Act of 2016; and not to exceed $9,000 for official reception and representation expenses, $2,658,200,000, to remain available until September 30, 2020: *Provided*, That of the funds included under this heading, $15,000,000 shall be for Environmental Protection: National Priorities as specified in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act): *Provided further*, That of the funds included under this heading, $456,958,000 shall be for Geographic Programs specified in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act): *Provided further*, That of the unobligated balances from appropriations made available under this heading, $60,201,000 are permanently rescinded: *Provided further*, That no amounts may be rescinded pursuant to the preceding proviso from amounts made available in the first proviso for Environmental Protection: National Priorities, from amounts made available in the second proviso for Geographic Programs, or from the National Estuary Program (33 U.S.C. 1330).

In addition, $5,000,000 to remain available until expended, for necessary expenses of activities described in section 26(b)(1) of the Toxic Substances Control Act (15 U.S.C. 2625(b)(1)): *Provided*, That fees collected pursuant to that section of that Act and deposited in the ''TSCA Service Fee Fund'' as discretionary offsetting receipts in fiscal year 2019 shall be retained and used for necessary salaries and expenses in this appropriation and shall remain available until expended: *Provided further*, That the sum herein appropriated in this paragraph from the general fund for fiscal year 2019 shall be reduced by the amount of discretionary offsetting receipts received during fiscal year 2019, so as to result in a final fiscal year 2019 appropriation from the general fund estimated at not more than $0: *Provided further*, That to the extent that amounts realized from such receipts exceed $5,000,000, those amount in excess of $5,000,000 shall be deposited in the ''TSCA Service Fee Fund'' as discretionary offsetting receipts in fiscal year 2019, shall be retained and used for necessary salaries and expenses in this account, and shall remain available until expended: *Provided further*, That of the funds included in the first paragraph under this heading, the Chemical Risk Review and Reduction program project shall be allocated for this fiscal year, excluding the amount of any fees appropriated, not less than the amount of appropriations for that program project for fiscal year 2014.

HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM FUND

For necessary expenses to carry out section 3024 of the Solid Waste Disposal Act (42 U.S.C. 6939g), including the development, operation, maintenance, and upgrading of the hazardous waste electronic manifest system established by such section, $8,000,000, to remain available until expended: *Provided*, That the sum herein appropriated from the general fund shall be reduced as offsetting collections under such section 3024 are received during fiscal year 2019, which shall remain available until expended and be used for necessary expenses in this appropriation, so as to result in a final fiscal year 2019 appropriation from the general fund estimated at not more than $0: *Provided further*, That to the extent such offsetting collections received in fiscal year 2019 exceed $8,000,000, those excess amounts shall remain available until expended and be used for necessary expenses in this appropriation.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $41,489,000, to remain available until September 30, 2020.

BUILDINGS AND FACILITIES

For construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of, or for use by, the Environmental Protection Agency, $34,467,000, to remain available until expended.

HAZARDOUS SUBSTANCE SUPERFUND

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), including sections 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611) $1,091,947,000, to remain available until expended, consisting of such sums as are available in the Trust Fund on September 30, 2018, as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA) and up to $1,091,947,000 as a payment from general revenues to the Hazardous Substance Superfund for purposes as authorized by section 517(b) of SARA: *Provided*, That funds appropriated under this heading may be allocated to other Federal agencies in accordance with section 111(a) of CERCLA: *Provided further*, That of the funds appropriated under this heading, $8,778,000 shall be paid to the ''Office of Inspector General'' appropriation to remain available until

September 30, 2020, and $15,496,000 shall be paid to the ''Science and Technology'' appropriation to remain available until September 30, 2020.

LEAKING UNDERGROUND STORAGE TANK TRUST FUND PROGRAM

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

INLAND OIL SPILL PROGRAMS

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

STATE AND TRIBAL ASSISTANCE GRANTS

For environmental programs and infrastructure assistance, including capitalization grants for State revolving funds and performance partnership grants, $3,605,041,000, to remain available until expended, of which—

(1) $1,394,000,000 shall be for making capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act; and of which $864,000,000 shall be for making capitalization grants for the Drinking Water State Revolving Funds under section 1452 of the Safe Drinking Water Act: *Provided*, That for fiscal year 2019, to the extent there are sufficient eligible project applications and projects are consistent with State Intended Use Plans, not less than 10 percent of the funds made available under this title to each State for Clean Water State Revolving Fund capitalization grants shall be used by the State for projects to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities: *Provided further*, That for fiscal year 2019, funds made available under this title to each State for Drinking Water State Revolving Fund capitalization grants may, at the discretion of each State, be used for projects to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities: *Provided further*, That notwithstanding section 603(d)(7) of the Federal Water Pollution Control Act, the limitation on the amounts in a State water pollution control revolving fund that may be used by a State to administer the fund shall not apply to amounts included as principal in loans made by such fund in fiscal year 2019 and prior years where such amounts represent costs of administering the fund to the extent that such amounts are or were deemed reasonable by the Administrator, accounted for separately from other assets in the fund, and used for eligible purposes of the fund, including administration: *Provided further*, That for fiscal year 2019, notwithstanding the provisions of subsections (g)(1), (h), and (l) of section 201 of the Federal Water Pollution Control Act, grants made under title II of such Act for American Samoa, Guam, the commonwealth of the Northern Marianas, the United States Virgin Islands, and the District of Columbia may also be made for the purpose of providing assistance: (1) solely for facility plans, design activities, or plans, specifications, and estimates for any proposed project for the construction of treatment works; and (2) for the construction, repair, or replacement of privately owned treatment works serving one or more principal residences or small commercial establishments: *Provided further*, That for fiscal year 2019, notwithstanding the provisions of such subsections (g)(1), (h), and (l) of section 201 and section 518(c) of the Federal Water Pollution Control Act, funds reserved by the Administrator for grants under section 518(c) of the Federal Water Pollution Control Act may also be used to provide assistance: (1) solely for facility plans, design activities, or plans, specifications, and estimates for any proposed project for the construction of treatment works; and (2) for the construction, repair, or replacement of privately owned treatment works serving one or more principal residences or small commercial establishments: *Provided further*, That for fiscal year 2019, notwithstanding any provision of the Federal Water Pollution Control Act and regulations issued pursuant thereof, up to a total of $2,000,000 of the funds reserved by the Administrator for grants under section 518(c) of such Act may also be used for grants for training, technical assistance, and educational programs relating to the operation and management of the treatment works specified in section 518(c) of such Act: *Provided further*, That for fiscal year 2019, funds reserved under section 518(c) of such Act shall be available for grants only to Indian tribes, as defined in section 518(h) of such Act and former Indian reservations in Oklahoma (as determined by the Secretary of the Interior) and Native Villages as defined in Public Law 92–203: *Provided further*, That for fiscal year 2019, notwithstanding the limitation on amounts in section 518(c) of the Federal Water Pollution Control Act, up to a total of 2 percent of the funds appropriated, or $30,000,000, whichever is greater, and notwithstanding the limitation on amounts in section 1452(i) of the Safe Drinking Water Act, up to a total of 2 percent of the funds appropriated, or $20,000,000, whichever is greater, for State Revolving Funds under such Acts may be reserved by the Administrator for grants under section 518(c) and section 1452(i) of such Acts: *Provided further*, That for fiscal year 2019, notwithstanding the amounts specified in section 205(c) of the Federal Water Pollution Control Act, up to 1.5 percent of the aggregate funds appropriated for the Clean Water State Revolving Fund program under the Act less any sums reserved under section 518(c) of the Act, may be reserved by the Administrator for grants made under title II of the Federal Water Pollution Control Act for American Samoa, Guam, the Commonwealth of the Northern Marianas, and United States Virgin Islands: *Provided further*, That for fiscal year 2019, notwithstanding the limitations on amounts specified in section 1452(j) of the Safe Drinking Water Act, up to 1.5 percent of the funds appropriated for the Drinking Water State Revolving Fund programs under the Safe Drinking Water Act may be reserved by the Administrator for grants made under section 1452(j) of the Safe Drinking Water Act: *Provided further*, That 10 percent of the funds made available under this title to each State for Clean Water State Revolving Fund capitalization grants and 20 percent of the funds made available under this title to each State for Drinking Water State Revolving Fund capitalization grants shall be used by the State to provide additional subsidy to eligible recipients in the form of forgiveness of principal, negative interest loans, or grants (or any combination of these), and shall be so used by the State only where such funds are provided as initial financing for an eligible recipient or to buy, refinance, or restructure the debt obligations of eligible recipients only where such debt was incurred on or after the date of enactment of this Act, or where such debt was incurred prior to the date of enactment of this Act if the State, with concurrence from the Administrator, determines that such funds could be used to help address a threat to public health from heightened exposure to lead in drinking water or if a Federal or State emergency declaration has been issued due to a threat to public health from heightened exposure to lead in a municipal drinking water supply before the date of enactment of this Act: *Provided further*, That in a State in which such an emergency declaration has been issued, the State may use more than 20 percent of the funds made available under this title to the State for Drinking Water State Revolving Fund capitalization grants to provide additional subsidy to eligible recipients;

(2) $15,000,000 shall be for architectural, engineering, planning, design, construction and related activities in connection with the construction of high priority water and wastewater facilities in the area of the United States-Mexico Border, after consultation with the appropriate border commission: *Provided*, That no funds provided by this appropriations Act to address the water, wastewater and other critical infrastructure needs of the colonias in the United States along the United States-Mexico border shall be made available to a county or municipal government unless that government has established an enforceable local ordinance, or other zoning rule, which prevents in that jurisdiction the development or construction of any additional colonia areas, or the development within an existing colonia the construction of any new home, business, or other structure which lacks water, wastewater, or other necessary infrastructure;

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

(4) $87,000,000 shall be to carry out section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), including grants, interagency agreements, and associated program support costs: *Provided*, That not more than 25 percent of the amount appropriated to carry out section 104(k) of CERCLA shall be used for site characterization, assessment, and remediation of facilities described in section 101(39)(D)(ii)(II) of CERCLA: *Provided further*, That at least 10 percent shall be allocated for assistance in persistent poverty counties: *Provided further*, That for purposes of this section, the term ''persistent poverty counties'' means any county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1990 and 2000 decennial censuses and

the most recent Small Area Income and Poverty Estimates;

(5) $87,000,000 shall be for grants under title VII, subtitle G of the Energy Policy Act of 2005;

(6) $52,000,000 shall be for targeted airshed grants in accordance with the terms and conditions in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act);

(7) $4,000,000 shall be to carry out the water quality program authorized in section 5004(d) of the Water Infrastructure Improvements for the Nation Act (Public Law 114–322); and

(8) $1,077,041,000 shall be for grants, including associated program support costs, to States, federally recognized tribes, interstate agencies, tribal consortia, and air pollution control agencies for multi-media or single media pollution prevention, control and abatement and related activities, including activities pursuant to the provisions set forth under this heading in Public Law 104–134, and for making grants under section 103 of the Clean Air Act for particulate matter monitoring and data collection activities subject to terms and conditions specified by the Administrator, of which: $47,745,000 shall be for carrying out section 128 of CERCLA; $9,646,000 shall be for Environmental Information Exchange Network grants, including associated program support costs; $1,498,000 shall be for grants to States under section 2007(f)(2) of the Solid Waste Disposal Act, which shall be in addition to funds appropriated under the heading ''Leaking Underground Storage Tank Trust Fund Program'' to carry out the provisions of the Solid Waste Disposal Act specified in section 9508(c) of the Internal Revenue Code other than section 9003(h) of the Solid Waste Disposal Act; $17,848,000 of the funds available for grants under section 106 of the Federal Water Pollution Control Act shall be for State participation in national- and State-level statistical surveys of water resources and enhancements to State monitoring programs; $11,000,000 shall be for multipurpose grants, including interagency agreements.

WATER INFRASTRUCTURE FINANCE AND INNOVATION PROGRAM ACCOUNT

For the cost of direct loans and for the cost of guaranteed loans, as authorized by the Water Infrastructure Finance and Innovation Act of 2014, $5,000,000, to remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans, including capitalized interest, and total loan principal, including capitalized interest, any part of which is to be guaranteed, not to exceed $610,000,000.

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

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

ADMINISTRATIVE PROVISIONS—ENVIRONMENTAL PROTECTION AGENCY

(INCLUDING TRANSFERS AND RESCISSION OF FUNDS)

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

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

Notwithstanding section 33(d)(2) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136w–8(d)(2)), the Administrator of the Environmental Protection Agency may assess fees under section 33 of FIFRA (7 U.S.C. 136w–8) for fiscal year 2019.

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

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

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

The Administrator is authorized to use the amounts appropriated under the heading ''Environmental Programs and Management'' for fiscal year 2019 to provide grants to implement the Southeastern New England Watershed Restoration Program.

Of the unobligated balances available for the ''State and Tribal Assistance Grants'' account, $139,078,000 are hereby permanently rescinded: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985 or from amounts that were made available by subsection (a) of section 196 of the Continuing Appropriations Act, 2017 (division C of Public Law 114–223), as amended by the Further Continuing and Security Assistance Appropriations Act, 2017 (Public Law 114–254).

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

TITLE III

RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

For necessary expenses of the Office of the Under Secretary for Natural Resources and Environment, $875,000: *Provided*, That funds made available by this Act to any agency in the Natural Resources and Environment mission area for salaries and expenses are available to fund up to one administrative support staff for the office.

FOREST SERVICE

FOREST AND RANGELAND RESEARCH

For necessary expenses of forest and rangeland research as authorized by law, $300,000,000, to remain available through September 30, 2022: *Provided*, That of the funds provided, $77,000,000 is for the forest inventory and analysis program: *Provided further*, That all authorities for the use of funds, including the use of contracts, grants, and cooperative agreements, available to execute the Forest and Rangeland Research appropriation, are also available in the utilization of these funds for Fire Science Research.

STATE AND PRIVATE FORESTRY

(INCLUDING RESCISSION OF FUNDS)

For necessary expenses of cooperating with and providing technical and financial assistance to States, territories, possessions, and others, and for forest health management, and conducting an international program as authorized, $336,990,000, to remain available through September 30, 2022, as authorized by law; of which $63,990,000 is to be derived from the Land and Water Conservation Fund to be used for the Forest Legacy Program, to remain available until expended.

Of the unobligated balances from amounts made available for the Forest Legacy Program and derived from the Land and Water Conservation Fund, $1,503,000 is hereby permanently rescinded from projects with cost savings or failed or partially failed projects that had funds returned: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL FOREST SYSTEM

For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, and for hazardous fuels management on or adjacent to such lands, $1,938,000,000, to remain available through September 30, 2022: *Provided*, That of the funds provided, $40,000,000 shall be deposited in the Collaborative Forest Landscape Restoration Fund for ecological restoration treatments as authorized by 16 U.S.C. 7303(f): *Provided further*, That of the funds provided, $368,000,000 shall be for forest products: *Provided further*, That of the funds provided, $435,000,000 shall be for hazardous fuels management activities, of which not to exceed $15,000,000 may be used to make grants, using any authorities available to the Forest Service under the ''State and Private Forestry'' appropriation, for the purpose of creating incentives for increased use of biomass from National Forest System lands: *Provided further*, That $20,000,000 may be used by the Secretary of Agriculture to enter into procurement contracts or cooperative agreements or to issue grants for hazardous fuels management activities, and for

training or monitoring associated with such hazardous fuels management activities on Federal land, or on non-Federal land if the Secretary determines such activities benefit resources on Federal land: *Provided further*, That funds made available to implement the Community Forestry Restoration Act, Public Law 106–393, title VI, shall be available for use on non-Federal lands in accordance with authorities made available to the Forest Service under the ''State and Private Forestry'' appropriations: *Provided further*, That notwithstanding section 33 of the Bankhead Jones Farm Tenant Act (7 U.S.C. 1012), the Secretary of Agriculture, in calculating a fee for grazing on a National Grassland, may provide a credit of up to 50 percent of the calculated fee to a Grazing Association or direct permittee for a conservation practice approved by the Secretary in advance of the fiscal year in which the cost of the conservation practice is incurred. And, that the amount credited shall remain available to the Grazing Association or the direct permittee, as appropriate, in the fiscal year in which the credit is made and each fiscal year thereafter for use on the project for conservation practices approved by the Secretary.

CAPITAL IMPROVEMENT AND MAINTENANCE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Forest Service, not otherwise provided for, $446,000,000, to remain available through September 30, 2022, for construction, capital improvement, maintenance and acquisition of buildings and other facilities and infrastructure; and for construction, reconstruction, decommissioning of roads that are no longer needed, including unauthorized roads that are not part of the transportation system, and maintenance of forest roads and trails by the Forest Service as authorized by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205: *Provided*, That funds becoming available in fiscal year 2019 under the Act of March 4, 1913 (16 U.S.C. 501) shall be transferred to the General Fund of the Treasury and shall not be available for transfer or obligation for any other purpose unless the funds are appropriated.

LAND ACQUISITION

For expenses necessary to carry out the provisions of chapter 2003 of title 54, United States Code, including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the Forest Service, $72,564,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

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

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

For acquisition of lands, such sums, to be derived from funds deposited by State, county, or municipal governments, public school districts, or other public school authorities, and for authorized expenditures from funds deposited by non-Federal parties pursuant to Land Sale and Exchange Acts, pursuant to the Act of December 4, 1967 (16 U.S.C. 484a), to remain available through September 30, 2022, (16 U.S.C. 516–617a, 555a; Public Law 96–586; Public Law 76–589, 76–591; and Public Law 78–310).

RANGE BETTERMENT FUND

For necessary expenses of range rehabilitation, protection, and improvement, 50 percent of all moneys received during the prior fiscal year, as fees for grazing domestic livestock on lands in National Forests in the 16 Western States, pursuant to section 401(b)(1) of Public Law 94–579, to remain available through September 30, 2022, of which not to exceed 6 percent shall be available for administrative expenses associated with on-the-ground range rehabilitation, protection, and improvements.

GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND RANGELAND RESEARCH

For expenses authorized by 16 U.S.C. 1643(b), $45,000, to remain available through September 30, 2022, to be derived from the fund established pursuant to the above Act.

MANAGEMENT OF NATIONAL FOREST LANDS FOR SUBSISTENCE USES

For necessary expenses of the Forest Service to manage Federal lands in Alaska for subsistence uses under title VIII of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3111 et seq.), $2,500,000, to remain available through September 30, 2022.

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for forest fire presuppression activities on National Forest System lands, for emergency wildland fire suppression on or adjacent to such lands or other lands under fire protection agreement, and for emergency rehabilitation of burned-over National Forest System lands and water, $3,004,986,000, to remain available through September 30, 2022: *Provided*, That such funds including unobligated balances under this heading, are available for repayment of advances from other appropriations accounts previously transferred for such purposes: *Provided further*, That any unobligated funds appropriated in a previous fiscal year for hazardous fuels management may be transferred to the ''National Forest System'' account: *Provided further*, That such funds shall be available to reimburse State and other cooperating entities for services provided in response to wildfire and other emergencies or disasters to the extent such reimbursements by the Forest Service for non-fire emergencies are fully repaid by the responsible emergency management agency: *Provided further*, That funds provided shall be available for support to Federal emergency response: *Provided further*, That the costs of implementing any cooperative agreement between the Federal Government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: *Provided further*, That funds designated for wildfire suppression, shall be assessed for cost pools on the same basis as such assessments are calculated against other agency programs.

ADMINISTRATIVE PROVISIONS—FOREST SERVICE

(INCLUDING TRANSFERS OF FUNDS)

Appropriations to the Forest Service for the current fiscal year shall be available for: (1) purchase of passenger motor vehicles; acquisition of passenger motor vehicles from excess sources, and hire of such vehicles; purchase, lease, operation, maintenance, and acquisition of aircraft to maintain the operable fleet for use in Forest Service wildland fire programs and other Forest Service programs; notwithstanding other provisions of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft; (2) services pursuant to 7 U.S.C. 2225, and not to exceed $100,000 for employment under 5 U.S.C. 3109; (3) purchase, erection, and alteration of buildings and other public improvements (7 U.S.C. 2250); (4) acquisition of land, waters, and interests therein pursuant to 7 U.S.C. 428a; (5) for expenses pursuant to the Volunteers in the National Forest Act of 1972 (16 U.S.C. 558a, 558d, and 558a note); (6) the cost of uniforms as authorized by 5 U.S.C. 5901–5902; and (7) for debt collection contracts in accordance with 31 U.S.C. 3718(c).

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

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

Notwithstanding any other provision of this Act, the Forest Service may transfer unobligated balances of discretionary funds appropriated to the Forest Service by this Act to or within the National Forest System Account, or reprogram funds to be used for the purposes of hazardous fuels management and urgent rehabilitation of burned-over National Forest System lands and water, such transferred funds shall remain available through September 30, 2022: *Provided*, That none of the funds transferred pursuant to this section shall be available for obligation without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further*, That this section does not apply to funds derived from the Land and Water Conservation Fund.

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

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

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

of Public Law 106–224 (7 U.S.C. 7772), or section 10417(b) of Public Law 107–171 (7 U.S.C. 8316(b)).

None of the funds available to the Forest Service may be reprogrammed without the advance approval of the House and Senate Committees on Appropriations in accordance with the reprogramming procedures contained in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

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

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

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

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

Pursuant to section 2(b)(2) of Public Law 98–244, up to $3,000,000 of the funds available to the Forest Service may be advanced to the National Fish and Wildlife Foundation in a lump sum to aid cost-share conservation projects, without regard to when expenses are incurred, on or benefitting National Forest System lands or related to Forest Service programs: *Provided*, That such funds shall be matched on at least a one-for-one basis by the Foundation or its sub-recipients: *Provided further*, That the Foundation may transfer Federal funds to a Federal or non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds.

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

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

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

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

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

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

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

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination and Education Assistance Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act with respect to the Indian Health Service, $4,103,190,000, to remain available until September 30, 2020, except as otherwise provided herein, together with payments received during the fiscal year pursuant to sections 231(b) and 233 of the Public Health Service Act (42 U.S.C. 238(b), 238b), for services furnished by the Indian Health Service: *Provided*, That funds made available to tribes and tribal organizations through contracts, grant agreements, or any other agreements or compacts authorized by the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), shall be deemed to be obligated at the time of the grant or contract award and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: *Provided further*, That $2,000,000 shall be available for grants or contracts with public or private institutions to provide alcohol or drug treatment services to Indians, including alcohol detoxification services: *Provided further*, That $964,819,000 for Purchased/Referred Care, including $53,000,000 for the Indian Catastrophic Health Emergency Fund, shall remain available until expended: *Provided further*, That of the funds provided, up to $44,000,000 shall remain available until expended for implementation of the loan repayment program under section 108 of the Indian Health Care Improvement Act: *Provided further*, That of the funds provided, $36,000,000 shall remain available until expended to supplement funds available for operational costs at tribal clinics operated under an Indian Self-Determination and Education Assistance Act compact or contract where health care is delivered in space acquired through a full service lease, which is not eligible for maintenance and improvement and equipment funds from the Indian Health Service, and $58,000,000 shall be for costs related to or resulting from accreditation emergencies, of which up to $4,000,000 may be used to supplement amounts otherwise available for Purchased/Referred Care: *Provided further*, That the amounts collected by the Federal Government as authorized by sections 104 and 108 of the Indian Health Care Improvement Act (25 U.S.C. 1613a and 1616a) during the preceding fiscal year for breach of contracts shall be deposited to the Fund authorized by section 108A of that Act (25 U.S.C. 1616a–1) and shall remain available until expended and, notwithstanding section 108A(c) of that Act (25 U.S.C. 1616a–1(c)), funds shall be available to make new awards under the loan repayment and scholarship programs under sections 104 and 108 of that Act (25 U.S.C. 1613a and 1616a): *Provided further*, That the amounts made available within this account for the Substance Abuse and Suicide Prevention Program, for Opioid Prevention, Treatment and Recovery Services, for the Domestic Violence Prevention Program, for the Zero Suicide Initiative, for the housing subsidy authority for civilian employees, for aftercare pilot programs at Youth Regional Treatment Centers, to improve collections from public and private insurance at Indian Health Service and tribally operated facilities, and for accreditation emergencies shall be allocated at the discretion of the Director of the Indian Health Service and shall remain available until expended: *Provided further*, That funds provided in this Act may be used for annual contracts and grants for which the performance period falls within 2 fiscal years, provided the total obligation is recorded in the year the funds are appropriated: *Provided further*, That the amounts collected by the Secretary of Health and Human Services under the authority of title IV of the Indian Health Care Improvement Act shall remain available until expended for the purpose of achieving compliance with the applicable conditions and requirements of titles XVIII and XIX of the Social Security Act, except for those related to the planning, design, or construction of new facilities: *Provided further*, That funding contained herein for scholarship programs under the Indian Health Care Improvement Act shall remain available until expended: *Provided further*, That amounts received by tribes and tribal organizations under title IV of the Indian Health Care Improvement Act shall be reported and accounted for and available to the receiving tribes and tribal organizations until expended: *Provided further*, That the Bureau of Indian Affairs may collect from the Indian Health Service, and from tribes and tribal organizations operating health facilities pursuant to Public Law 93–638, such individually identifiable health information relating to disabled children as may be necessary for the purpose of carrying out its functions under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.): *Provided further*, That of the funds provided, $72,280,000 is for the Indian Health Care Improvement Fund and may be used, as needed, to carry out activities typically funded under the Indian Health Facilities account: *Provided further*, That the accreditation emergency funds may be used, as needed, to carry out activities typically funded under the Indian Health Facilities account.

CONTRACT SUPPORT COSTS

For payments to tribes and tribal organizations for contract support costs associated with Indian Self-Determination and Education Assistance Act agreements with the

Indian Health Service for fiscal year 2019, such sums as may be necessary: *Provided*, That notwithstanding any other provision of law, no amounts made available under this heading shall be available for transfer to another budget account.

INDIAN HEALTH FACILITIES

For construction, repair, maintenance, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites, purchase and erection of modular buildings, and purchases of trailers; and for provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Determination Act, and the Indian Health Care Improvement Act, and for expenses necessary to carry out such Acts and titles II and III of the Public Health Service Act with respect to environmental health and facilities support activities of the Indian Health Service, $878,806,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, funds appropriated for the planning, design, construction, renovation or expansion of health facilities for the benefit of an Indian tribe or tribes may be used to purchase land on which such facilities will be located: *Provided further*, That not to exceed $500,000 may be used by the Indian Health Service to purchase TRANSAM equipment from the Department of Defense for distribution to the Indian Health Service and tribal facilities: *Provided further*, That none of the funds appropriated to the Indian Health Service may be used for sanitation facilities construction for new homes funded with grants by the housing programs of the United States Department of Housing and Urban Development: *Provided further*, That not to exceed $2,700,000 from this account and the ''Indian Health Services'' account may be used by the Indian Health Service to obtain ambulances for the Indian Health Service and tribal facilities in conjunction with an existing interagency agreement between the Indian Health Service and the General Services Administration: *Provided further*, That not to exceed $500,000 may be placed in a Demolition Fund, to remain available until expended, and be used by the Indian Health Service for the demolition of Federal buildings.

ADMINISTRATIVE PROVISIONS—INDIAN HEALTH SERVICE

Appropriations provided in this Act to the Indian Health Service shall be available for services as authorized by 5 U.S.C. 3109 at rates not to exceed the per diem rate equivalent to the maximum rate payable for senior-level positions under 5 U.S.C. 5376; hire of passenger motor vehicles and aircraft; purchase of medical equipment; purchase of reprints; purchase, renovation and erection of modular buildings and renovation of existing facilities; payments for telephone service in private residences in the field, when authorized under regulations approved by the Secretary of Health and Human Services; uniforms or allowances therefor as authorized by 5 U.S.C. 5901–5902; and for expenses of attendance at meetings that relate to the functions or activities of the Indian Health Service: *Provided*, That in accordance with the provisions of the Indian Health Care Improvement Act, non-Indian patients may be extended health care at all tribally administered or Indian Health Service facilities, subject to charges, and the proceeds along with funds recovered under the Federal Medical Care Recovery Act (42 U.S.C. 2651–2653) shall be credited to the account of the facility providing the service and shall be available without fiscal year limitation: *Provided further*, That notwithstanding any other law or regulation, funds transferred from the Department of Housing and Urban Development to the Indian Health Service shall be administered under Public Law 86–121, the Indian Sanitation Facilities Act and Public Law 93–638: *Provided further*, That funds appropriated to the Indian Health Service in this Act, except those used for administrative and program direction purposes, shall not be subject to limitations directed at curtailing Federal travel and transportation: *Provided further*, That none of the funds made available to the Indian Health Service in this Act shall be used for any assessments or charges by the Department of Health and Human Services unless identified in the budget justification and provided in this Act, or approved by the House and Senate Committees on Appropriations through the reprogramming process: *Provided further*, That notwithstanding any other provision of law, funds previously or herein made available to a tribe or tribal organization through a contract, grant, or agreement authorized by title I or title V of the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 5321 et seq. (title I), 5381 et seq. (title V)), may be deobligated and reobligated to a self-determination contract under title I, or a self-governance agreement under title V of such Act and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: *Provided further*, That none of the funds made available to the Indian Health Service in this Act shall be used to implement the final rule published in the Federal Register on September 16, 1987, by the Department of Health and Human Services, relating to the eligibility for the health care services of the Indian Health Service until the Indian Health Service has submitted a budget request reflecting the increased costs associated with the proposed final rule, and such request has been included in an appropriations Act and enacted into law: *Provided further*, That with respect to functions transferred by the Indian Health Service to tribes or tribal organizations, the Indian Health Service is authorized to provide goods and services to those entities on a reimbursable basis, including payments in advance with subsequent adjustment, and the reimbursements received therefrom, along with the funds received from those entities pursuant to the Indian Self-Determination Act, may be credited to the same or subsequent appropriation account from which the funds were originally derived, with such amounts to remain available until expended: *Provided further*, That reimbursements for training, technical assistance, or services provided by the Indian Health Service will contain total costs, including direct, administrative, and overhead costs associated with the provision of goods, services, or technical assistance: *Provided further*, That the Indian Health Service may provide to civilian medical personnel serving in hospitals operated by the Indian Health Service housing allowances equivalent to those that would be provided to members of the Commissioned Corps of the United States Public Health Service serving in similar positions at such hospitals: *Provided further*, That the appropriation structure for the Indian Health Service may not be altered without advance notification to the House and Senate Committees on Appropriations.

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For necessary expenses for the National Institute of Environmental Health Sciences in carrying out activities set forth in section 311(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9660(a)) and section 126(g) of the Superfund Amendments and Reauthorization Act of 1986, $79,000,000.

AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY

TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH

For necessary expenses for the Agency for Toxic Substances and Disease Registry (ATSDR) in carrying out activities set forth in sections 104(i) and 111(c)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) and section 3019 of the Solid Waste Disposal Act, $74,691,000: *Provided*, That notwithstanding any other provision of law, in lieu of performing a health assessment under section 104(i)(6) of CERCLA, the Administrator of ATSDR may conduct other appropriate health studies, evaluations, or activities, including, without limitation, biomedical testing, clinical evaluations, medical monitoring, and referral to accredited healthcare providers: *Provided further*, That in performing any such health assessment or health study, evaluation, or activity, the Administrator of ATSDR shall not be bound by the deadlines in section 104(i)(6)(A) of CERCLA: *Provided further*, That none of the funds appropriated under this heading shall be available for ATSDR to issue in excess of 40 toxicological profiles pursuant to section 104(i) of CERCLA during fiscal year 2019, and existing profiles may be updated as necessary.

OTHER RELATED AGENCIES

EXECUTIVE OFFICE OF THE PRESIDENT

COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

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

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

SALARIES AND EXPENSES

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

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Navajo and Hopi Indian Relocation as authorized by Public Law 93–531, $8,750,000, to remain available until expended: *Provided*, That funds provided in this or any other appropriations Act are to be used to relocate eligible individuals and groups including evictees from District 6, Hopi-partitioned lands residents, those in significantly substandard housing, and all others certified as eligible and not included in the preceding categories: *Provided further*, That none of the funds contained in this or any other Act may be used by the Office of Navajo and Hopi Indian Relocation to evict any single Navajo or Navajo family who, as of November 30, 1985, was physically domiciled on the lands partitioned to the Hopi Tribe unless a new or replacement home is provided for such household: *Provided further*, That no relocatee will be provided with more than one new or replacement home: *Provided further*, That the Office shall relocate any certified eligible relocatees who have selected and received an approved homesite on the Navajo reservation or selected a replacement residence off the Navajo reservation or on the land acquired pursuant to section 11 of Public Law 93–531 (88 Stat. 1716): *Provided further*, That $1,000,000 shall be transferred to the Office of the Inspector General of the Department of the Interior, to remain available until expended, for audits and investigations of the Office of Navajo and Hopi Indian Relocation, consistent with the Inspector General Act of 1978 (5 U.S.C. App.).

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

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

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

For necessary expenses of the Smithsonian Institution, as authorized by law, including research in the fields of art, science, and history; development, preservation, and documentation of the National Collections; presentation of public exhibits and performances; collection, preparation, dissemination, and exchange of information and publications; conduct of education, training, and museum assistance programs; maintenance, alteration, operation, lease agreements of no more than 30 years, and protection of buildings, facilities, and approaches; not to exceed $100,000 for services as authorized by 5 U.S.C. 3109; and purchase, rental, repair, and cleaning of uniforms for employees, $739,994,000, to remain available until September 30, 2020, except as otherwise provided herein; of which not to exceed $6,917,000 for the instrumentation program, collections acquisition, exhibition reinstallation, and the repatriation of skeletal remains program shall remain available until expended; and including such funds as may be necessary to support American overseas research centers: *Provided*, That funds appropriated herein are available for advance payments to independent contractors performing research services or participating in official Smithsonian presentations.

FACILITIES CAPITAL

For necessary expenses of repair, revitalization, and alteration of facilities owned or occupied by the Smithsonian Institution, by contract or otherwise, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), and for construction, including necessary personnel, $303,503,000, to remain available until expended, of which not to exceed $10,000 shall be for services as authorized by 5 U.S.C. 3109.

NATIONAL GALLERY OF ART

SALARIES AND EXPENSES

For the upkeep and operations of the National Gallery of Art, the protection and care of the works of art therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including services as authorized by 5 U.S.C. 3109; payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards, and uniforms, or allowances therefor, for other employees as authorized by law (5 U.S.C. 5901–5902); purchase or rental of devices and services for protecting buildings and contents thereof, and maintenance, alteration, improvement, and repair of buildings, approaches, and grounds; and purchase of services for restoration and repair of works of art for the National Gallery of Art by contracts made, without advertising, with individuals, firms, or organizations at such rates or prices and under such terms and conditions as the Gallery may deem proper, $144,202,000, to remain available until September 30, 2020, of which not to exceed $3,640,000 for the special exhibition program shall remain available until expended.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

For necessary expenses of repair, restoration and renovation of buildings, grounds and facilities owned or occupied by the National Gallery of Art, by contract or otherwise, for operating lease agreements of no more than 10 years, with no extensions or renewals beyond the 10 years, that address space needs created by the ongoing renovations in the Master Facilities Plan, as authorized, $24,203,000, to remain available until expended: *Provided*, That contracts awarded for environmental systems, protection systems, and exterior repair or renovation of buildings of the National Gallery of Art may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

OPERATIONS AND MAINTENANCE

For necessary expenses for the operation, maintenance and security of the John F. Kennedy Center for the Performing Arts, $24,490,000.

CAPITAL REPAIR AND RESTORATION

For necessary expenses for capital repair and restoration of the existing features of the building and site of the John F. Kennedy Center for the Performing Arts, $16,800,000, to remain available until expended.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

SALARIES AND EXPENSES

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

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

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

NATIONAL ENDOWMENT FOR THE HUMANITIES

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, $155,000,000 to remain available until expended, of which $141,750,000 shall be available for support of activities in the humanities, pursuant to section 7(c) of the Act and for administering the functions of the Act; and $13,250,000 shall be available to carry out the matching grants program pursuant to section 10(a)(2) of the Act, including $11,250,000 for the purposes of section 7(h): *Provided*, That appropriations for carrying out section 10(a)(2) shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, devises of money, and other property accepted by the chairman or by grantees of the National Endowment for the Humanities under the provisions of sections 11(a)(2)(B) and 11(a)(3)(B) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

ADMINISTRATIVE PROVISIONS

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

COMMISSION OF FINE ARTS

SALARIES AND EXPENSES

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

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

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

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

For necessary expenses of the Advisory Council on Historic Preservation (Public Law 89–665), $6,890,000.

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

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

UNITED STATES HOLOCAUST MEMORIAL MUSEUM

HOLOCAUST MEMORIAL MUSEUM

For expenses of the Holocaust Memorial Museum, as authorized by Public Law 106–292 (36 U.S.C. 2301–2310), $59,000,000, of which $1,715,000 shall remain available until September 30, 2021, for the Museum's equipment replacement program; and of which $4,000,000 for the Museum's repair and rehabilitation program and $1,264,000 for the Museum's outreach initiatives program shall remain available until expended.

DWIGHT D. EISENHOWER MEMORIAL COMMISSION

SALARIES AND EXPENSES

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

WOMEN'S SUFFRAGE CENTENNIAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses for the Women's Suffrage Centennial Commission, as authorized by the Women's Suffrage Centennial Commission Act (section 431(a)(3) of division G of Public Law 115–31), $1,000,000, to remain available until expended.

WORLD WAR I CENTENNIAL COMMISSION

SALARIES AND EXPENSES

Notwithstanding section 9 of the World War I Centennial Commission Act, as authorized by the World War I Centennial Commission Act (Public Law 112–272) and the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291), for necessary expenses of the World War I Centennial Commission, $7,000,000, to remain available until expended: *Provided*, That in addition to the authority provided by section 6(g) of such Act, the World War I Commission may accept money, in-kind personnel services, contractual support, or any appropriate support from any executive branch agency for activities of the Commission.

TITLE IV

GENERAL PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

RESTRICTION ON USE OF FUNDS

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

OBLIGATION OF APPROPRIATIONS

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

DISCLOSURE OF ADMINISTRATIVE EXPENSES

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

MINING APPLICATIONS

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

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

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

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

CONTRACT SUPPORT COSTS, PRIOR YEAR LIMITATION

SEC. 405. Sections 405 and 406 of division F of the Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113–235) shall continue in effect in fiscal year 2019.

CONTRACT SUPPORT COSTS, FISCAL YEAR 2019 LIMITATION

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

FOREST MANAGEMENT PLANS

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

PROHIBITION WITHIN NATIONAL MONUMENTS

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

LIMITATION ON TAKINGS

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

TIMBER SALE REQUIREMENTS

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

PROHIBITION ON NO-BID CONTRACTS

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

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

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

(3) such contract was awarded prior to the date of enactment of this Act.

POSTING OF REPORTS

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

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

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

(2) the report contains proprietary information.

(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.

NATIONAL ENDOWMENT FOR THE ARTS GRANT GUIDELINES

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

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

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

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

NATIONAL ENDOWMENT FOR THE ARTS PROGRAM PRIORITIES

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

(b) In this section:

(1) The term ''underserved population'' means a population of individuals, including urban minorities, who have historically been outside the purview of arts and humanities programs due to factors such as a high incidence of income below the poverty line or to geographic isolation.

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

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

(d) With funds appropriated by this Act to carry out section 5 of the National Foundation on the Arts and Humanities Act of 1965—

(1) the Chairperson shall establish a grant category for projects, productions, workshops, or programs that are of national impact or availability or are able to tour several States;

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

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

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

STATUS OF BALANCES OF APPROPRIATIONS

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

PROHIBITION ON USE OF FUNDS

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

GREENHOUSE GAS REPORTING RESTRICTIONS

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

FUNDING PROHIBITION

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

CONTRACTING AUTHORITIES

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

EXTENSION OF GRAZING PERMITS

SEC. 420. The terms and conditions of section 325 of Public Law 108–108 (117 Stat. 1307), regarding grazing permits issued by the Forest Service on any lands not subject to administration under section 402 of the Federal Lands Policy and Management Act (43 U.S.C. 1752), shall remain in effect for fiscal year 2019.

FUNDING PROHIBITION

SEC. 421. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network is designed to block access to pornography websites.

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

FOREST SERVICE FACILITY REALIGNMENT AND ENHANCEMENT ACT

SEC. 422. Section 503(f) of the Forest Service Facility Realignment and Enhancement Act of 2005 (16 U.S.C. 580d note; Public Law 109–54) is amended by striking ''2018'' and inserting ''2019''.

USE OF AMERICAN IRON AND STEEL

SEC. 423. (a)(1) None of the funds made available by a State water pollution control revolving fund as authorized by section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12) shall be used for a project for the construction, alteration, maintenance, or repair of a public water system or treatment works unless all of the iron and steel products used in the project are produced in the United States.

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

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

(1) applying subsection (a) would be inconsistent with the public interest;

(2) iron and steel products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

(3) inclusion of iron and steel products produced in the United States will increase the cost of the overall project by more than 25 percent.

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

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

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

MIDWAY ISLAND

SEC. 424. None of the funds made available by this Act may be used to destroy any buildings or structures on Midway Island that have been recommended by the United States Navy for inclusion in the National Register of Historic Places (54 U.S.C. 302101).

JOHN F. KENNEDY CENTER REAUTHORIZATION

SEC. 425. Section 13 of the John F. Kennedy Center Act (20 U.S.C. 76r) is amended by striking subsections (a) and (b) and inserting the following:

''(a) MAINTENANCE, REPAIR, AND SECURITY.—There is authorized to be appropriated

to the Board to carry out section 4(a)(1)(H), $24,490,000 for fiscal year 2019.

''(b) CAPITAL PROJECTS.—There is authorized to be appropriated to the Board to carry out subparagraphs (F) and (G) of section 4(a)(1), $16,800,000 for fiscal year 2019.''.

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

SEC. 426. The Secretary of the Interior is authorized to enter into grants and cooperative agreements with volunteer fire departments, rural fire departments, rangeland fire protection associations, and similar organizations to provide for wildland fire training and equipment, including supplies and communication devices. Notwithstanding 121(c) of title 40, United States Code, or section 521 of title 40, United States Code, the Secretary is further authorized to transfer title to excess Department of the Interior firefighting equipment no longer needed to carry out the functions of the Department's wildland fire management program to such organizations.

POLICIES RELATING TO BIOMASS ENERGY

SEC. 427. To support the key role that forests in the United States can play in addressing the energy needs of the United States, the Secretary of Energy, the Secretary of Agriculture, and the Administrator of the Environmental Protection Agency shall, consistent with their missions, jointly—

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

(A) is consistent across all Federal departments and agencies; and

(B) recognizes the full benefits of the use of forest biomass for energy, conservation, and responsible forest management; and

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

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

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

(i) working forests;

(ii) harvesting operations;

(iii) forest improvement operations;

(iv) forest bioenergy production;

(v) wood products manufacturing; or

(vi) paper manufacturing;

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

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

INFRASTRUCTURE

SEC. 428. (a) For an additional amount for ''Environmental Protection Agency—Hazardous Substance Superfund'', $68,000,000, of which $60,000,000 shall be for the Superfund Remedial program and $8,000,000 shall be for the Superfund Emergency Response and Removal program, to remain available until expended, consisting of such sums as are available in the Trust Fund on September 30, 2018, as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA) and up to $68,000,000 as a payment from general revenues to the Hazardous Substance Superfund for purposes as authorized by section 517(b) of SARA.

(b) For an additional amount for ''Environmental Protection Agency—State and Tribal Assistance Grants,'' for environmental programs and infrastructure assistance, including capitalization grants for State revolving funds and performance partnership grants, $665,000,000 to remain available until expended, of which—

(1) $300,000,000 shall be for making capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act; and of which $300,000,000 shall be for making capitalization grants for the Drinking Water State Revolving Funds under section 1452 of the Safe Drinking Water Act;

(2) $25,000,000 shall be for grants for small and disadvantaged communities authorized in section 2104 of the Water Infrastructure Improvements for the Nation Act (Public Law 114–322);

(3) $25,000,000 shall be for grants for lead testing in school and child care program drinking water authorized in section 2107 of the Water Infrastructure Improvements for the Nation Act (Public Law 114–322);

(4) $15,000,000 shall be for grants for reducing lead in drinking water authorized in section 2105 of the Water Infrastructure Improvements for the Nation Act (Public Law 114–322).

(c) For an additional amount for ''Environmental Protection Agency—Water Infrastructure Finance and Innovation Program Account'', $58,000,000, to remain available until expended, for the cost of direct loans, for the cost of guaranteed loans, and for administrative expenses to carry out the direct and guaranteed loan programs, of which $3,000,000, to remain available until September 30, 2020, may be used for such administrative expenses: *Provided*, That these additional funds are available to subsidize gross obligations for the principal amount of direct loans, including capitalized interest, and total loan principal, including capitalized interest, any part of which is to be guaranteed, not to exceed $6,700,000,000.

SMALL REMOTE INCINERATORS

SEC. 429. None of the funds made available in this Act may be used to implement or enforce the regulation issued on March 21, 2011 at 40 CFR part 60 subparts CCCC and DDDD with respect to units in the State of Alaska that are defined as ''small, remote incinerator'' units in those regulations and, until a subsequent regulation is issued, the Administrator shall implement the law and regulations in effect prior to such date.

CLARIFICATION OF EXEMPTIONS

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

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

DIVISION E—DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2019

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, $5,947,952,000, of which up to $671,726,000 may remain available until September 30, 2020, and of which up to $1,469,777,000 may remain available until expended for Worldwide Security Protection: *Provided*, That 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, $2,871,794,000, of which up to $528,000,000 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, $1,338,227,000.

(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 Senate or specific Acts of Congress, general administration, and arms control, nonproliferation and disarmament activities as authorized, $773,847,000.

(4) SECURITY PROGRAMS.—For necessary expenses for security activities, $964,084,000, of which up to $941,777,000 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.

(D) Funds appropriated under this heading that are designated for Worldwide Security Protection shall continue to be made available for support of security-related training at sites in existence prior to the enactment of this Act.

(7) CLARIFICATION.—References to the ''Diplomatic and Consular Programs'' account in any provision of law shall be construed to include the ''Diplomatic Programs'' account in this Act and other Acts making appropriations for the Department of State, foreign operations, and related programs.

CAPITAL INVESTMENT FUND

For necessary expenses of the Capital Investment Fund, as authorized, $92,770,000, 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 under this heading, $13,624,000

may remain available until September 30, 2020.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For expenses of educational and cultural exchange programs, as authorized, $700,946,000, to remain available until expended, of which not less than $271,500,000 shall be for the Fulbright Program and not less than $111,860,000 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, $8,030,000.

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, 2020.

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 available, the Harry S Truman Building, $777,200,000, to remain available until September 30, 2023, 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 acquisition of furniture, furnishings, or generators for other departments and agencies of the United States Government.

In addition, for the costs of worldwide security upgrades, acquisition, and construction as authorized, $1,198,249,000, to remain available until expended: *Provided*, That not later than 45 days after enactment of this Act, the Secretary of State shall submit to the Committees on Appropriations the proposed allocation of funds made available under this heading and the actual and anticipated proceeds of sales or gifts for all projects in fiscal year 2019.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

For necessary expenses to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic 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'': *Provided*, That $800,000 of the funds appropriated under this heading may not be obligated until the Secretary of State testifies before the Committees on Appropriations concerning the fiscal year 2020 budget request for the Department of State: *Provided further*, That the limitation of the previous proviso shall not apply if such funds are necessary for emergency evacuations and the payment of rewards for information related to international terrorism, narcotics related activities, transnational organized crime, and war crimes as authorized by section 36 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708).

REPATRIATION 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 $5,686,032.

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, conventions, or specific Acts of Congress, $1,264,030,000: *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 the Secretary of State shall notify the Committees on Appropriations at least 15 days in advance (or in an emergency, as far in advance as is practicable) of any United Nations action to increase funding for any United Nations program without identifying an offsetting decrease elsewhere in the United Nations budget: *Provided further*, That not later than May 1, 2019, and 30 days after the end of fiscal year 2019, the Secretary of State shall report to the Committees on Appropriations any credits attributable to the United States, including from the United Nations Tax Equalization Fund, and provide updated fiscal year 2019 and fiscal year 2020 assessment costs including offsets from available credits and updated foreign currency exchange rates: *Provided further*, That any such credits shall only be available for United States assessed contributions to the United Nations regular budget, and the Committees on Appropriations shall be notified when such credits are applied to any assessed contribution, including any payment of arrearages: *Provided further*, That any notification regarding funds appropriated or otherwise made available under this heading in this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs submitted pursuant to section 7015 of this Act, section 34 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2706), or any operating plan submitted pursuant to section 7070 of this Act, shall include an estimate of all known credits currently attributable to the United States and provide updated assessment costs including offsets from available credits and updated foreign currency exchange rates: *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 organization and shall be subject to the regular notification procedures 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, $562,344,000, of which 15 percent shall remain available until September 30, 2020: *Provided*, 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 Appropriations 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 appropriated under this heading may be made available for obligation 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 implementing effective policies and procedures to prevent United Nations employees, contractor personnel, and peacekeeping troops serving in such mission from trafficking in persons, exploiting victims of trafficking, or committing acts of sexual exploitation and abuse or other violations of human rights, and to hold accountable individuals who engage in such acts while participating in such mission, including prosecution in their home countries 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 contributing 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 not later than May 1, 2019, and 30 days after the end of fiscal year 2019, the Secretary of State shall report to the Committees on Appropriations any credits attributable to the United States, including those resulting from United Nations peacekeeping missions or the United Nations Tax Equalization Fund, and provide updated fiscal year 2019 and fiscal year 2020 assessment costs including offsets from available credits: *Provided further*, That any such credits shall only be available for United States assessed contributions to United Nations peacekeeping missions, and the Committees on Appropriations shall be notified when such credits are applied to any assessed contribution, including any payment of arrearages: *Provided further*, That any notification regarding funds appropriated or otherwise made available under this heading in this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs submitted pursuant to section 7015 of this Act, section 34 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2706), or any operating plan submitted pursuant to section 7070 of this Act, shall include an estimate of all known credits currently attributable to the United States and provide updated assessment costs, including offsets from available credits: *Provided further*, That any payment of arrearages with funds appropriated by this Act shall be subject to the regular notification procedures of the Committees on Appropriations: *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.

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, $48,134,000.

CONSTRUCTION

For detailed plan preparation and construction of authorized projects, $29,400,000, 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), $13,258,000: *Provided*, That of the amount provided under this heading for the International Joint Commission, up to $500,000 may remain available until September 30, 2020, 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, $50,651,000: *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

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

For necessary expenses to enable the Broadcasting Board of Governors (BBG), 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: *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 BBG shall notify the Committees on Appropriations within 15 days of any determination by the BBG 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 significant modifications to BBG broadcast hours previously justified to Congress, including changes to transmission platforms (shortwave, medium wave, satellite, Internet, and television), for all BBG language services shall be subject to the regular notification procedures of the Committees on Appropriations: *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.

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, television, and digital transmission and reception, including to Cuba, as authorized; and physical security worldwide, in addition to amounts otherwise available for such purposes, $9,700,000, to remain available until expended, as authorized.

RELATED PROGRAMS

THE ASIA FOUNDATION

For a grant to The Asia Foundation, as authorized by The Asia Foundation Act (22 U.S.C. 4402), $17,000,000, to remain available until expended: *Provided*, 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 remain available until September 30, 2020, 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, 2019, 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, 2019, 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, 2019, 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 7070(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 Endowment not later than 60 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, $675,000, 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, 2019: *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, 2020, including not more than $4,000 for representation expenses: *Provided*, That prior to the obligation of $1,000,000 of the funds appropriated under this heading, the Commission shall consult with the appropriate congressional committees on the steps taken to implement the recommendations of the Independent Review of USCIRF Mission Effectiveness that was conducted pursuant to the United States Commission on International Religious Freedom Reauthorization Act of 2015 (Public Law 114–71), and such funds shall be subject to the regular notification procedures of the Committees on Appropriations.

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, 2020.

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, 2020.

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 Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002), $3,500,000, including not more than $4,000 for representation expenses, to remain available until September 30, 2020: *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 2019 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), $1,500,000 to remain available until September 30, 2020.

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, $1,214,808,000, of which up to $182,221,000 may remain available until September 30, 2020: *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, $225,000,000, 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, $76,600,000, of which up to $11,490,000 may remain available until September 30, 2020, 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, $3,117,450,000, to remain available until September 30, 2020, and which shall be apportioned directly to the United States Agency for International Development: *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 following 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 purposes); (2) the project shall not include payment of incentives, bribes, gratuities, or financial reward to: (A) an individual in exchange for becoming a family planning acceptor; or (B) program personnel for achieving a numerical target or quota of total number of births, number of family 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 Foreign Assistance Act of 1961 no applicant shall be discriminated against because of such applicant's religious or conscientious commitment to offer only natural family planning; 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 authorizing or appropriating funds for the Department of State, foreign operations, and related programs, the term ''motivate'', 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, $5,720,000,000, to remain available until September 30, 2023, which shall be apportioned directly to the Department of State: *Provided*, That funds appropriated under this paragraph may be made available, notwithstanding 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), and shall be expended at the minimum rate necessary to make timely payment for projects and activities: *Provided further*, That the amount of such contribution should be $1,350,000,000: *Provided further*, That clauses (i) and (vi) of section 202(d)(4)(A) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7622) shall be applied with respect to such funds made available for fiscal years 2015 through 2019 by substituting ''2004'' for ''2009'': *Provided further*, That up to 5 percent of the aggregate amount of funds made available to the Global Fund in fiscal year 2019 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, $3,000,000,000, to remain available until September 30, 2020.

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, $3,801,034,000, to remain available until expended: *Provided*, That such funds shall be apportioned to the United States Agency for International Development not later than 60 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, $30,000,000, to remain available until expended, to support transition to democracy and long-term development of countries in crisis: *Provided*, That such support may include assistance to develop, strengthen, or preserve democratic institutions and processes, revitalize basic infrastructure, and foster the peaceful resolution of conflict: *Provided further*, That the USAID Administrator shall submit a report to the Committees on Appropriations at least 5 days prior to beginning a new program of assistance: *Provided further*, That if the Secretary of State determines that it is important to the national interest of the United 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 CRISES 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 provision 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 60 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.

DEVELOPMENT CREDIT AUTHORITY

For the cost of direct loans and loan guarantees provided by the United States Agency for International Development, as authorized by sections 256 and 635 of the Foreign Assistance Act of 1961, up to $55,000,000 may be derived by transfer from funds appropriated by this Act to carry out part I of such Act and under the heading ''Assistance for Europe, Eurasia and Central Asia'': *Provided*, That funds provided under this paragraph and funds provided as a gift that are used for purposes of this paragraph pursuant to section 635(d) of the Foreign Assistance Act of 1961 shall be made available only for micro- and small enterprise programs, urban programs, and other programs which further the purposes of part I of such Act: *Provided further*, That funds provided as a gift that are used for purposes of this paragraph shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations: *Provided further*, That such costs, including the cost of modifying such direct and guaranteed loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That funds made available by this paragraph may be used for the cost of modifying any such guaranteed loans under this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs, and funds used for such cost, including if the cost results in a negative subsidy, shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That the provisions of section 107A(d) (relating to general provisions applicable to the Development Credit Authority) of the Foreign Assistance Act of 1961, as contained in section 306 of H.R. 1486 as reported by the House Committee on International Relations on May 9, 1997, shall be applicable to direct loans and loan guarantees provided under this heading, except that the principal amount of loans made or guaranteed under this heading with respect to any single country shall not exceed $300,000,000: *Provided further*, That these funds are available to subsidize total loan principal, any portion of which is to be guaranteed, of up to $1,750,000,000.

In addition, for administrative expenses to carry out credit programs administered by USAID, $10,000,000, which may be transferred to, and merged with, funds made available under the heading ''Operating Expenses'' in title II of this Act: *Provided*, That funds made available under this heading shall remain available until September 30, 2021: *Provided further*, That of the funds appropriated under this paragraph in this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs for administrative expenses to carry out credit programs administered by USAID, up to $1,000,000 may be made available for limited transition costs associated with the implementation of section 1463 of the Better Utilization of Investments Leading to Development (BUILD) Act of 2018 (division F of Public Law 115–254): *Provided further*, That prior to the initial obligation of funds made available for such transition costs, the USAID Administrator shall submit a spend plan to the Committees on Appropriations for the use of such funds: *Provided further*, That funds made available for such transition costs shall be subject to the regular notification procedures of the Committees on Appropriations, and may not be made available until the reorganization plan required by section 1462(a) of the BUILD Act of 2018 is transmitted to Congress.

ECONOMIC SUPPORT FUND

For necessary expenses to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961, $2,545,525,000, to remain available until September 30, 2020.

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), $157,700,000, to remain available until September 30, 2020, 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 obligation of funds appropriated under this paragraph.

For an additional amount for such purposes, $69,500,000, to remain available until September 30, 2020, 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), $760,334,000, to remain available until September 30, 2020, which shall be available, notwithstanding any other provision of law, except section 7047 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(c) 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'', ''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 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, $2,027,876,000, to remain available until expended, of which 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, $410,500,000, of which $6,000,000 is for the Office of Inspector General, to remain available until September 30, 2020: *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 $105,000,000 may be available for administrative expenses of the Millennium Challenge Corporation: *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, $22,500,000, to remain available until September 30, 2020: *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, 2020, 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

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For necessary expenses to carry out section 481 of the Foreign Assistance Act of 1961, $1,497,469,000, to remain available until September 30, 2020: *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 judicial authorities, utilizing regional partners: *Provided further*, That funds made available under this heading that are transferred 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 regular notification procedures of the Committees on Appropriations.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

For necessary expenses for nonproliferation, anti-terrorism, demining and related programs and activities, $864,550,000, to remain available until September 30, 2020, 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 determines 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, $163,457,000: *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 Observers mission in the Sinai and not less than $71,000,000 shall be made available for the Global Peace Operations Initiative: *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, $110,778,000, of which up to $11,000,000 may remain available until September 30, 2020: *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, $5,962,241,000: *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 $815,300,000 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 only those countries for which assistance was justified for the ''Foreign Military Sales Financing Program'' in the fiscal year 1989 congressional presentation for security assistance programs may utilize funds made available under this heading for 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: *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 $75,000,000 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 Committees 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 2019 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.

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, $339,000,000: *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, 2020: *Provided*, That of such amount, $136,563,000, which shall remain available until September 30, 2019, is only available for the first 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 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 BANK

For payment to the African Development Bank by the Secretary of the Treasury for the United States share of the paid-in portion of the increase in capital stock, $32,417,159, to remain available until expended.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the African Development Bank may subscribe without fiscal year limitation to the callable capital portion of the United States share of such capital stock in an amount not to exceed $507,860,806.

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, 2020, for the first 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, 2020.

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 limitations, as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the program for the current fiscal year for such corporation: *Provided*, 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 economic or military assistance under this Act, that has detonated 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 remain available until September 30, 2020: *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, guarantee 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 collections so as to result in a final fiscal year appropriation from the General Fund estimated at $0.

OVERSEAS PRIVATE INVESTMENT CORPORATION

NONCREDIT ACCOUNT

The Overseas Private Investment Corporation is authorized to make, without regard to fiscal year limitations, as provided by section 9104 of title 31, United States Code, such expenditures and commitments within the limits of funds available to it and in accordance with law as may be necessary: *Provided*, That the amount available for administrative expenses to carry out the credit and insurance programs (including an amount for official reception and representation expenses which shall not exceed $35,000) shall not exceed $79,200,000: *Provided further*, That project-specific transaction costs, including direct and indirect costs incurred in claims settlements, and other direct costs associated with services provided to specific investors or potential investors pursuant to section 234 of the Foreign Assistance Act of 1961, shall not be considered administrative expenses for the purposes of this heading: *Provided further*, That of the funds appropriated under this heading in this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs, up to $5,000,000 may be made available for limited transition costs associated with the implementation of section 1463 of the Better Utilization of Investments Leading to Development (BUILD) Act of 2018 (division F of Public Law 115–254): *Provided further*, That prior to the initial obligation of funds made available for such transition costs, the President of the Overseas Private Investment Corporation shall submit a spend plan to the Committees on Appropriations for the use of such funds: *Provided further*, That funds made available for such transition costs shall be subject to the regular notification procedures of the Committees on Appropriations, and may not be made available until the reorganization plan required by section 1462(a) of the BUILD Act of 2018 is transmitted to Congress.

PROGRAM ACCOUNT

For the cost of direct and guaranteed loans as authorized by section 234 of the Foreign Assistance Act of 1961, $20,000,000, to be derived by transfer from the Overseas Private Investment Corporation Noncredit Account, to remain available until 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 funds so obligated in fiscal year 2019 remain available for disbursement through 2027; funds obligated in fiscal year 2020 remain available for disbursement through 2028; and funds obligated in fiscal year 2021 remain available for disbursement through 2029: *Provided further*, That notwithstanding any other provision of law, the Overseas Private Investment Corporation is authorized to undertake any program authorized by title IV of chapter 2 of part I of the Foreign Assistance Act of 1961 in Iraq: *Provided further*, That funds made available pursuant to the authority of the previous proviso shall be subject to the regular notification procedures of the Committees on Appropriations.

In addition, such sums as may be necessary for administrative expenses to carry out the credit program may be derived from amounts available for administrative expenses to carry out the credit and insurance programs in the Overseas Private Investment Corporation Noncredit Account and merged with said account.

TRADE AND DEVELOPMENT AGENCY

For necessary expenses to carry out the provisions of section 661 of the Foreign Assistance Act of 1961, $79,500,000, to remain available until September 30, 2020, 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 2019 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 provided under existing law, or under existing Executive order issued pursuant to existing law.

DIPLOMATIC FACILITIES

SEC. 7004. (a) CAPITAL SECURITY COST SHARING INFORMATION.—The Secretary of State shall promptly inform the Committees on Appropriations of each instance in which a Federal department or agency is delinquent in providing the full amount of funding required by section 604(e) of the Secure Embassy Construction and Counterterrorism Act of 1999 (22 U.S.C. 4865 note).

(b) EXCEPTION.—Notwithstanding paragraph (2) of section 604(e) of the Secure Embassy Construction 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 appendix 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 accommodations for members of the United States Marine Corps.

(c) NEW DIPLOMATIC FACILITIES.—For the purposes of calculating the fiscal year 2019 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.

(d) 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 2019, 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 House Report 115–829.

(e) INTERIM AND TEMPORARY FACILITIES ABROAD.—

(1) SECURITY VULNERABILITIES.—Funds appropriated by this Act under the heading ''Embassy Security, Construction, and Maintenance'' may be made available, following consultation with the appropriate congressional committees, to address security vulnerabilities at interim and temporary United States diplomatic facilities abroad, including physical security upgrades and local guard staffing, except that the amount of funds made available for such purposes from this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs shall be a minimum of $25,000,000.

(2) CONSULTATION.—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.

(f) TRANSFER OF FUNDS AUTHORITY.—Funds appropriated under the headings ''Diplomatic Programs'', including for Worldwide Security Protection, ''Emergencies in the Diplomatic and Consular Service'', and ''Embassy Security, Construction, and Maintenance'' in this Act may be transferred to, and merged with, funds appropriated under such headings if the Secretary of State determines and reports to the Committees on Appropriations that to do so is necessary to implement the recommendations of the Benghazi Accountability Review Board, for emergency evacuations, or to prevent or respond to security situations and requirements, following consultation with, and subject to the regular notification procedures of, such Committees: *Provided*, That such transfer authority is in addition to any transfer authority otherwise available in this Act and under any other provision of law.

(g) SOFT TARGETS.—Funds appropriated by this Act under the heading ''Embassy Security, Construction, and Maintenance'' may be made available for security upgrades to soft targets, including schools, recreational facilities, and residences used by United States diplomatic personnel and their dependents, except that the amount made available for such purposes shall be a minimum of $10,000,000.

(h) REPORT.—Within 45 days of enactment of this Act and every 3 months thereafter until the completion of each project, the Secretary of State shall submit to the Committees on Appropriations a report on the Erbil Consulate, Beirut Embassy, Jakarta Embassy, Mexico City Embassy, and New Delhi Embassy, as described under this section in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

(i) SECURE RESUPPLY AND MAINTENANCE.—The Secretary of State may not grant final approval for the construction of a new facility or substantial construction to improve or expand an existing facility in the United States by or for the Government of the People's Republic of China until the Secretary certifies and reports to the appropriate congressional committees that an agreement has been concluded between the Governments of the United States and the People's Republic of China that permits secure resupply, maintenance, and new construction of United States Government facilities in the People's Republic of China.

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 included 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 OF STATE MANAGEMENT

SEC. 7006. (a) FINANCIAL SYSTEMS IMPROVEMENT.—Funds appropriated by this Act for the operations of the Department of State under the headings ''Diplomatic Programs'' and ''Capital Investment Fund'' shall be made available to implement the recommendations contained in the Foreign Assistance Data Review Findings Report (FADR) and the Office of Inspector General (OIG) report entitled ''Department Financial Systems Are Insufficient to Track and Report on Foreign Assistance Funds'': *Provided*, That not later than 45 days after enactment of this Act, the Secretary of State shall submit to the Committees on Appropriations an update to the plan required under section 7006 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2017 (division J of Public Law 115–31) for implementing the FADR and OIG recommendations: *Provided further*, That such funds may not be obligated for enhancements to, or expansions of, the Budget System Modernization Financial System, Central Resource Management System, Joint Financial Management System, or Foreign Assistance Coordination and Tracking System until such updated plan is submitted to the Committees on Appropriations: *Provided further*, That such funds may not be obligated for new, or expansion of existing, ad hoc electronic systems to track commitments, obligations, or expenditures of funds unless the Secretary of State, following consultation with the Chief Information Officer of the Department of State, has reviewed and certified that such new system or expansion is consistent with the FADR and OIG recommendations.

(b) 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 2019: *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 Department 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.

(c) CERTIFICATION.—

(1) Not later than 45 days after the initial obligation of funds appropriated under titles III and IV of this Act that are made available to a Department of State bureau or office with responsibility for the management and oversight of such funds, the Secretary of State shall certify and report to the Committees on Appropriations, on an individual bureau or office basis, that such bureau or office is in compliance with Department and Federal financial and grants management policies, procedures, and regulations, as applicable.

(2) When making a certification required by paragraph (1), the Secretary of State shall consider the capacity of a bureau or office to—

(A) account for the obligated funds at the country and program level, as appropriate;

(B) identify risks and develop mitigation and monitoring plans;

(C) establish performance measures and indicators;

(D) review activities and performance; and

(E) assess final results and reconcile finances.

(3) If the Secretary of State is unable to make a certification required by paragraph (1), the Secretary shall submit a plan and timeline detailing the steps to be taken to bring such bureau or office into compliance.

(4) The report accompanying a certification required by paragraph (1) shall include the requirements contained under this section in House Report 115–829.

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 BROADCASTING BOARD OF GOVERNORS.—

(1) DEPARTMENT OF STATE.—Not to exceed 5 percent of any appropriation made available for the current fiscal year for 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''.

(2) BROADCASTING BOARD OF GOVERNORS.—Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Broadcasting Board of Governors 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) TITLE VI AGENCIES.—Not to exceed 5 percent of any appropriation, other than for administrative expenses made available for fiscal year 2019, for programs under title VI of this Act may be transferred between such appropriations for use for any of the purposes, programs, and activities for which the funds in such receiving account may be used, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 25 percent by any such transfer: *Provided*, That the exercise of such authority shall be subject to the regular notification procedures of the Committees on Appropriations.

(c) 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.

(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 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.

(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 appropriations 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.

(f) REPORT.—Not later than October 31, 2019, the Secretary of State and the USAID Administrator shall each submit a report to the Committees on Appropriations detailing all transfers to another agency of the United States Government made pursuant to sections 632(a) and 632(b) of the Foreign Assistance Act of 1961 with funds provided in the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2018 (division K of Public Law 115–141): *Provided*, That such reports shall include a list of each transfer made pursuant to such sections with the respective funding level, appropriation account, and the receiving agency.

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.

(c) PROHIBITION ON PROMOTION OF TOBACCO.—None of the funds made available by this Act should 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. No part of any appropriation contained in this Act shall remain available for obligation after the expiration of the current fiscal year unless expressly so provided by this Act: *Provided*, That funds appropriated 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 provided under the headings ''Development Credit Authority'' and ''Assistance for Europe, Eurasia and Central Asia'' shall remain available for an additional 4 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 the availability of funds pursuant to the previous proviso shall not be applicable to such funds until the Secretary of State submits the reports required under section 7011 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2017 (division J of Public Law 115–31) and the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2018 (division K of Public Law 115–141): *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 4 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: *Provided further*, That the Secretary of State shall provide a report to the Committees on Appropriations not later than October 31, 2019, detailing by account and source year, the use of this authority during the previous fiscal year.

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 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 governing the terms and conditions under which such assistance 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 International Development shall expeditiously seek to negotiate amendments to existing bilateral agreements, as necessary, 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 2019 on funds appropriated by this Act and prior Acts making appropriations 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 2020 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, 2020, such taxes have not been reimbursed: *Provided*, That the Secretary of 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 House Report 115–829.

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 2019, 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 2019, 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.

(c) 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'', ''Nonproliferation, Anti-terrorism, Demining and Related Programs'', ''Millennium Challenge Corporation'', ''Foreign Military Financing Program'', ''International Military Education and Training'', 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: *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.

(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 Appropriations 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, Bolivia, Burma, Cambodia, Colombia, Cuba, Egypt, El Salvador, Ethiopia, Guatemala, Haiti, Honduras, Iran, Iraq, Lebanon, Libya, Mexico, Nicaragua, Pakistan, Philippines, the Russian Federation, Somalia, South Sudan, Sri Lanka, Sudan, Syria, Uzbekistan, Venezuela, Yemen, and Zimbabwe 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 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: *Provided*, That such notification shall include the information specified under this section in the explanatory statement accompanying the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2018 (division K of Public Law 115–141).

(h) OTHER PROGRAM NOTIFICATION REQUIREMENT.—

(1) DIPLOMATIC PROGRAMS.—Funds appropriated under title I of this Act under the heading ''Diplomatic Programs'' that are made available for a pilot program for lateral entry into the Foreign Service shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(2) OTHER PROGRAMS.—Funds appropriated by this Act that are made available for the following programs and activities shall be subject to the regular notification procedures of the Committees on Appropriations—

(A) The Global Engagement Center, except that the Secretary of State shall consult with the appropriate congressional committees prior to submitting such notification;

(B) The Power Africa initiative, or any successor program;

(C) Community-based police assistance conducted pursuant to the authority of section 7049(a)(1) of this Act;

(D) Programs to counter foreign fighters and extremist organizations, pursuant to section 7071(a) of this Act;

(E) The Relief and Recovery Fund;

(F) The Indo-Pacific Strategy;

(G) The Global Security Contingency Fund;

(H) The Countering Russian Influence Fund; and

(I) Programs to end modern slavery.

(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 departments 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 seven 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, RECORDS MANAGEMENT, AND RELATED CYBERSECURITY PROTECTIONS

SEC. 7016. (a) REQUESTS FOR DOCUMENTS.—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.

(b) RECORDS MANAGEMENT AND RELATED CYBERSECURITY PROTECTIONS.—

(1) LIMITATION.—None of the funds appropriated by this Act under the headings ''Diplomatic Programs'' and ''Capital Investment Fund'' in title I, and ''Operating Expenses'' and ''Capital Investment Fund'' in title II that are made available to the Department of State and USAID may be made available to support the use or establishment of email accounts or email servers created outside the .gov domain or not fitted for automated records management as part of a Federal government records management program in contravention of the Presidential and Federal Records Act Amendments of 2014 (Public Law 113–187).

(2) DIRECTIVES.—The Secretary of State and USAID Administrator shall—

(A) regularly review and update the policies, directives, and oversight necessary to comply with Federal statutes, regulations, and presidential executive orders and memoranda concerning the preservation of all records made or received in the conduct of official business, including record emails, instant messaging, and other online tools;

(B) use funds appropriated by this Act under the headings ''Diplomatic Programs'' and ''Capital Investment Fund'' in title I, and ''Operating Expenses'' and ''Capital Investment Fund'' in title II, as appropriate, to improve Federal records management pursuant to the Federal Records Act (44 U.S.C. Chapters 21, 29, 31, and 33) and other applicable Federal records management statutes, regulations, or policies for the Department of State and USAID;

(C) direct departing employees that all Federal records generated by such employees, including senior officials, belong to the Federal Government;

(D) improve the response time for identifying and retrieving Federal records, including requests made pursuant to section 552 of title 5, United States Code (commonly known as the ''Freedom of Information Act''); and

(E) strengthen cyber security measures to mitigate vulnerabilities, including those resulting from the use of personal email accounts or servers outside the .gov domain, improve the process to identify and remove inactive user accounts, update and enforce guidance related to the control of national security information, and implement the recommendations of the applicable reports of the cognizant Office of Inspector General.

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 INVOLUNTARY 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 abortions 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 Assistance 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 in the amounts specifically designated in the respective tables included in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated 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.—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 only deviate up to 10 percent from the amounts specifically designated in the respective tables included in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act): *Provided*, That such percentage may be exceeded only if the Secretary of State and USAID Administrator, as applicable, determines and reports to the Committees on Appropriations on a case-by-case basis that such deviation is necessary to respond to significant, exigent, or unforeseen events or to address other exceptional circumstances directly related to the national security interest of the United States: *Provided further*, That deviations pursuant to the previous proviso shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(c) LIMITATION.—For specifically designated amounts that are included, pursuant to subsection (a), in the report required by section 653(a) of the Foreign Assistance Act of 1961, no deviations authorized by subsection (b) may take place until submission of such report.

(d) EXCEPTIONS.—

(1) Subsections (a) and (b) shall not apply to—

(A) amounts designated for ''International Military Education and Training'' in the respective tables included in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act);

(B) funds for which the initial period of availability has expired;

(C) amounts designated by this Act as minimum funding requirements; and

(D) funds made available for a country pursuant to sections 7043(c), 7047(d), and 7071(b) of this Act.

(2) The authority in subsection (b) to deviate below amounts designated in the respective tables included in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act) shall not apply to the table included under the heading ''Global Health Programs'' in such explanatory statement.

(3) With respect to the amounts designated for ''Global Programs'' in the table under the heading ''Economic Support Fund'' included in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), subsection (b) shall be applied by substituting ''5 percent'' for ''10 percent''.

(e) REPORTS.—The Secretary of State and the USAID Administrator, as appropriate, shall submit the reports required, in the manner described, in House Report 115–829, Senate Report 115–282, and the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), unless directed otherwise in such explanatory statement.

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

SEC. 7022. Funds appropriated by this Act, except funds appropriated under the heading ''Trade and Development Agency'', may be obligated and expended notwithstanding section 10 of Public Law 91–672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C.

6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 3094(a)(1)).

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 prohibited, 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 Overseas Private Investment 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.

(c) INTERNATIONAL FINANCIAL INSTITUTIONS.—The Secretary of the Treasury shall instruct the United States executive directors of the international financial institutions to use the voice and vote of the United States to oppose any assistance by such institutions, using funds appropriated or made available by this Act, for the production or extraction of any commodity or mineral for export, if it is in surplus on world markets and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity.

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.

(5) REPORT.—The USAID Administrator shall report as part of the congressional budget justification submitted to the Committees on Appropriations on the use of local currencies for the administrative requirements of the United States Government as authorized in subsection (a)(2)(B), and such report shall include the amount of local currency (and United States dollar equivalent) used or to be used for such purpose in each applicable country.

(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 2019, 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 entities if—

(1) prior to the determination to limit competition to local entities, USAID has—

(A) assessed the level of local capacity to effectively implement, manage, and account for programs included in such competition; and

(B) documented the written results of the assessment and decisions made; and

(2) prior to making an award after limiting competition to local entities—

(A) each successful local entity has been determined to be responsible in accordance with USAID guidelines; and

(B) effective monitoring and evaluation systems are in place to ensure that award funding is used for its intended purposes; and

(3) no level of acceptable fraud is assumed.

(b) REPORT.—In addition to the requirements of subsection (a)(1), the USAID Administrator shall report to the appropriate congressional committees not later than 45 days after the end of fiscal year 2019 on all awards subject to limited or no competition for local entities: *Provided*, That such report shall be posted on the USAID website: *Provided further*, That the requirements of this subsection shall only apply to awards in excess of $3,000,000 and sole source awards to local entities in excess of $2,000,000.

(c) EXTENSION OF PROCUREMENT AUTHORITY.—Section 7077 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012 (division I of Public Law 112–74) shall continue in effect during fiscal year 2019.

INTERNATIONAL FINANCIAL INSTITUTIONS

SEC. 7029. (a) EVALUATIONS AND REPORT.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to seek to require that such institution adopts and implements a publicly available policy, including the strategic use of peer reviews and external experts, to conduct independent, in-depth evaluations of the effectiveness of at least 25 percent of all loans, grants, programs, and significant analytical non-lending activities in advancing the institution's goals of reducing poverty and promoting equitable economic growth, consistent with relevant safeguards, to ensure that decisions to support such loans, grants, programs, and activities are based on accurate data and objective analysis: *Provided*, That not later than 45 days after enactment of this Act, the Secretary shall submit a report to the Committees on Appropriations on steps taken in fiscal year 2018 by the United States executive directors and the international financial institutions consistent with this subsection compared to the previous fiscal year.

(b) SAFEGUARDS.—

(1) The Secretary of the Treasury shall instruct the United States Executive Director of the International Bank for Reconstruction and Development 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, policy, or strategy that provides less protection than World Bank safeguards in effect on September 30, 2015.

(2) The Secretary of the Treasury should instruct the United States executive director of each international financial institution to vote against loans or other financing for projects unless such projects—

(A) provide for accountability and transparency, including the collection, verification and publication of beneficial ownership information related to extractive industries and on-site monitoring during the life of the project;

(B) will be developed and carried out in accordance with best practices regarding environmental conservation; cultural protection; and empowerment of local populations, including free, prior and informed consent of affected indigenous communities;

(C) do not provide incentives for, or facilitate, forced displacement; and

(D) do not partner with or otherwise involve enterprises owned or controlled by the armed forces.

(c) COMPENSATION.—None of the funds appropriated 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 compensated 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 executive director to such institution is compensated by the institution 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.

(d) 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 subsection in Senate Report 115–282: *Provided*, That prior to voting on any such loan, grant, policy, or strategy the executive director shall consult with the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State, if the executive director has reason to believe that such loan, grant, policy, or strategy could result in forced displacement or other violation of human rights.

(e) FRAUD AND CORRUPTION.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to promote in loan, grant, and other financing agreements improvements in borrowing countries' financial management and judicial capacity to investigate, prosecute, and punish fraud and corruption.

(f) BENEFICIAL OWNERSHIP INFORMATION.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to seek to require that such institution collects, verifies, and publishes, to the maximum extent practicable, beneficial ownership information (excluding proprietary information) for any corporation or limited liability company, other than a publicly listed company, that receives funds from any such financial institution: *Provided*, That not later than 45 days after enactment of this Act, the Secretary shall submit a report to the Committees on Appropriations on steps taken in fiscal year 2018 by the United States executive directors and the international financial institutions consistent with this subsection compared to the previous fiscal year.

(g) WHISTLEBLOWER PROTECTIONS.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to seek to require that each such institution is effectively implementing and enforcing policies and procedures which reflect best practices for the protection of whistleblowers from retaliation, including best practices for—

(1) protection against retaliation for internal and lawful public disclosure;

(2) legal burdens of proof;

(3) statutes of limitation for reporting retaliation;

(4) access to independent adjudicative bodies, including external arbitration; and

(5) results that eliminate the effects of proven retaliation.

DEBT-FOR-DEVELOPMENT

SEC. 7030. In order to enhance the continued participation of nongovernmental organizations in debt-for-development and debt-for-nature exchanges, a nongovernmental organization which is a grantee or contractor of the United States Agency for International Development may place in interest bearing accounts local currencies which accrue to that organization as a result of economic assistance provided under title III of this Act and, subject to the regular notification procedures of the Committees on Appropriations, any interest earned on such investment shall be used for the purpose for which the assistance was provided to that organization.

FINANCIAL MANAGEMENT AND BUDGET TRANSPARENCY

SEC. 7031. (a) LIMITATION ON DIRECT GOVERNMENT-TO-GOVERNMENT ASSISTANCE.—

(1) REQUIREMENTS.—Funds appropriated by this Act may be made available for direct government-to-government assistance only if—

(A)(i) each implementing agency or ministry to receive assistance has been assessed and is considered to have the systems required to manage such assistance and any identified vulnerabilities or weaknesses of such agency or ministry have been addressed;

(ii) the recipient agency or ministry employs and utilizes staff with the necessary technical, financial, and management capabilities;

(iii) the recipient agency or ministry has adopted competitive procurement policies and systems;

(iv) effective monitoring and evaluation systems are in place to ensure that such assistance is used for its intended purposes;

(v) no level of acceptable fraud is assumed; and

(vi) the government of the recipient country is taking steps to publicly disclose on an annual basis its national budget, to include income and expenditures;

(B) the recipient government is in compliance with the principles set forth in section 7013 of this Act;

(C) the recipient agency or ministry is not headed or controlled by an organization designated as a foreign terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189);

(D) the Government of the United States and the government of the recipient country have agreed, in writing, on clear and achievable objectives for the use of such assistance, which should be made available on a cost-reimbursable basis; and

(E) the recipient government is taking steps to protect the rights of civil society, including freedoms of expression, association, and assembly.

(2) CONSULTATION AND NOTIFICATION.—In addition to the requirements in paragraph (1), no funds may be made available for direct government-to-government assistance without prior consultation with, and notification of, the Committees on Appropriations: *Provided*, That such notification shall contain an explanation of how the proposed activity meets the requirements of paragraph (1): *Provided further*, That the requirements of this paragraph shall only apply to direct government-to-government assistance in excess of $10,000,000 and all funds available for cash transfer, budget support, and cash payments to individuals.

(3) SUSPENSION OF ASSISTANCE.—The Administrator of the United States Agency for International 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 misuse of such assistance, unless the Administrator or the Secretary reports to the Committees on Appropriations that it is in the national interest of the United States to continue such assistance, including a justification, or that such misuse has been appropriately addressed.

(4) SUBMISSION OF INFORMATION.—The Secretary of State shall submit to the Committees on Appropriations, concurrent with the fiscal year 2020 congressional budget justification materials, amounts planned for assistance described in paragraph (1) by country, proposed funding amount, source of funds, and type of assistance.

(5) REPORT.—Not later than 90 days after enactment of this Act and every 6 months thereafter until September 30, 2020, the USAID Administrator shall submit to the Committees on Appropriations a report that—

(A) details all assistance described in paragraph (1) provided during the previous 6-month period by country, funding amount, source of funds, and type of such assistance; and

(B) the type of procurement instrument or mechanism utilized and whether the assistance was provided on a reimbursable basis.

(6) 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 continue to update and strengthen the ''minimum requirements of fiscal transparency'' for each government receiving assistance appropriated by this Act, as identified in the report required by section 7031(b) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113–76).

(2) DEFINITION.—For purposes of paragraph (1), ''minimum requirements of fiscal transparency'' are requirements consistent with those in subsection (a)(1), and the public disclosure of national budget documentation (to include receipts and expenditures by ministry) and government contracts and licenses for natural resource extraction (to include bidding and concession allocation practices).

(3) 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 determination of ''significant progress'' or ''no significant progress'' in meeting the minimum requirements of fiscal transparency, and make such determinations publicly available in an annual ''Fiscal Transparency Report'' to be posted on the Department of State website: *Provided*, That the Secretary shall identify the significant progress made by each such government to publicly disclose national budget documentation, contracts, and licenses which are additional to such information disclosed in previous fiscal years, and include specific recommendations of short- and long-term steps such government should take to improve fiscal transparency: *Provided further*, That the annual report shall include a detailed description of how funds appropriated by this Act are being used to improve fiscal transparency, and identify benchmarks for measuring progress.

(4) ASSISTANCE.—Funds appropriated under title III 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: *Provided*, That such sums shall be in addition to funds otherwise available for such purposes: *Provided further*, That a description of the uses of such funds shall be included in the annual ''Fiscal Transparency Report'' required by paragraph (3).

(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 ineligible 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 Headquarters Agreement: *Provided*, That nothing in paragraph (1) shall be construed to derogate from United States Government obligations under applicable international agreements.

(3) WAIVER.—The Secretary may waive the application of paragraph (1) if the Secretary determines that the waiver would serve a compelling national interest or that the circumstances which caused the individual to be ineligible have changed sufficiently.

(4) REPORT.—Not later than 6 months after enactment of this Act, the Secretary of State shall submit a report, including a classified annex if necessary, to the Committees on Appropriations and the Committees on the Judiciary describing the information related to corruption or violation of human rights concerning each of the individuals found ineligible in the previous 12 months pursuant to paragraph (1)(A) as well as the individuals who the Secretary designated or identified pursuant to paragraph (1)(B), or who would be ineligible but for the application of paragraph (2), a list of any waivers provided under paragraph (3), and the justification for each waiver.

(5) POSTING OF REPORT.—Any unclassified portion of the report required under paragraph (4) shall be posted on the Department of State website.

(6) CLARIFICATION.—For purposes of paragraphs (1)(B), (4), and (5), the records of the Department of State and of diplomatic and consular offices of the United States pertaining to the issuance or refusal of visas or permits to enter the United States shall not be considered confidential.

(d) EXTRACTION OF NATURAL RESOURCES.—

(1) ASSISTANCE.—Funds appropriated by this Act shall be made available to promote and support transparency and accountability of expenditures and revenues related to the extraction of natural resources, including by strengthening implementation and monitoring of the Extractive Industries Transparency Initiative, implementing and enforcing section 8204 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 2052) and the amendments made by such section, and to prevent the sale of conflict diamonds, and provide technical assistance to promote independent audit mechanisms and support civil society participation in natural resource management.

(2) UNITED STATES POLICY.—

(A) The Secretary of the Treasury shall inform the management of the international financial institutions, and post on the Department of the Treasury website, that it is the policy of the United States to vote against any assistance by such institutions (including any loan, credit, grant, or guarantee) to any country for the extraction and export of a natural resource if the government of such country has in place laws, regulations, or procedures to prevent or limit the public disclosure of company payments as required by United States law, and unless such government has adopted laws, regulations, or procedures in the sector in which assistance is being considered for—

(i) accurately accounting for and public disclosure of payments to the host government by companies involved in the extraction and export of natural resources;

(ii) the independent auditing of accounts receiving such payments and public disclosure of the findings of such audits; and

(iii) public disclosure of such documents as Host Government Agreements, Concession Agreements, and bidding documents, allowing in any such dissemination or disclosure for the redaction of, or exceptions for, information that is commercially proprietary or that would create competitive disadvantage.

(B) The requirements of subparagraph (A) shall not apply to assistance for the purpose of building the capacity of such government to meet the requirements of this subparagraph.

(e) FOREIGN ASSISTANCE WEBSITE.—Funds appropriated by this Act under titles I and

II, and funds made available for any independent agency in title III, as appropriate, shall be made available to support the provision of additional information on United States Government foreign assistance on the Department of State foreign assistance website: *Provided*, That all Federal agencies funded under this Act shall provide such information on foreign assistance, upon request, to the Department of State.

DEMOCRACY PROGRAMS

SEC. 7032. (a) FUNDING.—

(1) IN GENERAL.—Of the funds appropriated by this Act under the headings ''Development Assistance'', ''Economic Support Fund'', ''Democracy Fund'', ''Assistance for Europe, Eurasia and Central Asia'', and ''International Narcotics Control and Law Enforcement'', not less than $2,400,000,000 shall be made available for democracy programs.

(2) PROGRAMS.—Of the funds made available for democracy programs under the headings ''Economic Support Fund'' and ''Assistance for Europe, Eurasia and Central Asia'' pursuant to paragraph (1), not less than $89,540,000 shall be made available to the Bureau of Democracy, Human Rights, and Labor, Department of State, at not less than the amounts specified for certain countries and regional programs designated in the table under this section in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

(b) AUTHORITIES.—

(1) Funds made available by this Act for democracy programs pursuant to subsection (a) and under the heading ''National Endowment for Democracy'' 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 regarding the selection of beneficiaries.

(c) DEFINITION OF DEMOCRACY PROGRAMS.—For purposes of funds appropriated by this Act, the term ''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 democratic political parties, governments, nongovernmental organizations 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 available pursuant to this section that are made available for programs to strengthen government institutions shall be prioritized for those institutions that demonstrate a commitment to democracy and the rule of law, as determined by the Secretary of State or the Administrator of the United States Agency for International Development, as appropriate.

(e) RESTRICTION ON PRIOR APPROVAL.—With respect to the provision of assistance for democracy programs 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: *Provided*, That the Secretary of State, in coordination with the USAID Administrator, shall report to the Committees on Appropriations, not later than 120 days after enactment of this Act, detailing steps taken by the Department of State and USAID to comply with the requirements of this subsection.

(f) CONTINUATION OF CURRENT PRACTICES.—USAID shall continue to implement civil society and political competition 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: *Provided*, That nothing in this paragraph shall be construed to affect the ability of any entity, including United States small businesses, from competing for proposals for USAID-funded civil society and political competition and consensus building 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.—Of the funds appropriated by this Act under the headings ''Economic Support Fund'' and ''Democracy Fund'', not less than $15,000,000 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.—

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

(2) CURRICULUM.—Funds appropriated under the heading ''Diplomatic Programs'' and designated for the Office of International Religious Freedom shall be made available for the development and implementation of an international religious freedom curriculum in accordance with section 708(a)(2) of the Foreign Service Act of 1980 (22 U.S.C. 4028(a)(2)).

(b) ASSISTANCE.—

(1) INTERNATIONAL RELIGIOUS FREEDOM PROGRAMS.—Of the funds appropriated by this Act under the heading ''Democracy Fund'' and available for the Human Rights and Democracy Fund, not less than $10,000,000 shall be made available for international religious freedom programs: *Provided*, That the Ambassador-at-Large for International Religious Freedom shall consult with the Committees on Appropriations on the uses of such funds.

(2) PROTECTION AND INVESTIGATION PROGRAMS.—Of the funds appropriated by this Act under the heading ''Economic Support Fund'', not less than $10,000,000 shall be made available for programs to protect vulnerable and persecuted religious minorities: *Provided*, That a portion of such funds shall be made available for programs to investigate the persecution of such minorities by governments and non-state actors and for the public dissemination of information collected on such persecution, including on the Department of State website.

(3) HUMANITARIAN PROGRAMS.—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, including victims of genocide designated by the Secretary of State and other groups that have suffered crimes against humanity and ethnic cleansing, to—

(A) facilitate the implementation of an immediate, coordinated, and sustained response to provide humanitarian assistance;

(B) enhance protection of conflict victims, including those facing a dire humanitarian crisis and severe persecution because of their faith or ethnicity;

(C) improve access to secure locations for obtaining humanitarian and resettlement services; and

(D) build resilience and help reestablish livelihoods for displaced and persecuted persons in their communities of origin.

(4) TRANSITIONAL JUSTICE, RECONCILIATION, AND REINTEGRATION PROGRAMS.—Of the funds appropriated by this Act that are made available for the Relief and Recovery Fund, not less than $5,000,000 shall be made available to support transitional justice, reconciliation, and reintegration programs for vulnerable and persecuted religious minorities, including in the Middle East and North Africa regions: *Provided*, That such funds shall be matched, to the maximum extent practicable, from sources other than the United States Government.

(5) RESPONSIBILITY FOR FUNDS.—Funds made available by paragraphs (1) and (2) shall be the responsibility of the Ambassador-at-Large for International Religious Freedom, in consultation with other relevant United States Government officials.

(c) INTERNATIONAL BROADCASTING.—Funds appropriated by this Act under the heading ''Broadcasting Board of Governors, International Broadcasting Operations'' shall be made available for programs related to international religious freedom, including reporting on the condition of vulnerable and persecuted religious groups.

(d) FUNDING CLARIFICATION.—

(1) Funds made available pursuant to subsection (b) are in addition to amounts otherwise made available for such purposes.

(2) 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) FORENSIC ASSISTANCE.—

(1) Of the funds appropriated by this Act under the heading ''Economic Support Fund'', not less than $10,000,000 shall be made available for forensic anthropology assistance related to the exhumation and identification of victims of war crimes, crimes

against humanity, and genocide, which shall be administered by the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State: *Provided*, That such funds shall be in addition to funds made available by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs for assistance for countries.

(2) Of the funds appropriated by this Act under the heading ''International Narcotics Control and Law Enforcement'', not less than $8,000,000 shall be made available for DNA forensic technology programs to combat human trafficking in Central America and Mexico.

(c) 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: *Provided*, That the Under Secretary for Civilian Security, Democracy, and Human Rights, Department of State, shall be responsible for providing the strategic policy direction for, and policy oversight of, funds made available pursuant to this subsection to the Bureaus of International Narcotics and Law Enforcement Affairs and Democracy, Human Rights, and Labor, Department of State: *Provided further*, That funds made available pursuant to this subsection are in addition to amounts otherwise made available for such purposes: *Provided further*, That such funds shall be subject to the regular notification procedures of the Committees on Appropriations.

(d) WORLD FOOD PROGRAMME.—Funds managed by the Bureau for Democracy, Conflict, and Humanitarian Assistance, 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.

(e) 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) GENOCIDE VICTIMS MEMORIAL SITES.—Funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the headings ''Economic Support Fund'' and ''Assistance for Europe, Eurasia and Central Asia'' may be made available as contributions to establish and maintain memorial sites of genocide, subject to the regular notification procedures of the Committees on Appropriations.

(3) 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.

(4) 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 10 such awards may be made during fiscal year 2019: *Provided further*, That for purposes of this paragraph the term ''innovation incentive award'' means the provision of funding on a competitive basis that—

(A) encourages and rewards the development of solutions for a particular, well-defined problem related to the alleviation of poverty; or

(B) helps identify and promote a broad range of ideas and practices facilitating further development of an idea or practice by third parties.

(5) 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 rulemaking 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.

(6) REPORT.—The report required by section 502(d) of the Intelligence Authorization Act for Fiscal Year 2017 (division N of Public Law 115–31; 22 U.S.C. 254a note) shall be provided to the Committees on Appropriations.

(7) 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, 2021: *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.

(f) 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.

(g) CONTINGENCIES.—During fiscal year 2019, the President may use up to $125,000,000 under the authority of section 451 of the Foreign Assistance Act of 1961, notwithstanding any other provision of law.

(h) INTERNATIONAL CHILD ABDUCTIONS.—The Secretary of State should withhold funds appropriated under title III of this Act for assistance for the central government of any country that is not taking appropriate steps to comply with the Convention on the Civil Aspects of International Child Abductions, done at the Hague on October 25, 1980: *Provided*, That the Secretary shall report to the Committees on Appropriations within 15 days of withholding funds under this subsection.

(i) CULTURAL PRESERVATION PROJECT DETERMINATION.—None of the funds appropriated in titles I and III of this Act may be used for the preservation of religious sites unless the Secretary of State or the USAID Administrator, as appropriate, determines and reports to the Committees on Appropriations that such sites are historically, artistically, or culturally significant, that the purpose of the project is neither to advance nor to inhibit the free exercise of religion, and that the project is in the national interest of the United States.

(j) 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 2019, 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.

(k) AUTHORITY TO COUNTER EXTREMISM.—Funds made available by this Act under the heading ''Economic Support Fund'' to counter extremism may be made available notwithstanding any other provision of law restricting assistance to foreign countries, except sections 502B and 620A of the Foreign Assistance Act of 1961: *Provided*, That the use of the authority of this subsection shall be subject to prior consultation with the appropriate congressional committees, and the regular notification procedures of the Committees on Appropriations.

(l) 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 2019.

(m) 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, 2019'' 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, 2019.

(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, 2019'' for ''October 1, 2010'' in subparagraph (B).

(4) OVERSEAS PAY COMPARABILITY AND LIMITATION.—

(A) Subject to the limitation described in subparagraph (B), the authority provided by section 1113 of the Supplemental Appropriations Act, 2009 (Public Law 111–32) shall remain in effect through September 30, 2019.

(B) The authority described in subparagraph (A) may not be used to pay an eligible member of the Foreign Service (as defined in section 1113(b) of the Supplemental Appropriations Act, 2009 (Public Law 111–32)) a locality-based comparability payment (stated as a percentage) that exceeds two-thirds of the amount of the locality-based comparability payment (stated as a percentage) that would be payable to such member under section 5304 of title 5, United States Code, if such member's official duty station were in the District of Columbia.

(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 2018'' and inserting ''2018, and 2019''; and

(ii) in subsection (e), by striking ''2018'' each place it appears and inserting ''2019''; and

(B) in section 599E (8 U.S.C. 1255 note) in subsection (b)(2), by striking ''2018'' and inserting ''2019''.

(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, 2019.

(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, 2019, 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 2019.

(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.

(11) EXTENSION OF LOAN GUARANTEES TO ISRAEL.—Chapter 5 of title I of the Emergency Wartime Supplemental Appropriations Act, 2003 (Public Law 108–11; 117 Stat. 576) is amended under the heading ''Loan Guarantees to Israel''—

(A) in the matter preceding the first proviso, by striking ''September 30, 2019'' and inserting ''September 30, 2023''; and

(B) in the second proviso, by striking ''September 30, 2019'' and inserting ''September 30, 2023''.

(n) MONITORING AND EVALUATION.—Funds appropriated by this Act that are available for monitoring and evaluation of assistance under the headings ''Development Assistance'', ''International Disaster Assistance'' and ''Migration and Refugee Assistance'' shall, as appropriate, be made available for the regular collection of feedback obtained directly from beneficiaries on the quality and relevance of such assistance: *Provided*, That the Department of State and USAID shall establish procedures for implementing partners that receive funds under such headings for regularly collecting and responding to such feedback, informing the Department of State and USAID of such procedures, and reporting to the Department of State and USAID on actions taken in response to the feedback received: *Provided further*, That the Department of State and USAID shall regularly conduct oversight to ensure that such feedback is regularly collected and used by implementing partners to maximize the cost-effectiveness and utility of such assistance.

(o) 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 child survival, malaria, and tuberculosis 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: *Provided further*, That the Secretary of State shall include in the congressional budget justification an accounting of budgetary resources, disbursements, balances, and reimbursements related to such fund.

(p) 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.

(q) LOCAL WORKS.—

(1) Of the funds appropriated by this Act under the headings ''Development Assistance'', ''Economic Support Fund'', and ''Assistance for Europe, Eurasia and Central Asia'', 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, 2023.

(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.

(r) DEFINITIONS.—

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—Unless otherwise defined in this Act, for purposes of this Act the term ''appropriate congressional committees'' means the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and Foreign Affairs 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 appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs'' means funds that remain available for obligation, and have not expired.

(3) INTERNATIONAL FINANCIAL INSTITUTIONS.—In this Act ''international financial institutions'' means the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Inter-American Development Bank, the International Monetary Fund, the International Fund for Agricultural Development, the Asian Development Fund, the Inter-American Investment Corporation, the North American Development Bank, the European Bank for Reconstruction and Development, the African Development Bank, the African Development Fund, and the Multilateral Investment Guarantee Agency.

(4) 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 be deemed to include portions of Western Kordofan that were previously part of Southern Kordofan prior to the 2013 division of Southern Kordofan.

(5) USAID.—In this Act, the term ''USAID'' means the United States Agency for International Development.

(6) 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.

(7) UNITED STATES AGENCY FOR GLOBAL MEDIA.—References to the ''Broadcasting Board of Governors, International Broadcasting Operations'' account in any provision of law shall be construed to include the ''United States Agency for Global Media'' account in Acts making appropriations for the Department of State, foreign operations, and related programs: *Provided*, That references to the ''Broadcasting Board of Governors'' or ''BBG'' in this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs shall be construed to include the ''United States Agency for Global Media'' or ''USAGM''.

ARAB LEAGUE BOYCOTT OF ISRAEL

SEC. 7035. 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 regrettably 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 annually on specific steps being taken by the United States to encourage Arab League states to normalize their relations with Israel to bring about the termination of the Arab League boycott of Israel, including those to encourage allies and trading partners of the United States to enact laws prohibiting businesses from complying with the boycott and penalizing businesses that do comply.

PALESTINIAN STATEHOOD

SEC. 7036. (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 efforts 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 demilitarized zones;

(C) their right to live in peace within secure and recognized boundaries free from threats or acts of force;

(D) freedom of navigation through international waterways in the area; and

(E) a framework for achieving a just settlement of the refugee problem.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the governing entity should enact 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.

(c) 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.

(d) 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 7040 of this Act (''Limitation on Assistance for the Palestinian Authority'').

RESTRICTIONS CONCERNING THE PALESTINIAN AUTHORITY

SEC. 7037. None of the funds appropriated under titles II through VI of this Act may be obligated or expended to create in any part of Jerusalem a new office of any department or agency of the United States Government for the purpose of conducting official United States Government business with the Palestinian Authority over Gaza and Jericho or any successor Palestinian governing entity provided for in the Israel-PLO Declaration of Principles: *Provided*, That this restriction shall not apply to the acquisition of additional space for the existing Consulate General in Jerusalem: *Provided further*, That meetings between officers and employees of the United States and officials of the Palestinian Authority, or any successor Palestinian governing entity provided for in the Israel-PLO Declaration of Principles, for the purpose of conducting official United States Government business with such authority should continue to take place in locations other than Jerusalem: *Provided further*, That as has been true in the past, officers and employees of the United States Government may continue to meet in Jerusalem on other subjects with Palestinians (including those who now occupy positions in the Palestinian Authority), have social contacts, and have incidental discussions.

PROHIBITION ON ASSISTANCE TO THE PALESTINIAN BROADCASTING CORPORATION

SEC. 7038. 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. 7039. (a) OVERSIGHT.—For fiscal year 2019, 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 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 governing board of trustees any individual that has been determined to be involved in, or advocating terrorist activity or determined to be a member of a designated foreign terrorist 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 educational 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 committed 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) 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 Program, 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.

(e) 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 2019 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.

(f) 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.

LIMITATION ON ASSISTANCE FOR THE PALESTINIAN AUTHORITY

SEC. 7040. (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 President 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.

(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 Authority treasury account, and there is a single comprehensive civil service roster and payroll, and the Palestinian Authority is acting to counter incitement of violence against Israelis and is supporting activities aimed at promoting peace, coexistence, and security cooperation with Israel.

(f) PROHIBITION TO HAMAS AND THE PALESTINE LIBERATION ORGANIZATION.—

(1) None of the funds appropriated in titles III through VI of this Act may be obligated for salaries of personnel of the Palestinian 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 reports 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, as added by the Palestinian Anti-Terrorism Act of 2006 (Public Law 109–446) 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.

MIDDLE EAST AND NORTH AFRICA

SEC. 7041. (a) EGYPT.—

(1) CERTIFICATION AND REPORT.—Funds appropriated by this Act that are available for assistance for Egypt may be made available notwithstanding any other provision of law restricting assistance 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 Appropriations 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 heading ''Economic Support Fund'', up to $112,500,000 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 $10,000,000 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 unless the Secretary of State certifies and reports to the appropriate congressional committees that the Government of Egypt is taking consistent and effective steps to stabilize the economy and implement market-based economic reforms.

(B) WITHHOLDING.—The Secretary of State shall withhold from obligation funds appropriated by this Act under the heading ''Economic Support Fund'' for assistance for Egypt, an amount of such funds that the Secretary determines to be equivalent to that expended by the United States Government for bail, and by nongovernmental organizations for legal and court fees, associated with democracy-related trials in Egypt until the Secretary certifies and reports to the Committees on Appropriations that the Government of Egypt has dismissed the convictions issued by the Cairo Criminal Court on June 4, 2013, in ''Public Prosecution Case No. 1110 for the Year 2012'', and has not subjected the defendants to further prosecution or if convicted they have been granted full pardons.

(C) 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 Foundations Support Fund'', or any similar fund, 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 PROGRAM.—

(A) CERTIFICATION.—Of the funds appropriated by this Act under the heading ''Foreign Military Financing Program'', up to $1,300,000,000, to remain available until September 30, 2020, may be made available for assistance for Egypt: *Provided*, That such funds may be transferred to an interest bearing account in the Federal Reserve Bank of New York, following consultation with the Committees on Appropriations: *Provided further*, That $300,000,000 of such funds shall be withheld from obligation until the Secretary of State certifies and reports to the Committees on Appropriations that the Government of Egypt is taking sustained and effective steps to—

(i) advance democracy and human rights in Egypt, including to govern democratically and protect religious minorities and the rights of women, which are in addition to steps taken during the previous calendar year for such purposes;

(ii) implement reforms that protect freedoms of expression, association, and peaceful assembly, including the ability of civil society organizations, human rights defenders, and the media to function without interference;

(iii) release political prisoners and provide detainees with due process of law;

(iv) hold Egyptian security forces accountable, including officers credibly alleged to have violated human rights;

(v) investigate and prosecute cases of extrajudicial killings and forced disappearances; and

(vi) provide regular access for United States officials to monitor such assistance in areas where the assistance is used:

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.—The Secretary of State may waive the certification requirement in subparagraph (A) 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 submits a report to such Committees containing a detailed justification for the use of such waiver and the reasons why any of the requirements of subparagraph (A) cannot be met, and including an assessment of the compliance of the Government of Egypt with United Nations Security Council Resolution 2270 and other such resolutions regarding North Korea: *Provided*, That the report required by this paragraph shall be submitted in unclassified form, but may be accompanied by a classified annex.

(4) OVERSIGHT REQUIREMENT.—The Secretary of State shall take all practicable steps to ensure that mechanisms are in place for monitoring, oversight, and control of funds made available by this subsection for assistance for Egypt.

(5) CONSULTATION REQUIREMENT.—Not later than 90 days after enactment of this Act, the Secretary of State shall consult with the Committees on Appropriations on any plan to restructure military assistance for Egypt.

(b) IRAN.—

(1) FUNDING.—Funds appropriated by this Act under the headings ''Diplomatic Programs'', ''Economic Support Fund'', and ''Nonproliferation, Anti-terrorism, Demining and Related Programs'' shall be used by the Secretary of State—

(A) to support the United States policy to prevent Iran from achieving the capability to produce or otherwise obtain a nuclear weapon;

(B) to support an expeditious response to any violation of United Nations Security Council Resolutions or to efforts that advance Iran's nuclear program;

(C) to support the implementation and enforcement of sanctions against Iran for support of nuclear weapons development, terrorism, human rights abuses, and ballistic missile and weapons proliferation; and

(D) for democracy programs for Iran, to be administered by the Assistant Secretary for Near Eastern Affairs, Department of State, in consultation with the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State.

(2) CONTINUATION OF PROHIBITION.—The terms and conditions of section 7041(c)(2) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012 (division I of Public Law 112–74) shall continue in effect during fiscal year 2019.

(3) REPORTS.—

(A) SEMI-ANNUAL REPORT.—The Secretary of State shall submit to the Committees on Appropriations the semi-annual report required 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 Review Act of 2015 (Public Law 114–17).

(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 report on the status of the implementation and enforcement of bilateral United States and multilateral sanctions against Iran and actions taken by the United States and the international community to enforce such sanctions against Iran: *Provided*, That the report shall also include any entities involved

in providing significant support for the development of a ballistic missile by the Government of Iran after October 1, 2015, including shipping and financing, and note whether such entities are currently under United States sanctions: *Provided further*, That such report shall be submitted in an unclassified form, but may contain a classified annex if necessary.

(c) IRAQ.—

(1) PURPOSES.—Funds appropriated under titles III and IV of this Act shall be made available for assistance for Iraq for—

(A) bilateral economic assistance and international security assistance, including for the Marla Ruzicka Iraqi War Victims Fund;

(B) stabilization assistance at not less than the amounts specified for such purpose in the table under this subsection in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act);

(C) humanitarian assistance, including in the Kurdistan Region of Iraq; and

(D) programs to protect and assist religious and ethnic minority populations in Iraq.

(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.

(d) 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 $1,082,400,000 shall be made available under the heading ''Economic Support Fund'', of which not less than $745,100,000 shall be made available for budget support for the Government of Jordan; and not less than $425,000,000 shall be made available under the heading ''Foreign Military Financing Program''.

(e) LEBANON.—

(1) LIMITATION.—None of the funds appropriated by this Act may be made available for the Lebanese Internal Security Forces (ISF) or the Lebanese Armed Forces (LAF) if the ISF or the LAF is controlled by a foreign terrorist organization, as designated pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

(2) CONSULTATION.—Funds appropriated by this Act under the headings ''International Narcotics Control and Law Enforcement'' and ''Foreign Military Financing Program'' that are available for assistance for Lebanon may be made available for programs and equipment for the ISF and the LAF to address security and stability requirements in areas affected by the conflict in Syria, following consultation with the appropriate congressional committees.

(3) ECONOMIC SUPPORT FUND.—Funds appropriated by this Act under the heading ''Economic Support Fund'' that are available for assistance for Lebanon may be made available notwithstanding section 1224 of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228; 22 U.S.C. 2346 note).

(4) FOREIGN MILITARY FINANCING PROGRAM.—In addition to the activities described in paragraph (2), funds appropriated by this Act under the heading ''Foreign Military Financing Program'' for assistance for Lebanon may be made available only to professionalize the LAF and to strengthen border security and combat terrorism, including training and equipping the LAF to secure Lebanon's borders, interdicting 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 be submitted not later than September 1, 2019: *Provided further*, That any notification submitted pursuant to such sections shall include any funds specifically intended for lethal military equipment.

(f) LIBYA.—

(1) ASSISTANCE.—Funds appropriated under titles III and IV of this Act shall be made available for stabilization assistance for Libya, including border security: *Provided*, That the limitation on the uses of funds for certain infrastructure projects in section 7041(f)(2) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113–76) shall apply to such funds.

(2) CERTIFICATION.—Prior to the initial obligation of funds made available by this Act for assistance 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, oversight, and control of such funds.

(3) COOPERATION ON THE SEPTEMBER 2012 ATTACK ON UNITED STATES PERSONNEL AND FACILITIES.—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 Appropriations 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.

(g) MOROCCO.—

(1) AVAILABILITY AND CONSULTATION REQUIREMENT.—Funds appropriated under title III of 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 Budget Justification, Foreign Operations, Fiscal Year 2017.

(h) REFUGEE ASSISTANCE IN NORTH AFRICA.—Not later than 45 days after enactment of this Act, the Secretary of State, after consultation with the United Nations High Commissioner for Refugees and the Executive Director of the World Food Programme, shall submit a report to the Committees on Appropriations describing steps taken to strengthen monitoring of the delivery of humanitarian assistance provided for refugees in North Africa, including any steps taken to ensure that all vulnerable refugees are receiving such assistance.

(i) SYRIA.—

(1) NON-LETHAL ASSISTANCE.—Of the funds appropriated by this Act under the headings ''Economic Support Fund'', ''International Narcotics Control and Law Enforcement'', and ''Peacekeeping Operations'', not less than $40,000,000 shall be made available, notwithstanding any other provision of law, for non-lethal stabilization assistance for Syria, of which not less than $7,000,000 shall be made available for emergency medical and rescue response and chemical weapons use investigations.

(2) SYRIAN ORGANIZATIONS.—Funds appropriated by this Act that are made available for assistance for Syria shall be made available, on an open and competitive basis, to continue to strengthen the capability of Syrian civil society organizations to address the immediate and long-term needs of the Syrian people in Syria in a manner that supports the sustainability of such organizations in implementing Syrian-led humanitarian and development programs: *Provided*, That funds made available by this paragraph shall be administered by the Bureau for Democracy, Human Rights, and Labor, Department of State.

(3) 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, 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.

(4) MONITORING AND OVERSIGHT.—Prior to the obligation of 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.

(5) 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.

(j) 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.

(k) WEST BANK AND GAZA.—

(1) REPORT ON 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) LIMITATIONS.—

(A)(i) None of the funds appropriated under the heading ''Economic Support Fund'' in this Act may be made available for assistance for the Palestinian Authority, if after the date of enactment of this Act—

(I) 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

(II) 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.

(ii) The Secretary of State may waive the restriction in clause (i) of this subparagraph resulting from the application of subclause

(I) of such clause 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.

(B)(i) 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—

(I) 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

(II) initiated or actively supported an ICC investigation against Israeli nationals for alleged crimes against Palestinians.

(ii) Not less than 90 days after the President is unable to make the certification pursuant to clause (i) of this subparagraph, 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 clause (i) of this subparagraph or under previous provisions of law must expire before the waiver under the preceding sentence may be exercised.

(iii) Any waiver pursuant to this subparagraph 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.

(3) 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 2019 prior to the obligation of funds for the Palestinian Authority.

(4) 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 paragraph shall be subject to prior consultation with the appropriate congressional committees, and the regular notification procedures of the Committees on Appropriations.

(5) SECURITY REPORT.—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.

(6) 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.

(l) YEMEN.—Funds appropriated by this Act under the heading ''Economic Support Fund'' shall be made available for stabilization assistance for Yemen.

AFRICA

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.—Funds made available by this Act for assistance for the Central African Republic shall be made available for reconciliation and peacebuilding programs, including activities to promote inter-faith dialogue at the national and local levels, and for programs to prevent crimes against humanity.

(c) COUNTER LORD'S RESISTANCE ARMY.—Funds appropriated by this Act shall be made available for programs and activities in areas affected by the Lord's Resistance Army (LRA) consistent with the goals of the Lord's Resistance Army Disarmament and Northern Uganda Recovery Act of 2009 (Public Law 111–172), including to improve physical access, telecommunications infrastructure, and early-warning mechanisms and to support the disarmament, demobilization, and reintegration of former LRA combatants, especially child soldiers.

(d) LAKE CHAD BASIN COUNTRIES.—Funds appropriated under titles III and IV of this Act shall be made available, following consultation with the Committees on Appropriations, for assistance for Cameroon, Chad, Niger, and Nigeria for—

(1) democracy, development, and health programs;

(2) assistance for individuals targeted by foreign terrorist and other extremist organizations, including Boko Haram, consistent with the provisions of section 7059 of this Act;

(3) assistance for individuals displaced by violent conflict; and

(4) counterterrorism programs.

(e) 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.

(f) 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—

(1) humanitarian assistance;

(2) health programs, including to prevent, detect, and respond to the Ebola virus disease;

(3) assistance to support South Sudan peace negotiations or to advance or implement a peace agreement; and

(4) assistance to support implementation of outstanding issues of the Comprehensive Peace Agreement and mutual arrangements related to such agreement:

Provided, That of the funds appropriated by this Act for assistance for South Sudan, not less than $7,000,000 shall be made available for conflict mitigation and reconciliation programs: *Provided further*, That prior to the initial obligation of funds made available pursuant to paragraphs (3) and (4), 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.

(g) 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—

(A) humanitarian assistance;

(B) assistance for democracy programs;

(C) assistance for the Darfur region, Southern Kordofan State, Blue Nile State, other marginalized areas and populations in Sudan, and Abyei; and

(D) assistance to support implementation of outstanding issues of the Comprehensive Peace Agreement, mutual arrangements related to post-referendum issues associated with such Agreement, or any other internationally recognized viable peace agreement in Sudan.

(h) ZIMBABWE.—

(1) INSTRUCTION.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to vote against any extension by the respective institution of any loan or grant to the Government of Zimbabwe, except to meet basic human needs or to promote democracy, unless the Secretary of State certifies and reports to the Committees on Appropriations that the rule of law has been restored, including respect for ownership and title to property, and freedoms of expression, association, and assembly.

(2) LIMITATION.—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 as required in paragraph (1), and 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) ECONOMIC SUPPORT FUND.—Funds appropriated by this Act under the heading ''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.

(B) USES.—Funds appropriated under title III of this Act for assistance for Burma—

(i) shall be made available to strengthen civil society organizations in Burma and for programs to strengthen independent media;

(ii) shall be made available for community-based organizations operating in Thailand to

provide food, medical, and other humanitarian assistance to internally displaced persons in eastern Burma, in addition to assistance for Burmese refugees from funds appropriated by this Act under the heading ''Migration and Refugee Assistance'';

(iii) shall be made available for programs to promote ethnic and religious tolerance and to combat gender-based violence, including in Rakhine, Shan, Kachin, and Karen states;

(iv) shall be made available to promote rural economic development in Burma, including through microfinance programs;

(v) shall be made available to increase opportunities for foreign direct investment by strengthening the rule of law, transparency, and accountability;

(vi) shall be made available for programs to investigate and document allegations of ethnic cleansing and other gross violations of human rights committed against the Rohingya people in Rakhine state: *Provided*, That such sums shall be in addition to funds otherwise made available for such purposes;

(vii) shall be made available for programs to investigate and document allegations of gross violations of human rights committed in Burma, particularly in areas of conflict; and

(viii) 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.

(C) LIMITATIONS.—Funds appropriated under title III of this Act for assistance for Burma—

(i) may not be made available to any individual or organization if the Secretary of State has credible information that such individual or organization has committed a gross violation of human rights, including against Rohingya and other minority groups, or that advocates violence against ethnic or religious groups or individuals in Burma;

(ii) may not be made available to any organization or entity controlled by the armed forces of Burma;

(iii) may only be made available for programs to support the return of Rohingya, Karen, and other refugees and internally displaced persons to their locations of origin or preference in Burma if such returns are voluntary and consistent with international law; and

(iv) may only be made available for assistance for the Government of Burma to support the implementation of Nationwide Ceasefire Agreement conferences, committees, and other procedures if the Secretary of State reports to the Committees on Appropriations that such procedures are directed toward a sustainable peace and the Government of Burma is implementing its commitments under such Agreement.

(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.

(3) PROGRAMS AND RESPONSIBILITIES.—

(A) Any new program or activity in Burma initiated in fiscal year 2019 shall be subject to prior consultation with the appropriate congressional committees.

(B) The United States Chief of Mission in Burma, in consultation with the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State, shall be responsible for democracy and human rights programs in Burma.

(b) CAMBODIA.—

(1) ASSISTANCE.—

(A) None of the funds appropriated by this Act that are made available for assistance for the Government of Cambodia, except for health programs, may be obligated or expended unless the Secretary of State certifies and reports to the Committees on Appropriations that such Government is taking effective steps to—

(i) strengthen regional security and stability, particularly regarding territorial disputes in the South China Sea and the enforcement of international sanctions with respect to North Korea; and

(ii) respect the rights and responsibilities enshrined in the Constitution of the Kingdom of Cambodia as enacted in 1993, including through the—

(I) restoration of the civil and political rights of the opposition Cambodia National Rescue Party, media, and civil society organizations;

(II) restoration of all elected officials to elected offices held prior to the July 2018 parliamentary elections; and

(III) release of all political prisoners, including journalists, civil society activists, and members of the opposition political party.

(B) Funds appropriated under title III of this Act for assistance for Cambodia shall be made available for—

(i) democracy programs, including research and education programs associated with the Khmer Rouge in Cambodia, except that no funds for such purposes may be made available to the Extraordinary Chambers in the Court of Cambodia; and

(ii) programs in the Khmer language to counter the influence of the People's Republic of China in Cambodia.

(2) VISA RESTRICTION.—Funds appropriated under title I of this Act shall be made available to continue to implement the policy announced by the Department of State on December 6, 2017, to restrict the issuance of visas to enter the United States to individuals involved in undermining democracy in Cambodia, including the family members of such individuals, as appropriate: *Provided*, That not later than 30 days after enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees describing the implementation of such policy.

(c) INDO-PACIFIC STRATEGY.—Of the funds appropriated by this Act, not less than $160,000,000 shall be made available to support the implementation of the Indo-Pacific Strategy: *Provided*, That such funds are in addition to amounts otherwise made available for such purposes.

(d) NORTH KOREA.—

(1) CYBERSECURITY.—None of the 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 assistance for the central government of a country the Secretary of State determines and reports to the appropriate congressional committees engages in significant transactions contributing materially to the malicious cyber-intrusion capabilities of the Government of North Korea: *Provided*, That the Secretary of State shall submit the report required by section 209 of the North Korea Sanctions and Policy Enhancement Act of 2016 (Public Law 114–122; 22 U.S.C. 9229), as amended, to the Committees on Appropriations in the manner described in subparagraph (2)(A) of such section: *Provided further*, That the Secretary of State may waive the application of the restriction in this paragraph with respect to assistance for the central government of a country if the Secretary determines and reports to the appropriate congressional committees that to do so is important to the national security interest of the United States, including a description of such interest served.

(2) BROADCASTS.—Funds appropriated by this Act under the heading ''International Broadcasting Operations'' shall be made available to maintain broadcasting hours into North Korea at levels not less than the prior fiscal year.

(3) REFUGEES.—Funds appropriated by this Act under the heading ''Migration and Refugee Assistance'' should be made available for assistance for refugees from North Korea, including protection activities in the People's Republic of China and other countries in Asia.

(4) HUMAN RIGHTS PROMOTION, DATABASE, AND LIMITATION ON USE OF FUNDS.—

(A) HUMAN RIGHTS PROMOTION.—Funds appropriated by this Act under the headings ''Economic Support Fund'' and ''Democracy 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.

(B) DATABASE.—Funds appropriated by this Act under title III shall be made available to maintain a database of prisons and gulags in North Korea, in accordance with section 7032(i) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113–76).

(C) LIMITATION.—None of the funds made available by this Act under the heading ''Economic Support Fund'' may be made available for assistance for the Government of North Korea.

(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.

(3) AUTHORITY AND NOTIFICATION REQUIREMENT.—

(A) AUTHORITY.—The uses of funds made available by this Act for the promotion of democracy in the PRC, except for funds made available under subsection (g), shall be the responsibility of the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State.

(B) NOTIFICATION.—Funds appropriated by this Act that are made available for trilateral programs conducted with the PRC shall be subject to the regular notification procedures of the Committees on Appropriations.

(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 Tibetan culture and traditions, and are subject to effective monitoring.

(2) PROGRAMS FOR TIBETAN COMMUNITIES.—

(A) TIBET AUTONOMOUS REGION.—Notwithstanding any other provision of law, of the funds appropriated by this Act under the heading ''Economic Support Fund'', not less than $8,000,000 shall be made available to nongovernmental 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.

(B) INDIA AND NEPAL.—Of the funds appropriated by this Act under the heading ''Economic Support Fund'', not less than $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.—Of the funds appropriated by this Act under the heading ''Economic Support Fund'', not less than $3,000,000 shall be made available for programs to strengthen the capacity of Tibetan institutions and governance.

(h) VIETNAM.—

(1) DIOXIN REMEDIATION.—Notwithstanding any other provision of law, of the funds appropriated by this Act under the heading ''Economic Support Fund'', not less than $20,000,000 shall be made available for activities related to the 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.

(2) HEALTH AND DISABILITY PROGRAMS.—Of the funds appropriated by this Act under the heading ''Development Assistance'', not less than $12,500,000 shall be made available for health and disability programs in areas sprayed with Agent Orange and otherwise contaminated with dioxin, to assist individuals with severe upper or lower body mobility impairment or cognitive or developmental disabilities.

(3) RECONCILIATION PROGRAMS.—Funds appropriated by this Act under the heading ''Economic Support Fund'' that are made available for assistance for Vietnam shall be made available for reconciliation programs to address war legacy issues.

SOUTH AND CENTRAL ASIA

SEC. 7044. (a) AFGHANISTAN.—

(1) FUNDING AND LIMITATIONS.—Funds appropriated by this Act under the headings ''Economic Support Fund'' and ''International Narcotics Control and Law Enforcement'' that are made available for assistance for Afghanistan—

(A) shall be made available to implement the South Asia Strategy, the Revised Strategy for United States Engagement in Afghanistan, and the United States Agency for International Development Country Development Cooperation Strategy for Afghanistan;

(B) shall be made available for programs in support of such strategies that protect and strengthen the rights of women and girls and promote the political and economic empowerment of women, including their meaningful inclusion in political processes: *Provided*, That such assistance to promote the economic empowerment of women shall be made available as grants to Afghan organizations, to the maximum extent practicable; and

(C) may not be made available for any program, project, or activity that—

(i) cannot be sustained, as appropriate, by the Government of Afghanistan or another Afghan entity;

(ii) is not accessible for the purposes of conducting effective oversight in accordance with applicable Federal statutes and regulations;

(iii) initiates any new, major infrastructure development; or

(iv) includes the participation of any Afghan individual, organization, or government entity if the Secretary of State has credible information that such individual, organization, or entity is knowingly involved in acts of grand corruption, illicit narcotics production or trafficking, or has committed a gross violation of human rights.

(2) AUTHORITIES.—

(A) Funds appropriated by this Act under title 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.

(3) 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) NEPAL.—

(1) ASSISTANCE.—Of the funds appropriated under titles III and IV of this Act, not less than $124,580,000 shall be made available for assistance for Nepal, including for earthquake recovery and reconstruction programs.

(2) FOREIGN MILITARY FINANCING PROGRAM.—Funds appropriated by this Act under the heading ''Foreign Military Financing Program'' shall only be made available for humanitarian and disaster relief and reconstruction activities in Nepal, and in support of international peacekeeping operations: *Provided*, That such funds may only be made available for any additional uses if the Secretary of State certifies and reports to the Committees on Appropriations that the Government of Nepal is investigating and prosecuting violations of human rights and the laws of war, and the Nepal Army is cooperating fully with civilian judicial authorities in such cases.

(c) PAKISTAN.—

(1) INTERNATIONAL SECURITY ASSISTANCE.—

(A) LIMITATION.—Funds appropriated by this Act under the heading ''Foreign Military Financing Program'' for assistance for Pakistan may be made available only to support counterterrorism and counterinsurgency capabilities in Pakistan.

(B) CONSULTATION.—Not later than 30 days after enactment of this Act, and prior to the submission of the report required by section 653(a) of the Foreign Assistance Act of 1961, the Secretary of State shall consult with the Committees on Appropriations on the amount of funds appropriated by this Act under the heading ''Foreign Military Financing Program'' that is anticipated to be subject to the January 2018 policy decision of the United States to suspend security assistance for Pakistan, or any subsequent policy decision affecting such assistance: *Provided*, That the Secretary shall promptly inform the appropriate congressional committees in writing of any changes to such policy, the justification for such changes, and the progress made by the Government of Pakistan in meeting the counterterrorism objectives described under this section in Senate Report 115–282.

(C) REPROGRAMMING.—Funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the heading ''Foreign Military Financing Program'' for assistance for Pakistan that are withheld from obligation or expenditure by the Department of State may be reprogrammed by the Secretary of State, except that no such funds may be reprogrammed that are required to complete payment on existing and previously approved contracts: *Provided*, That such reprogramming shall be subject to the regular notification procedures of the Committees on Appropriations.

(2) BILATERAL ECONOMIC ASSISTANCE REPORT.—Prior to the obligation of funds made available by this Act under the heading ''Economic Support Fund'' for assistance for the central Government of Pakistan, the Secretary of State shall submit a report to the appropriate congressional committees detailing—

(A) the amount of financing and other support, if any, provided by the Government of Pakistan to schools supported by, affiliated with, or run by the Taliban or any domestic or foreign terrorist organization in Pakistan;

(B) the extent of cooperation by such government in issuing visas in a timely manner for United States visitors, including officials and representatives of nongovernmental organizations, engaged in assistance and security programs in Pakistan;

(C) the extent to which such government is providing humanitarian organizations access to detainees, internally displaced persons, and other Pakistani civilians affected by conflict in Pakistan and the region; and

(D) the extent to which such government is strengthening democracy in Pakistan, including protecting freedom of expression, assembly, and religion.

(3) 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, except for section 620M of the Foreign Assistance Act of 1961.

(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 alternative fertilizer use among Pakistani farmers to decrease the dual use of fertilizer in the manufacturing of improvised explosive devices.

(E) Of the funds appropriated by this Act under the heading ''International Narcotics Control and Law Enforcement'' that are made available for assistance for Pakistan, not less than $15,000,000 shall be made available for border security programs in Pakistan, following consultation with the Committees on Appropriations.

(F) Funds appropriated by title III of this Act shall be made available for programs to promote democracy in Pakistan.

(4) WITHHOLDING.—Of the funds appropriated under titles III and IV of this Act that are made available for assistance for Pakistan, $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.

(5) OVERSIGHT.—The Secretary of State shall take all practicable steps to ensure that mechanisms are in place for monitoring, oversight, and control of funds made available by this subsection for assistance for Pakistan: *Provided*, That the Secretary shall inform the Committees on Appropriations of such steps in a timely manner.

(d) SRI LANKA.—

(1) BILATERAL ECONOMIC ASSISTANCE.—Funds appropriated under title III of this Act shall be made available for assistance for Sri Lanka for economic development and democracy programs, particularly in areas recovering from ethnic and religious conflict: *Provided*, That such funds shall be made available for programs to assist in the identification and resolution of cases of missing persons.

(2) CERTIFICATION.—Funds appropriated by this Act for assistance for the central Government of Sri Lanka, except for funds made available for humanitarian 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—

(A) repealing laws that do not comply with international standards for arrest and detention by security forces, and ensuring that any successor legislation meets such standards;

(B) increasing accountability and transparency in governance;

(C) investigating allegations of arbitrary arrest and torture, and supporting a credible justice mechanism in compliance with United Nations Human Rights Council Resolution (A/HCR/RES/30/1) of October 2015;

(D) returning military occupied lands in former conflict zones to their rightful owners or compensating those whose land was confiscated without due process, and which is in addition to steps taken during the previous calendar year;

(E) establishing a functioning office of missing persons and assisting its investigations of cases of missing persons from Sri Lanka's internal armed conflicts with the cooperation of the armed forces of Sri Lanka; and

(F) substantially reducing the presence of the armed forces in former conflict zones and implementing a plan for restructuring the armed forces to adopt a peacetime role that contributes to post-conflict reconciliation and regional security.

(3) 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 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.

(e) REGIONAL PROGRAMS.—

(1) CROSS BORDER PROGRAMS.—Funds appropriated by this Act under the heading ''Economic Support Fund'' for assistance for Afghanistan and Pakistan may be provided, notwithstanding any other provision of law that restricts assistance to foreign countries, for cross border stabilization and development programs between Afghanistan and Pakistan, or between either country and the Central Asian countries.

(2) SECURITY AND JUSTICE PROGRAMS.—Funds appropriated by this Act that are made available for assistance for countries in South and Central Asia shall be made available to accelerate the recruitment and enhance the retention and professionalism of women in the judiciary, police, and other security forces.

LATIN AMERICA AND THE CARIBBEAN

SEC. 7045. (a) CENTRAL AMERICA.—

(1) CONDITIONS ON ASSISTANCE FOR THE CENTRAL GOVERNMENTS OF EL SALVADOR, GUATEMALA, AND HONDURAS.—Of the funds appropriated by this Act under titles III and IV 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—

(A) informing its citizens of the dangers of the journey to the southwest border of the United States;

(B) combating human smuggling and trafficking;

(C) improving border security, including preventing illegal migration, human smuggling and trafficking, and trafficking of illicit drugs and other contraband;

(D) cooperating with United States Government agencies and other governments in the region to facilitate the return, repatriation, and reintegration of illegal migrants arriving at the southwest border of the United States who do not qualify for asylum, consistent with international law;

(E) working cooperatively with an autonomous, publicly accountable entity to provide oversight of the Plan of the Alliance for Prosperity in the Northern Triangle in Central America (the Plan);

(F) combating corruption, including investigating and prosecuting current and former government officials credibly alleged to be corrupt;

(G) implementing reforms, policies, and programs to increase transparency and strengthen public institutions and the rule of law;

(H) working with local communities, civil society organizations (including indigenous and other marginalized groups), and local governments in the implementation and evaluation of activities of the Plan;

(I) countering the activities of criminal gangs, drug traffickers, and transnational criminal organizations;

(J) investigating and prosecuting in the civilian justice system government personnel who are credibly alleged to have violated human rights;

(K) cooperating with commissions against corruption and impunity and with regional human rights entities;

(L) supporting programs to reduce poverty, expand education and vocational training for at-risk youth, create jobs, and promote equitable economic growth, particularly in areas contributing to large numbers of migrants;

(M) creating a professional, accountable civilian police force and ending the role of the military in internal policing;

(N) protecting the right of political opposition parties and other members of civil society to operate without interference;

(O) implementing tax reforms; and

(P) resolving commercial disputes.

(2) DETERMINATIONS AND IMPACT ON ASSISTANCE.—

(A) INSUFFICIENT PROGRESS.—The Secretary of State shall periodically review the progress of each of the central governments of El Salvador, Guatemala, and Honduras in meeting the requirements of paragraph (1): *Provided*, That if the Secretary determines and reports to the appropriate congressional committees that sufficient progress has not been made by such government in meeting such requirements, the Secretary shall suspend, in whole or in part, assistance for such government for programs supporting such requirement, and shall notify the appropriate congressional committees in writing of such action: *Provided further*, That the Secretary may resume such assistance if the Secretary determines and reports to such committees that corrective measures have been taken by such government.

(B) CHANGE IN NATIONAL GOVERNMENT.—Not later than 90 days following a change of national government in El Salvador, Guatemala, or Honduras, the Secretary of State shall determine whether or not such government is meeting the requirements of paragraph (1) and submit a report to the appropriate congressional committees detailing the reasons for such determination: *Provided*, That if the Secretary determines that such government is not meeting such requirements, then the Secretary shall suspend, in whole or in part, assistance for such country until such time as such determination and report can be made.

(C) REPROGRAMMING.—Assistance suspended pursuant to subparagraphs (A) or (B) may be reprogrammed if the Secretary of State determines that corrective measures have not been taken: *Provided*, That any such reprogramming shall only be made available for assistance for other countries in Latin America and the Caribbean and shall be subject to the regular notification procedures of the Committees on Appropriations.

(3) CONSULTATION.—The Secretary of State shall consult with the Committees on Appropriations not less than 14 days prior to submitting any certification made pursuant to subsection (a)(1) and any suspension or reprogramming made pursuant to subsection (a)(2).

(4) EXCEPTIONS AND LIMITATIONS.—

(A) EXCEPTIONS.—The limitation of paragraph (1) shall not apply to funds appropriated by this Act that are made available for the International Commission against Impunity in Guatemala, the Mission to Support the Fight against Corruption and Impunity in Honduras, humanitarian assistance, and food security programs.

(B) LIMITATIONS.—None of the funds appropriated by this Act that are made available for assistance for countries in Central America may be made available for direct government-to-government assistance or for major infrastructure projects.

(b) COLOMBIA.—

(1) ASSISTANCE.—Of the funds appropriated by this Act under titles III and IV, not less than $418,253,000 shall be made available for assistance for Colombia, including to support the efforts of the Government of Colombia to—

(A) conduct a unified campaign against narcotics trafficking, organizations designated as foreign terrorist organizations pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189), and other criminal or illegal armed groups: *Provided*, That aircraft supported by funds made available by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs 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;

(B) enhance security and stability in Colombia and the region;

(C) strengthen and expand governance, the rule of law, and access to justice throughout Colombia;

(D) promote economic and social development, including by improving access to areas impacted by conflict through demining programs;

(E) assist communities impacted by significant refugee or migrant populations; and

(F) implement a peace agreement between the Government of Colombia and illegal armed groups, in accordance with constitutional and legal requirements in Colombia.

(2) LIMITATION.—None of the funds appropriated by this Act or prior Acts making appropriations for the Department of State, foreign operations, and related programs that are made available for assistance for Colombia may be made available for payment of reparations to conflict victims or compensation to demobilized combatants associated with a peace agreement between the Government of Colombia and illegal armed groups.

(3) COUNTERNARCOTICS.—Of the funds appropriated by this Act under the headings ''Economic Support Fund'' and ''International Narcotics Control and Law Enforcement'' and made available for counternarcotics 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, production, and trafficking.

(4) HUMAN RIGHTS.—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 certifies and reports to the Committees on Appropriations that—

(A) the Special Jurisdiction for Peace and other judicial authorities are taking effective steps to hold accountable perpetrators of gross violations of human rights in a manner consistent with international law, including for command responsibility, and sentence them to deprivation of liberty;

(B) the Government of Colombia is taking effective steps to reduce attacks against human rights defenders and other civil society activists, trade unionists, and journalists, and judicial authorities are prosecuting those responsible for such attacks; and

(C) senior military officers responsible for ordering, committing, and covering up cases of false positives are being held accountable, including removal from active duty if found guilty through criminal or disciplinary proceedings.

(5) EXCEPTIONS.—The limitations of paragraphs (3) and (4) shall not apply to funds made available for aviation instruction and maintenance, and maritime and riverine security programs.

(c) HAITI.—

(1) CERTIFICATION.—Funds appropriated by this Act under the headings ''Development Assistance'' and ''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 effective steps, which are steps taken since the certification and report submitted during the prior year, if applicable, to—

(A) strengthen the rule of law in Haiti, including by—

(i) selecting judges in a transparent manner based on merit;

(ii) reducing pre-trial detention;

(iii) respecting the independence of the judiciary; and

(iv) improving governance by implementing reforms to increase transparency and accountability, including through the penal and criminal codes;

(B) combat corruption, including by implementing the anti-corruption law enacted in 2014 and prosecuting corrupt officials;

(C) increase government revenues, including by implementing tax reforms, and increasing expenditures on public services; and

(D) resolve commercial disputes between United States entities and the Government of Haiti.

(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) VENEZUELA.—Of the funds appropriated by this Act under the heading ''Economic Support Fund'', not less than $17,500,000 shall be made available for programs to promote democracy and the rule of law in Venezuela.

EUROPE AND EURASIA

SEC. 7046. (a) ASSISTANCE.—

(1) GEORGIA.—Of the funds appropriated by this Act under titles III and IV, not less than $127,025,000 shall be made available for assistance for Georgia.

(2) UKRAINE.—Of the funds appropriated by this Act under titles III and IV, not less than $445,700,000 shall be made available for assistance for Ukraine.

(b) LIMITATION.—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 section 7047(a) of this Act, 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.

(c) 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 Overseas Private Investment Corporation under title IV of chapter 2 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2191 et seq.);

(5) any financing provided under the Export-Import Bank Act of 1945 (Public Law 79–173); or

(6) humanitarian assistance.

(d) TURKEY.—

(1) TURKISH PRESIDENTIAL PROTECTION DIRECTORATE.—None of the funds made available by this Act may be used to facilitate or support the sale of defense articles or defense services to the Turkish Presidential Protection Directorate (TPPD) under chapter 2 of the Arms Export Control Act (22 U.S.C. 2761 et seq.), unless the Secretary of State determines and reports to the appropriate congressional committees that members of the TPPD that are named in the July 17, 2017 indictment by the Superior Court of the District of Columbia, and against whom charges are pending, have returned to the United States to stand trial in connection with the offenses contained in such indictment or have otherwise been brought to justice: *Provided*, That the limitation in this paragraph shall not apply to the use of funds made available by this Act for border security purposes, for North Atlantic Treaty Organization or coalition operations, or to enhance the protection of United States officials and facilities in Turkey.

(2) RESTRICTION ON FUNDS.—

(A) Not later than November 1, 2019, but no sooner than six months after enactment of this Act, the Secretary of State, in consultation with the Secretary of Defense, shall submit an update to the report required by section 1282 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) regarding the purchase by the Republic of Turkey of the S–400 missile defense system from the Russian Federation: *Provided*, That such report shall also include a detailed description of plans for the imposition of sanctions, if appropriate, for such purchase pursuant to section 231 of the Countering Russian Influence in Europe and Eurasia Act of 2017 (Public Law 115–44).

(B) None of the funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs may be made available to deliver F–35 aircraft to the territory of the Republic of Turkey until the report in subparagraph (A) is submitted to the Congress.

COUNTERING RUSSIAN INFLUENCE AND AGGRESSION

SEC. 7047. (a) LIMITATION.—None of the funds appropriated by this Act may be made available for assistance for the central Government of the Russian Federation.

(b) ANNEXATION OF CRIMEA.—

(1) 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 paragraph 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.

(2) None of the funds appropriated by this Act may be made available for—

(A) the implementation of any action or policy that recognizes the sovereignty of the Russian Federation over Crimea or other territory in Ukraine;

(B) 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

(C) 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.

(3) 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.

(4) 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.

(c) OCCUPATION OF THE GEORGIAN TERRITORIES OF ABKHAZIA AND TSKHINVALI REGION/SOUTH OSSETIA.—

(1) 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 paragraph 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.

(2) 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.

(3) 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.

(d) COUNTERING RUSSIAN INFLUENCE FUND.—

(1) Of the funds appropriated by this Act under the headings ''Assistance for Europe, Eurasia and Central Asia'', ''International Narcotics Control and Law Enforcement'', ''International Military Education and Training'', and ''Foreign Military Financing Program'', not less than $275,000,000 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.

(2) 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.

(e) DEMOCRACY PROGRAMS.—Funds appropriated by this Act shall be made available to support democracy programs in the Russian Federation, including to promote Internet freedom, and shall also be made available to support the democracy and rule of law strategy required by section 7071(d) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113–76).

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—

(A) posting on a publicly available website, consistent with privacy regulations and due process, regular financial and programmatic audits of such organization, department, or agency, and providing the United States Government with necessary access to such financial and performance audits;

(B) effectively implementing and enforcing policies and procedures which reflect best practices for the protection of whistleblowers from retaliation, including best practices for—

(i) protection against retaliation for internal and lawful public disclosures;

(ii) legal burdens of proof;

(iii) statutes of limitation for reporting retaliation;

(iv) access to independent adjudicative bodies, including external arbitration; and

(v) results that eliminate the effects of proven retaliation; and

(C) effectively implementing and enforcing policies and procedures on the appropriate use of travel funds, including restrictions on first class and business class travel.

(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) RESTRICTIONS ON UNITED STATES DELEGATIONS.—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 if such agency, body, or commission is chaired or presided over by a country, the government of which the Secretary of State has determined, for purposes of section 6(j)(1) of the Export Administration Act of 1979 as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. App. 2405(j)(1)), supports international terrorism.

(2) RESTRICTIONS ON CONTRIBUTIONS.—None of the funds made available by this Act may be used by the Secretary of State as a contribution to any organization, agency, commission, or program within the United Nations system if such organization, agency, commission, or program 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, or any other provision of law, is a government that has repeatedly provided support for acts of international terrorism.

(3) 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.—None of the funds appropriated by this Act may 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 is important to the national interest of the United States and that such Council is taking significant steps to remove Israel as a permanent agenda item and ensure integrity in the election of members to such Council: *Provided*, That such report shall include a description of the national interest served and the steps taken to remove Israel as a permanent agenda item and ensure integrity in the election of members to such Council: *Provided further*, That the Secretary of State shall report to the Committees on Appropriations not later than September 30, 2019, 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 agenda item and ensure integrity in the election of members to such Council.

(d) UNITED NATIONS RELIEF AND WORKS AGENCY.—Prior to the initial obligation of funds for the United Nations Relief and Works Agency (UNRWA), the Secretary of State shall report to the Committees on Appropriations, in writing, on whether UNRWA is—

(1) utilizing Operations Support Officers in the West Bank, Gaza, and other fields of operation to inspect UNRWA installations and reporting any inappropriate use;

(2) acting promptly to address any staff or beneficiary violation of its own policies (including the policies on neutrality and impartiality of employees) and the legal requirements under section 301(c) of the Foreign Assistance Act of 1961;

(3) implementing procedures to maintain the neutrality of its facilities, including implementing a no-weapons policy, and conducting regular inspections of its installations, to ensure they are only used for humanitarian or other appropriate purposes;

(4) 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) 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) not engaging in operations with financial institutions or related entities in violation of relevant United States law, and is taking steps to improve the financial transparency of the organization; and

(7) in compliance with the United Nations Board of Auditors' biennial audit requirements and is implementing in a timely fashion the Board's recommendations.

(e) PROHIBITION OF PAYMENTS TO UNITED NATIONS MEMBERS.—None of the funds appropriated or made available pursuant to titles III through VI of this Act for carrying out the Foreign Assistance Act of 1961, may be used to pay in whole or in part any assessments, arrearages, or dues of any member of the United Nations or, from funds appropriated by this Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961, the costs for participation of another country's delegation at international conferences held under the auspices of multilateral or international organizations.

(f) CAPITAL PROJECTS.—Any operating plan submitted pursuant to this Act for funds made available under the heading ''Contributions to International Organizations'' shall include information on capital projects, as described under such heading in House Report 115–253.

(g) 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 2019 for contributions to any organization, department, 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 reprogramming 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.

(h) SEXUAL EXPLOITATION AND ABUSE IN PEACEKEEPING OPERATIONS.—

(1) IN GENERAL.—Funds appropriated by this Act shall be made available to implement section 301 of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114–323).

(2) WITHHOLDING OF FUNDS.—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 paragraph, 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.

(i) 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, 2020: *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.

(j) NATIONAL SECURITY INTEREST WITHHOLDING.—

(1) WITHHOLDING.—The Secretary of State shall withhold 5 percent of the funds appropriated by this Act under the heading ''Contributions to International Organizations'' for a specialized agency or other entity of the United Nations if the Secretary, in consultation with the United States Ambassador to the United Nations, determines and reports to the Committees on Appropriations that such agency or entity has taken an official action that is against the national security interest of the United States or an ally of the United States, including Israel.

(2) RELEASE OF FUNDS.—The Secretary of State, in consultation with the United States Ambassador to the United Nations, may release funds withheld pursuant to paragraph (1) if the Secretary determines and reports to the Committees on Appropriations that such agency or entity is taking steps to address the action that resulted in the withholding of such funds.

(3) REPROGRAMMING.—Should the Secretary of State be unable to make a determination pursuant to paragraph (2) regarding the release of withheld funds, such funds may be reprogrammed for other purposes under the heading ''Contributions to International Organizations''.

(4) WAIVER.—The Secretary of State, following consultation with the Committees on Appropriations, may waive the requirements of this subsection if the Secretary determines that to do so in the national interest.

(k) TRANSFER OF FUNDS.—Of the funds appropriated by this Act under the heading ''Economic Support Fund'', $25,000,000 shall be transferred to, and merged with, funds appropriated under the heading ''International Organizations and Programs'', of which $23,000,000 shall be for a contribution to support the United Nations resident coordinator system and $2,000,000 shall be for a contribution to the Montreal Protocol Multilateral Fund.

LAW ENFORCEMENT AND SECURITY

SEC. 7049. (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) COMBAT CASUALTY CARE.—

(A) Consistent with the objectives of the Foreign Assistance Act of 1961 and the Arms Export Control Act, funds appropriated by this Act under the headings ''Peacekeeping Operations'' and ''Foreign Military Financing Program'' shall be made available for combat casualty training and equipment.

(B) The Secretary of State shall offer combat casualty care training and equipment as a component of any package of lethal assistance funded by this Act with funds appropriated under the headings ''Peacekeeping Operations'' and ''Foreign Military Financing Program'': *Provided*, That the requirement of this subparagraph shall apply to a country in conflict, unless the Secretary determines that such country has in place, to the maximum extent practicable, functioning combat casualty care treatment and equipment that meets or exceeds the standards recommended by the Committee on Tactical Combat Casualty Care: *Provided further*, That any such training and equipment for combat casualty care shall be made available through an open and transparent process.

(3) 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.

(4) TRAINING RELATED TO INTERNATIONAL HUMANITARIAN LAW.—The Secretary of State shall offer training related to the requirements of international humanitarian law as a component of any package of lethal assistance funded by this Act with funds appropriated under the headings ''Peacekeeping Operations'' and ''Foreign Military Financing Program'': *Provided*, That the requirement of this paragraph shall not apply to a country that is a member of the North Atlantic Treaty Organization (NATO), is a major non-NATO ally designated by section 517(b) of the Foreign Assistance Act of 1961, or is complying with international humanitarian law: *Provided further*, That any such training shall be made available through an open and transparent process.

(5) SECURITY FORCE PROFESSIONALIZATION.—Funds appropriated by this Act under the headings ''International Narcotics Control and Law Enforcement'' and ''Peacekeeping Operations'' shall be made available to increase the capacity of foreign military and law enforcement personnel to operate in accordance with appropriate standards relating to human rights and the protection of civilians in the manner specified under this section in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), following consultation with the Committees on Appropriations: *Provided*, That funds made available pursuant to this paragraph shall only be made available on an open and competitive basis.

(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 subnational entity emerging from instability, as well as a nation emerging from instability.

(2) DISARMAMENT, DEMOBILIZATION, AND REINTEGRATION.—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 2019.

(3) INTERNATIONAL PRISON CONDITIONS.—Of the funds appropriated by this Act under the headings ''Development Assistance'', ''Economic Support Fund'', and ''International Narcotics Control and Law Enforcement'', not less than $5,000,000 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 120 days after enactment of this Act: *Provided further*, That such funds shall be in addition to funds otherwise made available by this Act for such purpose.

(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 striking ''of this section'' and all that follows through the period at the end and inserting ''of this section after September 30, 2020.''.

(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 2019'' and inserting ''2019, and 2020''.

(5) COMMERCIAL LEASING OF DEFENSE ARTICLES.—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 leasing (including leasing with an option to purchase) of defense articles from United States commercial suppliers, 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 articles 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, 2021: *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.

(7) PUBLIC DISCLOSURE.—For the purposes of funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs that are made available for assistance for units of foreign security forces, the term ''to the maximum extent practicable'' in section 620M(d)(7) of the Foreign Assistance Act of 1961 (22 U.S.C. 2378d) means that the identity of such units shall be made publicly available unless the Secretary of State, on a case-by-case basis, determines and reports to the appropriate congressional committees that disclosure would endanger the safety of human sources or reveal sensitive intelligence sources and methods, or that non-disclosure is in the national security interest of the United States: *Provided*, That any such determination shall include a detailed justification, and may be submitted in classified form.

(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 expression, 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 Secretary of State shall submit to the Committees on Appropriations a report on funds obligated and expended during fiscal year 2018, by country and purpose of assistance, under the headings ''Peacekeeping Operations'', ''International Military Education and Training'', and ''Foreign Military Financing 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 Secretary of Defense, shall submit to the Committees on Appropriations a status report that contains the information described under the heading ''Foreign Military Financing Program'' in House Report 115–829.

(3) VETTING REPORT.—

(A) IN GENERAL.—Not later than 90 days after enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees on foreign assistance cases submitted for vetting for purposes of section 620M of the Foreign Assistance Act of 1961 during the preceding fiscal year, including—

(i) the total number of cases submitted, approved, suspended, or rejected for human rights reasons; and

(ii) for cases rejected, a description of the steps taken to assist the foreign government in taking effective measures to bring the responsible members of the security forces to justice, in accordance with section 620M(c) of the Foreign Assistance Act of 1961.

(B) FORM.—The report required by this paragraph shall be submitted in unclassified form, but may be accompanied by a classified annex.

(4) ANNUAL FOREIGN MILITARY TRAINING REPORT.—For the purposes of implementing section 656 of the Foreign Assistance Act of 1961, the term ''military training provided to foreign military personnel by the Department of Defense and the Department of State'' shall be deemed to include all military training provided by foreign governments with funds appropriated to the Department of Defense or the Department of State, except for training provided by the government of a country designated by section 517(b) of such Act as a major non-NATO ally.

ARMS TRADE TREATY

SEC. 7050. None of the funds appropriated by this Act may be obligated or expended to implement the Arms Trade Treaty until the Senate approves a resolution of ratification for the Treaty.

INTERNATIONAL CONFERENCES

SEC. 7051. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees of agencies or departments of the United States Government who are stationed in the United States, at any single international conference occurring outside the United States, unless the Secretary of State reports to the Committees on Appropriations at least 5 days in advance that such attendance is important to the national interest: *Provided*, That for purposes of this section the term ''international conference'' shall mean a conference attended by representatives of the United States Government and of foreign governments, international organizations, or nongovernmental organizations.

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, 2018''.

INTERNATIONAL MONETARY FUND

SEC. 7054. (a) EXTENSIONS.—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.

(b) REPAYMENT.—The Secretary of the Treasury shall instruct the United States Executive Director of the International Monetary Fund (IMF) to seek to ensure that any loan will be repaid to the IMF before other private or multilateral creditors.

PROHIBITION ON PUBLICITY OR PROPAGANDA

SEC. 7055. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes within the United States not authorized before the date of the enactment of this Act by Congress: *Provided*, That not to exceed $25,000 may be made available to carry out the provisions of section 316 of the International Security and Development Cooperation Act of 1980 (Public Law 96–533; 22 U.S.C. 2151a note).

DISABILITY PROGRAMS

SEC. 7056. (a) ASSISTANCE.—Funds appropriated by this Act under the heading ''Economic Support Fund'' shall be made available for programs and activities administered by the United States Agency for International Development to address the needs and protect and promote the rights of people with disabilities in developing countries, including initiatives that focus on independent living, economic self-sufficiency, advocacy, education, employment, transportation, sports, and integration of individuals with disabilities, including for the cost of translation.

(b) MANAGEMENT, OVERSIGHT, AND TECHNICAL SUPPORT.—Of the funds made available pursuant to this section, 5 percent may be used for USAID for management, oversight, and technical support.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT MANAGEMENT

SEC. 7057. (a) AUTHORITY.—Up to $93,000,000 of the funds made available in title III 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).

(b) RESTRICTIONS.—

(1) The number of individuals hired in any fiscal year pursuant to the authority contained in subsection (a) may not exceed 175.

(2) The authority to hire individuals contained in subsection (a) shall expire on September 30, 2020.

(c) CONDITIONS.—The authority of subsection (a) should only be used to the extent that an equivalent number of positions that are filled by personal services contractors or other non-direct hire employees of USAID, who are compensated with funds appropriated to carry out part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading ''Assistance for Europe, Eurasia and Central Asia'', are eliminated.

(d) PROGRAM ACCOUNT CHARGED.—The account charged for the cost of an individual hired and employed under the authority of this section shall be the account to which the responsibilities of such individual primarily relate: *Provided*, That funds made available to carry out this section may be transferred to, and merged with, funds appropriated by this Act in title II under the heading ''Operating Expenses''.

(e) 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.

(f) DISASTER SURGE CAPACITY.—Funds appropriated under title III of this Act to carry out 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.

(g) 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, interim 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.

(h) 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.

(i) 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.

GLOBAL HEALTH ACTIVITIES

SEC. 7058. (a) IN GENERAL.—Funds appropriated by titles III and IV of this Act that are made available for bilateral assistance for child survival activities or disease 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 title III of this Act, not less than $575,000,000 should be made available for family planning/reproductive health, including in areas where population growth threatens biodiversity or endangered species.

(b) GLOBAL FUND.—Of the funds appropriated by this Act that are available for a contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria (Global Fund), 10 percent should be withheld from obligation until the Secretary of State determines and reports to the Committees on Appropriations that the Global Fund is—

(1) maintaining and implementing a policy of transparency, including the authority of the Global Fund Office of the Inspector General (OIG) to publish OIG reports on a public website;

(2) providing sufficient resources to maintain an independent OIG that—

(A) reports directly to the Board of the Global Fund;

(B) maintains a mandate to conduct thorough investigations and programmatic audits, free from undue interference; and

(C) compiles regular, publicly published audits and investigations of financial, programmatic, and reporting aspects of the Global Fund, its grantees, recipients, sub-recipients, and Local Fund Agents;

(3) effectively implementing and enforcing policies and procedures which reflect best practices for the protection of whistleblowers from retaliation, including best practices for—

(A) protection against retaliation for internal and lawful public disclosures;

(B) legal burdens of proof;

(C) statutes of limitation for reporting retaliation;

(D) access to independent adjudicative bodies, including external arbitration; and

(E) results that eliminate the effects of proven retaliation:

Provided, That such withholding shall not be in addition to funds that are withheld from the Global Fund in fiscal year 2019 pursuant to the application of any other provision contained in this or any other Act.

(c) 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) CONSULTATION AND NOTIFICATION.—Funds made available by this subsection shall be subject to prior consultation with the appropriate congressional committees, and the regular notification procedures of the Committees on Appropriations.

(d) REPURPOSED FUNDS.—

(1) USES.—Of the unobligated balances available under the heading ''Bilateral Economic Assistance'' in title IX of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113–235)—

(A) $38,000,000 shall be for programs to accelerate the capabilities of targeted countries to prevent, detect, and respond to infectious disease outbreaks; and

(B) $2,000,000 shall be made available for the Emergency Reserve Fund established pursuant to section 7058(c)(1) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2017 (division J of Public Law 115–31) and shall be made available under the same terms and conditions of such section: *Provided*, That the second proviso of such paragraph is amended by striking ''Secretary of State'' and inserting in lieu thereof ''Administrator of the United States Agency for International Development''.

(2) CONSULTATION AND NOTIFICATION.—Funds made available by this subsection shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(3) TRANSFER BETWEEN ACCOUNTS.—Funds made available pursuant to this subsection under the headings ''Global Health Programs'' and ''International Disaster Assistance'' may be transferred to, and merged with, funds made available under such headings: *Provided*, That such transfer authority is in addition to any other transfer authority provided by law.

(4) CLARIFICATION.—Funds made available pursuant to this subsection are in addition to funds otherwise made available for such purposes.

(5) DESIGNATION.—The amounts repurposed under this subsection are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 and shall be available only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

GENDER EQUALITY

SEC. 7059. (a) GENDER EQUALITY.—Funds appropriated by this Act shall be made available to promote gender 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.—

(1)(A) Of the funds appropriated under titles III and IV of this Act, not less than $150,000,000 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 nonconflict settings.

(B) Funds appropriated under titles III and IV of this Act that are available to train foreign police, judicial, and military personnel, including for international peacekeeping operations, shall address, where appropriate, prevention and response to gender-based violence and trafficking in persons, and shall promote the integration of women into the police and other security forces.

(2) Department of State and United States Agency for International Development gender programs shall incorporate coordinated efforts to combat a variety of forms of gender-based violence, including child marriage, rape, female genital cutting and mutilation, and domestic violence, among other forms of gender-based violence in conflict and nonconflict settings.

(d) WOMEN, PEACE, AND SECURITY.—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'' should be made available to support a multi-year strategy to expand, and improve coordination of, United States Government efforts to empower women as equal partners in conflict prevention, peace building, transitional processes, and reconstruction efforts in countries affected by conflict or in political transition, and to ensure the equitable provision of relief and recovery assistance to women and girls.

(e) WOMEN AND GIRLS AT RISK FROM EXTREMISM.—Of the funds appropriated by this Act under the heading ''Economic Support Fund'', 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 Programs 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 consultation 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 $800,000,000 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 such funds shall also be used for secondary education activities: *Provided further*, That notifications submitted for basic education programs should, as applicable, describe activities conducted in support of non-state schools: *Provided further*, That the Administrator of the United States Agency for International Development, following consultation with the Committees on Appropriations, may reprogram such funds between countries.

(B) Not later than 30 days after enactment of this Act, the USAID Administrator shall report to the Committees on Appropriations on the status of cumulative unobligated balances and obligated, but unexpended, balances in each country where USAID provides basic education assistance and such report shall also include details on the types of contracts and grants provided and the goals and objectives of such assistance: *Provided*, That the USAID Administrator shall update such report on a quarterly basis until September 30, 2020: *Provided further*, That if the USAID Administrator determines that any unobligated balances of funds specifically designated for assistance for basic education in prior Acts making appropriations for the Department of State, foreign operations, and related programs are in excess of the absorptive capacity of recipient countries, such funds may be made available for other programs authorized under chapter 1 of part I of the Foreign Assistance Act of 1961, notwithstanding such funding designation: *Provided further*, That the authority of the previous proviso shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

(C) Of the funds appropriated under title III of this Act for assistance for basic education programs, not less than $90,000,000 shall be made available for a contribution 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: *Provided further*, That of such amount, not less than $35,000,000 shall be made available for human and institutional capacity building partnerships between higher education institutions in the United States and developing countries, of which not less than $15,000,000 shall be for new partnerships: *Provided further*, That not later than 45 days after enactment of this Act, the USAID Administrator shall consult with the Committees on Appropriations on the proposed uses of funds for such partnerships.

(b) DEVELOPMENT PROGRAMS.—Of the funds appropriated by this Act under the heading ''Development Assistance'', not less than $12,000,000 shall be made available for cooperative development programs of USAID, and not less than $30,000,000 shall be made available for the American Schools and Hospitals Abroad program: *Provided*, That any substantive modifications from the prior fiscal year to the evaluation methodology or criteria for selecting grantees for the American Schools and Hospitals Abroad program shall be subject to prior consultation with the Committees on Appropriations.

(c) ENVIRONMENT PROGRAMS.—

(1) AUTHORITY AND NOTIFICATION.—

(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) None of the funds in this Act are appropriated or otherwise made available for a contribution, grant, or any other payment for the Green Climate Fund.

(2) CONSERVATION PROGRAMS AND LIMITATIONS.—

(A) Of the funds appropriated under title III of this Act, not less than $285,000,000 shall

be made available for biodiversity conservation programs.

(B) Not less than $90,664,000 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.

(C) None of the funds appropriated under title IV of this Act may be made available for training or other assistance for any military unit or personnel that the Secretary of State determines has been credibly alleged to have participated in wildlife poaching or trafficking, unless the Secretary reports to the appropriate congressional committees that to do so is in the national security interest of the United States.

(D) Funds appropriated by this Act for biodiversity programs shall not be used to support the expansion of industrial scale logging or any other industrial scale extractive activity into areas that were primary/intact tropical forests as of December 30, 2013, and the Secretary of the Treasury shall instruct the United States executive directors of each international financial institutions (IFI) to vote against any financing of any such activity.

(3) LARGE DAMS.—The Secretary of the Treasury shall instruct the United States executive director of each IFI that it is the policy of the United States to vote in relation to any loan, grant, strategy, or policy of such institution to support the construction of any large dam consistent with the criteria set forth in Senate Report 114–79, while also considering whether the project involves important foreign policy objectives.

(4) SUSTAINABLE LANDSCAPES.—Of the funds appropriated under title III of this Act, not less than $125,000,000 shall be made available for sustainable landscapes programs.

(d) FOOD SECURITY AND AGRICULTURAL DEVELOPMENT.—Of the funds appropriated by title III of this Act, not less than $1,000,600,000 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), of which not less than $315,960,000 shall be made available for the Bureau for Food Security, USAID, including not less than $55,000,000 for the Feed the Future Innovation Labs: *Provided*, That funds may be made available for a contribution as authorized by section 3202 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246), as amended by section 3206 of the Agricultural Act of 2014 (Public Law 113–79).

(e) MICRO- AND SMALL 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- and small enterprises that benefit the poor, especially women.

(f) 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, of which not less than $45,000,000 shall be from funds made available under the heading ''International Narcotics Control and Law Enforcement'': *Provided*, That funds appropriated by this Act that are made available for programs to end modern slavery shall be in addition to funds made available by this subsection to combat trafficking in persons.

(g) RECONCILIATION PROGRAMS.—Funds appropriated by this Act under the headings ''Economic Support Fund'' and ''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: *Provided further*, That to the maximum extent practicable, such funds shall be matched by sources other than the United States Government: *Provided further*, That such funds shall be administered by the Office of Conflict Management and Mitigation, USAID.

(h) 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.

ENTERPRISE FUNDS

SEC. 7061. (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.

IMPACT ON JOBS IN THE UNITED STATES

SEC. 7062. 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 internationally 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;

(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; or

(4) for the enforcement of any rule, regulation, policy, or guidelines implemented pursuant to—

(A) the third proviso of subsection 7079(b) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (division F of Public Law 111–117);

(B) the modification proposed by the Overseas Private Investment Corporation in November 2013 to the Corporation's Environmental and Social Policy Statement relating to coal; or

(C) the Supplemental Guidelines for High Carbon Intensity Projects approved by the Export-Import Bank of the United States on December 12, 2013,

when enforcement of such rule, regulation, policy, or guidelines would prohibit, or have the effect of prohibiting, any coal-fired or other power-generation project the purpose of which is to: (i) provide affordable electricity in International Development Association (IDA)-eligible countries and IDA-blend countries; and (ii) increase exports of goods and services from the United States or prevent the loss of jobs from the United States.

OVERSEAS PRIVATE INVESTMENT CORPORATION

SEC. 7063. (a) TRANSFER OF FUNDS.—Whenever the President determines that it is in furtherance of the purposes of the Foreign Assistance Act of 1961, up to a total of $20,000,000 of the funds appropriated under title III of this Act may be transferred to, and merged with, funds appropriated by this Act for the Overseas Private Investment Corporation Program Account, to be subject to the terms and conditions of that account: *Provided*, That such funds shall not be available for administrative expenses of the Overseas Private Investment Corporation: *Provided further*, That designated funding levels in this Act shall not be transferred pursuant to this section: *Provided further*, That the exercise of such authority shall be subject to the regular notification procedures of the Committees on Appropriations.

(b) AUTHORITY.—Notwithstanding section 235(a)(2) of the Foreign Assistance Act of 1961, the authority of subsections (a) through (c) of section 234 of such Act shall remain in effect until September 30, 2019.

INSPECTORS GENERAL

SEC. 7064. (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) TIMELY ACCESS.—A department or agency of the United States Government covered by this section shall provide its Inspector General access to all records, documents, and other materials in a timely manner.

(c) COMPLIANCE.—Each Inspector General covered by this section shall ensure compliance with statutory limitations on disclosure relevant to the information provided by the department or agency over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.).

(d) 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. 7065. (a) FUNDING.—Of the funds available for obligation during fiscal year 2019 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: *Provided*, That such programs shall be prioritized for countries whose governments restrict freedom of expression on the Internet, and that are important to the national interest of the United States: *Provided further*, That funds made available pursuant to this section shall be matched, to the maximum extent practicable, by sources other than the United States Government, including from the private sector.

(b) REQUIREMENTS.—

(1) Funds appropriated by this Act under the headings ''Economic Support Fund'', ''Democracy Fund'', and ''Assistance for Europe, Eurasia and Central Asia'' that are made available pursuant to subsection (a) shall be—

(A) coordinated with other democracy programs funded by this Act under such headings, and shall be incorporated into country assistance and democracy promotion strategies, as appropriate;

(B) for programs to implement the May 2011, International Strategy for Cyberspace; the Department of State International Cyberspace Policy Strategy required by section 402 of the Cybersecurity Act of 2015 (division N of Public Law 114–113); and the comprehensive strategy to promote Internet freedom and access to information in Iran, as required by section 414 of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8754);

(C) made available for programs that support the efforts of civil society to counter the development of repressive Internet-related laws and regulations, including countering threats to Internet freedom at international organizations; to combat violence against bloggers and other users; and to enhance digital security training and capacity building for democracy activists;

(D) made available for research of key threats to Internet freedom; the continued development of technologies that provide or enhance access to the Internet, including circumvention tools that bypass Internet blocking, filtering, and other censorship techniques used by authoritarian governments; and maintenance of the technological advantage of the United States Government over such censorship techniques: *Provided*, That the Secretary of State, in consultation with the Chief Executive Officer (CEO) of the Broadcasting Board of Governors (BBG), shall coordinate any such research and development programs with other relevant United States Government departments and agencies in order to share information, technologies, and best practices, and to assess the effectiveness of such technologies; and

(E) made available only after the Assistant Secretary for Democracy, Human Rights, and Labor, Department of State, concurs that such funds are allocated consistent with—

(i) the strategies referenced in subparagraph (B) of this paragraph;

(ii) best practices regarding security for, and oversight of, Internet freedom programs; and

(iii) sufficient resources and support for the development and maintenance of anti-censorship technology and tools.

(2) Funds appropriated by this Act under the heading ''International Broadcasting Operations'' that are made available pursuant to subsection (a) shall be—

(A) made available only for tools and techniques to securely develop and distribute BBG digital content; facilitate audience access to such content on websites that are censored; coordinate the distribution of BBG digital content to targeted regional audiences; and to promote and distribute such tools and techniques, including digital security techniques;

(B) coordinated with programs funded by this Act under the heading ''International Broadcasting Operations'', and shall be incorporated into country broadcasting strategies, as appropriate;

(C) coordinated by the BBG CEO to provide Internet circumvention tools and techniques for audiences in countries that are strategic priorities for the BBG and in a manner consistent with the BBG Internet freedom strategy; and

(D) made available for the research and development of new tools or techniques authorized in paragraph (A) only after the BBG CEO, in consultation with the Secretary of State and other relevant United States Government departments and agencies, evaluates the risks and benefits of such new tools or techniques, and establishes safeguards to minimize the use of such new tools or techniques for illicit purposes.

(c) 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 BBG CEO 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: *Provided*, That the Department of State spend plan shall include funding for all such programs for all relevant Department of State and the United States Agency for International Development offices and bureaus.

(d) 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: *Provided*, That the security auditing procedures used by such Bureau shall be reviewed and updated periodically to reflect current industry security standards.

(e) SURGE.—Of the funds appropriated by this Act under the heading ''Economic Support Fund'', up to $2,500,000 may be made available to surge Internet freedom programs in closed societies if the Secretary of State determines and reports to the appropriate congressional committees that such use of funds is in the national interest: *Provided*, That such funds are in addition to amounts made available for such purposes: *Provided further*, That such funds may be transferred to, and merged with, funds appropriated by this Act under the heading ''International Broadcasting Operations'' following consultation with, and the regular notification procedures of, the Committees on Appropriations.

MULTI-YEAR PLEDGES

SEC. 7066. None of the funds appropriated by this Act may be used to make any pledge for future year funding for any multilateral or bilateral program funded in titles III through VI of this Act unless such pledge was—

(1) previously justified, including the projected future year costs, in a congressional budget justification;

(2) included in an Act making appropriations for the Department of State, foreign operations, and related programs or previously authorized by an Act of Congress;

(3) notified in accordance with the regular notification procedures of the Committees on Appropriations, including the projected future year costs; or

(4) the subject of prior consultation with the Committees on Appropriations and such consultation was conducted at least 7 days in advance of the pledge.

TORTURE AND OTHER CRUEL, INHUMAN, OR DEGRADING TREATMENT OR PUNISHMENT

SEC. 7067. (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.

EXTRADITION

SEC. 7068. (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.

WAR CRIMES TRIBUNALS

SEC. 7069. 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.

BUDGET DOCUMENTS

SEC. 7070. (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 2019, that provides details of the uses of such funds at the program, project, and activity level: *Provided*, That such plans shall include, as applicable, a comparison between the congressional budget justification funding levels, the most recent congressional directives or approved funding levels, and the funding levels proposed by the department or agency; and a clear, concise, and informative description/justification: *Provided further*, That if such department, agency, or organization receives an additional amount under the same heading in title VIII of this Act, operating plans required by this subsection shall include consolidated information on all such funds: *Provided further*, That operating plans that include changes in levels of funding for programs, projects, and activities specified in the congressional budget justification, in this Act, or amounts specifically designated in the respective tables included in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), as applicable, shall be subject to the notification and reprogramming requirements of section 7015 of this Act.

(b) SPEND PLANS.—

(1) Prior to the initial obligation of funds but not later than 120 days after enactment of this Act, the Secretary of State or Administrator of the United States Agency for International Development, as appropriate, shall submit to the Committees on Appropriations a spend plan for funds made available by this Act, for—

(A) assistance for Afghanistan, Iraq, Lebanon, Pakistan, the West Bank and Gaza, Colombia, and countries in Central America;

(B) assistance made available pursuant to section 7047(d) 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 7071(a) of this Act, and sectors enumerated in subsections (a), (c), (d), (e), (f), (g), and (h) 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.

(3) Notwithstanding paragraph (1), up to 10 percent of the funds contained in a spend plan required by this subsection may be obligated prior to the submission of such spend plan if the Secretary of State or the USAID Administrator, as appropriate, determines that the obligation of such funds is necessary to avoid significant programmatic disruption: *Provided*, That not less than seven days prior to such obligation, the Secretary or Administrator, as appropriate, shall consult with the Committees on Appropriations on the justification for such obligation and the proposed uses of such funds.

(c) SPENDING REPORT.—Not later than 45 days after enactment of this Act, the USAID Administrator shall submit to the Committees on Appropriations a detailed report on spending of funds made available during fiscal year 2018 under the heading ''Development Credit Authority''.

(d) 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.

(e) CONGRESSIONAL BUDGET JUSTIFICATION.—

(1) The congressional budget justification for Department of State operations and foreign operations shall be provided to the Committees on Appropriations concurrent with the date of submission of the President's budget for fiscal year 2020: *Provided*, That the appendices for such justification shall be provided to the Committees on Appropriations not later than 10 calendar days thereafter.

(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''.

STABILIZATION AND DEVELOPMENT IN REGIONS IMPACTED BY EXTREMISM AND CONFLICT

SEC. 7071. (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, consistent with the strategy required by section 7073(a)(1) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2017 (division J of Public Law 115–31): *Provided*, That the Secretary of State shall ensure such programs are coordinated with and complement the efforts of other United States Government agencies and international partners, and that information gained through the conduct of such programs is shared in a timely manner with relevant departments and agencies of the United States Government, other international partners, and the appropriate congressional committees, as appropriate.

(b) RELIEF AND RECOVERY FUND.—

(1) FUNDS AND TRANSFER AUTHORITY.—Of the funds appropriated by this Act under the headings ''Economic Support Fund'', ''International Narcotics Control and Law Enforcement'', ''Nonproliferation, Anti-terrorism, Demining and Related Programs'', ''Peacekeeping Operations'', and ''Foreign Military Financing Program'', not less than $200,000,000 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 organizations, 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 explanatory statement described in section 4 (in the matter preceding division A of this consolidated 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.

(3) FUNDS FOR JORDAN AND TUNISIA.—Of the funds appropriated in prior Acts making appropriations for the Department of State, foreign operations, and related programs that are made available for the Relief and Recovery Fund, not less than the following amounts shall be made available—

(A) $50,000,000 for assistance for Jordan; and

(B) $50,000,000 for assistance for Tunisia:

Provided, That such funds are in addition to amounts otherwise made available by this Act for such countries.

(c) PREVENTION OF FAILED STATES THROUGH PUBLIC-PRIVATE PARTNERSHIPS.—Of the funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs that are made available for the Relief and Recovery Fund, up to $10,000,000 shall be made available to implement the program described under this section in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), which shall be apportioned to USAID not later than 90 days after enactment of this Act: *Provided*, That such funds shall be in addition to funds made available for bilateral assistance for such countries, and shall remain available until expended: *Provided further*, That in addition to funds otherwise made available for such purposes, up to $750,000 of the funds made available by this paragraph may be used by USAID for administrative expenses related to the design and implementation of such program.

(d) COUNTER VIOLENT EXTREMISM IN ASIA.—Of the funds appropriated by this Act under the heading ''Economic Support Fund'', not less than $2,500,000 shall be made available for programs to counter violent extremism in Asia, including within the Buddhist community: *Provided*, That such funds shall be administered by the Mission Director of the Regional Development Mission for Asia, USAID: *Provided further*, That such funds are in addition to funds otherwise made available for such purposes.

(e) 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.

(f) GLOBAL CONCESSIONAL FINANCING FACILITY.—Funds appropriated by this Act under the heading ''Economic Support Fund'' may be made available for the Global Concessional Financing Facility of the World Bank to provide financing to support refugees and host communities: *Provided*, That such funds shall be in addition to funds made available for bilateral assistance in the report required by section 653(a) of the Foreign Assistance Act of 1961, and may only be made available subject to prior consultation with the Committees on Appropriations.

UNITED NATIONS POPULATION FUND

SEC. 7072. (a) CONTRIBUTION.—Of the funds made available under the heading ''International Organizations and Programs'' in this Act for fiscal year 2019, $32,500,000 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'' account and shall be made available for family planning, maternal, and reproductive health activities, subject to the regular notification procedures of the Committees on Appropriations.

(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-DOLLAR 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 Appropriations indicating the amount of funds that UNFPA is budgeting for the year in which the report is submitted for a country program in the People's Republic 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.

REORGANIZATION AND INFORMATION TECHNOLOGY

SEC. 7073. (a) OVERSIGHT.—

(1) 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 explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act): *Provided further*, That congressional notifications submitted during the previous fiscal year pursuant to section 7081 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2018 (division K of Public Law 115–141) may be deemed to meet the notification requirements of this section.

(2) DESCRIPTION OF ACTIVITIES.—Pursuant to paragraph (1), a reorganization, redesign, or other plan shall include any action to—

(A) 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;

(B) expand, eliminate, consolidate, or downsize the United States official presence overseas including at bilateral, regional, and multilateral diplomatic facilities and other platforms; or

(C) expand or reduce the size of the Civil Service, Foreign Service, eligible family member, and locally employed staff workforce of the Department of State and USAID from the on-board levels as of December 31, 2017.

(b) ADDITIONAL REQUIREMENTS AND LIMITATIONS.—

(1) PERSONNEL LEVELS.—Funds made available by this Act are made available to support the agency-wide on-board Foreign Service and Civil Service staff levels of the Department of State and USAID at not less than the levels as of December 31, 2017.

(2) REPORTS.—

(A) Not later than 30 days after enactment of this Act, and quarterly thereafter until September 30, 2020, the USAID Administrator shall submit a report to the appropriate congressional committees on the status of USAID reorganization as described in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act): *Provided*, That the USAID Administrator shall consult with the appropriate congressional committees on the format of such reports.

(B) Not later than 60 days after enactment of this Act and every 60 days thereafter until September 30, 2020, the Secretary of State, in the case of the Department of State, and the USAID Administrator, in the case of USAID, 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 and USAID, as appropriate, 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 December 31, 2017 level through fiscal year 2019.

(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 made available 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) In complying with the requirements of this paragraph, the Chief Information Officer, Department of State, shall consider whether a new major information technology investment—

(i) is consistent with the Department Information Technology Strategic Plan;

(ii) maintains consolidated control over enterprise IT functions or improves operational maintenance;

(iii) improves Department of State resiliency to a cyber-attack;

(iv) reduces Department of State IT costs over the long-term; and

(v) is in accordance with the Federal Acquisition Regulation (FAR), including FAR Part 6 regarding competition requirements.

(6) TECHNOLOGY MODERNIZATION FUND LIMITATION.—

(A) 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 Modernization 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.

(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 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.

(7) 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.

RESCISSIONS

(INCLUDING RESCISSION OF FUNDS)

SEC. 7074. (a) Of the unobligated balances available under the heading ''International Narcotics Control and Law Enforcement'', as

identified by Treasury Appropriation Fund Symbol 11 X 1022, $12,420,000 are rescinded.

(b) Of the grant balances in the Foreign Military Sales Trust Fund, identified by Treasury Appropriation Fund Symbol 97–11 X 8242, which are not currently applied to an active FMS case and which were appropriated prior to fiscal year 2009, $11,000,000 shall be deobligated, as appropriate, and shall be permanently rescinded.

JOHN S. MCCAIN SCHOLARS PROGRAM

SEC. 7075. Funds appropriated by this Act under the heading ''Educational and Cultural Exchange Programs'' that are made available for the Benjamin Gilman International Scholarships Program shall also be made available for the John S. McCain Scholars Program, pursuant to section 303 of the International Academic Opportunity Act of 2000 (Public Law 106–309), to include the dependents of active United States military personnel who are receiving any form of Federal Financial Aid under title IV of the Higher Education Act of 1965.

AFGHAN SPECIAL IMMIGRANT VISAS

SEC. 7076. (a) AFGHAN ALLIES.—Section 602(b)(3)(F) of the Afghan Allies Protection Act of 2009 (division F of Public Law 111–8), as amended, is further amended by substituting ''18,500'' for ''14,500'' in the matter preceding clause (i).

(b) CONDITIONS.—None of the funds appropriated by this Act may be made available for the additional special immigrant visas made available under subsection (a) until the Secretary of State—

(1) develops and implements a system to prioritize the processing of Afghan applicants for special immigrant visas under section 602 of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note); and

(2) submits to the appropriate congressional committees, as defined in section 602(a) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note), the following reports:

(A) the report required under paragraph (12) of section 602(b) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note), as amended by section 1222 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232);

(B) a report on the procedures and processes used by the Chief of Mission to determine whether an Afghan applicant for a special immigrant visa under section 602 of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) has experienced, is experiencing, or may reasonably be expected to experience an ongoing, serious threat as a result of the qualifying service of the applicant; and

(C) a report on the procedures for background and security checks on Afghan applicants for special immigrant visas under such section.

SAUDI ARABIA

SEC. 7077. 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.

TITLE VIII

OVERSEAS CONTINGENCY OPERATIONS/ GLOBAL WAR ON TERRORISM

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Diplomatic Programs'', $3,225,971,000, to remain available until September 30, 2020, of which $2,626,122,000 is for Worldwide Security Protection and shall remain available until expended: *Provided*, That the Secretary of State may transfer up to $5,000,000 of the total funds made available under this heading to any other appropriation of any department or agency of the United States, upon the concurrence of the head of such department or agency, to support operations in, and assistance for, Afghanistan and to carry out the provisions of the Foreign Assistance Act of 1961: *Provided further*, That any such transfer shall be subject to the regular notification procedures of the Committees on Appropriations: *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 INSPECTOR GENERAL

For an additional amount for ''Office of Inspector General'', $54,900,000, to remain available until September 30, 2020, which shall be for the Special Inspector General for Afghanistan Reconstruction (SIGAR) for reconstruction oversight: *Provided*, That printing and reproduction costs of SIGAR shall not exceed amounts for such costs during fiscal year 2018: *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.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For an additional amount for ''Contributions to International Organizations'', $96,240,000: *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.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For an additional amount for ''Contributions for International Peacekeeping Activities'', $988,656,000, to remain available until September 30, 2020: *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.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

FUNDS APPROPRIATED TO THE PRESIDENT

OPERATING EXPENSES

For an additional amount for ''Operating Expenses'', $158,067,000, to remain available until September 30, 2020: *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.

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL DISASTER ASSISTANCE

For an additional amount for ''International Disaster Assistance'', $584,278,000, to remain available until expended: *Provided*, That such funds shall be apportioned to the United States Agency for International Development not later than 60 days after enactment of this Act: *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.

TRANSITION INITIATIVES

For an additional amount for ''Transition Initiatives'', $62,043,000, to remain available until expended: *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.

ECONOMIC SUPPORT FUND

For an additional amount for ''Economic Support Fund'', $1,172,336,000, to remain available until September 30, 2020: *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.

DEPARTMENT OF STATE

MIGRATION AND REFUGEE ASSISTANCE

For an additional amount for ''Migration and Refugee Assistance'' to respond to refugee crises, including in Africa, the Near East, South and Central Asia, and Europe and Eurasia, $1,404,124,000, to remain available until expended, except that such funds shall not be made available for the resettlement costs of refugees in the United States: *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.

INTERNATIONAL SECURITY ASSISTANCE

DEPARTMENT OF STATE

PEACEKEEPING OPERATIONS

For an additional amount for ''Peacekeeping Operations'', $325,213,000, to remain available until September 30, 2020: *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: *Provided further*, That funds available for obligation under this heading in this Act may be used to pay assessed expenses of international peacekeeping activities in Somalia under the same terms and conditions, as applicable, as funds appropriated under the heading ''Contributions for International Peacekeeping Activities'' in this Act, subject to the regular notification procedures of the Committees on Appropriations.

FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN MILITARY FINANCING PROGRAM

For an additional amount for ''Foreign Military Financing Program'', $229,372,000, to remain available until September 30, 2020: *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.

GENERAL PROVISIONS

ADDITIONAL APPROPRIATIONS

SEC. 8001. Notwithstanding any other provision of law, funds appropriated in this title are in addition to amounts appropriated or otherwise made available in this Act for fiscal year 2019.

EXTENSION OF AUTHORITIES AND CONDITIONS

SEC. 8002. Unless otherwise provided for in this Act, the additional amounts appropriated by this title to appropriations accounts in this Act shall be available under the authorities and conditions applicable to such appropriations accounts.

TRANSFER OF FUNDS

SEC. 8003. (a) TRANSFER OF FUNDS BETWEEN ACCOUNTS.—

(1) Funds appropriated by this title in this Act under the headings ''Transition Initiatives'' and ''Economic Support Fund'' may

be transferred to, and merged with, funds appropriated by this title under such headings.

(2) Funds appropriated by this title in this Act under the headings ''Peacekeeping Operations'' and ''Foreign Military Financing Program'' may be transferred to, and merged with, funds appropriated by this title under such headings.

(b) GLOBAL SECURITY CONTINGENCY FUND.—Notwithstanding any other provision of this section, up to $7,500,000 from funds appropriated under the headings ''Peacekeeping Operations'' and ''Foreign Military Financing Program'' by this title in this Act may be transferred to, and merged with, funds previously made available under the heading ''Global Security Contingency Fund''.

(c) LIMITATION.—The transfer authority provided in subsection (a) may only be exercised to address contingencies.

(d) NOTIFICATION.—The transfer authority provided by this section shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations: *Provided*, That such transfer authority is in addition to any transfer authority otherwise available under any other provision of law, including section 610 of the Foreign Assistance Act of 1961 which may be exercised by the Secretary of State for the purposes of this title.

RESCISSION

(INCLUDING RESCISSION OF FUNDS)

SEC. 8004. Of the unobligated balances from amounts available under the heading ''Diplomatic and Consular Programs'' in title II of the Security Assistance Appropriations Act, 2017 (division B of Public Law 114–254), $301,200,000 are rescinded: *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.

This division may be cited as the ''Department of State, Foreign Operations, and Related Programs Appropriations Act, 2019''.

DIVISION F—TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019

TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, $113,910,000, of which not to exceed $3,065,000 shall be available for the immediate Office of the Secretary; not to exceed $1,000,000 shall be available for the immediate Office of the Deputy Secretary; not to exceed $20,428,000 shall be available for the Office of the General Counsel; not to exceed $10,331,000 shall be available for the Office of the Under Secretary of Transportation for Policy; not to exceed $14,300,000 shall be available for the Office of the Assistant Secretary for Budget and Programs; not to exceed $2,546,000 shall be available for the Office of the Assistant Secretary for Governmental Affairs; not to exceed $29,244,000 shall be available for the Office of the Assistant Secretary for Administration; not to exceed $2,142,000 shall be available for the Office of Public Affairs; not to exceed $1,859,000 shall be available for the Office of the Executive Secretariat; not to exceed $12,181,000 shall be available for the Office of Intelligence, Security, and Emergency Response; and not to exceed $16,814,000 shall be available for the Office of the Chief Information Officer: *Provided*, That the Secretary of Transportation is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: *Provided further*, That no appropriation for any office shall be increased or decreased by more than 7 percent by all such transfers: *Provided further*, That notice of any change in funding greater than 7 percent shall be submitted for approval to the House and Senate Committees on Appropriations: *Provided further*, That not to exceed $60,000 shall be for allocation within the Department for official reception and representation expenses as the Secretary may determine: *Provided further*, That notwithstanding any other provision of law, excluding fees authorized in Public Law 107–71, there may be credited to this appropriation up to $2,500,000 in funds received in user fees: *Provided further*, That none of the funds provided in this Act shall be available for the position of Assistant Secretary for Public Affairs.

RESEARCH AND TECHNOLOGY

For necessary expenses related to the Office of the Assistant Secretary for Research and Technology, $8,471,000, of which $2,218,000 shall remain available until September 30, 2021: *Provided*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training: *Provided further*, That any reference in law, regulation, judicial proceedings, or elsewhere to the Research and Innovative Technology Administration shall continue to be deemed to be a reference to the Office of the Assistant Secretary for Research and Technology of the Department of Transportation.

NATIONAL INFRASTRUCTURE INVESTMENTS

For capital investments in surface transportation infrastructure, $900,000,000, to remain available through September 30, 2021: *Provided*, That the Secretary of Transportation shall distribute funds provided under this heading as discretionary grants to be awarded to a State, local government, transit agency, port authority, or a collaboration among such entities on a competitive basis for projects that will have a significant local or regional impact: *Provided further*, That projects eligible for funding provided under this heading shall include, but not be limited to, highway or bridge projects eligible under title 23, United States Code; public transportation projects eligible under chapter 53 of title 49, United States Code; passenger and freight rail transportation projects; and port infrastructure investments (including inland port infrastructure and land ports of entry): *Provided further*, That of the amount made available under this heading, the Secretary may use an amount not to exceed $15,000,000 for the planning, preparation or design of projects eligible for funding under this heading: *Provided further*, That grants awarded under the previous proviso shall not be subject to a minimum grant size: *Provided further*, That the Secretary may use up to 20 percent of the funds made available under this heading for the purpose of paying the subsidy and administrative costs of projects eligible for Federal credit assistance under chapter 6 of title 23, United States Code, or sections 501 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended, if the Secretary finds that such use of the funds would advance the purposes of this paragraph: *Provided further*, That in distributing funds provided under this heading, the Secretary shall take such measures so as to ensure an equitable geographic distribution of funds, an appropriate balance in addressing the needs of urban and rural areas, and the investment in a variety of transportation modes: *Provided further*, That a grant funded under this heading shall be not less than $5,000,000 and not greater than $25,000,000: *Provided further*, That not more than 10 percent of the funds made available under this heading may be awarded to projects in a single State: *Provided further*, That the Federal share of the costs for which an expenditure is made under this heading shall be, at the option of the recipient, up to 80 percent: *Provided further*, That the Secretary shall give priority to projects that require a contribution of Federal funds in order to complete an overall financing package: *Provided further*, That of the funds made available under this heading not more than 50 percent shall be for projects located in a rural area with a population equal to or less than 200,000: *Provided further*, That for projects located in a rural area, the minimum grant size shall be $1,000,000 and the Secretary may increase the Federal share of costs above 80 percent: *Provided further*, That of the funds made available under this heading not more than 50 percent shall be for projects located in an urbanized area with a population of more than 200,000: *Provided further*, That funds for an urbanized area under the previous proviso may be obligated to projects in the metropolitan area established under section 134 of title 23, United States Code, that encompasses such urbanized area: *Provided further*, That projects conducted using funds provided under this heading must comply with the requirements of subchapter IV of chapter 31 of title 40, United States Code: *Provided further*, That the Secretary shall conduct a new competition to select the grants and credit assistance awarded under this heading: *Provided further*, That the Secretary may set aside not more than 3 percent of the funds provided under this heading, and may transfer portions of those funds to the Administrators of the Federal Highway Administration, the Federal Transit Administration, the Federal Railroad Administration, and the Maritime Administration to fund the award and oversight of grants and credit assistance made under the National Infrastructure Investments program: *Provided further*, That the Secretary shall consider and award projects based solely on the selection criteria from the fiscal year 2017 Notice of Funding Opportunity: *Provided further*, That, notwithstanding the previous proviso, the Secretary shall not use the Federal share or an applicant's ability to generate non-Federal revenue as a selection criteria in awarding projects: *Provided further*, That the Secretary shall issue the Notice of Funding Opportunity no later than 60 days after enactment of this Act: *Provided further*, That such Notice of Funding Opportunity shall require application submissions 90 days after the publishing of such Notice: *Provided further*, That of the applications submitted under the previous two provisos, the Secretary shall make grants no later than 270 days after enactment of this Act in such amounts that the Secretary determines: *Provided further*, That such sums provided for national infrastructure investments for passenger rail transportation projects under title I of division C of the Consolidated and Further Continuing Appropriations Act, 2012 (Public Law 112–55; 125 Stat. 641), shall remain available for expenditure through fiscal year 2019 for the liquidation of valid obligations of active grants awarded with this funding: *Provided further*, That such sums provided for national infrastructure investments for port infrastructure projects under title VIII of division F of the Consolidated and Further Continuing Appropriations Act, 2013 (Public Law 113–6; 127 Stat. 432) shall remain available through fiscal year 2020 for the liquidation of valid obligations of active grants awarded with this funding: *Provided further*, That the 2 preceding provisos shall be applied as if they were in effect on September 30, 2018.

NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE FINANCE BUREAU

For necessary expenses of the National Surface Transportation and Innovative Finance Bureau as authorized by 49 U.S.C. 116, $5,000,000, to remain available until expended: *Provided*, That the Secretary shall notify the House and Senate Committees on Appropriations no less than 15 days prior to exercising the transfer authority granted under section 116(h) of title 49, United States Code.

FINANCIAL MANAGEMENT CAPITAL

For necessary expenses for upgrading and enhancing the Department of Transportation's financial systems and re-engineering business processes, $2,000,000, to remain available through September 30, 2020.

CYBER SECURITY INITIATIVES

For necessary expenses for cyber security initiatives, including necessary upgrades to wide area network and information technology infrastructure, improvement of network perimeter controls and identity management, testing and assessment of information technology against business, security, and other requirements, implementation of Federal cyber security initiatives and information infrastructure enhancements, and implementation of enhanced security controls on network devices, $15,000,000, to remain available through September 30, 2020.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $9,470,000.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, development activities, and making grants, $7,879,000, to remain available until expended: *Provided*, That of such amount, $1,000,000 shall be for necessary expenses of the Interagency Infrastructure Permitting Improvement Center (IIPIC): *Provided further*, That there may be transferred to this appropriation, to remain available until expended, amounts transferred from other Federal agencies for expenses incurred under this heading for IIPIC activities not related to transportation infrastructure: *Provided further*, That the tools and analysis developed by the IIPIC shall be available to other Federal agencies for the permitting and review of major infrastructure projects not related to transportation only to the extent that other Federal agencies provide funding to the Department as provided for under the previous proviso.

WORKING CAPITAL FUND

For necessary expenses for operating costs and capital outlays of the Working Capital Fund, not to exceed $319,793,000, shall be paid from appropriations made available to the Department of Transportation: *Provided*, That such services shall be provided on a competitive basis to entities within the Department of Transportation: *Provided further*, That the above limitation on operating expenses shall not apply to non-DOT entities: *Provided further*, That no funds appropriated in this Act to an agency of the Department shall be transferred to the Working Capital Fund without majority approval of the Working Capital Fund Steering Committee and approval of the Secretary: *Provided further*, That no assessments may be levied against any program, budget activity, subactivity or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.

MINORITY BUSINESS RESOURCE CENTER PROGRAM

For necessary expenses of the Minority Business Resource Center, the provision of financial education outreach activities to eligible transportation-related small businesses, the monitoring of existing loans in the guaranteed loan program, and the modification of such loans of the Minority Business Resource Center, $500,000, as authorized by 49 U.S.C. 332; *Provided*, That notwithstanding that section, these funds may be for business opportunities related to any mode of transportation.

SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND OUTREACH

For necessary expenses for small and disadvantaged business utilization and outreach activities, $3,488,000, to remain available until September 30, 2020: *Provided*, That notwithstanding 49 U.S.C. 332, these funds may be used for business opportunities related to any mode of transportation.

PAYMENTS TO AIR CARRIERS

(AIRPORT AND AIRWAY TRUST FUND)

In addition to funds made available from any other source to carry out the essential air service program under 49 U.S.C. 41731 through 41742, $175,000,000, to be derived from the Airport and Airway Trust Fund, to remain available until expended: *Provided*, That in determining between or among carriers competing to provide service to a community, the Secretary may consider the relative subsidy requirements of the carriers: *Provided further*, That basic essential air service minimum requirements shall not include the 15-passenger capacity requirement under subsection 41732(b)(3) of title 49, United States Code: *Provided further*, That none of the funds in this Act or any other Act shall be used to enter into a new contract with a community located less than 40 miles from the nearest small hub airport before the Secretary has negotiated with the community over a local cost share: *Provided further*, That amounts authorized to be distributed for the essential air service program under subsection 41742(b) of title 49, United States Code, shall be made available immediately from amounts otherwise provided to the Administrator of the Federal Aviation Administration: *Provided further*, That the Administrator may reimburse such amounts from fees credited to the account established under section 45303 of title 49, United States Code.

ADMINISTRATIVE PROVISIONS—OFFICE OF THE SECRETARY OF TRANSPORTATION

SEC. 101. None of the funds made available in this Act to the Department of Transportation may be obligated for the Office of the Secretary of Transportation to approve assessments or reimbursable agreements pertaining to funds appropriated to the modal administrations in this Act, except for activities underway on the date of enactment of this Act, unless such assessments or agreements have completed the normal reprogramming process for Congressional notification.

SEC. 102. The Secretary shall post on the Web site of the Department of Transportation a schedule of all meetings of the Council on Credit and Finance, including the agenda for each meeting, and require the Council on Credit and Finance to record the decisions and actions of each meeting.

SEC. 103. In addition to authority provided by section 327 of title 49, United States Code, the Department's Working Capital Fund is hereby authorized to provide partial or full payments in advance and accept subsequent reimbursements from all Federal agencies from available funds for transit benefit distribution services that are necessary to carry out the Federal transit pass transportation fringe benefit program under Executive Order No. 13150 and section 3049 of Public Law 109–59: *Provided*, That the Department shall maintain a reasonable operating reserve in the Working Capital Fund, to be expended in advance to provide uninterrupted transit benefits to Government employees: *Provided further*, That such reserve will not exceed one month of benefits payable and may be used only for the purpose of providing for the continuation of transit benefits: *Provided further*, That the Working Capital Fund will be fully reimbursed by each customer agency from available funds for the actual cost of the transit benefit.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including operations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities, the operation (including leasing) and maintenance of aircraft, subsidizing the cost of aeronautical charts and maps sold to the public, the lease or purchase of passenger motor vehicles for replacement only, in addition to amounts made available by Public Law 112–95, $10,410,758,000, to remain available until September 30, 2020, of which $9,833,400,000 shall be derived from the Airport and Airway Trust Fund, of which not to exceed $7,841,720,000 shall be available for air traffic organization activities; not to exceed $1,336,969,000 shall be available for aviation safety activities; not to exceed $24,949,000 shall be available for commercial space transportation activities; not to exceed $816,398,000 shall be available for finance and management activities; not to exceed $61,258,000 shall be available for NextGen and operations planning activities; not to exceed $114,165,000 shall be available for security and hazardous materials safety; and not to exceed $215,299,000 shall be available for staff offices: *Provided*, That not to exceed 5 percent of any budget activity, except for aviation safety budget activity, may be transferred to any budget activity under this heading: *Provided further*, That no transfer may increase or decrease any appropriation by more than 5 percent: *Provided further*, That any transfer in excess of 5 percent shall be treated as a reprogramming of funds under section 405 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That not later than March 31 of each fiscal year hereafter, the Administrator of the Federal Aviation Administration shall transmit to Congress an annual update to the report submitted to Congress in December 2004 pursuant to section 221 of Public Law 108–176: *Provided further*, That the amount herein appropriated shall be reduced by $100,000 for each day after March 31 that such report has not been submitted to the Congress: *Provided further*, That not later than March 31 of each fiscal year hereafter, the Administrator shall transmit to Congress a companion report that describes a comprehensive strategy for staffing, hiring, and training flight standards and aircraft certification staff in a format similar to the one utilized for the controller staffing plan, including stated attrition estimates and numerical hiring goals by fiscal year: *Provided further*, That the amount herein appropriated shall be reduced by $100,000 per day for each day after March 31 that such report has not been submitted to Congress: *Provided further*, That funds may be used to enter into a grant agreement with a nonprofit standard-setting organization to assist in the development of aviation safety standards: *Provided further*, That none of the funds

in this Act shall be available for new applicants for the second career training program: *Provided further*, That none of the funds in this Act shall be available for the Federal Aviation Administration to finalize or implement any regulation that would promulgate new aviation user fees not specifically authorized by law after the date of the enactment of this Act: *Provided further*, That there may be credited to this appropriation, as offsetting collections, funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources for expenses incurred in the provision of agency services, including receipts for the maintenance and operation of air navigation facilities, and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: *Provided further*, That of the funds appropriated under this heading, not less than $168,000,000 shall be used to fund direct operations of the current 254 air traffic control towers in the contract tower program, including the contract tower cost share program, and any airport that is currently qualified or that will qualify for the program during the fiscal year: *Provided further*, That none of the funds in this Act for aeronautical charting and cartography are available for activities conducted by, or coordinated through, the Working Capital Fund: *Provided further*, That none of the funds appropriated or otherwise made available by this Act or any other Act may be used to eliminate the Contract Weather Observers program at any airport: *Provided further*, That of the amount appropriated under this heading, up to $6,000,000 shall be used for providing matching funds to qualified commercial entities seeking to demonstrate or validate technologies that the Federal Aviation Administration considers essential to the safe integration of unmanned aircraft systems (UAS) in the National Airspace System at Federal Aviation Administration designated UAS test sites: *Provided further*, That not later than 60 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall identify essential integration technologies that could be demonstrated or validated at test sites designated in accordance with the preceding proviso.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, technical support services, improvement by contract or purchase, and hire of national airspace systems and experimental facilities and equipment, as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds available under this heading, including aircraft for aviation regulation and certification; to be derived from the Airport and Airway Trust Fund, $3,000,000,000, of which $512,823,000 shall remain available until September 30, 2020, $2,372,127,000 shall remain available until September 30, 2021, and $115,050,000 shall remain available until expended: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment, improvement, and modernization of national airspace systems: *Provided further*, That no later than March 31, the Secretary of Transportation shall transmit to the Congress an investment plan for the Federal Aviation Administration which includes funding for each budget line item for fiscal years 2020 through 2024, with total funding for each year of the plan constrained to the funding targets for those years as estimated and approved by the Office of Management and Budget.

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of subtitle VII of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, $191,100,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2021: *Provided*, That there may be credited to this appropriation as offsetting collections, funds received from States, counties, municipalities, other public authorities, and private sources, which shall be available for expenses incurred for research, engineering, and development: *Provided further*, That funds made available under this heading shall be used in accordance with the explanatory statement accompanying this Act: *Provided further*, That not to exceed 10 percent of any funding level specified under this heading in the explanatory statement accompanying this Act may be transferred to any other funding level specified under this heading in the explanatory statement accompanying this Act: *Provided further*, That no transfer may increase or decrease any funding level by more than 10 percent: *Provided further*, That any transfer in excess of 10 percent shall be treated as a reprogramming of funds under section 405 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(AIRPORT AND AIRWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and noise compatibility planning and programs as authorized under subchapter I of chapter 471 and subchapter I of chapter 475 of title 49, United States Code, and under other law authorizing such obligations; for procurement, installation, and commissioning of runway incursion prevention devices and systems at airports of such title; for grants authorized under section 41743 of title 49, United States Code; and for inspection activities and administration of airport safety programs, including those related to airport operating certificates under section 44706 of title 49, United States Code, $3,000,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended: *Provided*, That none of the funds under this heading shall be available for the planning or execution of programs the obligations for which are in excess of $3,350,000,000 in fiscal year 2019, notwithstanding section 47117(g) of title 49, United States Code: *Provided further*, That none of the funds under this heading shall be available for the replacement of baggage conveyor systems, reconfiguration of terminal baggage areas, or other airport improvements that are necessary to install bulk explosive detection systems: *Provided further*, That notwithstanding section 47109(a) of title 49, United States Code, the Government's share of allowable project costs under paragraph (2) for subgrants or paragraph (3) of that section shall be 95 percent for a project at other than a large or medium hub airport that is a successive phase of a multiphased construction project for which the project sponsor received a grant in fiscal year 2011 for the construction project: *Provided further*, That notwithstanding any other provision of law, of funds limited under this heading, not more than $112,600,000 shall be available for administration, not less than $15,000,000 shall be available for the Airport Cooperative Research Program, not less than $33,210,000 shall be available for Airport Technology Research, and $10,000,000, to remain available until expended, shall be available and transferred to ''Office of the Secretary, Salaries and Expenses'' to carry out the Small Community Air Service Development Program: *Provided further*, That in addition to airports eligible under section 41743 of title 49, United States Code, such program may include the participation of an airport that serves a community or consortium that is not larger than a small hub airport, according to FAA hub classifications effective at the time the Office of the Secretary issues a request for proposals.

GRANTS-IN-AID FOR AIRPORTS

For an additional amount for ''Grants-In-Aid for Airports'', to enable the Secretary of Transportation to make grants for projects as authorized by subchapter 1 of chapter 471 and subchapter 1 of chapter 475 of title 49, United States Code, $500,000,000, to remain available through September 30, 2021: *Provided*, That amounts made available under this heading shall be derived from the general fund, and such funds shall not be subject to apportionment formulas, special apportionment categories, or minimum percentages under chapter 471: *Provided further*, That the Secretary shall distribute funds provided under this heading as discretionary grants to airports: *Provided further*, That the amount made available under this heading shall not be subject to any limitation on obligations for the Grants-in-Aid for Airports program set forth in any Act: *Provided further*, That the Administrator of the Federal Aviation Administration may retain up to 0.5 percent of the funds provided under this heading to fund the award and oversight by the Administrator of grants made under this heading.

ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION ADMINISTRATION

SEC. 110. None of the funds in this Act may be used to compensate in excess of 600 technical staff-years under the federally funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development during fiscal year 2019.

SEC. 111. None of the funds in this Act shall be used to pursue or adopt guidelines or regulations requiring airport sponsors to provide to the Federal Aviation Administration without cost building construction, maintenance, utilities and expenses, or space in airport sponsor-owned buildings for services relating to air traffic control, air navigation, or weather reporting: *Provided*, That the prohibition of funds in this section does not apply to negotiations between the agency and airport sponsors to achieve agreement on ''below-market'' rates for these items or to grant assurances that require airport sponsors to provide land without cost to the Federal Aviation Administration for air traffic control facilities.

SEC. 112. The Administrator of the Federal Aviation Administration may reimburse amounts made available to satisfy 49 U.S.C.

41742(a)(1) from fees credited under 49 U.S.C. 45303 and any amount remaining in such account at the close of that fiscal year may be made available to satisfy section 41742(a)(1) for the subsequent fiscal year.

SEC. 113. Amounts collected under section 40113(e) of title 49, United States Code, shall be credited to the appropriation current at the time of collection, to be merged with and available for the same purposes of such appropriation.

SEC. 114. None of the funds in this Act shall be available for paying premium pay under subsection 5546(a) of title 5, United States Code, to any Federal Aviation Administration employee unless such employee actually performed work during the time corresponding to such premium pay.

SEC. 115. None of the funds in this Act may be obligated or expended for an employee of the Federal Aviation Administration to purchase a store gift card or gift certificate through use of a Government-issued credit card.

SEC. 116. None of the funds in this Act may be obligated or expended for retention bonuses for an employee of the Federal Aviation Administration without the prior written approval of the Assistant Secretary for Administration of the Department of Transportation.

SEC. 117. Notwithstanding any other provision of law, none of the funds made available under this Act or any prior Act may be used to implement or to continue to implement any limitation on the ability of any owner or operator of a private aircraft to obtain, upon a request to the Administrator of the Federal Aviation Administration, a blocking of that owner's or operator's aircraft registration number from any display of the Federal Aviation Administration's Aircraft Situational Display to Industry data that is made available to the public, except data made available to a Government agency, for the noncommercial flights of that owner or operator.

SEC. 118. None of the funds in this Act shall be available for salaries and expenses of more than eight political and Presidential appointees in the Federal Aviation Administration.

SEC. 119. None of the funds made available under this Act may be used to increase fees pursuant to section 44721 of title 49, United States Code, until the Federal Aviation Administration provides to the House and Senate Committees on Appropriations a report that justifies all fees related to aeronautical navigation products and explains how such fees are consistent with Executive Order 13642.

SEC. 119A. None of the funds in this Act may be used to close a regional operations center of the Federal Aviation Administration or reduce its services unless the Administrator notifies the House and Senate Committees on Appropriations not less than 90 full business days in advance.

SEC. 119B. None of the funds appropriated or limited by this Act may be used to change weight restrictions or prior permission rules at Teterboro airport in Teterboro, New Jersey.

SEC. 119C. None of the funds provided under this Act may be used by the Administrator of the Federal Aviation Administration to withhold from consideration and approval any new application for participation in the Contract Tower Program, or for reevaluation of Cost-share Program participants as long as the Federal Aviation Administration has received an application from the airport, and as long as the Administrator determines such tower is eligible using the factors set forth in the Federal Aviation Administration report, Establishment and Discontinuance Criteria for Airport Traffic Control Towers (FAA–APO–90–7 as of August, 1990).

SEC. 119D. Notwithstanding any other provision of law, none of the funds made available in this Act may be obligated or expended to limit the use of an Organization Designation Authorization's (ODA) delegated functions documented in its procedures manual on a type certification project unless the Administrator documents a systemic airworthiness noncompliance performance issue as a result of inspection or oversight that the safety of air commerce requires a limitation with regard to a specific authorization or where an ODA's capability has not been previously established in terms of a new compliance method or design feature: *Provided*, That in such cases FAA shall work with the ODA holder if requested to develop the capability to execute that function safely, efficiently and effectively: *Provided further*, That this section does not limit the authority of the Federal Aviation Administration to pursue emergency actions on ODAs where specific safety issues are noted.

SEC. 119E. None of the funds made available by this Act and apportioned under section 47114(d) of title 49, United States Code, shall be made available for construction of a storage building, or a portion of such building, to shelter snow equipment in excess of equipment needs established by standards issued by the Secretary of Transportation that is owned by an airport categorized as a local general aviation airport as indicated in Federal Aviation Administration 2017- 2021 National Plan of Integrated Airport Systems (NPIAS) report unless such airport sponsor certifies conformity with the following:

(1) The storage building, or portion thereof, to be constructed will be used to store snow removal equipment exclusively used for clearing airfield pavement of snow and ice following a weather event.

(2) The 30-year annual snowfall normal of the nearest weather station based on the National Oceanic and Atmospheric Administration Summary of Monthly Normals 1981-2010 exceeds 26 inches.

(3) The airport serves as a base for a medical air ambulance transport aircraft; (d)that the airport master record (Form 5010-1) effective on September 14, 2017 for the airport indicates 45 based aircraft consisting of single engine, multiple engine, and jet engine aircraft.

(4) The airport sponsor will complete design of the storage building not later than fiscal year 2018 and initiate construction of the storage building not later than fiscal year 2019.

(5) The area of the storage building, or portion thereof, to be funded under this section shall not exceed 6,000 square feet.

SEC. 119F. (a) TERMINAL AERODROME FORECAST.—The Administrator shall permit an air carrier operation under part 121 of title 14, Code of Federal Regulations, to operate to a destination determined to be under visual flight rules without a Terminal Aerodrome Forecast or Meteorological Aerodrome Report if a current Area Forecast, supplemented by other local weather observations or reports, is available, and an alternate airport that has an available Terminal Aerodrome Forecast and weather report is specified. The air carrier shall have approved procedures for dispatch and en route weather evaluation and shall operate under instrument flight rules en route to the destination.

(b) LIMITATION.—Without a written finding of necessity, based on objective and historical evidence of imminent threat to safety, the Administrator shall not promulgate any operation specification, policy, or guidance document that is more restrictive than, or requires procedures that are not expressly stated in, the regulations.

SEC. 119G. Of the funds provided under the heading ''Grants-in-aid for Airports'', up to $3,500,000 shall be for necessary expenses, including an independent verification regime, to provide reimbursement to airport sponsors that do not provide gateway operations and providers of general aviation ground support services located at those airports closed during a temporary flight restriction (TFR) for any residence of the President that is designated or identified to be secured by the United States Secret Service, and for direct and incremental financial losses incurred while such airports are closed solely due to the actions of the Federal Government: *Provided*, That no funds shall be obligated or distributed to airport sponsors that do not provide gateway operations and providers of general aviation ground support services until an independent audit is completed: *Provided further*, That losses incurred as a result of violations of law, or through fault or negligence, of such operators and service providers or of third parties (including airports) are not eligible for reimbursements: *Provided further*, That obligation and expenditure of funds are conditional upon full release of the United States Government for all claims for financial losses resulting from such actions.

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

(HIGHWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

Not to exceed $446,444,304, together with advances and reimbursements received by the Federal Highway Administration, shall be obligated for necessary expenses for administration and operation of the Federal Highway Administration. In addition, $3,248,000 shall be transferred to the Appalachian Regional Commission in accordance with section 104(a) of title 23, United States Code.

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Funds available for the implementation or execution of Federal-aid highway and highway safety construction programs authorized under titles 23 and 49, United States Code, and the provisions of the Fixing America's Surface Transportation Act shall not exceed total obligations of $45,268,596,000 for fiscal year 2019: *Provided*, That the Secretary may collect and spend fees, as authorized by title 23, United States Code, to cover the costs of services of expert firms, including counsel, in the field of municipal and project finance to assist in the underwriting and servicing of Federal credit instruments and all or a portion of the costs to the Federal Government of servicing such credit instruments: *Provided further*, That such fees are available until expended to pay for such costs: *Provided further*, That such amounts are in addition to administrative expenses that are also available for such purpose, and are not subject to any obligation limitation or the limitation on administrative expenses under section 608 of title 23, United States Code.

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For the payment of obligations incurred in carrying out Federal-aid highway and highway safety construction programs authorized under title 23, United States Code, $46,007,596,000 derived from the Highway Trust Fund (other than the Mass Transit Account), to remain available until expended.

HIGHWAY INFRASTRUCTURE PROGRAMS

There is hereby appropriated to the Secretary of Transportation $3,250,000,000: *Provided*, That the amounts made available under this heading shall be derived from the general fund, shall be in addition to any

funds provided for fiscal year 2019 in this or any other Act for ''Federal-aid Highways'' under chapter 1 of title 23, United States Code, and shall not affect the distribution or amount of funds provided in any other Act: *Provided further*, That section 1101(b) of Public Law 114–94 shall apply to funds made available under this heading: *Provided further*, That of the funds made available under this heading, $2,729,000,000 shall be set aside for activities eligible under section 133(b)(1)(A) of title 23, United States Code, and for the elimination of hazards and the installation of protective devices at railway-highway crossings, $16,000,000 shall be set aside for activities eligible under the Puerto Rico Highway Program as described in section 165(b)(2)(C) of such title, $5,000,000 shall be set aside for activities eligible under the Territorial Highway Program, as described in section 165(c)(6) of such title, $25,000,000 shall be set aside for the nationally significant Federal lands and tribal projects program under section 1123 of the Fixing America's Surface Transportation (FAST) Act (Public Law 114–94), and $475,000,000 shall be set aside for a bridge replacement and rehabilitation program for qualifying States: *Provided further*, That for purposes of this heading, (1) the term ''State'' means any of the 50 States or the District of Columbia and (2) the term ''qualifying State'' means a State for which the percentage of total deck area of bridges classified as in poor condition in such State is at least 7.5 percent: *Provided further*, That the funds made available under this heading for activities eligible under section 133(b)(1)(A) of title 23, United States Code, and for the elimination of hazards and the installation of protective devices at railway-highway crossings, shall be suballocated in the manner described in section 133(d) of such title, except that the set-aside described in section 133(h) of such title shall not apply to funds made available under this heading: *Provided further*, That the funds made available under this heading for (1) activities eligible under section 133(b)(1)(A) of such title and for the elimination of hazards and the installation of protective devices at railways-highway crossings, and (2) a bridge replacement and rehabilitation program shall be administered as if apportioned under chapter 1 of such title and shall remain available through September 30, 2022: *Provided further*, That the funds made available under this heading for activities eligible under section 133(b)(1)(A) of title 23, United States Code, and for the elimination of hazards and the installation of protective devices at railway-highway crossings, shall be apportioned to the States in the same ratio as the obligation limitation for fiscal year 2019 is distributed among the States in section 120(a)(5) of this Act: *Provided further*, That, except as provided in the following proviso, the funds made available under this heading for activities eligible under the Puerto Rico Highway Program and activities eligible under the Territorial Highway Program shall be administered as if allocated under sections 165(b) and 165(c), respectively, of such title and shall remain available through September 30, 2022: *Provided further*, That the funds made available under this heading for activities eligible under the Puerto Rico Highway Program shall not be subject to the requirements of sections 165(b)(2)(A) or 165(b)(2)(B) of such title: *Provided further*, That the funds made available under this heading for the nationally significant Federal lands and tribal projects program under section 1123 of the FAST Act shall remain available through September 30, 2022: *Provided further*, That the Secretary shall distribute funds made available under this heading for a bridge replacement and rehabilitation program to each qualifying State by the proportion that the percentage of total deck area of bridges classified as in poor condition in each qualifying State bears to the sum of the percentages of total deck area of bridges classified as in poor condition in all qualifying States: *Provided further*, That the funds made available under this heading for a bridge replacement and rehabilitation program shall be used for highway bridge replacement or rehabilitation projects on public roads: *Provided further*, That except as provided in the following proviso the funds made available under this heading for a bridge replacement and rehabilitation program shall be used in areas of a qualifying State that have a population of 200,000 or fewer individuals: *Provided further*, That if a qualifying State has no bridges located in areas with a population of 200,000 or fewer individuals, or if a qualifying State has insufficient bridge replacement or rehabilitation needs in areas of the State with a population of 200,000 or fewer individuals, the funds made available under this heading for a bridge replacement and rehabilitation program may be used for highway bridge replacement or rehabilitation projects on public roads in any area of the State: *Provided further*, That for purposes of this heading for a bridge replacement and rehabilitation program, the Secretary shall (1) calculate population based on the latest available data from the decennial census conducted under section 141(a) of title 13, United States Code, and (2) calculate the percentages of total deck area of bridges classified as in poor condition based on the National Bridge Inventory as of December 31, 2017.

ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY ADMINISTRATION

SEC. 120. (a) For fiscal year 2019, the Secretary of Transportation shall—

(1) not distribute from the obligation limitation for Federal-aid highways—

(A) amounts authorized for administrative expenses and programs by section 104(a) of title 23, United States Code; and

(B) amounts authorized for the Bureau of Transportation Statistics;

(2) not distribute an amount from the obligation limitation for Federal-aid highways that is equal to the unobligated balance of amounts—

(A) made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid highway and highway safety construction programs for previous fiscal years the funds for which are allocated by the Secretary (or apportioned by the Secretary under sections 202 or 204 of title 23, United States Code); and

(B) for which obligation limitation was provided in a previous fiscal year;

(3) determine the proportion that—

(A) the obligation limitation for Federal-aid highways, less the aggregate of amounts not distributed under paragraphs (1) and (2) of this subsection; bears to

(B) the total of the sums authorized to be appropriated for the Federal-aid highway and highway safety construction programs (other than sums authorized to be appropriated for provisions of law described in paragraphs (1) through (11) of subsection (b) and sums authorized to be appropriated for section 119 of title 23, United States Code, equal to the amount referred to in subsection (b)(12) for such fiscal year), less the aggregate of the amounts not distributed under paragraphs (1) and (2) of this subsection;

(4) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2), for each of the programs (other than programs to which paragraph (1) applies) that are allocated by the Secretary under the Fixing America's Surface Transportation Act and title 23, United States Code, or apportioned by the Secretary under sections 202 or 204 of that title, by multiplying—

(A) the proportion determined under paragraph (3); by

(B) the amounts authorized to be appropriated for each such program for such fiscal year; and

(5) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2) and the amounts distributed under paragraph (4), for Federal-aid highway and highway safety construction programs that are apportioned by the Secretary under title 23, United States Code (other than the amounts apportioned for the National Highway Performance Program in section 119 of title 23, United States Code, that are exempt from the limitation under subsection (b)(12) and the amounts apportioned under sections 202 and 204 of that title) in the proportion that—

(A) amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to each State for such fiscal year; bears to

(B) the total of the amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to all States for such fiscal year.

(b) EXCEPTIONS FROM OBLIGATION LIMITATION.—The obligation limitation for Federal-aid highways shall not apply to obligations under or for—

(1) section 125 of title 23, United States Code;

(2) section 147 of the Surface Transportation Assistance Act of 1978 (23 U.S.C. 144 note; 92 Stat. 2714);

(3) section 9 of the Federal-Aid Highway Act of 1981 (95 Stat. 1701);

(4) subsections (b) and (j) of section 131 of the Surface Transportation Assistance Act of 1982 (96 Stat. 2119);

(5) subsections (b) and (c) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 198);

(6) sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2027);

(7) section 157 of title 23, United States Code (as in effect on June 8, 1998);

(8) section 105 of title 23, United States Code (as in effect for fiscal years 1998 through 2004, but only in an amount equal to $639,000,000 for each of those fiscal years);

(9) Federal-aid highway programs for which obligation authority was made available under the Transportation Equity Act for the 21st Century (112 Stat. 107) or subsequent Acts for multiple years or to remain available until expended, but only to the extent that the obligation authority has not lapsed or been used;

(10) section 105 of title 23, United States Code (as in effect for fiscal years 2005 through 2012, but only in an amount equal to $639,000,000 for each of those fiscal years);

(11) section 1603 of SAFETEA–LU (23 U.S.C. 118 note; 119 Stat. 1248), to the extent that funds obligated in accordance with that section were not subject to a limitation on obligations at the time at which the funds were initially made available for obligation; and

(12) section 119 of title 23, United States Code (but, for each of fiscal years 2013 through 2019, only in an amount equal to $639,000,000).

(c) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (a), the Secretary shall, after August 1 of such fiscal year—

(1) revise a distribution of the obligation limitation made available under subsection

(a) if an amount distributed cannot be obligated during that fiscal year; and

(2) redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year, giving priority to those States having large unobligated balances of funds apportioned under sections 144 (as in effect on the day before the date of enactment of Public Law 112–141) and 104 of title 23, United States Code.

(d) APPLICABILITY OF OBLIGATION LIMITATIONS TO TRANSPORTATION RESEARCH PROGRAMS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the obligation limitation for Federal-aid highways shall apply to contract authority for transportation research programs carried out under—

(A) chapter 5 of title 23, United States Code; and

(B) title VI of the Fixing America's Surface Transportation Act.

(2) EXCEPTION.—Obligation authority made available under paragraph (1) shall—

(A) remain available for a period of 4 fiscal years; and

(B) be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

(e) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—

(1) IN GENERAL.—Not later than 30 days after the date of distribution of obligation limitation under subsection (a), the Secretary shall distribute to the States any funds (excluding funds authorized for the program under section 202 of title 23, United States Code) that—

(A) are authorized to be appropriated for such fiscal year for Federal-aid highway programs; and

(B) the Secretary determines will not be allocated to the States (or will not be apportioned to the States under section 204 of title 23, United States Code), and will not be available for obligation, for such fiscal year because of the imposition of any obligation limitation for such fiscal year.

(2) RATIO.—Funds shall be distributed under paragraph (1) in the same proportion as the distribution of obligation authority under subsection (a)(5).

(3) AVAILABILITY.—Funds distributed to each State under paragraph (1) shall be available for any purpose described in section 133(b) of title 23, United States Code.

SEC. 121. Notwithstanding 31 U.S.C. 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to chapter 63 of title 49, United States Code, may be credited to the Federal-aid highways account for the purpose of reimbursing the Bureau for such expenses: *Provided*, That such funds shall be subject to the obligation limitation for Federal-aid highway and highway safety construction programs.

SEC. 122. Not less than 15 days prior to waiving, under his or her statutory authority, any Buy America requirement for Federal-aid highways projects, the Secretary of Transportation shall make an informal public notice and comment opportunity on the intent to issue such waiver and the reasons therefor: *Provided*, That the Secretary shall provide an annual report to the House and Senate Committees on Appropriations on any waivers granted under the Buy America requirements.

SEC. 123. None of the funds provided in this Act to the Department of Transportation may be used to provide credit assistance unless not less than 3 days before any application approval to provide credit assistance under sections 603 and 604 of title 23, United States Code, the Secretary of Transportation provides notification in writing to the following committees: the House and Senate Committees on Appropriations; the Committee on Environment and Public Works and the Committee on Banking, Housing and Urban Affairs of the Senate; and the Committee on Transportation and Infrastructure of the House of Representatives: *Provided*, That such notification shall include, but not be limited to, the name of the project sponsor; a description of the project; whether credit assistance will be provided as a direct loan, loan guarantee, or line of credit; and the amount of credit assistance.

SEC. 124. None of the funds in this Act may be used to make a grant for a project under section 117 of title 23, United States Code, unless the Secretary, at least 60 days before making a grant under that section, provides written notification to the House and Senate Committees on Appropriations of the proposed grant, including an evaluation and justification for the project and the amount of the proposed grant award: *Provided*, That the written notification required in the previous proviso shall be made no later than 180 days after enactment of this Act.

SEC. 125. (a) A State or territory, as defined in section 165 of title 23, United States Code, may use for any project eligible under section 133(b) of title 23 or section 165 of title 23 and located within the boundary of the State or territory any earmarked amount, and any associated obligation limitation: *Provided*, That the Department of Transportation for the State or territory for which the earmarked amount was originally designated or directed notifies the Secretary of Transportation of its intent to use its authority under this section and submits a quarterly report to the Secretary identifying the projects to which the funding would be applied. Notwithstanding the original period of availability of funds to be obligated under this section, such funds and associated obligation limitation shall remain available for obligation for a period of 3 fiscal years after the fiscal year in which the Secretary of Transportation is notified. The Federal share of the cost of a project carried out with funds made available under this section shall be the same as associated with the earmark.

(b) In this section, the term ''earmarked amount'' means—

(1) congressionally directed spending, as defined in rule XLIV of the Standing Rules of the Senate, identified in a prior law, report, or joint explanatory statement, which was authorized to be appropriated or appropriated more than 10 fiscal years prior to the current fiscal year, and administered by the Federal Highway Administration; or

(2) a congressional earmark, as defined in rule XXI of the Rules of the House of Representatives, identified in a prior law, report, or joint explanatory statement, which was authorized to be appropriated or appropriated more than 10 fiscal years prior to the current fiscal year, and administered by the Federal Highway Administration.

(c) The authority under subsection (a) may be exercised only for those projects or activities that have obligated less than 10 percent of the amount made available for obligation as of October 1 of the current fiscal year, and shall be applied to projects within the same general geographic area within 50 miles for which the funding was designated, except that a State or territory may apply such authority to unexpended balances of funds from projects or activities the State or territory certifies have been closed and for which payments have been made under a final voucher.

(d) The Secretary shall submit consolidated reports of the information provided by the States and territories each quarter to the House and Senate Committees on Appropriations.

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in the implementation, execution and administration of motor carrier safety operations and programs pursuant to section 31110 of title 49, United States Code, as amended by the Fixing America's Surface Transportation Act, $284,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account), together with advances and reimbursements received by the Federal Motor Carrier Safety Administration, the sum of which shall remain available until expended: *Provided*, That funds available for implementation, execution or administration of motor carrier safety operations and programs authorized under title 49, United States Code, shall not exceed total obligations of $284,000,000 for ''Motor Carrier Safety Operations and Programs'' for fiscal year 2019, of which $9,073,000, to remain available for obligation until September 30, 2021, is for the research and technology program, and of which $34,824,000, to remain available for obligation until September 30, 2021, is for information management.

MOTOR CARRIER SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

For payment of obligations incurred in carrying out sections 31102, 31103, 31104, and 31313 of title 49, United States Code, as amended by the Fixing America's Surface Transportation Act, $382,800,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided*, That funds available for the implementation or execution of motor carrier safety programs shall not exceed total obligations of $382,800,000 in fiscal year 2019 for ''Motor Carrier Safety Grants''; of which $304,300,000 shall be available for the motor carrier safety assistance program, $32,500,000 shall be available for the commercial driver's license program implementation program, $44,000,000 shall be available for the high priority activities program, and $2,000,000 shall be made available for commercial motor vehicle operators grants, of which $1,000,000 is to be made available from prior year unobligated contract authority provided for Motor Carrier Safety grants in the Transportation Equity Act for the 21st Century (Public Law 105–178), SAFETEA–LU (Public Law 109–59), or other appropriations or authorization acts.

ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

SEC. 130. The Federal Motor Carrier Safety Administration shall send notice of 49 CFR section 385.308 violations by certified mail, registered mail, or another manner of delivery, which records the receipt of the notice by the persons responsible for the violations.

SEC. 131. None of the funds appropriated or otherwise made available to the Department of Transportation by this Act or any other Act may be obligated or expended to implement, administer, or enforce the requirements of section 31137 of title 49, United States Code, or any regulation issued by the Secretary pursuant to such section, with respect to the use of electronic logging devices by operators of commercial motor vehicles, as defined in section 31132(1) of such title, transporting livestock as defined in section

602 of the Emergency Livestock Feed Assistance Act of 1988 (7 U.S.C. 1471) or insects.

SEC. 132. None of the funds appropriated or otherwise made available by this Act or any other Act may be used to implement, enforce or in any other way make effective the final rule published by the Federal Motor Carrier Safety Administration on May 27, 2015, entitled ''Lease and Interchange of Vehicles; Motor Carriers of Passengers''.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary, with respect to traffic and highway safety authorized under chapter 301 and part C of subtitle VI of title 49, United States Code, $190,000,000, of which $40,000,000 shall remain available through September 30, 2020.

OPERATIONS AND RESEARCH

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 403, section 4011 of the Fixing America's Surface Transportation Act (Public Law 114–94), and chapter 303 of title 49, United States Code, $152,100,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2019, are in excess of $152,100,000, of which $146,700,000 shall be for programs authorized under 23 U.S.C. 403 and section 4011 of the Fixing America's Surface Transportation Act (Public Law 114–94) and $5,400,000 shall be for the National Driver Register authorized under chapter 303 of title 49, United States Code: *Provided further*, That within the $152,100,000 obligation limitation for operations and research, $20,000,000 shall remain available until September 30, 2020, and shall be in addition to the amount of any limitation imposed on obligations for future years.

HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out provisions of 23 U.S.C. 402, 404, and 405, and section 4001(a)(6) of the Fixing America's Surface Transportation Act, to remain available until expended, $610,208,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account): *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2019, are in excess of $610,208,000 for programs authorized under 23 U.S.C. 402, 404, and 405, and section 4001(a)(6) of the Fixing America's Surface Transportation Act, of which $270,400,000 shall be for ''Highway Safety Programs'' under 23 U.S.C. 402; $283,000,000 shall be for ''National Priority Safety Programs'' under 23 U.S.C. 405; $30,200,000 shall be for the ''High Visibility Enforcement Program'' under 23 U.S.C. 404; $26,608,000 shall be for ''Administrative Expenses'' under section 4001(a)(6) of the Fixing America's Surface Transportation Act: *Provided further*, That none of these funds shall be used for construction, rehabilitation, or remodeling costs, or for office furnishings and fixtures for State, local or private buildings or structures: *Provided further*, That not to exceed $500,000 of the funds made available for ''National Priority Safety Programs'' under 23 U.S.C. 405 for ''Impaired Driving Countermeasures'' (as described in subsection (d) of that section) shall be available for technical assistance to the States: *Provided further*, That with respect to the ''Transfers'' provision under 23 U.S.C. 405(a)(8), any amounts transferred to increase the amounts made available under section 402 shall include the obligation authority for such amounts: *Provided further*, That the Administrator shall notify the House and Senate Committees on Appropriations of any exercise of the authority granted under the previous proviso or under 23 U.S.C. 405(a)(8) within 5 days.

ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

SEC. 140. An additional $130,000 shall be made available to the National Highway Traffic Safety Administration, out of the amount limited for section 402 of title 23, United States Code, to pay for travel and related expenses for State management reviews and to pay for core competency development training and related expenses for highway safety staff.

SEC. 141. The limitations on obligations for the programs of the National Highway Traffic Safety Administration set in this Act shall not apply to obligations for which obligation authority was made available in previous public laws but only to the extent that the obligation authority has not lapsed or been used.

SEC. 142. None of the funds made available by this Act may be used to mandate global positioning system (GPS) tracking in private passenger motor vehicles without providing full and appropriate consideration of privacy concerns under 5 U.S.C. chapter 5, subchapter II.

SEC. 143. In addition to the amounts made available under the heading, ''Operations and Research (Liquidation of Contract Authorization) (Limitation on Obligations) (Highway Trust Fund)'' for carrying out the provisions of section 403 of title 23, United States Code, $14,000,000, to remain available until September 30, 2020, shall be made available to the National Highway Traffic Safety Administration from the general fund, of which not to exceed $7,000,000 shall be available to provide funding for grants, pilot program activities, and innovative solutions to reduce impaired-driving fatalities in collaboration with eligible entities under section 403 of title 23, United States Code, and not to exceed $7,000,000 shall be available to continue a high visibility enforcement paid-media campaign regarding highway-rail grade crossing safety in collaboration with the Federal Railroad Administration.

FEDERAL RAILROAD ADMINISTRATION

SAFETY AND OPERATIONS

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, $221,698,000, of which $18,000,000 shall remain available until expended.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, $40,600,000, to remain available until expended.

RAILROAD REHABILITATION AND IMPROVEMENT FINANCING PROGRAM

The Secretary of Transportation is authorized to issue direct loans and loan guarantees pursuant to sections 501 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended, such authority shall exist as long as any such direct loan or loan guarantee is outstanding.

FEDERAL-STATE PARTNERSHIP FOR STATE OF GOOD REPAIR

For necessary expenses related to Federal-State Partnership for State of Good Repair Grants as authorized by section 24911 of title 49, United States Code, $400,000,000, to remain available until expended: *Provided*, That the Secretary may withhold up to one percent of the amount provided under this heading for the costs of award and project management oversight of grants carried out under section 24911 of title 49, United States Code: *Provided further*, That the Secretary shall issue the Notice of Funding Opportunity that encompasses funds provided under this heading in this Act and previously unawarded funds provided under this heading in fiscal year 2017 by Public Law 115–31 and fiscal year 2018 by Public Law 115–141, no later than 30 days after enactment of this Act: *Provided further*, That the Secretary shall announce the selection of projects to receive awards for the funds in the previous proviso no later than 180 days after enactment of this Act.

CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS

For necessary expenses related to Consolidated Rail Infrastructure and Safety Improvements Grants, as authorized by section 24407 of title 49, United States Code, $255,000,000, to remain available until expended: *Provided*, That section 24405(f) of title 49, United States Code, shall not apply to projects for the implementation of positive train control systems otherwise eligible under section 24407(c)(1) of title 49, United States Code: *Provided further*, That amounts available under this heading for projects selected for commuter rail passenger transportation may be transferred by the Secretary, after selection, to the appropriate agencies to be administered in accordance with chapter 53 of title 49, United States Code: *Provided further*, That the Secretary shall not limit eligible projects from consideration for funding for planning, engineering, environmental, construction, and design elements of the same project in the same application: *Provided further*, That unobligated balances remaining after 4 years from the date of enactment may be used for any eligible project under section 24407(c) of title 49, United States Code: *Provided further*, That the Secretary may withhold up to one percent of the amount provided under this heading for the costs of award and project management oversight of grants carried out under section 24407 of title 49, United States Code: *Provided further*, That the Secretary shall issue the Notice of Funding Opportunity that encompasses previously unawarded funds provided under this heading in fiscal year 2018 by Public Law 115–141 and funds provided under this heading in this Act no later than 30 days after enactment of this Act: *Provided further*, That the Secretary shall announce the selection of projects to receive awards for the funds in the previous proviso no later than 120 days after enactment of this Act.

RESTORATION AND ENHANCEMENT

For necessary expenses related to Restoration and Enhancement Grants, as authorized by section 24408 of title 49, United States Code, $5,000,000, to remain available until expended: *Provided*, That the Secretary may withhold up to one percent of the funds provided under this heading to fund the costs of award and project management and oversight: *Provided further*, That the Secretary shall issue the Notice of Funding Opportunity for funds provided under this heading no later than 30 days after enactment of this Act: *Provided further*, That the Secretary shall announce the selection of projects to receive awards for the funds in the previous proviso no later than 120 days after enactment of this Act.

MAGNETIC LEVITATION TECHNOLOGY DEPLOYMENT PROGRAM

For necessary expenses related to the deployment of magnetic levitation transportation projects, consistent with language in

1307(a) through (c) of Public Law 109–59, as amended by section 102 of Public Law 110–244 (section 322 of title 23, United States Code), $10,000,000, to remain available until expended.

NORTHEAST CORRIDOR GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for activities associated with the Northeast Corridor as authorized by section 11101(a) of the Fixing America's Surface Transportation Act (division A of Public Law 114–94), $650,000,000, to remain available until expended: *Provided*, That the Secretary may retain up to one-half of 1 percent of the funds provided under both this heading and the ''National Network Grants to the National Railroad Passenger Corporation'' heading to fund the costs of project management and oversight of activities authorized by section 11101(c) of division A of Public Law 114–94: *Provided further*, That in addition to the project management oversight funds authorized under section 11101(c) of division A of Public Law 114–94, the Secretary may retain up to an additional $5,000,000 of the funds provided under this heading to fund expenses associated with the Northeast Corridor Commission established under section 24905 of title 49, United States Code: *Provided further*, That of the amounts made available under this heading and the ''National Network Grants to the National Railroad Passenger Corporation'' heading, not less than $50,000,000 shall be made available to bring Amtrak-served facilities and stations into compliance with the Americans with Disabilities Act.

NATIONAL NETWORK GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for activities associated with the National Network as authorized by section 11101(b) of the Fixing America's Surface Transportation Act (division A of Public Law 114–94), $1,291,600,000, to remain available until expended: *Provided*, That the Secretary may retain up to an additional $2,000,000 of the funds provided under this heading to fund expenses associated with the State-Supported Route Committee established under section 24712 of title 49, United States Code: *Provided further*, That at least $50,000,000 of the amount provided under this heading shall be available for the development, installation and operation of railroad safety technology, including the implementation of a positive train control system, on State-supported routes as defined under section 24102(13) of title 49, United States Code, on which positive train control systems are not required by law or regulation: *Provided further*, That not less than $50,000,000 of the amount provided under this heading shall be for capital expenses related to safety improvements, maintenance, and the non-Federal match for discretionary Federal grant programs to enable continued passenger rail operations on long-distance routes (as defined in section 24102 of title 49, United States Code) on which Amtrak is the sole operator on a host railroad's line and a positive train control system is not required by law or regulation: *Provided further*, That none of the funds provided under this heading shall be used by Amtrak to give notice under subsection (a) or (b) of section 24706 of title 49, United States Code, with respect to long-distance routes (as defined in section 24102 of title 49, United States Code) on which Amtrak is the sole operator on a host railroad's line and a positive train control system is not required by law or regulation, or, except in an emergency or during maintenance or construction outages impacting such routes, to otherwise discontinue, reduce the frequency of, suspend, or substantially alter the route of rail service on any portion of such route operated in fiscal year 2018, including implementation of service permitted by section 24305(a)(3)(A) of title 49, United States Code, in lieu of rail service.

ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD ADMINISTRATION

SEC. 150. None of the funds provided to the National Railroad Passenger Corporation may be used to fund any overtime costs in excess of $35,000 for any individual employee: *Provided*, That the President of Amtrak may waive the cap set in the previous proviso for specific employees when the President of Amtrak determines such a cap poses a risk to the safety and operational efficiency of the system: *Provided further*, That the President of Amtrak shall report to the House and Senate Committees on Appropriations within 60 days of enactment of this Act, a summary of all overtime payments incurred by the Corporation for 2018 and the three prior calendar years: *Provided further*, That such summary shall include the total number of employees that received waivers and the total overtime payments the Corporation paid to those employees receiving waivers for each month for 2018 and for the three prior calendar years.

SEC. 151. It is the sense of Congress that—

(1) long-distance passenger rail routes provide much-needed transportation access for 4,700,000 riders in 325 communities in 40 States and are particularly important in rural areas; and

(2) long-distance passenger rail routes and services should be sustained to ensure connectivity throughout the National Network (as defined in section 24102 of title 49, United States Code).

FEDERAL TRANSIT ADMINISTRATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Federal Transit Administration's programs authorized by chapter 53 of title 49, United States Code, $113,165,000, of which up to $1,000,000 shall be available to carry out the provisions of section 5326 of such title: *Provided*, That none of the funds provided or limited in this Act may be used to create a permanent office of transit security under this heading: *Provided further*, That upon submission to the Congress of the fiscal year 2020 President's budget, the Secretary of Transportation shall transmit to Congress the annual report on New Starts, including proposed allocations for fiscal year 2020.

TRANSIT FORMULA GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in the Federal Public Transportation Assistance Program in this account, and for payment of obligations incurred in carrying out the provisions of 49 U.S.C. 5305, 5307, 5310, 5311, 5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by the Fixing America's Surface Transportation Act, section 20005(b) of Public Law 112–141, and section 3006(b) of the Fixing America's Surface Transportation Act, $9,900,000,000, to be derived from the Mass Transit Account of the Highway Trust Fund and to remain available until expended: *Provided*, That funds available for the implementation or execution of programs authorized under 49 U.S.C. 5305, 5307, 5310, 5311, 5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339, and 5340, as amended by the Fixing America's Surface Transportation Act, section 20005(b) of Public Law 112–141, and section 3006(b) of the Fixing America's Surface Transportation Act, shall not exceed total obligations of $9,939,380,030 in fiscal year 2019: *Provided further*, That the Federal share of the cost of activities carried out under 49 U.S.C. section 5312 shall not exceed 80 percent, except that if there is substantial public interest or benefit, the Secretary may approve a greater Federal share.

TRANSIT INFRASTRUCTURE GRANTS

For an additional amount for buses and bus facilities grants under section 5339 of title 49, United States Code, state of good repair grants under section 5337 of such title, formula grants for rural areas under section 5311 of such title, high density state apportionments under section 5340(d) of such title, and the bus testing facilities under sections 5312 and 5318 of such title, $700,000,000 to remain available until expended: *Provided*, That $350,000,000 shall be available for grants as authorized under section 5339 of such title, of which $160,000,000 shall be available for the buses and bus facilities formula grants as authorized under section 5339(a) of such title, $160,000,000 shall be available for the buses and bus facilities competitive grants as authorized under section 5339(b) of such title, and $30,000,000 shall be available for the low or no emission grants as authorized under section 5339(c) of such title: *Provided further*, That $263,000,000 shall be available for the state of good repair grants as authorized under section 5337 of such title: *Provided further*, That $40,000,000 shall be available for formula grants for rural areas as authorized under section 5311 of such title: *Provided further*, That $40,000,000 shall be available for the high density state apportionments as authorized under section 5340(d) of such title: *Provided further*, That $1,000,000 shall be available for the bus testing facility as authorized under section 5318 of such title: *Provided further*, That notwithstanding section 5318(a) of such title, $6,000,000 shall be available for the operation and maintenance of bus testing facilities by institutions of higher education selected pursuant to section 5312(h) of such title: *Provided further*, That the Secretary shall enter into a contract or cooperative agreement with, or make a grant to, each institution of higher education selected pursuant to section 5312(h) of such title, to operate and maintain a facility to conduct the testing of low or no emission vehicle new bus models using the standards established pursuant to section 5318(e)(2) of such title: *Provided further*, That the term ''low or no emission vehicle'' has the meaning given the term in section 5312(e)(6) of such title: *Provided further*, That the Secretary shall pay 80 percent of the cost of testing a low or no emission vehicle new bus model at each selected institution of higher education: *Provided further*, That the entity having the vehicle tested shall pay 20 percent of the cost of testing: *Provided further*, That a low or no emission vehicle new bus model tested that receives a passing aggregate test score in accordance with the standards established under section 5318(e)(2) of such title, shall be deemed to be in compliance with the requirements of section 5318(e) of such title: *Provided further*, That amounts made available by this heading shall be derived from the general fund: *Provided further*, That the amounts made available under this heading shall not be subject to any limitation on obligations for transit programs set forth in any Act.

TECHNICAL ASSISTANCE AND TRAINING

For necessary expenses to carry out 49 U.S.C. 5314, $5,000,000, of which not less than $1,500,000 shall be for a cooperative agreement through which the Federal Transit Administration assists small-urban, rural and tribal public transit recipients and planning organizations with applied innovation and

capacity-building: *Provided*, That the assistance provided under this heading not duplicate the activities of 49 U.S.C. 5311(b) or 49 U.S.C. 5312.

CAPITAL INVESTMENT GRANTS

For necessary expenses to carry out fixed guideway capital investment grants under section 5309 of title 49, United States Code, and section 3005(b) of the Fixing America's Surface Transportation Act, $2,552,687,000, to remain available until September 30, 2022: *Provided*, That of the amounts made available under this heading, $2,169,783,950 shall be obligated by December 31, 2020: *Provided further*, That of the amounts made available under this heading, $1,265,670,000 shall be available for projects authorized under section 5309(d) of title 49, United States Code, $635,000,000 shall be available for projects authorized under section 5309(e) of title 49, United States Code, $526,500,000 shall be available for projects authorized under section 5309(h) of title 49, United States Code, and $100,000,000 shall be available for projects authorized under section 3005(b) of the Fixing America's Surface Transportation Act: *Provided further*, That the Secretary shall continue to administer the capital investment grants program in accordance with the procedural and substantive requirements of section 5309 of title 49, United States Code, and of section 3005(b) of the Fixing America's Surface Transportation Act.

GRANTS TO THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

For grants to the Washington Metropolitan Area Transit Authority as authorized under section 601 of division B of Public Law 110–432, $150,000,000, to remain available until expended: *Provided*, That the Secretary of Transportation shall approve grants for capital and preventive maintenance expenditures for the Washington Metropolitan Area Transit Authority only after receiving and reviewing a request for each specific project: *Provided further*, That prior to approving such grants, the Secretary shall certify that the Washington Metropolitan Area Transit Authority is making progress to improve its safety management system in response to the Federal Transit Administration's 2015 safety management inspection: *Provided further*, That the Secretary shall determine that the Washington Metropolitan Area Transit Authority has placed the highest priority on those investments that will improve the safety of the system before approving such grants: *Provided further*, That the Secretary, in order to ensure safety throughout the rail system, may waive the requirements of section 601(e)(1) of division B of Public Law 110–432.

ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT ADMINISTRATION

(INCLUDING RESCISSION)

SEC. 160. The limitations on obligations for the programs of the Federal Transit Administration shall not apply to any authority under 49 U.S.C. 5338, previously made available for obligation, or to any other authority previously made available for obligation.

SEC. 161. Notwithstanding any other provision of law, funds appropriated or limited by this Act under the heading ''Fixed Guideway Capital Investment'' of the Federal Transit Administration for projects specified in this Act or identified in reports accompanying this Act not obligated by September 30, 2022, and other recoveries, shall be directed to projects eligible to use the funds for the purposes for which they were originally provided.

SEC. 162. Notwithstanding any other provision of law, any funds appropriated before October 1, 2018, under any section of chapter 53 of title 49, United States Code, that remain available for expenditure, may be transferred to and administered under the most recent appropriation heading for any such section.

SEC. 163. Notwithstanding any other provision of law, none of the funds made available in this Act shall be used to enter into a full funding grant agreement for a project with a New Starts share greater than 51 percent.

SEC. 164. Of the unobligated amounts made available for fiscal years 2005 or prior fiscal years to ''Transit Formula Grants'', a total of $46,560,000 is hereby permanently rescinded.

SEC. 165. None of the funds made available under this Act may be used for the implementation or furtherance of new policies detailed in the ''Dear Colleague'' letter distributed by the Federal Transit Administration to capital investment grant program project sponsors on June 29, 2018.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the 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 section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the Corporation's budget for the current fiscal year.

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

For necessary expenses to conduct the operations, maintenance, and capital asset renewal activities on those portions of the Saint Lawrence Seaway owned, operated, and maintained by the Saint Lawrence Seaway Development Corporation, $36,000,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662: *Provided*, That of the amounts made available under this heading, not less than $16,000,000 shall be used on capital asset renewal activities.

MARITIME ADMINISTRATION

MARITIME SECURITY PROGRAM

For necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, $300,000,000, to remain available until expended.

OPERATIONS AND TRAINING

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of operations and training activities authorized by law, $149,442,000, of which $70,593,000 shall remain available until September 30, 2020 for the operations of the United States Merchant Marine Academy, and of which $18,000,000 shall remain available until expended for the maintenance and repair, equipment, and capital improvements at the United States Merchant Marine Academy: *Provided*, That not later than January 12, 2019, the Administrator of the Maritime Administration shall transmit to the House and Senate Committees on Appropriations the annual report on sexual assault and sexual harassment at the United States Merchant Marine Academy as required pursuant to section 3507 of Public Law 110–417: *Provided further*, That of the amounts made available under this heading, $3,000,000 shall remain available until September 30, 2020 for the Maritime Environment and Technology Assistance program authorized under section 50307 of title 46, United States Code: *Provided further*, That of the amounts made available under this heading, $7,000,000, shall remain available until expended for the Short Sea Transportation Program (America's Marine Highways) to make grants for the purposes authorized under sections 55601(b)(1) and (3) of title 46, United States Code: *Provided further*, That available balances under this heading for the Short Sea Transportation Program (America's Marine Highways) from prior year recoveries shall be available to carry out activities authorized under sections 55601(b)(1) and (3) of title 46, United States Code: *Provided further*, That from funds provided under the previous two provisos, the Secretary of Transportation shall make grants no later than 180 days after enactment of this Act in such amounts as the Secretary determines: *Provided further*, That any unobligated balances available from previous appropriations for programs and activities supporting State Maritime Academies shall be transferred to and merged with the appropriations for ''Maritime Administration, State Maritime Academy Operations'' and shall be made available for the same purposes.

STATE MARITIME ACADEMY OPERATIONS

For necessary expenses of operations, support and training activities for State Maritime Academies, $345,200,000, of which $25,000,000, to remain available until expended, shall be for maintenance, repair, life extension, and capacity improvement of National Defense Reserve Fleet training ships in support of State Maritime Academies, of which $8,000,000, to remain available until expended, shall be for expenses related to training mariners for costs associated with training vessel sharing pursuant to 46 U.S.C. 51504(g)(3) for costs associated with mobilizing, operating and demobilizing the vessel, including travel costs for students, faculty and crew, the costs of the general agent, crew costs, fuel, insurance, operational fees, and vessel hire costs, as determined by the Secretary, of which $300,000,000, to remain available until expended, shall be for the National Security Multi-Mission Vessel Program, including funds for construction, planning, administration, and design of school ships, of which $2,400,000 shall remain available through September 30, 2020, for the Student Incentive Program, of which $3,800,000 shall remain available until expended for training ship fuel assistance, and of which $6,000,000 shall remain available until September 30, 2020, for direct payments for State Maritime Academies.

ASSISTANCE TO SMALL SHIPYARDS

To make grants to qualified shipyards as authorized under section 54101 of title 46, United States Code, as amended by Public Law 113–281, $20,000,000, to remain available until expended.

SHIP DISPOSAL

For necessary expenses related to the disposal of obsolete vessels in the National Defense Reserve Fleet of the Maritime Administration, $5,000,000, to remain available until expended.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the guaranteed loan program, $3,000,000, which shall be transferred to and merged with the appropriations for ''Operations and Training'', Maritime Administration.

PORT INFRASTRUCTURE DEVELOPMENT PROGRAM

To make grants to improve port facilities as authorized under section 50302 of title 46, United States Code, $200,000,000 to remain available until expended: *Provided*, That projects eligible for funding provided under this heading shall be projects for coastal seaports: *Provided further*, That in addition, $92,730,000, to remain available until expended, shall be for grants to the 15 coastal

seaports that handled the greatest number of loaded foreign and domestic twenty-foot equivalent units of containerized cargo in 2016, as identified by the U.S. Army Corps of Engineers: *Provided further*, That the Maritime Administration shall distribute funds provided under this heading as discretionary grants to port authorities or commissions or their subdivisions and agents under existing authority, as well as to a State or political subdivision of a State or local government, a tribal government, a public agency or publicly chartered authority established by one or more States, a special purpose district with a transportation function, a multistate or multijurisdictional group of entities, or a lead entity described above jointly with a private entity or group of private entities: *Provided further*, That projects eligible for funding provided under this heading shall be either within the boundary of a port, or outside the boundary of a port, and directly related to port operations or to an intermodal connection to a port that will improve the safety, efficiency, or reliability of the movement of goods into, out of, around, or within a port, as well as the unloading and loading of cargo at a port: *Provided further*, That in awarding grants from funds made available by the second proviso under this heading for the 15 coastal seaports referred to, the Maritime Administration shall give priority consideration for proposed projects that construct treatment facilities defined in section 305.1 of title 7, Code of Federal Regulations, to meet the phytosanitary treatment requirements of sections 305.5 through 305.8 of title 7, Code of Federal Regulations: *Provided further*, That the Federal share of the costs for which an expenditure is made under this heading shall be up to 80 percent: *Provided further*, That not to exceed 2 percent of the funds appropriated under this heading shall be available for necessary costs of grant administration: *Provided further*, That the proceeds of Federal credit assistance under chapter 6 of title 23, United States Code or sections 501 through 504 of the Railroad and Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended, shall be considered to be part of the non-Federal share of project costs if the loan is repayable from non-Federal funds, unless otherwise requested by the project sponsor.

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

SEC. 170. Notwithstanding any other provision of this Act, in addition to any existing authority, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration: *Provided*, That payments received therefor shall be credited to the appropriation charged with the cost thereof and shall remain available until expended: *Provided further*, That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

OPERATIONAL EXPENSES

For necessary operational expenses of the Pipeline and Hazardous Materials Safety Administration, $23,710,000: *Provided*, That the Secretary of Transportation shall issue a final rule to expand the applicability of comprehensive oil spill response plans within 90 days of enactment of this Act: *Provided further*, That the amounts appropriated under this heading shall be reduced by $10,000 per day for each day that such rule has not been issued following the expiration of the period set forth in the previous proviso.

HAZARDOUS MATERIALS SAFETY

For expenses necessary to discharge the hazardous materials safety functions of the Pipeline and Hazardous Materials Safety Administration, $58,000,000, of which $7,570,000 shall remain available until September 30, 2021: *Provided*, That up to $800,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: *Provided further*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in performance of hazardous materials exemptions and approvals functions.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

(OIL SPILL LIABILITY TRUST FUND)

For expenses necessary to carry out a pipeline safety program, as authorized by 49 U.S.C. 60107, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990, $165,000,000, to remain available until September 30, 2021, of which $23,000,000 shall be derived from the Oil Spill Liability Trust Fund; of which $134,000,000 shall be derived from the Pipeline Safety Fund; and of which $8,000,000 shall be derived from fees collected under 49 U.S.C. 60302 and deposited in the Underground Natural Gas Storage Facility Safety Account for the purpose of carrying out 49 U.S.C. 60141: *Provided*, That not less than $1,058,000 of the funds provided under this heading shall be for the One-Call State grant program.

EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

For expenses necessary to carry out the Emergency Preparedness Grants program, not more than $28,318,000 shall remain available until September 30, 2021, from amounts made available by 49 U.S.C. 5116(h), and 5128(b) and (c): *Provided*, That notwithstanding 49 U.S.C. 5116(h)(4), not more than 4 percent of the amounts made available from this account shall be available to pay administrative costs: *Provided further*, That notwithstanding 49 U.S.C. 5128(b) and (c) and the current year obligation limitation, prior year recoveries recognized in the current year shall be available to develop a hazardous materials response training curriculum for emergency responders, including response activities for the transportation of crude oil, ethanol and other flammable liquids by rail, consistent with National Fire Protection Association standards, and to make such training available through an electronic format: *Provided further*, That the prior year recoveries made available under this heading shall also be available to carry out 49 U.S.C. 5116(a)(1)(C) and 5116(i).

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of the Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, $92,600,000: *Provided*, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the Department of Transportation: *Provided further*, That the funds made available under this heading may be used to investigate, pursuant to section 41712 of title 49, United States Code: (1) unfair or deceptive practices and unfair methods of competition by domestic and foreign air carriers and ticket agents; and (2) the compliance of domestic and foreign air carriers with respect to item (1) of this proviso.

GENERAL PROVISIONS—DEPARTMENT OF TRANSPORTATION

SEC. 180. (a) During the current fiscal year, applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

(b) During the current fiscal year, applicable appropriations to the Department and its operating administrations shall be available for the purchase, maintenance, operation, and deployment of unmanned aircraft systems that advance the Department's, or its operating administrations', missions.

(c) Any unmanned aircraft system purchased or procured by the Department prior to the enactment of this Act shall be deemed authorized.

SEC. 181. Appropriations contained in this Act for the Department of Transportation shall be available for services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for an Executive Level IV.

SEC. 182. (a) No recipient of funds made available in this Act shall disseminate personal information (as defined in 18 U.S.C. 2725(3)) obtained by a State department of motor vehicles in connection with a motor vehicle record as defined in 18 U.S.C. 2725(1), except as provided in 18 U.S.C. 2721 for a use permitted under 18 U.S.C. 2721.

(b) Notwithstanding subsection (a), the Secretary shall not withhold funds provided in this Act for any grantee if a State is in noncompliance with this provision.

SEC. 183. None of the funds in this Act shall be available for salaries and expenses of more than 125 political and Presidential appointees in the Department of Transportation: *Provided*, That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

SEC. 184. Funds received by the Federal Highway Administration and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Administration's ''Federal-Aid Highways'' account and to the Federal Railroad Administration's ''Safety and Operations'' account, except for State rail safety inspectors participating in training pursuant to 49 U.S.C. 20105.

SEC. 185. (a) None of the funds provided in this Act to the Department of Transportation may be used to make a loan, loan guarantee, line of credit, or discretionary grant unless the Secretary of Transportation notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project competitively selected to receive any discretionary grant award, letter of intent, loan commitment, loan guarantee commitment, line of credit commitment, or full funding grant agreement is announced by the Department or its modal administrations: *Provided*, That the Secretary gives concurrent notification to the House and Senate Committees on Appropriations for any ''quick release'' of funds from the emergency relief program: *Provided further*, That no notification shall involve funds that are not available for obligation.

(b) In addition to the notification required in subsection (a), none of the funds made

available in this Act to the Department of Transportation may be used to make a loan, loan guarantee, line of credit, cooperative agreement or discretionary grant unless the Secretary of Transportation provides the House and Senate Committees on Appropriations a comprehensive list of all such loans, loan guarantees, lines of credit, cooperative agreement or discretionary grants that will be announced not less the 3 full business days before such announcement: *Provided*, That the requirement to provide a list in this subsection does not apply to any ''quick release'' of funds from the emergency relief program: *Provided further*, That no list shall involve funds that are not available for obligation.

SEC. 186. Rebates, refunds, incentive payments, minor fees and other funds received by the Department of Transportation from travel management centers, charge card programs, the subleasing of building space, and miscellaneous sources are to be credited to appropriations of the Department of Transportation and allocated to elements of the Department of Transportation using fair and equitable criteria and such funds shall be available until expended.

SEC. 187. Amounts made available in this or any prior Act that the Secretary determines represent improper payments by the Department of Transportation to a third-party contractor under a financial assistance award, which are recovered pursuant to law, shall be available—

(1) to reimburse the actual expenses incurred by the Department of Transportation in recovering improper payments: *Provided*, That amounts made available in this Act shall be available until expended; and

(2) to pay contractors for services provided in recovering improper payments or contractor support in the implementation of the Improper Payments Information Act of 2002, as amended by the Improper Payments Elimination and Recovery Act of 2010 and Improper Payments Elimination and Recovery Improvement Act of 2012, and Fraud Reduction and Data Analytics Act of 2015: *Provided*, That amounts in excess of that required for paragraphs (1) and (2)—

(A) shall be credited to and merged with the appropriation from which the improper payments were made, and shall be available for the purposes and period for which such appropriations are available: *Provided further*, That where specific project or accounting information associated with the improper payment or payments is not readily available, the Secretary may credit an appropriate account, which shall be available for the purposes and period associated with the account so credited; or

(B) if no such appropriation remains available, shall be deposited in the Treasury as miscellaneous receipts: *Provided further*, That prior to depositing such recovery in the Treasury, the Secretary shall notify the House and Senate Committees on Appropriations of the amount and reasons for such transfer: *Provided further*, That for purposes of this section, the term ''improper payments'' has the same meaning as that provided in section 2(e)(2) of Public Law 111–204.

SEC. 188. Notwithstanding any other provision of law, if any funds provided in or limited by this Act are subject to a reprogramming action that requires notice to be provided to the House and Senate Committees on Appropriations, transmission of said reprogramming notice shall be provided solely to the House and Senate Committees on Appropriations, and said reprogramming action shall be approved or denied solely by the House and Senate Committees on Appropriations: *Provided*, That the Secretary of Transportation may provide notice to other congressional committees of the action of the House and Senate Committees on Appropriations on such reprogramming but not sooner than 30 days following the date on which the reprogramming action has been approved or denied by the House and Senate Committees on Appropriations.

SEC. 189. Funds appropriated in this Act to the modal administrations may be obligated for the Office of the Secretary for the costs related to assessments or reimbursable agreements only when such amounts are for the costs of goods and services that are purchased to provide a direct benefit to the applicable modal administration or administrations.

SEC. 190. The Secretary of Transportation is authorized to carry out a program that establishes uniform standards for developing and supporting agency transit pass and transit benefits authorized under section 7905 of title 5, United States Code, including distribution of transit benefits by various paper and electronic media.

SEC. 191. The Department of Transportation may use funds provided by this Act, or any other Act, to assist a contract under title 49 U.S.C. or title 23 U.S.C. utilizing geographic, economic, or any other hiring preference not otherwise authorized by law, or to amend a rule, regulation, policy or other measure that forbids a recipient of a Federal Highway Administration or Federal Transit Administration grant from imposing such hiring preference on a contract or construction project with which the Department of Transportation is assisting, only if the grant recipient certifies the following:

(1) that except with respect to apprentices or trainees, a pool of readily available but unemployed individuals possessing the knowledge, skill, and ability to perform the work that the contract requires resides in the jurisdiction;

(2) that the grant recipient will include appropriate provisions in its bid document ensuring that the contractor does not displace any of its existing employees in order to satisfy such hiring preference; and

(3) that any increase in the cost of labor, training, or delays resulting from the use of such hiring preference does not delay or displace any transportation project in the applicable Statewide Transportation Improvement Program or Transportation Improvement Program.

This title may be cited as the ''Department of Transportation Appropriations Act, 2019''.

TITLE II

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

MANAGEMENT AND ADMINISTRATION

EXECUTIVE OFFICES

For necessary salaries and expenses for Executive Offices, which shall be comprised of the offices of the Secretary, Deputy Secretary, Adjudicatory Services, Congressional and Intergovernmental Relations, Public Affairs, Small and Disadvantaged Business Utilization, and the Center for Faith-Based and Neighborhood Partnerships, $14,900,000, to remain available until September 30, 2020: *Provided*, That not to exceed $25,000 of the amount made available under this heading shall be available to the Secretary for official reception and representation expenses as the Secretary may determine.

ADMINISTRATIVE SUPPORT OFFICES

For necessary salaries and expenses for Administrative Support Offices, $541,500,000, to remain available until September 30, 2020, of which $70,400,000 shall be available for the Office of the Chief Financial Officer, (and of which $20,000,000, to remain available until September 30, 2021, shall be for the financial transformation initiative); $97,800,000 shall be available for the Office of the General Counsel, of which not less than $15,000,000 shall be for the Departmental Enforcement Center; $206,300,000 shall be available for the Office of Administration; $40,400,000 shall be available for the Office of the Chief Human Capital Officer; $54,300,000 shall be available for the Office of Field Policy and Management; $19,100,000 shall be available for the Office of the Chief Procurement Officer; $3,800,000 shall be available for the Office of Departmental Equal Employment Opportunity; $4,700,000 shall be available for the Office of Business Transformation; and $44,700,000 shall be available for the Office of the Chief Information Officer: *Provided*, That funds provided under this heading may be used for necessary administrative and non-administrative expenses of the Department of Housing and Urban Development, not otherwise provided for, including purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109: *Provided further*, That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that directly support program activities funded in this title: *Provided further*, That the Secretary shall provide the House and Senate Committees on Appropriations quarterly written notification regarding the status of pending congressional reports: *Provided further*, That the Secretary shall provide in electronic form all signed reports required by Congress: *Provided further*, That not more than 10 percent of the funds made available under this heading for the Office of Chief Financial Officer for the financial transformation initiative may be obligated until the Secretary submits to the House and Senate Committees on Appropriations, for approval, a plan for expenditure that includes the financial and internal control capabilities to be delivered and the mission benefits to be realized, key milestones to be met, and the relationship between the proposed use of funds made available under this heading and the projected total cost and scope of the initiative.

PROGRAM OFFICE SALARIES AND EXPENSES

PUBLIC AND INDIAN HOUSING

For necessary salaries and expenses of the Office of Public and Indian Housing, $219,800,000, to remain available until September 30, 2020.

COMMUNITY PLANNING AND DEVELOPMENT

For necessary salaries and expenses of the Office of Community Planning and Development, $112,344,000, to remain available until September 30, 2020.

HOUSING

For necessary salaries and expenses of the Office of Housing, $382,500,000, to remain available until September 30, 2020, of which not less than $12,000,000 shall be for the Office of Recapitalization.

POLICY DEVELOPMENT AND RESEARCH

For necessary salaries and expenses of the Office of Policy Development and Research, $26,000,000, to remain available until September 30, 2020.

FAIR HOUSING AND EQUAL OPPORTUNITY

For necessary salaries and expenses of the Office of Fair Housing and Equal Opportunity, $72,900,000, to remain available until September 30, 2020.

OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES

For necessary salaries and expenses of the Office of Lead Hazard Control and Healthy Homes, $8,600,000, to remain available until September 30, 2020.

WORKING CAPITAL FUND

(INCLUDING TRANSFER OF FUNDS)

For the working capital fund for the Department of Housing and Urban Development (referred to in this paragraph as the ''Fund''), pursuant, in part, to section 7(f) of the Department of Housing and Urban Development Act (42 U.S.C. 3535(f)), amounts transferred, including reimbursements pursuant to section 7(f), to the Fund under this heading shall be available for Federal shared services used by offices and agencies of the Department, and for such portion of any office or agency's printing, records management, space renovation, furniture, or supply services as the Secretary determines shall be derived from centralized sources made available by the Department to all offices and agencies and funded through the Fund: *Provided*, That of the amounts made available in this title for salaries and expenses under the headings ''Executive Offices'', ''Administrative Support Offices'', ''Program Office Salaries and Expenses'', and ''Government National Mortgage Association'', the Secretary shall transfer to the Fund such amounts, to remain available until expended, as are necessary to fund services, specified in the matter preceding the first proviso, for which the appropriation would otherwise have been available, and may transfer not to exceed an additional $5,000,000, in aggregate, from all such appropriations, to be merged with the Fund and to remain available until expended for any purpose under this heading: *Provided further*, That amounts in the Fund shall be the only amounts available to each office or agency of the Department for the services, or portion of services, specified in the matter preceding the first proviso: *Provided further*, That with respect to the Fund, the authorities and conditions under this heading shall supplement the authorities and conditions provided under section 7(f).

PUBLIC AND INDIAN HOUSING

TENANT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of tenant-based rental assistance authorized under the United States Housing Act of 1937, as amended (42 U.S.C. 1437 et seq.) (''the Act'' herein), not otherwise provided for, $18,598,000,000, to remain available until expended, shall be available on October 1, 2018 (in addition to the $4,000,000,000 previously appropriated under this heading that shall be available on October 1, 2018), and $4,000,000,000, to remain available until expended, shall be available on October 1, 2019: *Provided*, That the amounts made available under this heading are provided as follows:

(1) $20,313,000,000 shall be available for renewals of expiring section 8 tenant-based annual contributions contracts (including renewals of enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act) and including renewal of other special purpose incremental vouchers: *Provided*, That notwithstanding any other provision of law, from amounts provided under this paragraph and any carryover, the Secretary for the calendar year 2019 funding cycle shall provide renewal funding for each public housing agency based on validated voucher management system (VMS) leasing and cost data for the prior calendar year and by applying an inflation factor as established by the Secretary, by notice published in the Federal Register, and by making any necessary adjustments for the costs associated with the first-time renewal of vouchers under this paragraph including tenant protection and Choice Neighborhoods vouchers: *Provided further*, That none of the funds provided under this paragraph may be used to fund a total number of unit months under lease which exceeds a public housing agency's authorized level of units under contract, except for public housing agencies participating in the MTW demonstration, which are instead governed by the terms and conditions of their MTW agreements: *Provided further*, That the Secretary shall, to the extent necessary to stay within the amount specified under this paragraph (except as otherwise modified under this paragraph), prorate each public housing agency's allocation otherwise established pursuant to this paragraph: *Provided further*, That except as provided in the following provisos, the entire amount specified under this paragraph (except as otherwise modified under this paragraph) shall be obligated to the public housing agencies based on the allocation and pro rata method described above, and the Secretary shall notify public housing agencies of their annual budget by the latter of 60 days after enactment of this Act or March 1, 2019: *Provided further*, That the Secretary may extend the notification period with the prior written approval of the House and Senate Committees on Appropriations: *Provided further*, That public housing agencies participating in the MTW demonstration shall be funded pursuant to their MTW agreements and shall be subject to the same pro rata adjustments under the previous provisos: *Provided further*, That the Secretary may offset public housing agencies' calendar year 2019 allocations based on the excess amounts of public housing agencies' net restricted assets accounts, including HUD-held programmatic reserves (in accordance with VMS data in calendar year 2018 that is verifiable and complete), as determined by the Secretary: *Provided further*, That public housing agencies participating in the MTW demonstration shall also be subject to the offset, as determined by the Secretary, excluding amounts subject to the single fund budget authority provisions of their MTW agreements, from the agencies' calendar year 2019 MTW funding allocation: *Provided further*, That the Secretary shall use any offset referred to in the previous two provisos throughout the calendar year to prevent the termination of rental assistance for families as the result of insufficient funding, as determined by the Secretary, and to avoid or reduce the proration of renewal funding allocations: *Provided further*, That up to $100,000,000 shall be available only: (1) for adjustments in the allocations for public housing agencies, after application for an adjustment by a public housing agency that experienced a significant increase, as determined by the Secretary, in renewal costs of vouchers resulting from unforeseen circumstances or from portability under section 8(r) of the Act; (2) for vouchers that were not in use during the previous 12-month period in order to be available to meet a commitment pursuant to section 8(o)(13) of the Act; (3) for adjustments for costs associated with HUD–Veterans Affairs Supportive Housing (HUD–VASH) vouchers; and (4) for public housing agencies that despite taking reasonable cost savings measures, as determined by the Secretary, would otherwise be required to terminate rental assistance for families as a result of insufficient funding: *Provided further*, That the Secretary shall allocate amounts under the previous proviso based on need, as determined by the Secretary;

(2) $85,000,000 shall be for section 8 rental assistance for relocation and replacement of housing units that are demolished or disposed of pursuant to section 18 of the Act, conversion of section 23 projects to assistance under section 8, the family unification program under section 8(x) of the Act, relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency, enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act, Choice Neighborhood vouchers, mandatory and voluntary conversions, and tenant protection assistance including replacement and relocation assistance or for project-based assistance to prevent the displacement of unassisted elderly tenants currently residing in section 202 properties financed between 1959 and 1974 that are refinanced pursuant to Public Law 106–569, as amended, or under the authority as provided under this Act: *Provided*, That when a public housing development is submitted for demolition or disposition under section 18 of the Act, the Secretary may provide section 8 rental assistance when the units pose an imminent health and safety risk to residents: *Provided further*, That the Secretary may only provide replacement vouchers for units that were occupied within the previous 24 months that cease to be available as assisted housing, subject only to the availability of funds: *Provided further*, That of the amounts made available under this paragraph, $5,000,000 may be available to provide tenant protection assistance, not otherwise provided under this paragraph, to residents residing in low vacancy areas and who may have to pay rents greater than 30 percent of household income, as the result of: (A) the maturity of a HUD-insured, HUD-held or section 202 loan that requires the permission of the Secretary prior to loan prepayment; (B) the expiration of a rental assistance contract for which the tenants are not eligible for enhanced voucher or tenant protection assistance under existing law; or (C) the expiration of affordability restrictions accompanying a mortgage or preservation program administered by the Secretary: *Provided further*, That such tenant protection assistance made available under the previous proviso may be provided under the authority of section 8(t) or section 8(o)(13) of the United States Housing Act of 1937 (42 U.S.C. 1437f(t)): *Provided further*, That the Secretary shall issue guidance to implement the previous provisos, including, but not limited to, requirements for defining eligible at-risk households within 60 days of the enactment of this Act: *Provided further*, That any tenant protection voucher made available from amounts under this paragraph shall not be reissued by any public housing agency, except the replacement vouchers as defined by the Secretary by notice, when the initial family that received any such voucher no longer receives such voucher, and the authority for any public housing agency to issue any such voucher shall cease to exist: *Provided further*, That the Secretary may provide section 8 rental assistance from amounts made available under this paragraph for units assisted under a project-based subsidy contract funded under the ''Project-Based Rental Assistance'' heading under this title where the owner has received a Notice of Default and the units pose an imminent health and safety risk to residents: *Provided further*, That to the extent that the Secretary determines that such units are not feasible for continued rental assistance payments or transfer of the subsidy contract associated with such units to another project or projects and owner or owners, any remaining amounts associated with such units under such contract shall be recaptured and used to reimburse amounts used under this paragraph for rental assistance under the preceding proviso;

(3) $1,886,000,000 shall be for administrative and other expenses of public housing agencies in administering the section 8 tenant-based rental assistance program, of which up to $30,000,000 shall be available to the Secretary to allocate to public housing agencies that need additional funds to administer

their section 8 programs, including fees associated with section 8 tenant protection rental assistance, the administration of disaster related vouchers, HUD–VASH vouchers, and other special purpose incremental vouchers: *Provided*, That no less than $1,856,000,000 of the amount provided in this paragraph shall be allocated to public housing agencies for the calendar year 2019 funding cycle based on section 8(q) of the Act (and related Appropriation Act provisions) as in effect immediately before the enactment of the Quality Housing and Work Responsibility Act of 1998 (Public Law 105–276): *Provided further*, That if the amounts made available under this paragraph are insufficient to pay the amounts determined under the previous proviso, the Secretary may decrease the amounts allocated to agencies by a uniform percentage applicable to all agencies receiving funding under this paragraph or may, to the extent necessary to provide full payment of amounts determined under the previous proviso, utilize unobligated balances, including recaptures and carryovers, remaining from funds appropriated to the Department of Housing and Urban Development under this heading from prior fiscal years, excluding special purpose vouchers, notwithstanding the purposes for which such amounts were appropriated: *Provided further*, That all public housing agencies participating in the MTW demonstration shall be funded pursuant to their MTW agreements, and shall be subject to the same uniform percentage decrease as under the previous proviso: *Provided further*, That amounts provided under this paragraph shall be only for activities related to the provision of tenant-based rental assistance authorized under section 8, including related development activities;

(4) $225,000,000 for the renewal of tenant-based assistance contracts under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), including necessary administrative expenses: *Provided*, That administrative and other expenses of public housing agencies in administering the special purpose vouchers in this paragraph shall be funded under the same terms and be subject to the same pro rata reduction as the percent decrease for administrative and other expenses to public housing agencies under paragraph (3) of this heading: *Provided further*, That any amounts provided under this paragraph in this Act or prior Acts, remaining available after funding renewals and administrative expenses under this paragraph, shall be available only for incremental tenant-based rental assistance contracts under such section 811 for non-elderly persons with disabilities, including necessary administrative expenses: *Provided further*, That upon turnover, section 811 special purpose vouchers funded under this heading in this or prior Acts, or under any other heading in prior Acts, shall be provided to non-elderly persons with disabilities;

(5) $4,000,000 shall be for rental assistance and associated administrative fees for Tribal HUD–VASH to serve Native American veterans that are homeless or at-risk of homelessness living on or near a reservation or other Indian areas: *Provided*, That such amount shall be made available for renewal grants to recipients that received assistance under prior Acts under the Tribal HUD–VASH program: *Provided further*, That the Secretary shall be authorized to specify criteria for renewal grants, including data on the utilization of assistance reported by grant recipients: *Provided further*, That such assistance shall be administered in accordance with program requirements under the Native American Housing Assistance and Self-Determination Act of 1996 and modeled after the HUD–VASH program: *Provided further*, That the Secretary shall be authorized to waive, or specify alternative requirements for any provision of any statute or regulation that the Secretary administers in connection with the use of funds made available under this paragraph (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective delivery and administration of such assistance: *Provided further*, That grant recipients shall report to the Secretary on utilization of such rental assistance and other program data, as prescribed by the Secretary: *Provided further*, That the Secretary may reallocate, as determined by the Secretary, amounts returned or recaptured from awards under prior acts;

(6) $40,000,000 for incremental rental voucher assistance for use through a supported housing program administered in conjunction with the Department of Veterans Affairs as authorized under section 8(o)(19) of the United States Housing Act of 1937: *Provided*, That the Secretary of Housing and Urban Development shall make such funding available, notwithstanding section 203 (competition provision) of this title, to public housing agencies that partner with eligible VA Medical Centers or other entities as designated by the Secretary of the Department of Veterans Affairs, based on geographical need for such assistance as identified by the Secretary of the Department of Veterans Affairs, public housing agency administrative performance, and other factors as specified by the Secretary of Housing and Urban Development in consultation with the Secretary of the Department of Veterans Affairs: *Provided further*, That the Secretary of Housing and Urban Development may waive, or specify alternative requirements for (in consultation with the Secretary of the Department of Veterans Affairs), any provision of any statute or regulation that the Secretary of Housing and Urban Development administers in connection with the use of funds made available under this paragraph (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective delivery and administration of such voucher assistance: *Provided further*, That assistance made available under this paragraph shall continue to remain available for homeless veterans upon turn-over;

(7) $20,000,000 shall be made available for new incremental voucher assistance through the family unification program as authorized by section 8(x) of the Act: *Provided*, That the assistance made available under this paragraph shall continue to remain available for family unification upon turnover: *Provided further*, That for any public housing agency administering voucher assistance appropriated in a prior Act under the family unification program that determines that it no longer has an identified need for such assistance upon turnover, such agency shall notify the Secretary, and the Secretary shall recapture such assistance from the agency and reallocate it to any other public housing agency or agencies based on need for voucher assistance in connection with such program;

(8) $25,000,000 shall be made available for the mobility demonstration authorized under section 235 of this title, of which up to $5,000,000 shall be for new incremental voucher assistance and the remainder of which shall be available to provide mobility-related services to families with children, including pre- and post-move counseling and rent deposits, and to offset the administrative costs of operating the mobility demonstration: *Provided*, That incremental voucher assistance made available under this paragraph shall be for families with children participating in the mobility demonstration and shall continue to remain available for families with children upon turnover: *Provided further*, That for any public housing agency administering voucher assistance under the mobility demonstration that determines that it no longer has an identified need for such assistance upon turnover, such agency shall notify the Secretary, and the Secretary shall recapture such assistance from the agency and reallocate it to any other public housing agency or agencies based on need for voucher assistance in connection with such demonstration; and

(9) the Secretary shall separately track all special purpose vouchers funded under this heading.

HOUSING CERTIFICATE FUND

(INCLUDING RESCISSIONS)

Unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under this heading, the heading ''Annual Contributions for Assisted Housing'' and the heading ''Project-Based Rental Assistance'', for fiscal year 2019 and prior years may be used for renewal of or amendments to section 8 project-based contracts and for performance-based contract administrators, notwithstanding the purposes for which such funds were appropriated: *Provided*, That any obligated balances of contract authority from fiscal year 1974 and prior that have been terminated shall be rescinded: *Provided further*, That amounts heretofore recaptured, or recaptured during the current fiscal year, from section 8 project-based contracts from source years fiscal year 1975 through fiscal year 1987 are hereby rescinded, and an amount of additional new budget authority, equivalent to the amount rescinded is hereby appropriated, to remain available until expended, for the purposes set forth under this heading, in addition to amounts otherwise available.

PUBLIC HOUSING CAPITAL FUND

For the Public Housing Capital Fund Program to carry out capital and management activities for public housing agencies, as authorized under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g) (the ''Act'') $2,775,000,000, to remain available until September 30, 2022: *Provided*, That notwithstanding any other provision of law or regulation, during fiscal year 2019, the Secretary of Housing and Urban Development may not delegate to any Department official other than the Deputy Secretary and the Assistant Secretary for Public and Indian Housing any authority under paragraph (2) of section 9(j) regarding the extension of the time periods under such section: *Provided further*, That for purposes of such section 9(j), the term ''obligate'' means, with respect to amounts, that the amounts are subject to a binding agreement that will result in outlays, immediately or in the future: *Provided further*, That of the total amount made available under this heading, up to $14,000,000 shall be to support ongoing public housing financial and physical assessment activities: *Provided further*, That of the total amount made available under this heading, up to $1,000,000 shall be to support the costs of administrative and judicial receiverships: *Provided further*, That of the total amount provided under this heading, not to exceed $30,000,000 shall be available for the Secretary to make grants, notwithstanding section 203 of this Act, to public housing agencies for emergency capital needs including safety and security measures necessary to address crime and drug-related activity as well as needs resulting from unforeseen or unpreventable emergencies and natural disasters excluding Presidentially declared

emergencies and natural disasters under the Robert T. Stafford Disaster Relief and Emergency Act (42 U.S.C. 5121 et seq.) occurring in fiscal year 2019: *Provided further*, That of the amount made available under the previous proviso, not less than $10,000,000 shall be for safety and security measures: *Provided further*, That in addition to the amount in the previous proviso for such safety and security measures, any amounts that remain available, after all applications received on or before September 30, 2020, for emergency capital needs have been processed, shall be allocated to public housing agencies for such safety and security measures: *Provided further*, That of the total amount provided under this heading, up to $35,000,000 shall be for supportive services, service coordinators and congregate services as authorized by section 34 of the Act (42 U.S.C. 1437z–6) and the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.): *Provided further*, That of the total amount made available under this heading, $15,000,000 shall be for a Jobs-Plus initiative modeled after the Jobs-Plus demonstration: *Provided further*, That funding provided under the previous proviso shall be available for competitive grants to partnerships between public housing authorities, local workforce investment boards established under section 107 of the Workforce Innovation and Opportunity Act of 2014 (29 U.S.C. 3122), and other agencies and organizations that provide support to help public housing residents obtain employment and increase earnings: *Provided further*, That applicants must demonstrate the ability to provide services to residents, partner with workforce investment boards, and leverage service dollars: *Provided further*, That the Secretary may allow public housing agencies to request exemptions from rent and income limitation requirements under sections 3 and 6 of the United States Housing Act of 1937 (42 U.S.C. 1437a and 1437d), as necessary to implement the Jobs-Plus program, on such terms and conditions as the Secretary may approve upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective implementation of the Jobs-Plus initiative as a voluntary program for residents: *Provided further*, That the Secretary shall publish by notice in the Federal Register any waivers or alternative requirements pursuant to the preceding proviso no later than 10 days before the effective date of such notice: *Provided further*, That for funds provided under this heading, the limitation in section 9(g)(1) of the Act shall be 25 percent: *Provided further*, That the Secretary may waive the limitation in the previous proviso to allow public housing agencies to fund activities authorized under section 9(e)(1)(C) of the Act: *Provided further*, That the Secretary shall notify public housing agencies requesting waivers under the previous proviso if the request is approved or denied within 14 days of submitting the request: *Provided further*, That from the funds made available under this heading, the Secretary shall provide bonus awards in fiscal year 2019 to public housing agencies that are designated high performers: *Provided further*, That the Department shall notify public housing agencies of their formula allocation within 60 days of enactment of this Act: *Provided further*, That of the total amount provided under this heading, $25,000,000 shall be available for competitive grants to public housing agencies to evaluate and reduce lead-based paint hazards in public housing by carrying out the activities of risk assessments, abatement, and interim controls (as those terms are defined in section 1004 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851b)): *Provided further*, That for purposes of environmental review, a grant under the previous proviso shall be considered funds for projects or activities under title I of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) for purposes of section 26 of such Act (42 U.S.C. 1437x) and shall be subject to the regulations implementing such section.

PUBLIC HOUSING OPERATING FUND

For 2019 payments to public housing agencies for the operation and management of public housing, as authorized by section 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(e)), $4,653,116,000, to remain available until September 30, 2020.

CHOICE NEIGHBORHOODS INITIATIVE

For competitive grants under the Choice Neighborhoods Initiative (subject to section 24 of the United States Housing Act of 1937 (42 U.S.C. 1437v), unless otherwise specified under this heading), for transformation, rehabilitation, and replacement housing needs of both public and HUD-assisted housing and to transform neighborhoods of poverty into functioning, sustainable mixed income neighborhoods with appropriate services, schools, public assets, transportation and access to jobs, $150,000,000, to remain available until September 30, 2021: *Provided*, That grant funds may be used for resident and community services, community development, and affordable housing needs in the community, and for conversion of vacant or foreclosed properties to affordable housing: *Provided further*, That the use of funds made available under this heading shall not be deemed to be public housing notwithstanding section 3(b)(1) of such Act: *Provided further*, That grantees shall commit to an additional period of affordability determined by the Secretary of not fewer than 20 years: *Provided further*, That grantees shall provide a match in State, local, other Federal or private funds: *Provided further*, That grantees may include local governments, tribal entities, public housing authorities, and nonprofits: *Provided further*, That for-profit developers may apply jointly with a public entity: *Provided further*, That for purposes of environmental review, a grantee shall be treated as a public housing agency under section 26 of the United States Housing Act of 1937 (42 U.S.C. 1437x), and grants under this heading shall be subject to the regulations issued by the Secretary to implement such section: *Provided further*, That of the amount provided, not less than $75,000,000 shall be awarded to public housing agencies: *Provided further*, That such grantees shall create partnerships with other local organizations including assisted housing owners, service agencies, and resident organizations: *Provided further*, That the Secretary shall consult with the Secretaries of Education, Labor, Transportation, Health and Human Services, Agriculture, and Commerce, the Attorney General, and the Administrator of the Environmental Protection Agency to coordinate and leverage other appropriate Federal resources: *Provided further*, That no more than $5,000,000 of funds made available under this heading may be provided as grants to undertake comprehensive local planning with input from residents and the community: *Provided further*, That unobligated balances, including recaptures, remaining from funds appropriated under the heading ''Revitalization of Severely Distressed Public Housing (HOPE VI)'' in fiscal year 2011 and prior fiscal years may be used for purposes under this heading, notwithstanding the purposes for which such amounts were appropriated: *Provided further*, That the Secretary shall issue the Notice of Funding Availability for funds made available under this heading no later than 60 days after enactment of this Act: *Provided further*, That the Secretary shall make grant awards no later than one year from the date of enactment of this Act in such amounts that the Secretary determines: *Provided further*, That notwithstanding section 24(o) of the United States Housing Act of 1937 (42 U.S.C. 1437v(o)), the Secretary may, until September 30, 2019, obligate any available unobligated balances made available under this heading in this, or any prior Act.

FAMILY SELF-SUFFICIENCY

For the Family Self-Sufficiency program to support family self-sufficiency coordinators under section 23 of the United States Housing Act of 1937, to promote the development of local strategies to coordinate the use of assistance under sections 8(o) and 9 of such Act with public and private resources, and enable eligible families to achieve economic independence and self-sufficiency, $80,000,000, to remain available until September 30, 2020: *Provided*, That the Secretary may, by Federal Register notice, waive or specify alternative requirements under subsections b(3), b(4), b(5), or c(1) of section 23 of such Act in order to facilitate the operation of a unified self-sufficiency program for individuals receiving assistance under different provisions of the Act, as determined by the Secretary: *Provided further*, That owners of a privately owned multifamily property with a section 8 contract may voluntarily make a Family Self-Sufficiency program available to the assisted tenants of such property in accordance with procedures established by the Secretary: *Provided further*, That such procedures established pursuant to the previous proviso shall permit participating tenants to accrue escrow funds in accordance with section 23(d)(2) and shall allow owners to use funding from residual receipt accounts to hire coordinators for their own Family Self-Sufficiency program.

NATIVE AMERICAN HOUSING BLOCK GRANTS

(INCLUDING TRANSFER OF FUNDS)

For the Native American Housing Block Grants program, as authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4111 et seq.), $655,000,000, to remain available until September 30, 2023: *Provided*, That, notwithstanding NAHASDA, to determine the amount of the allocation under title I of such Act for each Indian tribe, the Secretary shall apply the formula under section 302 of such Act with the need component based on single-race census data and with the need component based on multi-race census data, and the amount of the allocation for each Indian tribe shall be the greater of the two resulting allocation amounts: *Provided further*, That of the amounts made available under this heading, $7,000,000 shall be for providing training and technical assistance to Indian housing authorities and tribally designated housing entities, to support the inspection of Indian housing units, contract expertise, and for training and technical assistance related to funding provided under this heading and other headings under this Act for the needs of Native American families and Indian country: *Provided further*, That of the funds made available under the previous proviso, not less than $2,000,000 shall be made available for a national organization as authorized under section 703 of NAHASDA (25 U.S.C. 4212): *Provided further*, That amounts made available under the previous two provisos may be used, contracted, or competed as determined by the Secretary: *Provided further*, That of the amount provided under this heading, $2,000,000 shall be made available for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: *Provided further*, That such costs, including the costs of modifying such notes

and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize the total principal amount of any notes and other obligations, any part of which is to be guaranteed, not to exceed $17,761,989: *Provided further*, That the Department will notify grantees of their formula allocation within 60 days of the date of enactment of this Act: *Provided further*, That for an additional amount for the Native American Housing Block Grants program, as authorized under title I of NAHASDA, $100,000,000 to remain available until September 30, 2023: *Provided further*, That the Secretary shall obligate this additional amount for competitive grants to eligible recipients authorized under NAHASDA that apply for funds: *Provided further*, That in awarding this additional amount, the Secretary shall consider need and administrative capacity, and shall give priority to projects that will spur construction and rehabilitation: *Provided further*, That up to 1 percent of this additional amount may be transferred, in aggregate, to ''Program Office Salaries and Expenses—Public and Indian Housing'' for necessary costs of administering and overseeing the obligation and expenditure of this additional amount: *Provided further*, That any funds transferred pursuant to the previous proviso shall remain available until September 30, 2024.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

For the cost of guaranteed loans, as authorized by section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a), $1,440,000, to remain available until expended: *Provided*, That such costs, including the costs 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, up to $553,846,154, to remain available until expended: *Provided further*, That up to $750,000 of this amount may be for administrative contract expenses including management processes and systems to carry out the loan guarantee program.

NATIVE HAWAIIAN HOUSING BLOCK GRANT

For the Native Hawaiian Housing Block Grant program, as authorized under title VIII of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111 et seq.), $2,000,000, to remain available until September 30, 2023: *Provided*, That notwithstanding section 812(b) of such Act, the Department of Hawaiian Home Lands may not invest grant amounts provided under this heading in investment securities and other obligations: *Provided further*, That amounts made available under this heading in this and prior fiscal years may be used to provide rental assistance to eligible Native Hawaiian families both on and off the Hawaiian Home Lands, notwithstanding any other provision of law.

COMMUNITY PLANNING AND DEVELOPMENT

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

For carrying out the Housing Opportunities for Persons with AIDS program, as authorized by the AIDS Housing Opportunity Act (42 U.S.C. 12901 et seq.), $393,000,000, to remain available until September 30, 2020, except that amounts allocated pursuant to section 854(c)(5) of such Act shall remain available until September 30, 2021: *Provided*, That the Secretary shall renew all expiring contracts for permanent supportive housing that initially were funded under section 854(c)(5) of such Act from funds made available under this heading in fiscal year 2010 and prior fiscal years that meet all program requirements before awarding funds for new contracts under such section: *Provided further*, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

COMMUNITY DEVELOPMENT FUND

For assistance to units of State and local government, and to other entities, for economic and community development activities, and for other purposes, $3,365,000,000, to remain available until September 30, 2021, unless otherwise specified: *Provided*, That of the total amount provided, $3,300,000,000 is for carrying out the community development block grant program under title I of the Housing and Community Development Act of 1974, as amended (''the Act'' herein) (42 U.S.C. 5301 et seq.): *Provided further*, That unless explicitly provided for under this heading, not to exceed 20 percent of any grant made with funds appropriated under this heading shall be expended for planning and management development and administration: *Provided further*, That a metropolitan city, urban county, unit of general local government, Indian tribe, or insular area that directly or indirectly receives funds under this heading may not sell, trade, or otherwise transfer all or any portion of such funds to another such entity in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under title I of the Act: *Provided further*, That notwithstanding section 105(e)(1) of the Act, no funds provided under this heading may be provided to a for-profit entity for an economic development project under section 105(a)(17) unless such project has been evaluated and selected in accordance with guidelines required under subsection (e)(2): *Provided further*, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act: *Provided further*, That of the total amount provided under this heading, $65,000,000 shall be for grants to Indian tribes notwithstanding section 106(a)(1) of such Act, of which, notwithstanding any other provision of law (including section 203 of this Act), up to $4,000,000 may be used for emergencies that constitute imminent threats to health and safety.

COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM ACCOUNT

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2019, commitments to guarantee loans under section 108 of the Housing and Community Development Act of 1974 (42 U.S.C. 5308), any part of which is guaranteed, shall not exceed a total principal amount of $300,000,000, notwithstanding any aggregate limitation on outstanding obligations guaranteed in subsection (k) of such section 108: *Provided*, That the Secretary shall collect fees from borrowers, notwithstanding subsection (m) of such section 108, to result in a credit subsidy cost of zero for guaranteeing such loans, and any such fees shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974.

HOME INVESTMENT PARTNERSHIPS PROGRAM

For the HOME Investment Partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act, as amended, $1,250,000,000, to remain available until September 30, 2022: *Provided*, That notwithstanding the amount made available under this heading, the threshold reduction requirements in sections 216(10) and 217(b)(4) of such Act shall not apply to allocations of such amount: *Provided further*, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

SELF-HELP AND ASSISTED HOMEOWNERSHIP OPPORTUNITY PROGRAM

For the Self-Help and Assisted Homeownership Opportunity Program, as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended, $54,000,000, to remain available until September 30, 2021: *Provided*, That of the total amount provided under this heading, $10,000,000 shall be made available to the Self-Help Homeownership Opportunity Program as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended: *Provided further*, That of the total amount provided under this heading, $35,000,000 shall be made available for the second, third, and fourth capacity building activities authorized under section 4(a) of the HUD Demonstration Act of 1993 (42 U.S.C. 9816 note), of which not less than $5,000,000 shall be made available for rural capacity building activities: *Provided further*, That of the total amount provided under this heading, $5,000,000 shall be made available for capacity building by national rural housing organizations with experience assessing national rural conditions and providing financing, training, technical assistance, information, and research to local nonprofits, local governments, and Indian Tribes serving high need rural communities: *Provided further*, That of the total amount provided under this heading, $4,000,000, shall be made available for a program to rehabilitate and modify the homes of disabled or low-income veterans, as authorized under section 1079 of Public Law 113–291: *Provided further*, That funds provided under the previous proviso shall be awarded within 180 days of enactment of this Act: *Provided further*, That funds provided for such program in fiscal years 2016, 2017, and 2018 shall be awarded within 60 days of enactment of this Act.

HOMELESS ASSISTANCE GRANTS

For the Emergency Solutions Grants program as authorized under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act, as amended; the Continuum of Care program as authorized under subtitle C of title IV of such Act; and the Rural Housing Stability Assistance program as authorized under subtitle D of title IV of such Act, $2,636,000,000, to remain available until September 30, 2021: *Provided*, That any rental assistance amounts that are recaptured under such Continuum of Care program shall remain available until expended: *Provided further*, That not less than $280,000,000 of the funds appropriated under this heading shall be available for such Emergency Solutions Grants program: *Provided further*, That not less than $2,219,000,000 of the funds appropriated under this heading shall be available for such Continuum of Care and Rural Housing Stability Assistance programs: *Provided further*, That of the amounts made available under this heading, up to $50,000,000 shall be made available for grants for rapid re-housing projects and supportive service projects providing coordinated entry, and for eligible activities the Secretary determines to be critical in order to assist survivors of domestic violence, dating violence, and stalking: *Provided further*, That such projects shall be eligible for renewal under the continuum of care program subject to the same terms and conditions as other renewal applicants: *Provided further*, That up to $7,000,000 of the funds appropriated under this heading shall be available for the national homeless data analysis project: *Provided further*, That all funds awarded for supportive services under the Continuum of Care program and the Rural Housing Stability Assistance program shall be matched by not less than 25 percent in cash or in kind by each grantee: *Provided further*, That for all match requirements applicable to funds made available under this

heading for this fiscal year and prior fiscal years, a grantee may use (or could have used) as a source of match funds other funds administered by the Secretary and other Federal agencies unless there is (or was) a specific statutory prohibition on any such use of any such funds: *Provided further*, That the Secretary shall collect system performance measures for each continuum of care, and that relative to fiscal year 2015, under the Continuum of Care competition with respect to funds made available under this heading, the Secretary shall base an increasing share of the score on performance criteria: *Provided further*, That none of the funds provided under this heading shall be available to provide funding for new projects, except for projects created through reallocation, unless the Secretary determines that the continuum of care has demonstrated that projects are evaluated and ranked based on the degree to which they improve the continuum of care's system performance: *Provided further*, That the Secretary shall prioritize funding under the Continuum of Care program to continuums of care that have demonstrated a capacity to reallocate funding from lower performing projects to higher performing projects: *Provided further*, That all awards of assistance under this heading shall be required to coordinate and integrate homeless programs with other mainstream health, social services, and employment programs for which homeless populations may be eligible: *Provided further*, That any unobligated amounts remaining from funds appropriated under this heading in fiscal year 2012 and prior years for project-based rental assistance for rehabilitation projects with 10-year grant terms may be used for purposes under this heading, notwithstanding the purposes for which such funds were appropriated: *Provided further*, That all balances for Shelter Plus Care renewals previously funded from the Shelter Plus Care Renewal account and transferred to this account shall be available, if recaptured, for Continuum of Care renewals in fiscal year 2019: *Provided further*, That the Department shall notify grantees of their formula allocation from amounts allocated (which may represent initial or final amounts allocated) for the Emergency Solutions Grant program within 60 days of enactment of this Act: *Provided further*, That up to $80,000,000 of the funds appropriated under this heading shall be to implement projects to demonstrate how a comprehensive approach to serving homeless youth, age 24 and under, in up to 25 communities, including at least eight communities with substantial rural populations, can dramatically reduce youth homelessness: *Provided further*, That of the amount made available under the previous proviso, up to $5,000,000 shall be available to provide technical assistance on youth homelessness, and collection, analysis, and reporting of data and performance measures under the comprehensive approaches to serve homeless youth, in addition to and in coordination with other technical assistance funds provided under this title: *Provided further*, That such projects shall be eligible for renewal under the continuum of care program subject to the same terms and conditions as other renewal applicants: *Provided further*, That youth aged 24 and under seeking assistance under this heading shall not be required to provide third party documentation to establish their eligibility under 42 U.S.C. 11302(a) or (b) to receive services: *Provided further*, That unaccompanied youth aged 24 and under or families headed by youth aged 24 and under who are living in unsafe situations may be served by youth-serving providers funded under this heading.

HOUSING PROGRAMS

PROJECT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of project-based subsidy contracts under the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) (''the Act''), not otherwise provided for, $11,347,000,000, to remain available until expended, shall be available on October 1, 2018 (in addition to the $400,000,000 previously appropriated under this heading that became available October 1, 2018), and $400,000,000, to remain available until expended, shall be available on October 1, 2019: *Provided*, That the amounts made available under this heading shall be available for expiring or terminating section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for amendments to section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for contracts entered into pursuant to section 441 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11401), for renewal of section 8 contracts for units in projects that are subject to approved plans of action under the Emergency Low Income Housing Preservation Act of 1987 or the Low-Income Housing Preservation and Resident Homeownership Act of 1990, and for administrative and other expenses associated with project-based activities and assistance funded under this paragraph: *Provided further*, That of the total amounts provided under this heading, not to exceed $245,000,000 shall be available for performance-based contract administrators for section 8 project-based assistance, for carrying out 42 U.S.C. 1437(f): *Provided further*, That the Secretary may also use such amounts in the previous proviso for performance-based contract administrators for the administration of: interest reduction payments pursuant to section 236(a) of the National Housing Act (12 U.S.C. 1715z–1(a)); rent supplement payments pursuant to section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s); section 236(f)(2) rental assistance payments (12 U.S.C. 1715z–1(f)(2)); project rental assistance contracts for the elderly under section 202(c)(2) of the Housing Act of 1959 (12 U.S.C. 1701q); project rental assistance contracts for supportive housing for persons with disabilities under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(d)(2)); project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667); and loans under section 202 of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667): *Provided further*, That amounts recaptured under this heading, the heading ''Annual Contributions for Assisted Housing'', or the heading ''Housing Certificate Fund'', may be used for renewals of or amendments to section 8 project-based contracts or for performance-based contract administrators, notwithstanding the purposes for which such amounts were appropriated: *Provided further*, That, notwithstanding any other provision of law, upon the request of the Secretary, project funds that are held in residual receipts accounts for any project subject to a section 8 project-based Housing Assistance Payments contract that authorizes HUD or a Housing Finance Agency to require that surplus project funds be deposited in an interest-bearing residual receipts account and that are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to be available until expended: *Provided further*, That amounts deposited pursuant to the previous proviso shall be available in addition to the amount otherwise provided by this heading for uses authorized under this heading.

HOUSING FOR THE ELDERLY

For capital advances, including amendments to capital advance contracts, for housing for the elderly, as authorized by section 202 of the Housing Act of 1959, as amended, for project rental assistance for the elderly under section 202(c)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, for senior preservation rental assistance contracts, including renewals, as authorized by section 811(e) of the American Housing and Economic Opportunity Act of 2000, as amended, and for supportive services associated with the housing, $678,000,000, to remain available until September 30, 2022: *Provided*, That of the amount provided under this heading, up to $90,000,000 shall be for service coordinators and the continuation of existing congregate service grants for residents of assisted housing projects: *Provided further*, That amounts under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 202 projects: *Provided further*, That the Secretary may waive the provisions of section 202 governing the terms and conditions of project rental assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration: *Provided further*, That upon request of the Secretary, project funds that are held in residual receipts accounts for any project subject to a section 202 project rental assistance contract and, upon termination of such contract, are in excess of an amount to be determined by the Secretary shall be remitted to the Department and deposited in this account, to remain available until September 30, 2022: *Provided further*, That amounts deposited in this account pursuant to the previous proviso shall be available, in addition to the amounts otherwise provided by this heading, for amendments and renewals: *Provided further*, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading shall be available for amendments and renewals in addition to the purposes for which such funds originally were appropriated: *Provided further*, That of the total amount provided under this heading, $10,000,000, shall be for a program to be established by the Secretary to make grants to experienced non-profit organizations, States, local governments, or public housing agencies for safety and functional home modification repairs to meet the needs of low-income elderly persons to enable them to remain in their primary residence: *Provided further*, That of the total amount made available under the previous proviso, no less than $5,000,000 shall be available to meet such needs in communities with substantial rural populations.

HOUSING FOR PERSONS WITH DISABILITIES

For capital advances, including amendments to capital advance contracts, for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), as amended, for project rental assistance for supportive housing for persons with disabilities under section 811(d)(2) of such Act, for project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667), including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, for project rental assistance to State housing finance agencies and other appropriate entities as authorized under section 811(b)(3) of the Cranston-Gonzalez National Housing Act, and for supportive services associated with the housing for persons with disabilities

as authorized by section 811(b)(1) of such Act, $184,155,000, to remain available until September 30, 2022, of which $30,155,000 shall be for capital advance and project rental assistance awards: *Provided*, That amounts made available under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 811 projects: *Provided further*, That, upon the request of the Secretary, project funds that are held in residual receipts accounts for any project subject to a section 811 project rental assistance contract and, upon termination of such contract, are in excess of an amount to be determined by the Secretary shall be remitted to the Department and deposited in this account, to remain available until September 30, 2022: *Provided further*, That amounts deposited in this account pursuant to the previous proviso shall be available in addition to the amounts otherwise provided by this heading for amendments and renewals: *Provided further*, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading shall be used for amendments and renewals in addition to the purposes for which such funds originally were appropriated.

HOUSING COUNSELING ASSISTANCE

For contracts, grants, and other assistance excluding loans, as authorized under section 106 of the Housing and Urban Development Act of 1968, as amended, $50,000,000, to remain available until September 30, 2020, including up to $4,500,000 for administrative contract services: *Provided*, That grants made available from amounts provided under this heading shall be awarded within 180 days of enactment of this Act: *Provided further*, That funds shall be used for providing counseling and advice to tenants and homeowners, both current and prospective, with respect to property maintenance, financial management or literacy, and such other matters as may be appropriate to assist them in improving their housing conditions, meeting their financial needs, and fulfilling the responsibilities of tenancy or homeownership; for program administration; and for housing counselor training: *Provided further*, That for purposes of providing such grants from amounts provided under this heading, the Secretary may enter into multiyear agreements, as appropriate, subject to the availability of annual appropriations.

RENTAL HOUSING ASSISTANCE

For amendments to contracts under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s) and section 236(f)(2) of the National Housing Act (12 U.S.C. 1715z–1) in State-aided, noninsured rental housing projects, $5,000,000, to remain available until expended: *Provided*, That such amount, together with unobligated balances from recaptured amounts appropriated prior to fiscal year 2006 from terminated contracts under such sections of law, and any unobligated balances, including recaptures and carryover, remaining from funds appropriated under this heading after fiscal year 2005, shall also be available for extensions of up to one year for expiring contracts under such sections of law.

PAYMENT TO MANUFACTURED HOUSING FEES TRUST FUND

For necessary expenses as authorized by the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.), up to $12,000,000, to remain available until expended, of which $12,000,000 is to be derived from the Manufactured Housing Fees Trust Fund: *Provided*, That not to exceed the total amount appropriated under this heading shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund pursuant to section 620 of such Act: *Provided further*, That the amount made available under this heading from the general fund shall be reduced as such collections are received during fiscal year 2019 so as to result in a final fiscal year 2019 appropriation from the general fund estimated at zero, and fees pursuant to such section 620 shall be modified as necessary to ensure such a final fiscal year 2019 appropriation: *Provided further*, That for the dispute resolution and installation programs, the Secretary of Housing and Urban Development may assess and collect fees from any program participant: *Provided further*, That such collections shall be deposited into the Fund, and the Secretary, as provided herein, may use such collections, as well as fees collected under section 620, for necessary expenses of such Act: *Provided further*, That, notwithstanding the requirements of section 620 of such Act, the Secretary may carry out responsibilities of the Secretary under such Act through the use of approved service providers that are paid directly by the recipients of their services.

FEDERAL HOUSING ADMINISTRATION

MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

New commitments to guarantee single family loans insured under the Mutual Mortgage Insurance Fund shall not exceed $400,000,000,000, to remain available until September 30, 2020: *Provided*, That during fiscal year 2019, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed $1,000,000: *Provided further*, That the foregoing amount in the previous proviso shall be for loans to nonprofit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under the Mutual Mortgage Insurance Fund: *Provided further*, That for administrative contract expenses of the Federal Housing Administration, $130,000,000, to remain available until September 30, 2020: *Provided further*, That to the extent guaranteed loan commitments exceed $200,000,000,000 on or before April 1, 2019, an additional $1,400 for administrative contract expenses shall be available for each $1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below $1,000,000), but in no case shall funds made available by this proviso exceed $30,000,000: *Provided further*, That notwithstanding the limitation in the first sentence of section 255(g) of the National Housing Act (12 U.S.C. 1715z–20(g)), during fiscal year 2019 the Secretary may insure and enter into new commitments to insure mortgages under section 255 of the National Housing Act only to the extent that the net credit subsidy cost for such insurance does not exceed zero: *Provided further*, That for fiscal year 2019, the Secretary shall not take any action against a lender solely on the basis of compare ratios that have been adversely affected by defaults on mortgages secured by properties in areas where a major disaster was declared in 2017 or 2018 pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

New commitments to guarantee loans insured under the General and Special Risk Insurance Funds, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z–3 and 1735c), shall not exceed $30,000,000,000 in total loan principal, any part of which is to be guaranteed, to remain available until September 30, 2020: *Provided*, That during fiscal year 2019, gross obligations for the principal amount of direct loans, as authorized by sections 204(g), 207(l), 238, and 519(a) of the National Housing Act, shall not exceed $1,000,000, which shall be for loans to nonprofit and governmental entities in connection with the sale of single family real properties owned by the Secretary and formerly insured under such Act.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

New commitments to issue guarantees to carry out the purposes of section 306 of the National Housing Act, as amended (12 U.S.C. 1721(g)), shall not exceed $550,000,000,000, to remain available until September 30, 2020: *Provided*, That $27,000,000, to remain available until September 30, 2020, shall be for necessary salaries and expenses of the Office of Government National Mortgage Association: *Provided further*, That to the extent that guaranteed loan commitments exceed $155,000,000,000 on or before April 1, 2019, an additional $100 for necessary salaries and expenses shall be available until expended for each $1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below $1,000,000), but in no case shall funds made available by this proviso exceed $3,000,000: *Provided further*, That receipts from Commitment and Multiclass fees collected pursuant to title III of the National Housing Act, as amended, shall be credited as offsetting collections to this account.

POLICY DEVELOPMENT AND RESEARCH

RESEARCH AND TECHNOLOGY

For contracts, grants, and necessary expenses of programs of research and studies relating to housing and urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development Act of 1970 (12 U.S.C. 1701z–1 et seq.), including carrying out the functions of the Secretary of Housing and Urban Development under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, and for technical assistance, $96,000,000, to remain available until September 30, 2020: *Provided*, That with respect to amounts made available under this heading, notwithstanding section 203 of this title, the Secretary may enter into cooperative agreements funded with philanthropic entities, other Federal agencies, State or local governments and their agencies, or colleges or universities for research projects: *Provided further*, That with respect to the previous proviso, such partners to the cooperative agreements must contribute at least a 50 percent match toward the cost of the project: *Provided further*, That for non-competitive agreements entered into in accordance with the previous two provisos, the Secretary of Housing and Urban Development shall comply with section 2(b) of the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109–282, 31 U.S.C. note) in lieu of compliance with section 102(a)(4)(C) with respect to documentation of award decisions: *Provided further*, That prior to obligation of technical assistance funding, the Secretary shall submit a plan, for approval, to the House and Senate Committees on Appropriations on how it will allocate funding for this activity: *Provided further*, That none of the funds provided under this heading may be available for the doctoral dissertation research grant program.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil Rights Act of

1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1987, as amended, $65,300,000, to remain available until September 30, 2020: *Provided*, That notwithstanding 31 U.S.C. 3302, the Secretary may assess and collect fees to cover the costs of the Fair Housing Training Academy, and may use such funds to develop online courses and provide such training: *Provided further*, That no funds made available under this heading shall be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant, or loan: *Provided further*, That of the funds made available under this heading, $300,000 shall be available to the Secretary of Housing and Urban Development for the creation and promotion of translated materials and other programs that support the assistance of persons with limited English proficiency in utilizing the services provided by the Department of Housing and Urban Development.

OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES

LEAD HAZARD REDUCTION

For the Lead Hazard Reduction Program, as authorized by section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, $279,000,000, to remain available until September 30, 2020, of which $45,000,000 shall be for the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970, which shall include research, studies, testing, and demonstration efforts, including education and outreach concerning lead-based paint poisoning and other housing-related diseases and hazards: *Provided*, That for purposes of environmental review, pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other provisions of law that further the purposes of such Act, a grant under the Healthy Homes Initiative, or the Lead Technical Studies program under this heading or under prior appropriations Acts for such purposes under this heading, shall be considered to be funds for a special project for purposes of section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994: *Provided further*, That not less than $95,000,000 of the amounts made available under this heading for the award of grants pursuant to section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 shall be provided to areas with the highest lead-based paint abatement needs: *Provided further*, That $64,000,000 of the funds appropriated under this heading shall be for the implementation of projects to demonstrate how intensive, extended multiyear interventions can dramatically reduce the presence of lead-based paint hazards in communities containing high concentrations of both pre-1940 housing and low-income families by achieving economies of scale that substantially reduce the cost of lead-based paint remediation activities and administrative costs for grantees: *Provided further*, That such projects in each of seven communities shall be for five years and serve no more than four contiguous census tracts in which there are high concentrations of housing stock built before 1940, in which low-income families with children make up a significantly higher proportion of the population as compared to the State average, and that are located in jurisdictions in which instances of elevated blood lead levels reported to the State are significantly higher than the State average: *Provided further*, That funding awarded for such projects shall be made available for draw down contingent upon the grantee meeting cost-savings, productivity, and grant compliance benchmarks established by the Secretary: *Provided further*, That each recipient of funds for such projects shall contribute an amount not less than 10 percent of the total award, and that the Secretary shall give priority to applicants that secure commitments for additional contributions from public and private sources: *Provided further*, That grantees currently receiving grants made under this heading shall be eligible to apply for such projects, provided that they are deemed to be in compliance with program requirements established by the Secretary: *Provided further*, That each applicant shall certify adequate capacity that is acceptable to the Secretary to carry out the proposed use of funds pursuant to a notice of funding availability: *Provided further*, That amounts made available under this heading in this or prior appropriations Acts, still remaining available, may be used for any purpose under this heading notwithstanding the purpose for which such amounts were appropriated if a program competition is undersubscribed and there are other program competitions under this heading that are oversubscribed.

INFORMATION TECHNOLOGY FUND

For the development, modernization, and enhancement of, modifications to, and infrastructure for Department-wide and program-specific information technology systems, for the continuing operation and maintenance of both Department-wide and program-specific information systems, and for program-related maintenance activities, $280,000,000, of which $260,000,000 shall remain available until September 30, 2020, and of which $20,000,000 shall remain available until September 30, 2021: *Provided*, That any amounts transferred to this Fund under this Act shall remain available until expended: *Provided further*, That any amounts transferred to this Fund from amounts appropriated by previously enacted appropriations Acts may be used for the purposes specified under this Fund, in addition to any other information technology purposes for which such amounts were appropriated: *Provided further*, That not more than 10 percent of the funds made available under this heading for development, modernization and enhancement may be obligated until the Secretary submits to the House and Senate Committees on Appropriations, for approval, a plan for expenditure that—(A) identifies for each modernization project: (i) the functional and performance capabilities to be delivered and the mission benefits to be realized, (ii) the estimated life-cycle cost, and (iii) key milestones to be met; and (B) demonstrates that each modernization project is: (i) compliant with the Department's enterprise architecture, (ii) being managed in accordance with applicable life-cycle management policies and guidance, (iii) subject to the Department's capital planning and investment control requirements, and (iv) supported by an adequately staffed project office.

OFFICE OF INSPECTOR GENERAL

For necessary salaries and expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $128,082,000: *Provided*, That the Inspector General shall have independent authority over all personnel issues within this office.

GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

(INCLUDING TRANSFER OF FUNDS)

(INCLUDING RESCISSIONS)

SEC. 201. Fifty percent of the amounts of budget authority, or in lieu thereof 50 percent of the cash amounts associated with such budget authority, that are recaptured from projects described in section 1012(a) of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (42 U.S.C. 1437f note) shall be rescinded or in the case of cash, shall be remitted to the Treasury, and such amounts of budget authority or cash recaptured and not rescinded or remitted to the Treasury shall be used by State housing finance agencies or local governments or local housing agencies with projects approved by the Secretary of Housing and Urban Development for which settlement occurred after January 1, 1992, in accordance with such section. Notwithstanding the previous sentence, the Secretary may award up to 15 percent of the budget authority or cash recaptured and not rescinded or remitted to the Treasury to provide project owners with incentives to refinance their project at a lower interest rate.

SEC. 202. None of the amounts made available under this Act may be used during fiscal year 2019 to investigate or prosecute under the Fair Housing Act any otherwise lawful activity engaged in by one or more persons, including the filing or maintaining of a nonfrivolous legal action, that is engaged in solely for the purpose of achieving or preventing action by a Government official or entity, or a court of competent jurisdiction.

SEC. 203. Except as explicitly provided in law, any grant, cooperative agreement or other assistance made pursuant to title II of this Act shall be made on a competitive basis and in accordance with section 102 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3545).

SEC. 204. Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for services and facilities of the Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811–1).

SEC. 205. Unless otherwise provided for in this Act or through a reprogramming of funds, no part of any appropriation for the Department of Housing and Urban Development shall be available for any program, project or activity in excess of amounts set forth in the budget estimates submitted to Congress.

SEC. 206. Corporations and agencies of the Department of Housing and Urban Development which are subject to the Government Corporation Control Act are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of such Act as may be necessary in carrying out the programs set forth in the budget for 2019 for such corporation or agency except as hereinafter provided: *Provided*, That collections of these corporations and agencies may be used for new loan or mortgage purchase commitments only to the extent expressly provided for in this Act (unless such loans are in support of other forms of assistance provided for in this or prior appropriations Acts), except that this proviso shall not apply to the mortgage insurance or guaranty operations of these corporations, or where loans or mortgage purchases are necessary to protect the financial interest of the United States Government.

SEC. 207. The Secretary of Housing and Urban Development shall provide quarterly reports to the House and Senate Committees on Appropriations regarding all uncommitted, unobligated, recaptured and excess funds

in each program and activity within the jurisdiction of the Department and shall submit additional, updated budget information to these Committees upon request.

SEC. 208. The President's formal budget request for fiscal year 2020, as well as the Department of Housing and Urban Development's congressional budget justifications to be submitted to the Committees on Appropriations of the House of Representatives and the Senate, shall use the identical account and sub-account structure provided under this Act.

SEC. 209. No funds provided under this title may be used for an audit of the Government National Mortgage Association that makes applicable requirements under the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

SEC. 210. (a) Notwithstanding any other provision of law, subject to the conditions listed under this section, for fiscal years 2019 and 2020, the Secretary of Housing and Urban Development may authorize the transfer of some or all project-based assistance, debt held or insured by the Secretary and statutorily required low-income and very low-income use restrictions if any, associated with one or more multifamily housing project or projects to another multifamily housing project or projects.

(b) PHASED TRANSFERS.—Transfers of project-based assistance under this section may be done in phases to accommodate the financing and other requirements related to rehabilitating or constructing the project or projects to which the assistance is transferred, to ensure that such project or projects meet the standards under subsection (c).

(c) The transfer authorized in subsection (a) is subject to the following conditions:

(1) NUMBER AND BEDROOM SIZE OF UNITS.—

(A) For occupied units in the transferring project: The number of low-income and very low-income units and the configuration (i.e., bedroom size) provided by the transferring project shall be no less than when transferred to the receiving project or projects and the net dollar amount of Federal assistance provided to the transferring project shall remain the same in the receiving project or projects.

(B) For unoccupied units in the transferring project: The Secretary may authorize a reduction in the number of dwelling units in the receiving project or projects to allow for a reconfiguration of bedroom sizes to meet current market demands, as determined by the Secretary and provided there is no increase in the project-based assistance budget authority.

(2) The transferring project shall, as determined by the Secretary, be either physically obsolete or economically nonviable.

(3) The receiving project or projects shall meet or exceed applicable physical standards established by the Secretary.

(4) The owner or mortgagor of the transferring project shall notify and consult with the tenants residing in the transferring project and provide a certification of approval by all appropriate local governmental officials.

(5) The tenants of the transferring project who remain eligible for assistance to be provided by the receiving project or projects shall not be required to vacate their units in the transferring project or projects until new units in the receiving project are available for occupancy.

(6) The Secretary determines that this transfer is in the best interest of the tenants.

(7) If either the transferring project or the receiving project or projects meets the condition specified in subsection (d)(2)(A), any lien on the receiving project resulting from additional financing obtained by the owner shall be subordinate to any FHA-insured mortgage lien transferred to, or placed on, such project by the Secretary, except that the Secretary may waive this requirement upon determination that such a waiver is necessary to facilitate the financing of acquisition, construction, and/or rehabilitation of the receiving project or projects.

(8) If the transferring project meets the requirements of subsection (d)(2), the owner or mortgagor of the receiving project or projects shall execute and record either a continuation of the existing use agreement or a new use agreement for the project where, in either case, any use restrictions in such agreement are of no lesser duration than the existing use restrictions.

(9) The transfer does not increase the cost (as defined in section 502 of the Congressional Budget Act of 1974, as amended) of any FHA-insured mortgage, except to the extent that appropriations are provided in advance for the amount of any such increased cost.

(d) For purposes of this section—

(1) the terms ''low-income'' and ''very low-income'' shall have the meanings provided by the statute and/or regulations governing the program under which the project is insured or assisted;

(2) the term ''multifamily housing project'' means housing that meets one of the following conditions—

(A) housing that is subject to a mortgage insured under the National Housing Act;

(B) housing that has project-based assistance attached to the structure including projects undergoing mark to market debt restructuring under the Multifamily Assisted Housing Reform and Affordability Housing Act;

(C) housing that is assisted under section 202 of the Housing Act of 1959, as amended by section 801 of the Cranston-Gonzales National Affordable Housing Act;

(D) housing that is assisted under section 202 of the Housing Act of 1959, as such section existed before the enactment of the Cranston-Gonzales National Affordable Housing Act;

(E) housing that is assisted under section 811 of the Cranston-Gonzales National Affordable Housing Act; or

(F) housing or vacant land that is subject to a use agreement;

(3) the term ''project-based assistance'' means—

(A) assistance provided under section 8(b) of the United States Housing Act of 1937;

(B) assistance for housing constructed or substantially rehabilitated pursuant to assistance provided under section 8(b)(2) of such Act (as such section existed immediately before October 1, 1983);

(C) rent supplement payments under section 101 of the Housing and Urban Development Act of 1965;

(D) interest reduction payments under section 236 and/or additional assistance payments under section 236(f)(2) of the National Housing Act;

(E) assistance payments made under section 202(c)(2) of the Housing Act of 1959; and

(F) assistance payments made under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act;

(4) the term ''receiving project or projects'' means the multifamily housing project or projects to which some or all of the project-based assistance, debt, and statutorily required low-income and very low-income use restrictions are to be transferred;

(5) the term ''transferring project'' means the multifamily housing project which is transferring some or all of the project-based assistance, debt, and the statutorily required low-income and very low-income use restrictions to the receiving project or projects; and

(6) the term ''Secretary'' means the Secretary of Housing and Urban Development.

(e) RESEARCH REPORT.—The Secretary shall conduct an evaluation of the transfer authority under this section, including the effect of such transfers on the operational efficiency, contract rents, physical and financial conditions, and long-term preservation of the affected properties.

SEC. 211. (a) No assistance shall be provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) to any individual who—

(1) is enrolled as a student at an institution of higher education (as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002));

(2) is under 24 years of age;

(3) is not a veteran;

(4) is unmarried;

(5) does not have a dependent child;

(6) is not a person with disabilities, as such term is defined in section 3(b)(3)(E) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(E)) and was not receiving assistance under such section 8 as of November 30, 2005;

(7) is not a youth who left foster care at age 14 or older and is at risk of becoming homeless; and

(8) is not otherwise individually eligible, or has parents who, individually or jointly, are not eligible, to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

(b) For purposes of determining the eligibility of a person to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), any financial assistance (in excess of amounts received for tuition and any other required fees and charges) that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), from private sources, or an institution of higher education (as defined under the Higher Education Act of 1965 (20 U.S.C. 1002)), shall be considered income to that individual, except for a person over the age of 23 with dependent children.

SEC. 212. The funds made available for Native Alaskans under the heading ''Native American Housing Block Grants'' in title II of this Act shall be allocated to the same Native Alaskan housing block grant recipients that received funds in fiscal year 2005.

SEC. 213. Notwithstanding any other provision of law, in fiscal year 2019, in managing and disposing of any multifamily property that is owned or has a mortgage held by the Secretary of Housing and Urban Development, and during the process of foreclosure on any property with a contract for rental assistance payments under section 8 of the United States Housing Act of 1937 or other Federal programs, the Secretary shall maintain any rental assistance payments under section 8 of the United States Housing Act of 1937 and other programs that are attached to any dwelling units in the property. To the extent the Secretary determines, in consultation with the tenants and the local government, that such a multifamily property owned or held by the Secretary is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (''MAHRAA'') and (2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other

rental assistance. The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect prior to foreclosure, subject to the exercise of contractual abatement remedies to assist relocation of tenants for imminent major threats to health and safety after written notice to and informed consent of the affected tenants and use of other available remedies, such as partial abatements or receivership. After disposition of any multifamily property described under this section, the contract and allowable rent levels on such properties shall be subject to the requirements under section 524 of MAHRAA.

SEC. 214. The commitment authority funded by fees as provided under the heading ''Community Development Loan Guarantees Program Account'' may be used to guarantee, or make commitments to guarantee, notes, or other obligations issued by any State on behalf of non-entitlement communities in the State in accordance with the requirements of section 108 of the Housing and Community Development Act of 1974: *Provided*, That any State receiving such a guarantee or commitment shall distribute all funds subject to such guarantee to the units of general local government in non-entitlement areas that received the commitment.

SEC. 215. Public housing agencies that own and operate 400 or fewer public housing units may elect to be exempt from any asset management requirement imposed by the Secretary of Housing and Urban Development in connection with the operating fund rule: *Provided*, That an agency seeking a discontinuance of a reduction of subsidy under the operating fund formula shall not be exempt from asset management requirements.

SEC. 216. With respect to the use of amounts provided in this Act and in future Acts for the operation, capital improvement and management of public housing as authorized by sections 9(d) and 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(d) and (e)), the Secretary shall not impose any requirement or guideline relating to asset management that restricts or limits in any way the use of capital funds for central office costs pursuant to section 9(g)(1) or 9(g)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)): *Provided*, That a public housing agency may not use capital funds authorized under section 9(d) for activities that are eligible under section 9(e) for assistance with amounts from the operating fund in excess of the amounts permitted under section 9(g)(1) or 9(g)(2).

SEC. 217. No official or employee of the Department of Housing and Urban Development shall be designated as an allotment holder unless the Office of the Chief Financial Officer has determined that such allotment holder has implemented an adequate system of funds control and has received training in funds control procedures and directives. The Chief Financial Officer shall ensure that there is a trained allotment holder for each HUD appropriation under the accounts ''Executive Offices'' and ''Administrative Support Offices,'' as well as each account receiving appropriations under the general heading ''Program Office Salaries and Expenses'', ''Government National Mortgage Association—Guarantees of Mortgage-Backed Securities Loan Guarantee Program Account'', and ''Office of Inspector General'' within the Department of Housing and Urban Development.

SEC. 218. The Secretary of the Department of Housing and Urban Development shall, for fiscal year 2019, notify the public through the Federal Register and other means, as determined appropriate, of the issuance of a notice of the availability of assistance or notice of funding availability (NOFA) for any program or discretionary fund administered by the Secretary that is to be competitively awarded. Notwithstanding any other provision of law, for fiscal year 2019, the Secretary may make the NOFA available only on the Internet at the appropriate Government web site or through other electronic media, as determined by the Secretary.

SEC. 219. Payment of attorney fees in program-related litigation shall be paid from the individual program office and Office of General Counsel salaries and expenses appropriations. The annual budget submission for the program offices and the Office of General Counsel shall include any such projected litigation costs for attorney fees as a separate line item request. No funds provided in this title may be used to pay any such litigation costs for attorney fees until the Department submits for review a spending plan for such costs to the House and Senate Committees on Appropriations.

SEC. 220. The Secretary is authorized to transfer up to 10 percent or $5,000,000, whichever is less, of funds appropriated for any office under the heading ''Administrative Support Offices'' or for any account under the general heading ''Program Office Salaries and Expenses'' to any other such office or account: *Provided*, That no appropriation for any such office or account shall be increased or decreased by more than 10 percent or $5,000,000, whichever is less, without prior written approval of the House and Senate Committees on Appropriations: *Provided further*, That the Secretary shall provide notification to such Committees three business days in advance of any such transfers under this section up to 10 percent or $5,000,000, whichever is less.

SEC. 221. (a) Any entity receiving housing assistance payments shall maintain decent, safe, and sanitary conditions, as determined by the Secretary of Housing and Urban Development (in this section referred to as the ''Secretary''), and comply with any standards under applicable State or local laws, rules, ordinances, or regulations relating to the physical condition of any property covered under a housing assistance payment contract.

(b) The Secretary shall take action under subsection (c) when a multifamily housing project with a section 8 contract or contract for similar project-based assistance—

(1) receives a Uniform Physical Condition Standards (UPCS) score of 60 or less; or

(2) fails to certify in writing to the Secretary within 3 days that all Exigent Health and Safety deficiencies identified by the inspector at the project have been corrected.

Such requirements shall apply to insured and noninsured projects with assistance attached to the units under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), but do not apply to such units assisted under section 8(o)(13) (42 U.S.C. 1437f(o)(13)) or to public housing units assisted with capital or operating funds under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g).

(c)(1) Within 15 days of the issuance of the REAC inspection, the Secretary must provide the owner with a Notice of Default with a specified timetable, determined by the Secretary, for correcting all deficiencies. The Secretary must also provide a copy of the Notice of Default to the tenants, the local government, any mortgagees, and any contract administrator. If the owner's appeal results in a UPCS score of 60 or above, the Secretary may withdraw the Notice of Default.

(2) At the end of the time period for correcting all deficiencies specified in the Notice of Default, if the owner fails to fully correct such deficiencies, the Secretary may—

(A) require immediate replacement of project management with a management agent approved by the Secretary;

(B) impose civil money penalties, which shall be used solely for the purpose of supporting safe and sanitary conditions at applicable properties, as designated by the Secretary, with priority given to the tenants of the property affected by the penalty;

(C) abate the section 8 contract, including partial abatement, as determined by the Secretary, until all deficiencies have been corrected;

(D) pursue transfer of the project to an owner, approved by the Secretary under established procedures, which will be obligated to promptly make all required repairs and to accept renewal of the assistance contract as long as such renewal is offered;

(E) transfer the existing section 8 contract to another project or projects and owner or owners;

(F) pursue exclusionary sanctions, including suspensions or debarments from Federal programs;

(G) seek judicial appointment of a receiver to manage the property and cure all project deficiencies or seek a judicial order of specific performance requiring the owner to cure all project deficiencies;

(H) work with the owner, lender, or other related party to stabilize the property in an attempt to preserve the property through compliance, transfer of ownership, or an infusion of capital provided by a third-party that requires time to effectuate; or

(I) take any other regulatory or contractual remedies available as deemed necessary and appropriate by the Secretary.

(d) The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect, subject to the exercise of contractual abatement remedies to assist relocation of tenants for major threats to health and safety after written notice to the affected tenants. To the extent the Secretary determines, in consultation with the tenants and the local government, that the property is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of—

(1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (''MAHRAA''); and

(2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance.

(e) The Secretary shall report quarterly on all properties covered by this section that are assessed through the Real Estate Assessment Center and have UPCS physical inspection scores of less than 60 or have received an unsatisfactory management and occupancy review within the past 36 months. The report shall include—

(1) the enforcement actions being taken to address such conditions, including imposition of civil money penalties and termination of subsidies, and identify properties that have such conditions multiple times;

(2) actions that the Department of Housing and Urban Development is taking to protect tenants of such identified properties; and

(3) any administrative or legislative recommendations to further improve the living conditions at properties covered under a housing assistance payment contract.

This report shall be due to the Senate and House Committees on Appropriations no later than 30 days after the enactment of this Act, and on the first business day of each Federal fiscal year quarter thereafter while this section remains in effect.

SEC. 222. None of the funds made available by this Act, or any other Act, for purposes

authorized under section 8 (only with respect to the tenant-based rental assistance program) and section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.), may be used by any public housing agency for any amount of salary, including bonuses, for the chief executive officer of which, or any other official or employee of which, that exceeds the annual rate of basic pay payable for a position at level IV of the Executive Schedule at any time during any public housing agency fiscal year 2019.

SEC. 223. None of the funds in this Act provided to the Department of Housing and Urban Development may be used to make a grant award unless the Secretary notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project, State, locality, housing authority, tribe, nonprofit organization, or other entity selected to receive a grant award is announced by the Department or its offices.

SEC. 224. None of the funds made available by this Act may be used to require or enforce the Physical Needs Assessment (PNA).

SEC. 225. None of the funds made available in this Act shall be used by the Federal Housing Administration, the Government National Mortgage Administration, or the Department of Housing and Urban Development to insure, securitize, or establish a Federal guarantee of any mortgage or mortgage backed security that refinances or otherwise replaces a mortgage that has been subject to eminent domain condemnation or seizure, by a State, municipality, or any other political subdivision of a State.

SEC. 226. None of the funds made available by this Act may be used to terminate the status of a unit of general local government as a metropolitan city (as defined in section 102 of the Housing and Community Development Act of 1974 (42 U.S.C. 5302)) with respect to grants under section 106 of such Act (42 U.S.C. 5306).

SEC. 227. Amounts made available under this Act which are either appropriated, allocated, advanced on a reimbursable basis, or transferred to the Office of Policy Development and Research in the Department of Housing and Urban Development and functions thereof, for research, evaluation, or statistical purposes, and which are unexpended at the time of completion of a contract, grant, or cooperative agreement, may be deobligated and shall immediately become available and may be reobligated in that fiscal year or the subsequent fiscal year for the research, evaluation, or statistical purposes for which the amounts are made available to that Office subject to reprogramming requirements in section 405 of this Act.

SEC. 228. None of the funds provided in this Act or any other act may be used for awards, including performance, special act, or spot, for any employee of the Department of Housing and Urban Development subject to administrative discipline (including suspension from work), in this or the prior fiscal year, but this prohibition shall not be effective prior to the effective date of any such administrative discipline or after any final decision over-turning such discipline.

SEC. 229. Funds made available in this title under the heading ''Homeless Assistance Grants'' may be used by the Secretary to participate in Performance Partnership Pilots authorized under section 526 of division H of Public Law 113–76, section 524 of division G of Public Law 113–235, section 525 of division H of Public Law 114–113, and such authorities as are enacted for Performance Partnership Pilots in an appropriations Act for fiscal year 2019: *Provided*, That such participation shall be limited to no more than 10 continuums of care and housing activities to improve outcomes for disconnected youth.

SEC. 230. With respect to grant amounts awarded under the heading ''Homeless Assistance Grants'' for fiscal years 2015, 2016, 2017, 2018 and 2019 for the continuum of care (CoC) program as authorized under subtitle C of title IV of the McKinney-Vento Homeless Assistance Act, costs paid by program income of grant recipients may count toward meeting the recipient's matching requirements, provided the costs are eligible CoC costs that supplement the recipient's CoC program.

SEC. 231. (a) From amounts made available under this title under the heading ''Homeless Assistance Grants'', the Secretary may award 1-year transition grants to recipients of funds for activities under subtitle C of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11381 et seq.) to transition from one Continuum of Care program component to another.

(b) No more than 50 percent of each transition grant may be used for costs of eligible activities of the program component originally funded.

(c) Transition grants made under this section are eligible for renewal in subsequent fiscal years for the eligible activities of the new program component.

(d) In order to be eligible to receive a transition grant, the funding recipient must have the consent of the Continuum of Care and meet standards determined by the Secretary.

SEC. 232. None of the funds made available by this Act may be used by the Department of Housing and Urban Development to direct a grantee to undertake specific changes to existing zoning laws as part of carrying out the final rule entitled ''Affirmatively Furthering Fair Housing'' (80 Fed. Reg. 42272 (July 16, 2015)) or the notice entitled ''Affirmatively Furthering Fair Housing Assessment Tool'' (79 Fed. Reg. 57949 (September 26, 2014)).

SEC. 233. Section 218(g) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12748(g)) shall not apply with respect to the right of a jurisdiction to draw funds from its HOME Investment Trust Fund that otherwise expired or would expire in 2016, 2017, 2018, 2019, 2020, or 2021 under that section. Section 231(b) of such Act (42 U.S.C. 12771(b)) shall not apply to any uninvested funds that otherwise were deducted or would be deducted from the line of credit in the participating jurisdiction's HOME Investment Trust Fund in 2018, 2019, 2020, or 2021 under that section.

SEC. 234. Amounts made available in title II of division K of the Consolidated Appropriations Resolution, 2003 (Public Law 108–7) under the heading ''Indian Housing Loan Guarantee Fund Program Account'' for necessary expenses of the Land Title Report Commission are rescinded.

SEC. 235. (a) AUTHORITY.—The Secretary of Housing and Urban Development (in this section referred to as the ''Secretary'') may carry out a mobility demonstration program to enable public housing agencies to administer housing choice voucher assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)) in a manner designed to encourage families receiving such voucher assistance to move to lower-poverty areas and expand access to opportunity areas.

(b) SELECTION OF PHAS.—

(1) REQUIREMENTS.—The Secretary shall establish requirements for public housing agencies to participate in the demonstration program under this section, which shall provide that the following public housing agencies may participate:

(A) Public housing agencies that together—

(i) serve areas with high concentrations of holders of rental assistance vouchers under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)) in poor, low-opportunity neighborhoods; and

(ii) have an adequate number of moderately priced rental units in higher-opportunity areas.

(B) Planned consortia or partial consortia of public housing agencies that—

(i) include at least one agency with a high-performing Family Self-Sufficiency (FSS) program; and

(ii) will enable participating families to continue in such program if they relocate to the jurisdiction served by any other agency of the consortium.

(C) Planned consortia or partial consortia of public housing agencies that—

(i) serve jurisdictions within a single region;

(ii) include one or more small agencies; and

(iii) will consolidate mobility focused operations.

(D) Such other public housing agencies as the Secretary considers appropriate.

(2) SELECTION CRITERIA.—The Secretary shall establish competitive selection criteria for public housing agencies eligible under paragraph (1) to participate in the demonstration program under this section.

(3) RANDOM SELECTION OF FAMILIES.—The Secretary may require participating agencies to use a randomized selection process to select among the families eligible to receive mobility assistance under the demonstration program.

(c) REGIONAL HOUSING MOBILITY PLAN.—The Secretary shall require each public housing agency applying to participate in the demonstration program under this section to submit a Regional Housing Mobility Plan (in this section referred to as a ''Plan''), which shall—

(1) identify the public housing agencies that will participate under the Plan and the number of vouchers each participating agency will make available out of their existing programs in connection with the demonstration;

(2) identify any community-based organizations, nonprofit organizations, businesses, and other entities that will participate under the Plan and describe the commitments for such participation made by each such entity;

(3) identify any waivers or alternative requirements under subparagraph (e) requested for the execution of the Plan;

(4) identify any specific actions that the public housing agencies and other entities will undertake to accomplish the goals of the demonstration, which shall include a comprehensive approach to enable a successful transition to opportunity areas and may include counseling and continued support for families;

(5) specify the criteria that the public housing agencies would use to identify opportunity areas under the plan;

(6) provide for establishment of priority and preferences for participating families, including a preference for families with young children, as such term is defined by the Secretary, based on regional housing needs and priorities; and

(7) comply with any other requirements established by the Secretary.

(d) FUNDING FOR MOBILITY-RELATED SERVICES.—

(1) USE OF ADMINISTRATIVE FEES.—Public housing agencies participating in the demonstration program under this section may use administrative fees under section 8(q) of the United States Housing Act of 1937 (42 U.S.C. 1437f(q)), their administrative fee reserves, and funding from private entities to

provide mobility-related services in connection with the demonstration program, including services such as counseling, portability coordination, landlord outreach, security deposits, and administrative activities associated with establishing and operating regional mobility programs.

(2) USE OF HOUSING ASSISTANCE FUNDS.—Public housing agencies participating in the demonstration under this section may use housing assistance payments funds under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)) for security deposits if necessary to enable families to lease units with vouchers in designated opportunity areas.

(e) WAIVERS; ALTERNATIVE REQUIREMENTS.—

(1) WAIVERS.—To allow for public housing agencies to implement and administer their Regional Housing Mobility Plans, the Secretary may waive or specify alternative requirements for the following provisions of the United States Housing Act of 1937:

(A) Sections 8(o)(7)(A) and 8(o)(13)(E)(i) (relating to the term of a lease and mobility requirements).

(B) Section 8(o)(13)(C)(i) (relating to the public housing plan for an agency).

(C) Section 8(r)(2) (relating to the responsibility of a public housing agency to administer ported assistance).

(2) ALTERNATIVE REQUIREMENTS FOR CONSORTIA.—The Secretary shall provide alternative administrative requirements for public housing agencies in a selected region to—

(A) form a consortium that has a single housing choice voucher funding contract; or

(B) enter into a partial consortium to operate all or portions of the Regional Housing Mobility Plan, which may include agencies participating in the Moving To Work Demonstration program.

(3) EFFECTIVE DATE.—Any waiver or alternative requirements pursuant to this subsection shall not take effect before the expiration of the 10-day period beginning upon publication of notice of such waiver or alternative requirement in the Federal Register.

(f) IMPLEMENTATION.—The Secretary may implement the demonstration, including its terms, procedures, requirements, and conditions, by notice.

(g) EVALUATION.—Not later than five years after implementation of the regional housing mobility programs under the demonstration program under this section, the Secretary shall submit to the Congress and publish in the Federal Register a report evaluating the effectiveness of the strategies pursued under the demonstration, subject to the availability of funding to conduct the evaluation. Through official websites and other methods, the Secretary shall disseminate interim findings as they become available, and shall, if promising strategies are identified, notify the Congress of the amount of funds that would be required to expand the testing of these strategies in additional types of public housing agencies and housing markets.

(h) TERMINATION.—The demonstration program under this section shall terminate on October 1, 2028.

SEC. 236. Section 221 of the Department of Housing and Urban Development Appropriations Act, 2015 (42 U.S.C. 1437f–1; Public Law 113–235; 128 Stat 2754) is repealed.

SEC. 237. The Promise Zone designations and Promise Zone Designation Agreements entered into pursuant to such designations, made by the Secretary of Housing and Urban Development in prior fiscal years, shall remain in effect in accordance with the terms and conditions of such agreements.

SEC. 238. None of the funds made available by this Act may be used to establish and apply review criteria, including rating factors or preference points, for participation in or coordination with EnVision Centers, in the evaluation, selection, and award of any funds made available and requiring competitive selection under this Act, except with respect to any such funds otherwise authorized for EnVision Center purposes under this Act.

This title may be cited as the ''Department of Housing and Urban Development Appropriations Act, 2019''.

TITLE III

RELATED AGENCIES

ACCESS BOARD

SALARIES AND EXPENSES

For expenses necessary for the Access Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, $8,400,000: *Provided*, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 307), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefore, as authorized by 5 U.S.C. 5901–5902, $27,490,000: *Provided*, That not to exceed $2,000 shall be available for official reception and representation expenses.

NATIONAL RAILROAD PASSENGER CORPORATION

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General for the National Railroad Passenger Corporation to carry out the provisions of the Inspector General Act of 1978, as amended, $23,274,000: *Provided*, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the National Railroad Passenger Corporation: *Provided further*, That the Inspector General may enter into contracts and other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, subject to the applicable laws and regulations that govern the obtaining of such services within the National Railroad Passenger Corporation: *Provided further*, That the Inspector General may select, appoint, and employ such officers and employees as may be necessary for carrying out the functions, powers, and duties of the Office of Inspector General, subject to the applicable laws and regulations that govern such selections, appointments, and employment within the Corporation: *Provided further*, That concurrent with the President's budget request for fiscal year 2020, the Inspector General shall submit to the House and Senate Committees on Appropriations a budget request for fiscal year 2020 in similar format and substance to those submitted by executive agencies of the Federal Government.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS–15; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902), $110,400,000, of which not to exceed $2,000 may be used for official reception and representation expenses. The amounts made available to the National Transportation Safety Board in this Act include amounts necessary to make lease payments on an obligation incurred in fiscal year 2001 for a capital lease.

NEIGHBORHOOD REINVESTMENT CORPORATION

PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities, as authorized by the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101–8107), $150,000,000, of which $5,000,000 shall be for a multi-family rental housing program: *Provided*, That an additional $2,000,000, to remain available until September 30, 2023, shall be for the promotion and development of shared equity housing models.

SURFACE TRANSPORTATION BOARD

SALARIES AND EXPENSES

For necessary expenses of the Surface Transportation Board, including services authorized by 5 U.S.C. 3109, $37,100,000: *Provided*, That notwithstanding any other provision of law, not to exceed $1,250,000 from fees established by the Chairman of the Surface Transportation Board shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses under this heading: *Provided further*, That the sum herein appropriated from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2019, to result in a final appropriation from the general fund estimated at no more than $35,850,000.

UNITED STATES INTERAGENCY COUNCIL ON HOMELESSNESS

OPERATING EXPENSES

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms, and the employment of experts and consultants under section 3109 of title 5, United States Code) of the United States Interagency Council on Homelessness in carrying out the functions pursuant to title II of the McKinney-Vento Homeless Assistance Act, as amended, $3,600,000: *Provided*, That the first proviso in Public Law 115–141 under the heading ''United States Interagency Council on Homelessness—Operating Expenses'' is amended by striking ''2020'' and inserting ''2028''.

TITLE IV

GENERAL PROVISIONS—THIS ACT

SEC. 401. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 402. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 403. The expenditure of any appropriation under this Act for any consulting service through a procurement contract pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 404. (a) None of the funds made available in this Act may be obligated or expended for any employee training that—

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

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

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

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

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

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

SEC. 405. Except as otherwise provided in this Act, none of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 2019, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates a new program;

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

(3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress;

(4) proposes to use funds directed for a specific activity by either the House or Senate Committees on Appropriations for a different purpose;

(5) augments existing programs, projects, or activities in excess of $5,000,000 or 10 percent, whichever is less;

(6) reduces existing programs, projects, or activities by $5,000,000 or 10 percent, whichever is less; or

(7) creates, reorganizes, or restructures a branch, division, office, bureau, board, commission, agency, administration, or department different from the budget justifications submitted to the Committees on Appropriations or the table accompanying the joint explanatory statement accompanying this Act, whichever is more detailed, unless prior approval is received from the House and Senate Committees on Appropriations: *Provided*, That not later than 60 days after the date of enactment of this Act, each agency funded by this Act shall submit a report to the Committees on Appropriations of the Senate and of the House of Representatives to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: *Provided further*, That the report shall include—

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

(B) a delineation in the table for each appropriation and its respective prior year enacted level by object class and program, project, and activity as detailed in this Act, the table accompanying the explanatory statement accompanying this Act, accompanying reports of the House and Senate Committee on Appropriations, or in the budget appendix for the respective appropriations, whichever is more detailed, and shall apply to all items for which a dollar amount is specified and to all programs for which new budget (obligational) authority is provided, as well as to discretionary grants and discretionary grant allocations; and

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

SEC. 406. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2019 from appropriations made available for salaries and expenses for fiscal year 2019 in this Act, shall remain available through September 30, 2020, for each such account for the purposes authorized: *Provided*, That a request shall be submitted to the House and Senate Committees on Appropriations for approval prior to the expenditure of such funds: *Provided further*, That these requests shall be made in compliance with reprogramming guidelines under section 405 of this Act.

SEC. 407. No funds in this Act may be used to support any Federal, State, or local projects that seek to use the power of eminent domain, unless eminent domain is employed only for a public use: *Provided*, That for purposes of this section, public use shall not be construed to include economic development that primarily benefits private entities: *Provided further*, That any use of funds for mass transit, railroad, airport, seaport or highway projects, as well as utility projects which benefit or serve the general public (including energy-related, communication-related, water-related and wastewater-related infrastructure), other structures designated for use by the general public or which have other common-carrier or public-utility functions that serve the general public and are subject to regulation and oversight by the government, and projects for the removal of an immediate threat to public health and safety or brownfields as defined in the Small Business Liability Relief and Brownfields Revitalization Act (Public Law 107–118) shall be considered a public use for purposes of eminent domain.

SEC. 408. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 409. No part of any appropriation contained in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his or her period of active military or naval service, and has within 90 days after his or her release from such service or from hospitalization continuing after discharge for a period of not more than 1 year, made application for restoration to his or her former position and has been certified by the Office of Personnel Management as still qualified to perform the duties of his or her former position and has not been restored thereto.

SEC. 410. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 8301–8305, popularly known as the ''Buy American Act'').

SEC. 411. No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 8301–8305).

SEC. 412. None of the funds made available in this Act may be used for first-class airline accommodations in contravention of sections 301–10.122 and 301–10.123 of title 41, Code of Federal Regulations.

SEC. 413. (a) None of the funds made available by this Act may be used to approve a new foreign air carrier permit under sections 41301 through 41305 of title 49, United States Code, or exemption application under section 40109 of that title of an air carrier already holding an air operators certificate issued by a country that is party to the U.S.-E.U.-Iceland-Norway Air Transport Agreement where such approval would contravene United States law or Article 17 bis of the U.S.-E.U.-Iceland-Norway Air Transport Agreement.

(b) Nothing in this section shall prohibit, restrict or otherwise preclude the Secretary of Transportation from granting a foreign air carrier permit or an exemption to such an air carrier where such authorization is consistent with the U.S.-E.U.-Iceland-Norway Air Transport Agreement and United States law.

SEC. 414. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees of a single agency or department of the United States Government, who are stationed in the United States, at any single international conference unless the relevant Secretary reports to the House and Senate Committees on Appropriations at least 5 days in advance that such attendance is important to the national interest: *Provided*, That for purposes of this section the term ''international conference'' shall mean a conference occurring outside of the United States attended by representatives of the United States Government and of foreign governments, international organizations, or nongovernmental organizations.

SEC. 415. None of the funds appropriated or otherwise made available under this Act may be used by the Surface Transportation Board to charge or collect any filing fee for rate or practice complaints filed with the Board in an amount in excess of the amount authorized for district court civil suit filing fees under section 1914 of title 28, United States Code.

SEC. 416. None of the funds made available by this Act may be used by the Department of Transportation, the Department of Housing and Urban Development, or any other Federal agency to lease or purchase new light duty vehicles for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011.

SEC. 417. (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. 418. (a) None of the funds made available in 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 over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.), or to prevent or impede that Inspector General's access to such records, documents, or other materials, under any provision of law, except a provision of law that expressly refers to the Inspector General and expressly limits the Inspector General's right of access.

(b) A department or agency covered by this section shall provide its Inspector General with access to all such records, documents, and other materials in a timely manner.

(c) Each Inspector General shall ensure compliance with statutory limitations on disclosure relevant to the information provided by the establishment over which that Inspector General has responsibilities under

the Inspector General Act of 1978 (5 U.S.C. App.).

(d) Each Inspector General covered by this section shall report to the Committees on Appropriations of the House of Representatives and the Senate within 5 calendar days any failures to comply with this requirement.

SEC. 419. None of the funds appropriated or otherwise made available by this Act may be used to pay award or incentive fees for contractors whose performance has been judged to be below satisfactory, behind schedule, over budget, or has failed to meet the basic requirements of a contract, unless the Agency determines that any such deviations are due to unforeseeable events, government-driven scope changes, or are not significant within the overall scope of the project and/or program unless such awards or incentive fees are consistent with 16.401(e)(2) of the FAR.

SEC. 420. For an additional amount for the ''Railroad Rehabilitation and Improvement Financing Program'' account for the cost of modifications, as defined by section 502 of the Federal Credit Reform Act of 1990, of direct loans issued pursuant to sections 501 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended, and included in cohort 1, as defined by the Department of Transportation's memorandum to the Office of Management and Budget dated November 5, 2018, $17,000,000, to remain available until expended: *Provided*, That, for a direct loan included in cohort 1, as defined in the memorandum described in the previous proviso, that has satisfied all obligations attached to such loan, the Secretary shall repay the credit risk premiums of such loan, with interest accrued thereon, not later than 60 days after the enactment of this Act or, for a direct loan included in cohort 1 with obligations that have not yet been satisfied, not later than 60 days after the date on which all obligations attached to such loan have been satisfied.

SEC. 421. Section 127(l) of title 23, United States Code, is amended by adding at the end the following:

''(3) ADDITIONAL HIGHWAY SEGMENTS.—

''(A) IN GENERAL.—If any segment of highway described in clause (i) or (ii) of this subparagraph is designated as a route of the Interstate System, a vehicle that could operate legally on that segment before the date of such designation may continue to operate on that segment, without regard to any requirement under subsection (a), except that such vehicle shall not exceed a gross vehicle weight of 120,000 pounds. The highway segments referred to in this paragraph are as follows:

''(i) The William H. Natcher Parkway (to be designated as a spur of Interstate Route 65) from Interstate Route 65 in Bowling Green, Kentucky, to United States Route 60 in Owensboro, Kentucky.

''(ii) The Julian M. Carroll (Purchase) Parkway (to be designated as Interstate Route 69) in Kentucky from the Tennessee state line to the interchange with Interstate Route 24, near Calvert City.

''(B) NONDIVISIBLE LOAD OR VEHICLE.—Nothing in this paragraph shall prohibit the State from issuing a permit for a nondivisible load or vehicle with a gross vehicle weight that exceeds 120,000 pounds.''.

SEC. 422. Section 127(s) of title 23, United States Code, is amended—

(1) by striking the subsection heading and inserting the following: ''(s) NATURAL GAS AND ELECTRIC BATTERY VEHICLES'';

(2) by inserting ''or powered primarily by means of electric battery power'' after the first time ''natural gas'' appears;

(3) by striking ''any vehicle weight limit'' and inserting ''the weight limit on the power unit by up to 2,000 pounds''; and

(4) by striking all that follows after ''under this section'' and inserting a period after ''section''.

SEC. 423. Section 31112(c) of title 49, United States Code, is amended—

(1) in the subsection heading by striking ''AND KANSAS'' and inserting ''KANSAS, AND OREGON'';

(2) in paragraph (4) by striking ''and'' at the end;

(3) in paragraph (5) by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following:

''(6) Oregon may allow the operation of a truck tractor and 2 property-carrying units not in actual lawful operation on a regular or periodic basis on June 1, 1991, if—

''(A) the length of the property-carrying units does not exceed 82 feet 8 inches;

''(B) the combination is used only to transport sugar beets; and

''(C) the operation occurs on United States Route 20, United States Route 26, United States Route 30, or Oregon Route 201 in the vicinity, or between any, of—

''(i) Vale, Oregon;

''(ii) Ontario, Oregon; or

''(iii) Nyssa, Oregon.''.

This division may be cited as the ''Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2019''.

DIVISION G—OTHER MATTERS

TITLE I

TECHNICAL CORRECTIONS

SEC. 101. Section 177 of division C of Public Law 114–223, as amended by Public Law 114–254, is amended by inserting ''and the 116th Congress'' after ''the 115th Congress'' in each instance it appears.

SEC. 102. (a) During fiscal year 2019 and each succeeding fiscal year, amounts appropriated or otherwise made available for the Architect of the Capitol under the heading ''House Office Buildings'' may be transferred to the House of Representatives and merged with and made available under the heading ''Allowances and Expenses'', subject to the approval of the Committee on Appropriations of the House of Representatives.

(b) The period of availability of any amounts transferred to the House of Representatives under this section shall be the same period of availability applicable to such amounts as appropriated for the Architect of the Capitol.

SEC. 103. Section 243 of title II of division C of Public Law 115–244 is amended by inserting ''248'' after ''section''.

SEC. 104. (a) Discretionary amounts appropriated by any division of this consolidated Act shall be available for payments in accordance with section 1341(c) of title 31, United States Code (as added by the Government Employee Fair Treatment Act of 2019) to employees whose salaries and expenses are provided in that division.

(b) All obligations incurred in anticipation of the appropriations made and authority granted by any division of this consolidated Act for the purposes of maintaining the essential level of activity to protect life and property and bringing about orderly termination of Government functions, and for purposes as otherwise authorized by law, are hereby ratified and approved if otherwise in accord with the provisions of any division of this consolidated Act, and for purposes of such obligations the time period covered by this Act shall be considered to include the period which began on or about December 22, 2018, during which there occurred a lapse in appropriations.

SEC. 105. (a) If a State (or another Federal grantee) used State funds (or the grantee's non-Federal funds) to continue carrying out a Federal program or furloughed State employees (or the grantee's employees) whose compensation is advanced or reimbursed in whole or in part by the Federal Government—

(1) such furloughed employees shall be compensated at their standard rate of compensation for such period;

(2) the State (or such other grantee) shall be reimbursed for expenses that would have been paid by the Federal Government during such period had appropriations been available, including the cost of compensating such furloughed employees, together with interest thereon calculated under section 6503(d) of title 31, United States Code; and

(3) the State (or such other grantee) may use funds available to the State (or the grantee) under such Federal program to reimburse such State (or the grantee), together with interest thereon calculated under section 6503(d) of title 31, United States Code.

(b) For purposes of this section, the term ''State'' and the term ''grantee,'' including United States territories and possessions, shall have the meaning given such terms under the applicable Federal program under subsection (a). In addition, ''to continue carrying out a Federal program'' means the continued performance by a State or other Federal grantee, during the period of a lapse in appropriations, of a Federal program that the State or such other grantee had been carrying out prior to the period of the lapse in appropriations.

(c) The authority under this section applies with respect to any period in fiscal year 2019 (not limited to periods beginning or ending after the date of the enactment of this Act) during which there occurs a lapse in appropriations with respect to any department or agency of the Federal Government receiving funding in any division of this consolidated Act which, but for such lapse in appropriations, would have paid, or made reimbursement relating to, any of the expenses referred to in this section with respect to the program involved. Payments and reimbursements under this authority shall be made only to the extent and in amounts provided in advance in appropriations Acts.

SEC. 106. (a) Section 3(20)(B) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302(20)(B)), as amended by section 7 of the Strengthening Career and Technical Education for the 21st Century Act (Public Law 115–224), is amended by inserting '', except that, for the purpose of section 132, the term 'recognized postsecondary credential' as used in this subparagraph shall not include a baccalaureate degree'' after ''associate degree''.

(b) The amendment made by subsection (a) shall take effect on July 1, 2019, as if included in the Strengthening Career and Technical Education for the 21st Century Act (Public Law 115–224).

TITLE II

EXTENSIONS OF AUTHORITIES

SEC. 201. Sections 1309(a) and 1319 of the National Flood Insurance Act of 1968 (42 U.S.C. 4016(a) and 4026) shall be applied by substituting ''September 30, 2019'' for ''December 7, 2018''.

SEC. 202. (a) The following sections of the Federal Insecticide, Fungicide, and Rodenticide Act shall continue in effect through March 1, 2019—

(1) subparagraphs (C) through (E) of section 4(i)(1) (7 U.S.C. 136a–1(i)(1)(C)–(E));

(2) section 4(k)(3) (7 U.S.C. 136a–1(k)(3));

(3) section 4(k)(4) (7 U.S.C. 136a–1(k)(4)); and

(4) section 33(c)(3)(B) (7 U.S.C. 136w–8(c)(3)(B)).

(b)(1) Section 4(i)(1)(I) of the Federal Insecticide, Fungicide, and Rodenticide Act (7

U.S.C. 136a–1(i)(1)(I)) shall be applied by substituting ''March 1, 2019'' for ''September 30, 2017''.

(2) Notwithstanding section 33(m)(2) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w–8(m)(2)), section 33(m)(1) of such Act (7 U.S.C. 136w–8(m)(1)) shall be applied by substituting ''March 1, 2019'' for ''September 30, 2017''.

(c) Section 408(m)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a(m)(3)) shall be applied by substituting ''March 1, 2019'' for ''September 30, 2017''.

TANF PROGRAM EXTENSIONS

SEC. 203. (a) FAMILY ASSISTANCE GRANTS.—Section 403(a)(1) of the Social Security Act (42 U.S.C. 603(a)(1)) is amended in each of subparagraphs (A) and (C) by striking ''2017 and 2018'' and inserting ''2019 and 2020''.

(b) HEALTHY MARRIAGE PROMOTION AND RESPONSIBLE FATHERHOOD GRANTS.—Section 403(a)(2)(D) of such Act (42 U.S.C. 603(a)(2)(D)) is amended—

(1) by striking ''2017 and 2018'' and inserting ''2019 and 2020''; and

(2) by striking ''for fiscal year 2017 or 2018''.

(c) CONTINGENCY FUND.—Section 403(b)(2) of such Act (42 U.S.C. 603(b)(2)) is amended by striking ''fiscal year 2018'' and inserting ''each of fiscal years 2019 and 2020''.

(d) TRIBAL FAMILY ASSISTANCE GRANTS.—Paragraphs (1)(A) and (2)(A) of section 412(a) of such Act (42 U.S.C. 612(a)) are each amended by striking ''2017 and 2018'' and inserting ''2019 and 2020''.

(e) CHILD CARE.—Section 418(a)(3) of such Act (42 U.S.C. 618(a)(3)) is amended by striking ''2017 and 2018'' and inserting ''2019 and 2020''.

(f) GRANTS TO THE TERRITORIES.—Section 1108(b)(2) of such Act (42 U.S.C. 1308(b)(2)) is amended by striking ''2017 and 2018'' and inserting ''2019 and 2020''.

MEASURING AND UNDERSTANDING OUTCOMES

SEC. 204. (a) IN GENERAL.—Section 411(a) of the Social Security Act (42 U.S.C. 611(a)) is amended by redesignating paragraph (7) as paragraph (8) and inserting after paragraph (6) the following:

''(7) REPORT ON ENGAGEMENT, EMPLOYMENT AND OUTCOMES.—

''(A) REPORTING AGREEMENT.—Each State and the Secretary shall enter into an agreement specifying the manner by which the information and data described in this paragraph shall be collected and reported to the Secretary beginning in fiscal year 2020.

''(i) OUTCOMES FOR EXITING RECIPIENTS.—Information and data regarding families who formerly received assistance and included a work-eligible individual (disaggregated by type of family, reason for exit, and participation in work activities during the preceding fiscal year) under the State program funded under this part or under any State program funded with qualified State expenditures (as defined in section 409(a)(7)(B)(i)), with respect to the following:

''(I) The percentage with at least 1 formerly work-eligible individual employed during the 2nd quarter after exiting from the program.

''(II) The percentage with at least 1 formerly work-eligible individual employed during the 4th quarter after exiting from the program.

''(III) The median earnings when at least 1 formerly work-eligible individual is employed during the 2d quarter after exiting from the program.

''(IV) The percentage with at least 1 formerly work-eligible individual employed during any of the first 4 quarters after exiting from the program.

''(V) The distribution of income and earnings, including relative to poverty and deep poverty, for each of the first 4 quarters ending after the quarter of exit from assistance.

''(VI) The percentage who, at the time of exit from the program, were subject to the following:

''(aa) A penalty under section 407(e).

''(bb) A sanction or penalty described in section 404 or 408.

''(cc) A penalty or sanction not described in item (aa) or (bb).

''(ii) ENGAGEMENT AND EMPLOYMENT OF CURRENT RECIPIENTS.—

''(I) WORK-ELIGIBLE INDIVIDUALS.—In the case of current work-eligible individuals under the State program funded under this part or under any State program funded with qualified State expenditures (as defined in section 409(a)(7)(B)(i)), the following information relative to current quarter being reported:

''(aa) Earnings in each of the 4 quarters immediately preceding the quarter.

''(bb) Standard measures of employment, earnings, receipt of assistance, and participation in work activities (as defined in section 407(d)) in each of the first 4 quarters following the quarter.

''(II) ALL RECIPIENTS.— The percentage of recipients of assistance under the State program funded under this part who have not attained 24 years of age and who obtain a high school degree or its recognized equivalent while receiving the assistance.

''(B) STATISTICAL ADJUSTMENT MODEL FOR EMPLOYMENT OUTCOMES.—The Secretary, in consultation with the Secretary of Labor and relevant experts, shall develop recommendations by March 1, 2020, on how to establish and disseminate an objective statistical model that will allow the Secretary to make adjustments to the data reported pursuant to subclauses (I) through (IV) of subparagraph (A)(i) of this paragraph, based on economic conditions and the characteristics of participants. To the extent practicable, the recommendations shall be compatible with the statistical adjustment model developed under section 116(b)(3)(A)(viii) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3141(b)(3)(A)(viii)) and, with respect to a State, the State adjusted levels of performance established for the State under that section.''.

TECHNICAL CORRECTIONS TO DATA EXCHANGE STANDARDS TO IMPROVE PROGRAM COORDINATION

SEC. 205. (a) IN GENERAL.—Section 411(d) of the Social Security Act (42 U.S.C. 611(d)) is amended to read as follows:

''(d) DATA EXCHANGE STANDARDS FOR IMPROVED INTEROPERABILITY.—

''(1) DESIGNATION.—The Secretary shall, in consultation with an interagency work group established by the Office of Management and Budget and considering State government perspectives, by rule, designate data exchange standards to govern, under this part—

''(A) necessary categories of information that State agencies operating programs under State plans approved under this part are required under applicable Federal law to electronically exchange with another State agency; and

''(B) Federal reporting and data exchange required under applicable Federal law.

''(2) REQUIREMENTS.—The data exchange standards required by paragraph (1) shall, to the extent practicable—

''(A) incorporate a widely accepted, nonproprietary, searchable, computer-readable format, such as the eXtensible Markup Language;

''(B) contain interoperable standards developed and maintained by intergovernmental partnerships, such as the National Information Exchange Model;

''(C) incorporate interoperable standards developed and maintained by Federal entities with authority over contracting and financial assistance;

''(D) be consistent with and implement applicable accounting principles;

''(E) be implemented in a manner that is cost-effective and improves program efficiency and effectiveness; and

''(F) be capable of being continually upgraded as necessary.

''(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to require a change to existing data exchange standards found to be effective and efficient.''.

(b) EFFECTIVE DATE.—Not later than the date that is 24 months after the date of the enactment of this section, the Secretary of Health and Human Services shall issue a proposed rule that—

(1) identifies federally required data exchanges, include specification and timing of exchanges to be standardized, and address the factors used in determining whether and when to standardize data exchanges; and

(2) specifies State implementation options and describes future milestones.

UNEMPLOYMENT INSURANCE TECHNICAL CORRECTIONS

SEC. 206. Section 306(a) of the Social Security Act (42 U.S.C. 506(a)) is amended—

(1) by striking ''individuals'' and inserting ''claimants of regular compensation, including claimants''; and

(2) by inserting a comma after ''section 303(j)''.

TITLE III
MEDICAID EXTENDERS

EXTENSION OF MONEY FOLLOWS THE PERSON REBALANCING DEMONSTRATION

SEC. 301. (a) GENERAL FUNDING.—Section 6071(h) of the Deficit Reduction Act of 2005 (42 U.S.C. 1396a note) is amended—

(1) in paragraph (1)—

(A) in subparagraph (D), by striking ''and'' after the semicolon;

(B) in subparagraph (E), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(F) subject to paragraph (3), $112,000,000 for fiscal year 2019.'';

(2) in paragraph (2)—

(A) by striking ''Amounts made'' and inserting ''Subject to paragraph (3), amounts made''; and

(B) by striking ''September 30, 2016'' and inserting ''September 30, 2021''; and

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

''(3) SPECIAL RULE FOR FY 2019.—Funds appropriated under paragraph (1)(F) shall be made available for grants to States only if such States have an approved MFP demonstration project under this section as of December 31, 2018.''.

(b) FUNDING FOR QUALITY ASSURANCE AND IMPROVEMENT; TECHNICAL ASSISTANCE; OVERSIGHT.—Section 6071(f) of the Deficit Reduction Act of 2005 (42 U.S.C. 1396a note) is amended by striking paragraph (2) and inserting the following:

''(2) FUNDING.—From the amounts appropriated under subsection (h)(1)(F) for fiscal year 2019, $500,000 shall be available to the Secretary for such fiscal year to carry out this subsection.''.

(c) TECHNICAL AMENDMENT.—Section 6071(b) of the Deficit Reduction Act of 2005 (42 U.S.C. 1396a note) is amended by adding at the end the following:

''(10) SECRETARY.—The term 'Secretary' means the Secretary of Health and Human Services.''.

EXTENSION OF PROTECTION FOR MEDICAID RECIPIENTS OF HOME AND COMMUNITY-BASED SERVICES AGAINST SPOUSAL IMPOVERISHMENT

SEC. 302. (a) IN GENERAL.—Section 2404 of Public Law 111–148 (42 U.S.C. 1396r–5 note) is

amended by striking ''the 5-year period that begins on January 1, 2014,'' and inserting ''the period beginning on January 1, 2014, and ending on March 31, 2019,''.

(b) RULE OF CONSTRUCTION.—

(1) PROTECTING STATE SPOUSAL INCOME AND ASSET DISREGARD FLEXIBILITY UNDER WAIVERS AND PLAN AMENDMENTS.—Nothing in section 2404 of Public Law 111–148 (42 U.S.C. 1396r–5 note) or section 1924 of the Social Security Act (42 U.S.C. 1396r–5) shall be construed as prohibiting a State from disregarding an individual's spousal income and assets under a State waiver or plan amendment described in paragraph (2) for purposes of making determinations of eligibility for home and community-based services or home and community-based attendant services and supports under such waiver or plan amendment.

(2) STATE WAIVER OR PLAN AMENDMENT DESCRIBED.—A State waiver or plan amendment described in this paragraph is any of the following:

(A) A waiver or plan amendment to provide medical assistance for home and community-based services under a waiver or plan amendment under subsection (c), (d), or (i) of section 1915 of the Social Security Act (42 U.S.C. 1396n) or under section 1115 of such Act (42 U.S.C. 1315).

(B) A plan amendment to provide medical assistance for home and community-based services for individuals by reason of being determined eligible under section 1902(a)(10)(C) of such Act (42 U.S.C. 1396a(a)(10)(C)) or by reason of section 1902(f) of such Act (42 U.S.C. 1396a(f)) or otherwise on the basis of a reduction of income based on costs incurred for medical or other remedial care under which the State disregarded the income and assets of the individual's spouse in determining the initial and ongoing financial eligibility of an individual for such services in place of the spousal impoverishment provisions applied under section 1924 of such Act (42 U.S.C. 1396r–5).

(C) A plan amendment to provide medical assistance for home and community-based attendant services and supports under section 1915(k) of such Act (42 U.S.C. 1396n(k)).

REDUCTION IN FMAP AFTER 2020 FOR STATES WITHOUT ASSET VERIFICATION PROGRAM

SEC. 303. Section 1940 of the Social Security Act (42 U.S.C. 1396w) is amended by adding at the end the following new subsection:

''(k) REDUCTION IN FMAP AFTER 2020 FOR NON-COMPLIANT STATES.—

''(1) IN GENERAL.—With respect to a calendar quarter beginning on or after January 1, 2021, the Federal medical assistance percentage otherwise determined under section 1905(b) for a non-compliant State shall be reduced—

''(A) for calendar quarters in 2021 and 2022, by 0.12 percentage points;

''(B) for calendar quarters in 2023, by 0.25 percentage points;

''(C) for calendar quarters in 2024, by 0.35 percentage points; and

''(D) for calendar quarters in 2025 and each year thereafter, by 0.5 percentage points.

''(2) NON-COMPLIANT STATE DEFINED.—For purposes of this subsection, the term 'non-compliant State' means a State—

''(A) that is one of the 50 States or the District of Columbia;

''(B) with respect to which the Secretary has not approved a State plan amendment submitted under subsection (a)(2); and

''(C) that is not operating, on an ongoing basis, an asset verification program in accordance with this section.''.

MEDICAID IMPROVEMENT FUND

SEC. 304. Section 1941(b)(1) of the Social Security Act (42 U.S.C. 1396w–1(b)(1)) is amended by striking ''$31,000,000'' and inserting ''$6,000,000''.

BUDGETARY EFFECTS

SEC. 305. (a) STATUTORY PAYGO SCORECARDS.—The budgetary effects of this division shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(d)).

(b) SENATE PAYGO SCORECARDS.—The budgetary effects of this division shall not be entered on any PAYGO scorecard maintained for purposes of section 4106 of H. Con. Res. 71 (115th Congress).

(c) CLASSIFICATION OF BUDGETARY EFFECTS.—Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105–217 and section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985, the budgetary effects of this division shall not be estimated—

(1) for purposes of section 251 of such Act; and

(2) for purposes of paragraph (4)(C) of section 3 of the Statutory Pay-As-You-Go Act of 2010 as being included in an appropriation Act.

TITLE IV

BUDGETARY EFFECTS

SEC. 401. Effective on the date of enactment of this Act, the balances on the PAYGO scorecards established pursuant to paragraphs (4) and (5) of section 4(d) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(d)) shall be zero.

The SPEAKER pro tempore. The bill shall be debatable for 1 hour, equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations or their respective designees.

The gentlewoman from New York (Mrs. LOWEY) and the gentlewoman from Texas (Ms. GRANGER) each will control 30 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Mrs. LOWEY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and insert extraneous material on H.R. 648, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. LOWEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Trump shutdown, now in its 33rd day, must end. It must end without delay so the Federal Government can get back to fully working on behalf of the American people.

Just this morning, President Trump's chief economic adviser warned that the shutdown could lead to zero economic growth this quarter. Let me repeat: zero economic growth.

The solution is simple. Reopen the government, pay our Federal employees, and then negotiate border security and immigration policy proposals that can command bipartisan support.

It is simple. The bill before us is yet another step in that direction. Today, Democrats put forward six conference reports negotiated last December when Republicans controlled the House, the Senate, and the White House. In fact, Republicans have even urged us to bring them to the floor.

If Republicans are serious about governing with us for the betterment of all Americans, then they should vote for these six conference reports and reopen the agencies covered by those bills.

In addition, Chairwoman ROYBAL-ALLARD is bringing forward a continuing resolution for the Department of Homeland Security through February 28. This legislation will open the Department of Homeland Security and pay its employees while President Trump and Congress negotiate border and immigration policy beyond the $1.6 billion in border security-related measures in the bill we consider today.

This bill provides $563.4 million for immigration judges to reduce the backlog of immigration cases and $524.2 million for construction at ports of entry to facilitate lawful entries and trade.

There is $527 million to assist Central American countries as they work to improve security and economic stability in the State and Foreign Operations portion of the bill, which Ranking Member and former full committee Chairman ROGERS negotiated with me and Senators GRAHAM and LEAHY.

The State and Foreign Operations division also no longer includes poison pills, such as the expansion of the global gag rule, which would have tied up $8.8 billion in funding for lifesaving nutrition programs and efforts to prevent malaria, TB, and HIV.

It no longer bans funding for the United Nations Population Fund, protecting maternal and child health and access to family planning services.

A strong international affairs budget of $54.2 billion will help stabilize the world's economy, meet unprecedented humanitarian needs, and continue our fight against radical extremism and terrorism.

These bills were written by the Republican-led House and Senate, together with Democrats. I will repeat that. These bills were written by the Republican-led House and Senate, together with Democrats. Neither Democrats nor Republicans got everything they wanted, but we compromised for the betterment of the United States.

These bills should be enacted to end the Trump shutdown for all Americans, and I reserve the balance of my time.

Ms. GRANGER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in opposition to H.R. 648. The bill before us today represents some of the hard work done in conference between the House and the Senate. House Democrats closed the bills without Republican signoff. Therefore, this bill leaves many items yet to be negotiated.

It has no chance of becoming law in its current form because it does not include funding for border security. The Senate will not take it up, and the President will not sign it.

Today marks day 33 of an unnecessary government shutdown. Democrats have failed to come to the table to

offer a serious compromise solution to reopen the government, pay our Federal employees, and fund border security.

In contrast, over the last 33 days, Republicans have offered multiple plans to do just that. Last week, I put forward a plan that would allow Federal employees to immediately receive pay while Members of Congress and the White House continue working toward a permanent solution to end the shutdown. Sadly, Democrats in this Chamber voted against this commonsense measure.

Over the weekend, President Trump put forward a reasonable compromise proposal that provides something for both sides: funding for border security and protections for Dreamers. Once again, Democrats rejected this plan before they even heard the details.

Mr. Speaker, we face a true humanitarian and security crisis at our border. More than 30 percent of women who come to the border are sexually assaulted on their trip, according to Doctors Without Borders. The number of families and unaccompanied children crossing the border illegally has increased dramatically, up nearly 150 percent in December.

My friends on the other side of the aisle talk often about the need to help these women and children, and I agree with them. So why are they refusing to accept this compromise proposal put forward by the administration that would provide relief for 700,000 child immigrants brought here by their parents and another 30,000 immigrants whose protected status is in jeopardy?

This shutdown has caused real-world consequences for Federal employees who have bills to pay and families to support. The hardworking men and women of the TSA, Border Patrol, Coast Guard, air traffic control, and others are suffering. The continuing refusal of Democrats to come to the negotiating table only further harms these employees.

The shameful gamesmanship must stop. I call on my friends on the other side of the aisle to get serious about working with us to secure our border, end this shutdown, and pay our Federal employees.

Mr. Speaker, I reserve the balance of my time.

Mrs. LOWEY. Mr. Speaker, I yield myself such time as I may consume.

Before I yield to our next speaker, I just want to make our position very clear. The solution to the Trump shutdown is simple: Reopen the government; pay our Federal employees; and then we can negotiate, Democrats and Republicans. Our proposal will form the basis for these eventual negotiations. Let's open the government and then get to work.

Mr. Speaker, I yield 4 minutes to the gentleman from New York (Mr. SERRANO), my good friend and the chair of the Commerce, Justice, Science, and Related Agencies Subcommittee.

Mr. SERRANO. Mr. Speaker, I thank Chairwoman LOWEY for yielding me the time.

Mr. Speaker, as incoming chairman of the Commerce, Justice, Science, and Related Agencies Subcommittee, I would like to take a couple of minutes to discuss that section of this bill and the agencies it funds.

We are currently on day 33 of the Trump shutdown. The impact is growing as employees miss paychecks, individuals and groups dependent upon Federal assistance go without, and our public safety and scientific innovation is undermined. This is particularly true for the agencies under the jurisdiction of the Commerce, Justice, Science, and Related Agencies Subcommittee.

Just last week, the Department of Justice had to scramble to find cash to allow recipients of grant programs under the Violence Against Women Act to be funded for 1 additional month.

The New York City field office of the FBI had to set up a food bank for employees who are currently working without pay. We have heard reports that individual FBI agents are asking not to be called back to work so they can find paying jobs and that agents in training are quitting the process, with no paycheck in sight.

The shutdown is also undermining scientific research and our next generation of scientists. The National Science Foundation, NOAA, and NASA are currently unable to award grants for ongoing research or scholarships to ensure that our future scientists have the ability to continue their studies.

At the Department of Commerce, key economic statistics are being delayed. The International Trade Administration cannot investigate unfair trade practices. In total, more than 90,000 employees at the Department of Justice, which includes the FBI, DEA, ATF, U.S. Marshals Service, and the Federal Bureau of Prisons, are working without pay.

More than 90 percent of employees at NASA are currently furloughed without pay, and more than 86 percent of employees at Department of Commerce find themselves in the same situation—without pay.

The question I have for our colleagues on the other side of the aisle is simply this: Is this worth the cost? Should we imperil our economy, our scientific leadership, and our public safety because the President wants to waste money on an ineffective and unnecessary wall?

We all know the answer to that question, although some are too afraid, unfortunately, to say it.

□ 1415

This bill offers us a bipartisan way out of this crisis. It is the compromise that the House and Senate negotiators worked out last fall. I think that bears repeating. This bill is the bipartisan compromise that House and Senate negotiators worked out last fall. While the CJS section does not contain everything that our side may want, it does contain important investments in science, innovation, justice, and economic development. In fact, with very few changes, this portion of H.R. 648 very closely mirrors what the Senate introduced just 2 days ago.

The CJS division of this bill includes significant increases for the Census Bureau, NASA, the National Science Foundation, and the FBI. It rejects the administration's proposed cuts to the Economic Development Administration, the Minority Business Development Agency, and the Manufacturing Extension Partnership program and more. It is a commonsense solution to the shutdown, and it lets our Federal employees get back to the business of helping our Nation.

I urge Members on both sides to vote for this bill.

Mr. Speaker, I would just like to close by saying what I said before: we continue to push and push for this wall to be built. I don't spend time on whether the wall will be big or small, cement or wood or metal. For me it is simply this: this country, of all countries in the world, should never build a wall. This country is not the country that builds a wall. So in New York we have the Statue of Liberty, and in the south a wall.

Ms. GRANGER. Mr. Speaker, I yield 4 minutes to the gentleman from Kentucky (Mr. ROGERS).

Mr. ROGERS of Kentucky. Mr. Speaker, I thank my esteemed colleagues, full committee Chairwoman LOWEY, and Ranking Member GRANGER.

This six-bill appropriations package represents a lot of hard work for many of us on the Appropriations Committee. Broadly speaking, this package is a fine example of compromise—Members working across the aisle to do the important work of funding our government in an efficient and thoughtful manner. Our Appropriations Committee delivered.

Nevertheless, while this legislation addresses many bipartisan concerns, I fear that it has no chance of becoming law in its current form without a compromise on border security. That is truly unfortunate. We are holding up the government, we are causing a lot of people a lot of unnecessary pain and suffering, and we need to get this done.

Regarding funding for the Department of State, Foreign Operations, and other related programs; this portion of the bill provides important resources for our national security. It supports our allies and partners, including $3.3 billion in foreign military financing for Israel—a $200 million increase from last year, by the way. It also maintains funding at or above last year for Egypt, Jordan, and Tunisia, as well as countries facing Russian aggression, such as Ukraine and Georgia. In our own hemisphere, the bill supports programs to counter transnational criminal organizations and the flow of illegal drugs.

I am pleased to say that in collaboration with Chairwoman LOWEY, this bill also reflects a number of bipartisan priorities, including $800 million for

basic education and important increases in global health, such as additional funds to combat tuberculosis. It also maintains current levels for embassy security during these dangerous times.

Despite the strength of this division of the bill, Mr. Speaker, the larger package is regrettably incomplete. It is as if we worked together to carefully piece together a complex puzzle, and there, right in the middle, is a glaring missing piece. These six bills that we have worked through together are good bills, but we need to find that missing piece and reach a compromise that will fund border security, reopen the government, pay our faithful employees who are now struggling to make ends meet, and get back to the business of serving the American people.

Mrs. LOWEY. Mr. Speaker, before I introduce our next speaker, I want to thank the distinguished gentleman, Mr. ROGERS, for alluding to the good bipartisan work we did, the $800 million for education and healthcare. It was a good bill. Frankly, that is why we need to pass these bills and, I agree with the gentleman, take the time to negotiate border security where there may be some differences. So let's open the government, pass those good bills that we worked on together, and then take some time to talk about border security.

Mr. Speaker, I yield 4 minutes to the gentleman from North Carolina (Mr. PRICE), who is the chair of the Transportation, Housing and Urban Development, and Related Agencies Subcommittee and is my good friend.

Mr. PRICE of North Carolina. Mr. Speaker, I rise to support H.R. 648, legislation to reopen and responsibly fund the government, including the Departments of Transportation and of Housing and Urban Development.

This bill reflects the various conference agreements that were reached on a bipartisan, bicameral basis late last year. The chairman at the time of our Transportation, Housing and Urban Development, and Related Agencies Subcommittee, my friend, Mr. DIAZ-BALART, was an excellent partner through this process. We worked together with our Senate counterparts to secure numerous priorities in the final package that spoke to the good work done in both the House and Senate.

Unfortunately, the House and Senate leadership failed to bring this legislation to the floor before the end of the 115th Congress, despite unified Republican control of the branches of government. They failed in September, and they failed again in December in the lame-duck session. But, now, we do have a chance to rectify that mistake.

Division F of H.R. 648 funds DOT, HUD, and related agencies. It includes $71.1 billion in discretionary funding, which is $23.1 billion above the President's budget request and $1 billion above the fiscal year 2018 enacted level.

This total includes more than $17 billion for new housing and transportation infrastructure.

It includes billions of dollars of funding above the authorized level to accelerate improvements in our aviation system, expand transit and rail networks, replace aging highways and bridge infrastructure, and make improvements at our Nation's ports.

The measure also includes robust funding to preserve and expand our affordable housing stock, particularly for vulnerable populations like veterans, seniors, and the disabled.

It locks in increases to flexible grant programs like Community Development Block Grants and HOME that are vital for local governments as they address housing and community development needs.

Just as important, this legislation would finally re-open DOT and HUD and allow more than 20,000 furloughed employees of these departments to receive backpay and to return to their mission serving the American people.

In the last 3 weeks, the House has passed short-term continuing resolutions to keep government open and allow more time to negotiate, but that wasn't good enough for the President.

We have taken up funding legislation passed by the Senate almost unanimously, and that wasn't good enough for MITCH MCCONNELL to get to yes.

Today we have the opportunity to fully fund the government with a package that reflects bicameral and bipartisan priorities. It is time for Republicans and President Trump to finally take yes for an answer.

The Trump shutdown has dragged on for more than a month, shuttering vital government services and creating chaos and uncertainty for families, businesses, and communities.

The President has taken DOT hostage, and the strain on our aviation system is growing worse each day. The President has taken HUD hostage, and housing contracts have lapsed putting tenants in jeopardy.

H.R. 648 would finally end the hostage-taking. It would ensure that vital transportation and housing programs are funded for the rest of this year. Meanwhile, a separate bill would temporarily fund the Department of Homeland Security so that negotiations on border security could continue.

H.R. 648 is the result of months of bipartisan collaboration. It excludes problematic policy riders from both sides of the aisle. We should pass this bill and re-open our government.

Mr. Speaker, I urge my colleagues to support this commonsense approach and re-open the government without further delay.

Ms. GRANGER. Mr. Speaker, I yield 3 minutes to the gentleman from Alabama (Mr. ADERHOLT).

Mr. ADERHOLT. Mr. Speaker, I thank Ranking Member GRANGER for yielding.

Mr. Speaker, the Subcommittee on Commerce, Justice, Science, and Related Agencies—the subcommittee of which I am privileged to be the ranking member in the 116th Congress—oversees a diverse range of important priorities. It ranges from deep space exploration to Federal law enforcement to supporting economic growth to international trade, and much more.

My friend, the gentleman from New York (Mr. SERRANO), has an abiding commitment to these priorities as well, not to mention a well-established record of bipartisan work on this subcommittee. I look forward to continuing this collaborative and collegial spirit for the good of the Nation with Chairman SERRANO in the 116th Congress.

In light of that, I appreciate that the bill that is before us this afternoon includes many of the Commerce, Justice, Science agreements that Chairman SERRANO made last year with then-Chairman CULBERSON, and I am pleased that many of the funding levels included for Federal law enforcement, assistance to our State and local law enforcement partners, and many NASA programs were included.

However, as it has already been said here this afternoon—and I am sure it will be said again—the President has made it clear that he will not support spending bills that do not address the Nation's urgent border security needs.

While the package that is before us this afternoon has a lot of very good features—that is not disputed—the problem is it fails to address the border security funding that is needed at the Department of Homeland Security. So instead of continuing to put appropriation bills on the floor that we know that the President will not support, I would ask my friends on the other side of the aisle to negotiate with the President, make a counteroffer, and to come forward to the table.

We know that many Federal employees are not being paid. Many government services that Americans depend on are not being provided. Along our southern border, women and children are being abused as they are trafficked by smugglers, and drugs are pouring in through the borders as well. The majority continues to refuse to negotiate and to make a counteroffer.

Mr. Speaker, I am ready to sit down, as I know my colleagues are, to work on an agreement to pay our Federal employees to get the government operating again and secure our borders.

Mrs. LOWEY. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia (Mr. BISHOP), who is the chair of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Subcommittee.

Mr. BISHOP of Georgia. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, last fall we were very close to finishing this bill and bringing it up for a vote; had we passed it then we would not be in the mess we are in today. But we can't go back in time. We are now in the 33rd day of the shutdown. Vital services are eliminated or stretched to the breaking point. The shutdown must end. It can end if we pass this excellent bill.

I want to address my colleagues who objected to voting for the Senate-passed bill a few weeks ago because they said it did not protect House priorities. This bill does and was negotiated with all four sides, House and Senate majorities and House and Senate minorities. Each side had an equal voice.

Former Chairman ADERHOLT, Chairman HOEVEN, Senator MERKLEY, and I, along with our staffs—committee staffs and personal staffs—worked together on the bill. I certainly would like to thank them for the very respectful and collegial way we worked through the various issues of agreement and disagreement to arrive at this bipartisan product. Additionally, we look forward to working with Mr. FORTENBERRY, the new ranking member of the subcommittee.

House priorities were protected whenever possible. Here are some examples: the bill is at the House level of $550 million for rural broadband expansion, above the Senate level. House language barring Chinese poultry in school meals is included. House language setting aside funding for persistent poverty counties is included. The House position to continue funding construction of Federal agriculture research buildings is maintained, where the Senate bill provided no funding. The higher House level for healthy foods financing, and the higher House level for rural housing assistance grants to help rural elderly and low-income homeowners stay in their homes is included.

Most importantly, this bill is good for the country. It provides over $23 billion in discretionary funding equal to the FY18 level. It reflects the more than 1,000 requests for agricultural research funding that we received from House Members, providing $3.4 billion, an increase of $388 million above the fiscal year 2018 level.

□ 1430

The farm production and conservation mission area, which includes the Farm Service Agency, is well funded at $2.75 billion.

I thank the Secretary, Secretary Perdue, and, most importantly, the Farm Service Agency employees for coming back to work for 2 weeks, and part-time thereafter, in order to process critical emergency loans, assist with additional administration services, and help with tax documents. But they need to be paid.

The bill also makes significant investments in rural development by providing $41 billion in loans and grants, including the House level of $550 million for rural broadband.

Domestic food programs are well funded. I am proud of the fact that the bill includes $110 million, a 72 percent increase over the normal funding level, to help our Nation's food banks handle the high volume of commodities that will become available as a result of the USDA's trade mitigation plan.

On the international side, the bill provides $1.7 billion for Food for Peace and funds the McGovern-Dole program at $210 million.

Finally, it provides FDA with $3 billion in discretionary funding, $269 million above fiscal year 2018. It includes more funding for House priorities than the Senate bill we considered a couple of weeks ago and includes important investments to fight the opioid epidemic that were not in the House bill.

This good bill will end the shutdown at USDA and FDA. Funds for economic development loans and grants for rural areas will begin to flow again. It will ensure the continuation of the National School Lunch Program, WIC, and SNAP without interruption.

It will allow some 8,400 USDA meat and poultry inspectors to be paid for the work that they have been doing for free and will allow FDA to conduct food safety inspections at the necessary level instead of the bare minimum.

As I have said before, this bill touches the lives of every American. I implore Members on both sides to support this bill. Reopen the government. It is time that we restore the services Americans count on and pay the people who provide them.

Ms. GRANGER. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia (Mr. GRAVES).

Mr. GRAVES of Georgia. Mr. Speaker, I appreciate my friend from Georgia and his remarks a minute ago. In fact, they sounded very familiar. I think I heard them maybe 20 days ago, because this is really nothing more than just theater today. If we are in a theater, this is nothing more than a rerun.

We have been through this exercise. So, for those in the gallery and watching, you have probably seen this before because it was on January 3 that we took up a bill much like this. We were told then, Mr. Speaker, that: If you pass this, the government will reopen. This is the answer.

But here we are again, 20 days later, and nothing has changed. In fact, the arguments are the same. This is not a good-faith effort at all. I think just less than an hour ago, we voted on an appropriations measure by the new majority that said, if we pass this, the government will reopen, and employees will be paid, and everything will be back to normal, and harmony will be around all of us.

But that was less than an hour ago. Nothing has changed. In fact, we are here right again.

So, going back to January 3, with a bill much like this, six appropriations bills bundled together that had passed the Senate at some point in the past were voted on by this House. They went to the Senate. No action was taken.

The next day, January 4, we voted on a continuing resolution to fund the remainder of the government, because that, again, was going to be the solution. That was the silver bullet. It was going to open the government, put everybody back to work, and have all the employees paid. But, in fact, nothing happened, nothing changed.

We go into the next week. Because that didn't work, let's break them all up and let's do them all separately. I am not sure why. Maybe we will get a different outcome. But nothing changed.

In fact, they left the House. They go to the Senate. The government is yet still closed.

Then, last week, let's do something very different. Let's don't take up any of those again. Let's just pass a continuing resolution because, surely, we missed the mark those other times. This will reopen the government. This was the solution, we were told, last week.

In fact, Mr. Speaker, nothing has changed 33 three days in. Here we are again.

But we have started over. We are going to do it again, but we are going to change the terminology. These are the agreed-upon conference reports from last year. I heard the majority say it was the Republicans who had unified control of the House, the Senate, and the Presidency that agreed to these things last year, so let's bring those up today.

But that is just a term. That is not truth. It is not fact.

For those watching and those in the gallery, they probably know and remember the cartoon ''Schoolhouse Rock.'' I believe it was very clear in a simple cartoon: You go from the House. You go to the Senate. There is an amendment process. You have the opportunity to change, to amend, to perfect.

Then, when each body has passed something, you go to a committee. Those individuals from the House and the Senate, they get together. They reach an agreement, and it is called a conference committee report, which we are led to believe this might be. With that come signatures on this report. Then it is presented to each body for final passage and then to the administration for signature.

If this is, in fact, a conference committee report, how could it be? How could it be, Mr. Speaker? Because it would have had to have passed the House at some point this Congress, within the last 20 days, and then have passed the Senate different, and then differences reconciled, also with signatures.

Mr. Speaker, I would ask, is my signature on any of this? To answer it for the Chair, it is no. I was chairman last year of the Financial Services Committee. We did have good-faith negotiations. Mr. QUIGLEY is fantastic to work with. We were reaching consensus and had great compromise.

So, today, to hear the other side say that this is what I agreed to is truly inaccurate, because you will not find my signature. You will not find any agreement from me on what is presented in the Financial Services portion.

So this is not a good-faith effort. This is a repeat and a futile exercise that we have seen over the last 20 days.

In fact, I doubt anybody is even watching, because you know where their attention is today? I hope it is in the Senate, where they are taking up the President's proposal—a true, good-faith effort to reopen the government, to secure our country, to secure the border, and to make sure that 800,000 Federal employees are being rightfully compensated.

That is where the attention should be. I wish the House would take up similar, but in the spirit of compromise. We don't see it here.

In fact, Mr. Speaker, I will draw your attention back about 11 months ago. I believe it was the now-Speaker of the House, NANCY PELOSI, who holds the record for the longest single speech standing on the floor of the House, 8 hours and 7 minutes. It was over a very important issue. It was over DACA.

The government went into a shutdown moment last year. There was this big debate about it. It was then-Minority-Leader NANCY PELOSI who took 8 hours and 7 minutes to speak about this issue.

Yet when the President, this weekend, makes a proposal about it, before he can even reach the lectern, Mr. Speaker, she is opposed to it. She is opposed to it.

Mrs. LOWEY. Mr. Speaker, I yield 4 minutes to the gentlewoman from Minnesota (Ms. MCCOLLUM), my good friend, the chair of the Interior, Environment, and Related Agencies Subcommittee.

Ms. MCCOLLUM. Mr. Speaker, I rise in strong support of this omnibus appropriations bill, and I come to you in good faith with it.

Two weeks ago, our colleagues on the other side of the aisle told us that they could not support the appropriations bills on the House floor because they reflected only the Senate's priorities.

Well, there is good news today. The bill before us is a product of bipartisan negotiations. It reflects both the priorities of the House and the Senate. It is a compromise bill, and it will reopen our government.

The interior and environment section provides $35.6 billion, which is $300 million more than the fiscal year 2018 enacted bill.

We made critical investments in this legislation in Indian Country, environmental protection, public lands management, and the arts.

The National Park Service is funded at $3.2 billion, an increase of more than $20 million. This money is more urgently needed than ever because of the damage at our national parks due to the Trump shutdown.

The Land and Water Conservation Fund, which supports tens of thousands of projects all across the States, is funded at $435 million. That is a $10 million increase.

The Environmental Protection Agency is funded at $8.8 billion. That is an increase of $17 million above the 2018 enacted level.

Clean water and safe drinking water go hand-in-hand, so I am pleased that this bill includes $2.9 billion for the State revolving funds and $35 million for grants that reduce lead in drinking water, even at our schools. This funding will enhance the EPA's ability to protect human health and the health of our environment.

We continue to invest in Historically Black Colleges and Universities, the Civil Rights Initiative grant program, the Historic Preservation Fund, and Save America's Treasures.

Once again, we have worked in a bipartisan way to increase funding for the National Endowment for the Arts and for the National Endowment for the Humanities.

Congress also continues its commitment to providing funds necessary for the Smithsonian to complete its rehabilitation on the beloved National Air and Space Museum.

Finally, critically, it is important that this interior bill upholds the Federal Government's trust responsibilities to our Native American brothers and sisters. Funding for Indian Country is $1 billion more than the President's budget. It provides a $266 million increase in the Indian Health Service, the largest increase for any agency in this bill, and it is a $17 million increase for the Bureau of Indian Affairs.

This bill is a lifeline to restart funding and stop the senseless cruelty of the Trump shutdown in Indian Country. Basic services like health clinics, Tribal Justice services, and food assistance for seniors are being put at risk for nearly 1.9 million Americans throughout Indian Country.

As Democrats have continued to advance bills to reopen the government, to end the Trump shutdown, I have listened to my colleagues across the aisle. Our colleagues insisted that, if we brought up the conference negotiated bills, they would give their support.

Well, this is it. This is the conference negotiated bill, and, Mr. Speaker, I am looking forward to their support.

Programs in the interior bill impact all of us, from preserving our natural and cultural resources to protecting our health and our safety by ensuring clean air to breathe and clean water to drink, for today and for future generations.

Mr. Speaker, I urge my colleagues on both sides to support this bill, and I thank Mrs. LOWEY for yielding me the time.

Ms. GRANGER. Mr. Speaker, I yield 5 minutes to the gentleman from Nebraska (Mr. FORTENBERRY).

Mr. FORTENBERRY. Mr. Speaker, I thank the ranking member, Ms. GRANGER, for her indulgence in letting me speak today. Let me thank our chair, Mrs. LOWEY, as well for at least the ability today to have a discussion.

Mr. Speaker, no one wins in a government shutdown. No one wins if the border is not secure. That is where we are.

On my way here yesterday, as I was scrambling to get to the airport—and I live in Nebraska, a relatively small State, so we all kind of know one another or at least kind of recognize one another. As I checked in with my boarding pass and showed the TSA agent my ID, he looked at me and he said: Can you vote for the bill?

Now, given it is the Senate bill that is dominating the headlines, because it is a reasoned attempt to reach some type of consensus here, I looked at the TSA agent and I said: Yes, I can. I know this has been tough. How long can you hold out?

He said: It is tough. I don't want to miss another paycheck, but I can hold out about 30 days.

He said please. I thanked him for his service. Right now, I would like to thank all of the people who have come back to work without pay, who have done their duty, many under some hardship, because they know it is the right thing to do.

Yet, what is also the right thing to do is to get past this logjam, this impasse, and to leverage this moment and to actually get an outcome, a bipartisan outcome, that secures our border.

This weekend, the President, I thought, laid out a reasoned proposal that included a spectrum of immigration issues, most of which enjoy robust bipartisan support, including border security. And what do we need there? Personnel. We need technology, and we need enhanced barriers.

Now, there is the possibility of some movement on these important questions of reopening the government and getting the right type of border security that now sits in the United States Senate. But I thought Senator LANKFORD made a good comment as well. He said this isn't a yes or a no proposition, on that particular bill. It is the starting point, again, for a reasoned debate about how we find some consensus.

Mr. Speaker, America is a just and generous Nation, and we have opened our arms to people who wish to come here and embrace the values, people who have fled political or economic persecution and want to rebuild their lives. That is the hallmark of who we are.

But charity cannot flow out of chaos. When you have disorder at the border, you have an inability to have a just and humanitarian system that is beneficial to America and to people in need all around the world.

□ 1445

And that, fundamentally, is what is at issue here today—not necessarily finding a compromise, but a consensus. A compromise implies that somebody may win and somebody may lose. Let's all win here. Let's get the government reopened with the right type of package that includes robust border security that can make America proud.

Mrs. LOWEY. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois

(Mr. QUIGLEY), my good friend and the chair of the Financial Services and General Government Subcommittee.

Mr. QUIGLEY. Mr. Speaker, I thank Madam Chairwoman for yielding me time.

During these heated times, we are accused of sometimes not listening to each other. Well, we listened to them. They all wanted the conference bills, and they have them. And I have heard today that what we need is a compromise on border security, which is interesting, because we are here on day 33 of the shutdown because of the President's singular focus, almost an obsession, on a symbolic but ineffective wall, not border security.

He is holding the government, its workers, and the services they provide hostage because he has convinced himself, and surely his base, that the wall will protect us from violent crime and end the flow of illegal drugs.

If the President actually believes that border security is the end goal of the wall, then fine, let's reopen the government and have that debate, because our plans for border security actually work.

Enacting the bills before us today does nothing to preclude the President from continuing to make his case on the wall. He and the Republicans have simply concluded that by continuing to impose suffering on Federal workers and the public that relies on them, it strengthens their hand in negotiations in only one element of that, an ineffective element, the wall. That is not the way our government is designed to work, nor should it work. This is governing by extortion, and we should all stand together to reject such tactics.

Democrats know that we can do more to strengthen border security, but it has to be done in a smart and effective way. We know that more than 87 percent of the hard narcotics are coming through our official ports of entry. A wall will do nothing to stop that.

That is why the Financial Services and General Government division of this bill responsibly puts money where it is most critically needed. It includes full funding for construction of two of the highest priority ports of entry along the southwest border to help stem the flow of illegal goods, narcotics, and people being smuggled into the country.

Overall, this conference agreement provides $1.6 billion for border security, real border security, and we are prepared to do more. During my visit to the southern border in October, I was briefed on security needs, and I heard a lot about new cameras, sensors, radars mounted on towers, vehicles to spot moving people and objects, and for drones to surveil tough terrain, roads that are parallel to the border, all things that actually work.

And at the ports of entry, they need new technology to eventually scan all commercial and passenger vehicles for illegal drugs and contraband. We can provide these resources. This bill shows that we are willing and able to put a downpayment on these bipartisan solutions. So, again, if it is about border security and that is why we are here, then fine, let's pass the bill, reopen the government, and have that debate.

Ms. GRANGER. Mr. Speaker, I yield 4 minutes to the gentleman from Ohio (Mr. JOYCE).

Mr. JOYCE of Ohio. Mr. Speaker, I thank the ranking member from Texas for yielding and the chairwoman from New York.

Mr. Speaker, I am honored to be speaking here today as the newly appointed ranking member of the Interior, Environment, and Related Agencies Appropriations Subcommittee. I am honored to be paired with the newly appointed chair of the subcommittee, my friend and fellow Great Lakes advocate, Congresswoman BETTY MCCOLLUM from Minnesota. I am thrilled to be working with her in this capacity, and I look forward to many years of bipartisanship and collaboration on behalf of our constituents, our States, and our country.

The Interior division of the omnibus bill before us today was negotiated in good faith by both House Republicans and House Democrats. It reflects bipartisan priorities and represents many months of hard work by the House Appropriations Committee.

I am pleased that the bill includes $3.9 billion for the Department of the Interior and the United States Forest Service to fight devastating wildfires; $9 billion to increase the Federal commitment to our treaty and trust agreements with American Indians and Alaska Natives; over $3½ billion to improve our Nation's aging water infrastructure and improve public health; and $1.9 billion to reduce maintenance backlogs in our Nation's parks, trails, and wildlife refuges.

However, the Interior piece of this bill was negotiated as part of a comprehensive package funding numerous critical government functions, including securing our Nation's southern border. House Republicans conditionally agreed to drop several high priority provisions in the Interior bill in exchange for other priorities in this comprehensive package, including strengthened border security.

We were so close to finishing that package last year before the holidays, which would have fully funded our government, addressed the crisis at our southern border, and ensured all our Nation's Federal workers would continue receiving their paychecks, but, sadly, that is when the negotiations on border security broke down, and, shortly, thereafter, the government shut down.

There is an old saying in negotiating that nothing is agreed to until everything is agreed to. And since a compromise has not been found on border security, this Interior bill and the other bills before us today are not a true conference agreement. To suggest otherwise would be to mislead the public in an attempt to gain political high ground on an issue that most of our constituents expect us to instead find common ground.

We all agree that strengthening our borders is necessary, not only for our Nation, but also for the welfare of those willing to risk everything to enter this country illegally in pursuit of a better life. Let us be willing to risk the criticism that too often gets in the way of compromise. Let us have the courage to meet each other in the middle.

Our constituents have been counting on us to reach agreement on border security and immigration policy since long before this government shutdown even started. So let's stop using the shutdown as an excuse to avoid a negotiation because no one wins in a shutdown and no one wins if the border isn't secure.

I am willing to work with any and all of my House colleagues to break this impasse as quickly as possible. Until then, I must oppose this unfinished package before us today, and I urge my colleagues to do the same.

Mrs. LOWEY. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. HOYER), my good friend and the majority leader.

Mr. HOYER. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, I am glad that Mr. JOYCE is still on the floor. Mr. JOYCE, I think, put his finger on the problem, and the problem is: Gee, I really like the Interior bill. It has been reached in a bipartisan fashion, and it is wonderful, but, by the way, the package is not perfect because it doesn't do what I want done or what the President of the United States wants done on one specific bill, Homeland Security.

My goodness, I don't know why we didn't have an opportunity to conference on that bill. You brought it to the floor on December 20, 10 days before the end of the year—10 days before the end of the year. If it was so important, why did we wait 11⅔ months to bring it to the floor? How could we conference a bill like that? There was no time.

The reason you didn't bring it to the floor is you didn't have the votes. Mr. JOYCE, Mr. SIMPSON, Mr. COLE all came to this floor when we considered another bill that was what the United States Senate Republicans wanted in their bills, and so we said we need to open up this government.

Mr. GRAVES talked about and Mr. JOYCE talked about consensus. Mr. GRAVES used the word ''consensus.'' Hopefully, we will have a consensus on this floor.

Shutting down the government of the United States is stupid, irresponsible, and dangerous. That ought to be a consensus on this floor. And if that is the consensus, as it certainly is mine and certainly on my side of the aisle, then the cure is to open up government.

We have offered 9, 10, 11 different alternatives to do that, most of which

were their bills formed in the last Congress under the Republican leadership in the House and the Senate. But, sadly, they won't take ''yes'' for an answer, so they keep the government shut down.

Only six Republicans in the last vote voted to open up government. Every Democrat, save one—and that had nothing to do with opening or shutting down government—voted to open up this government of the people and for the people.

I served on appropriations for 23 years. I never voted to shut down the government, because the government is there to serve the people, and we swear an oath to protect and preserve. Somebody is now going to say: Well, we put something in a bill and you voted against it, Hoyer, and that was an appropriation bill. By the way, when I voted against it, it passed.

Mr. Speaker, Democrats have been trying to open this government since the first day of our majority passing their bills. When I say ''their bills,'' the Republican bills; they were out of the Senate.

On January 3, the Democratic-led House passed a package of six appropriations bills for fiscal year 2019 based on the language approved overwhelmingly in the Republican-controlled Senate, alongside a continuing resolution for the seventh bill funding Homeland Security, which, I will remind you, was not brought to this floor until December 20, 2018.

What a high priority they placed on that. They were in charge for 11 months and 20 days, and they never brought it to the floor. High priority item, obviously.

Senate Leader MCCONNELL passed a bill through the Senate on a voice vote, I think, unanimously, and sent it to us, so government would be opened. We would have voted for it, all of us, but they didn't bring it to the floor.

They brought a bill to the floor that said they wanted to do something on the wall. Why? Because the President wanted to do something with the wall. Why is the government shut down? Because the President will not allow the Congress of the United States to act to open it up. And Senator MCCONNELL, for unknown reasons, believes that we have to have a by-your-leave, Mr. President, to open up this government.

This is historic that we have shut down the government for this length of time. It is unforgivable that we have put 800,000 of our fellow citizens—people who work for this government, people who help millions of people every day to get assistance they need or documents that they have to have to settle on a home, or make sure that there is training for firefighters, or any one of thousands of different, critically important jobs that the Federal Government does—out of work. They, on the Republican side of the aisle, my colleagues, have done that. They have shut down the government. We have not.

Unless you think taking a hostage and demanding a ransom and having us not agree to that ransom is shutting down the government, and, therefore, you have to vote over and over and over and over and over again to keep the government of the people shut down.

During the second week of January, we passed, on an individual basis four appropriations bills that passed the Republican Senate last year 92–6. Is that a partisan act on our part offering four bills that passed the United States Senate, which they controlled, 92–6? When I say ''they,'' I mean, the Republican Party. These are not Democratic bills we are trying to pass through with some majority we have. We took their bills. Why? Because we have a consensus: shutting down the government is the wrong thing to do.

□ 1500

And very frankly, I think privately, if you are asked that question, presumably most of you respond with a consensus answer: ''You are right, it is. We shouldn't do that.''

As the urgency of this shutdown grew last week, House Democrats attempted to send a continuing resolution at last year's funding levels.

Now, it is important to understand, last year's funding levels are the levels that were set when the Republicans were in charge of the House and the Senate, not Democratic numbers.

This is not a partisan issue. This is an issue about doing the right thing: opening up the government. So we were prepared to send your bills, and you voted against your own bills.

I can't understand it, and I can't understand why anybody in America doesn't understand that we are for opening up government and the Republicans are repeatedly and consistently voting not to open up the government. House Republicans rejected those four bills that were Republican bills.

Next, we voted to add an amendment to reopen the government through February 8, a short term—give us time to talk and discuss and see if we can come to agreement. It seems to me to make sense. That is usually what short-term CRs are for. We may yet find out tomorrow whether Senate Republicans can agree to reopen government under those terms. I hope they do.

In the meantime, late last week, we also brought a continuing resolution to the floor to reopen the government through February 28. Okay. Maybe we need a longer time to negotiate.

Democrats have been trying to end this Trump-McConnell shutdown nonstop since taking control of this House. That work continues this week as we bring to the floor a new appropriations package.

As we debated the Senate-authored versions—let me say that again, the Senate-authored versions, not our versions—of funding bills earlier this month, some of my Republican colleagues came to this floor and said that their objection to it was because it did not reflect the House position.

Now, ladies and gentlemen, you just heard Mr. JOYCE talk about the Interior bill. Presumably, if the Interior bill were here alone, he would vote against it because it didn't have national security interest in it. On that theory, we ought to vote against 11 of the bills that we don't like individually, but you brought them as packages last time. I thought that was a good example.

We are going to do it again. But the fact of the matter is it is not because you are disagreeing with your bill—you come as the ranking member, I say to my friend, Mr. Speaker—but because of some other issue. We can all find some other issue.

So I think there is a consensus that shutting down the government is the wrong thing to do, and unless you believe that shutting down government is okay, you will vote ''yes'' on these bills to open up our government, the people's government. Serve your constituents and the American people, generally.

I don't know why you keep voting ''no'' just because the President tells you to do so. That is not what your constituents sent you here to do. Our constituents sent us here, Mr. Speaker, to serve them. The writers of the Constitution of the United States didn't say the President tells Congress what to do. They said Congress tells the President what to do, and he executes that policy.

That is what separation of powers is all about. Not for Senator MCCONNELL to say: Unless the President says it is okay, I am not going to put a bill on the floor. What kind of misreading of the Constitution of the United States is that?

We are the policymakers of America. We are the ones who send to the President. Yes, he has a role, a critical role. He can veto, and we need two-thirds to override his veto, but it is not to say: Mr. President, we won't even put it on the floor for the Representatives of the people of the United States to express their opinion on unless you say okay.

Let's get a spine. Let's stand up. Let's act like the Article I institution we represent. Let us be independent.

Let us have what democracy demands: differences of opinion argued out, not by taking hostages, not by demanding ransom, but by discussion, by debate, and by votes. That is what democracy is about.

And if it becomes common practice for President Trump or any other President to say to us: ''If I don't like what you are doing, I am going to shut down your government''—that is what is happening here.

It is not just about a wall. It is about whether tomorrow the President is going to make some other demand and shut down the government, or tomorrow and tomorrow and tomorrow when the President makes another demand and shuts down the government.

When will it stop, my friends? Maybe never, but it will not continue with my vote.

Vote for this bill. Open up the people's government. Stand up and be what America believes you are, an independent, coequal branch of the Government of the United States. Vote ''yes'' for your country and for the people you represent.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

Ms. GRANGER. Mr. Speaker, I urge my colleagues to vote ''no'' on the bill before us today, and I yield back the balance of my time.

Mrs. LOWEY. Mr. Speaker, Democrats have been clear throughout the Trump shutdown. We support investing in strong, smart, and effective border security, and we are prepared to negotiate once the government is reopened.

The solution to the Trump shutdown is simple: Reopen the government; pay off Federal employees; then negotiate on border security. Our proposal will form the basis for these eventual negotiations.

It is time to end the Trump shutdown. Vote for this package of six bills that reflects conference agreements where we worked together from last year. Reopen most of the government. Let workers get paid. Vote ''yes.''

Mr. Speaker, I yield back the balance of my time.

Ms. KAPTUR. Mr. Speaker, I urge my colleagues to support the consolidated package of six appropriations bills and reopen the federal government.

This unprecedented shutdown has ground our country to a halt.

Every day this shutdown continues, families in my district suffer a cruel fate. From missed paychecks, uncertainty in food benefits, to delays in critical efforts that protect the health and safety of our country.

The shutdown impacts Universities conducting critical research, in my region, at the University of Toledo. Twenty-five percent of the University of Toledo's research awards are from agencies affected by the shutdown. Anticipated grants are now delayed.

This week, nine of UT's researchers on aerospace projects for NASA Glenn Research Center in Cleveland will be placed on leave without pay.

Aquatic ecologists fighting invasive Asian carp in the Great Lakes have been put on hold.

The health of the Great Lakes is in danger. This is not the time to risk the vitality of our region on partisan bickering. I would like to include in the RECORD the following article about the impacts of the shutdown on EPA inspectors unable to protect our water.

I call on all my colleagues to support this effort and reopen government.

[From the New York Times, Jan. 9, 2019]

SHUTDOWN MEANS E.P.A. POLLUTION INSPECTORS AREN'T ON THE JOB

(By Coral Davenport)

WASHINGTON.—The two-week-old shutdown has halted one of the federal government's most important public health activities, the inspections of chemical factories, power plants, oil refineries, water treatment plants, and thousands of other industrial sites for pollution violations.

The Environmental Protection Agency has furloughed most of its roughly 600 pollution inspectors and other workers who monitor compliance with environmental laws. Those scientists, engineers and analysts are responsible for detecting violations that endanger human health, as they did, for example during an August 2018 airborne inspection that found that oil and gas fields in Karnes County, Tex., were leaking illegal levels of chemicals into the atmosphere, in violation of the Clean Air Act.

While the inspection personnel represent a relatively small proportion of the E.P.A.'s total of about 15,000 workers, their absence increases the chances that, either by design or by accident, companies might emit illegal levels of contaminants into the air or water without detection, for weeks on end, according to people familiar with the E.P.A. inspections.

''There are plants that discharge wastewater into streams and rivers, places that store hazardous chemicals in containers that could leak—we show up and test these places to see if they're meeting pollution laws,'' said Garth Connor, a furloughed E.P.A. inspector based in Philadelphia who has been off the job since Monday. ''Now there's nobody out there to check if they're complying.''

Mr. Connor inspects for air and water pollution and hazardous waste disposal at sites throughout the Mid-Atlantic.

The inspectors ''are the cops on the beat,'' Cynthia Giles, who headed the E.P.A. enforcement division during the Obama administration, wrote in an email.

She noted that, in 2017, E.P.A. workers performed about 11,700 such inspections, averaging to about 225 inspections per week, according to the agency's records. The numbers suggest that hundreds of such inspections may have already been canceled this year, with the potential for hundreds more to not take place should the shutdown continue for days or weeks more. ''Those weeks can never be made up,'' Ms. Giles wrote. ''In addition to the violations not found and the inspections not done, there is also the impact of no inspectors in the field doing unannounced inspections,'' she added, asking: ''Will that result in more violations because companies know E.P.A. isn't watching?''

Andrew Wheeler, the acting administrator of the E.P.A., did not respond to an email requesting comment. On Wednesday, President Trump formally nominated Mr. Wheeler, who was confirmed last year as the deputy chief of the agency, to formally take over as the agency head. When on the job, E.P.A. inspectors regularly cite companies for violations that endanger human health. For example, during an April 2016 inspection at a Firestone rubber plant in Sulphur, La., E.P.A. inspectors discovered that the plant was emitting illegal levels of butadiene, a carcinogen, into the community.

A telephone message left at the plant was not returned.

Some E.P.A. inspections are unannounced. Others take the form of two- and three-week on-site visits.

Still other examinations don't happen on-site: E.P.A. experts sitting in labs or at computers will review documents detailing a plant's own reported emissions of pollution or wastewater, checking whether legal limits were met or violated. These activities, too, are on pause during the shutdown.

Inspectors need to read those reports ''and say, 'no, you can't do that,'" said Eric Schaeffer, who worked at the E.P.A. on enforcement from 1990 to 2002 and now runs the Environmental Integrity Project, an advocacy group. ''Then they follow up and go on-site. But none of that is happening.''

Unlike other federal agencies affected by the government shutdown, the E.P.A. continued to operate through the week of Dec. 24, but pollution inspections, along with most of the rest of the work of the agency, had ceased by New Year's Eve.

Mr. Schaeffer recalled the effect on pollution enforcement of the longest government shutdown in history, which ran from Dec. 16, 1995, to Jan. 6, 1996.

''That was one of the worst years ever at the E.P.A. in terms of numbers of inspections and enforcement,'' he said. He added that the damage to the work of pollution inspections didn't end completely once the government reopened. ''Everything was ground to a halt, bogged down. You can't just restart at 100 miles per hour. You have to reschedule everything.'' Another former E.P.A. official who now lobbies on behalf of industry offered a different view, saying that a shutdown of even a few weeks was unlikely to make much difference in the amount of illegal pollution emitted or detected.

''What you have is a delay,'' said the former official, Jeffrey Holmstead, who served in the E.P.A. during both Bush administrations and now works for some of the largest coal companies and electric utilities in the country. ''I don't think it's true that all of a sudden, because E.P.A.'s inspectors are not there, that most people will take advantage of that,'' he said. ''There may be a few folks who believe they can get away with more, but I don't think that's the biggest issue.''

Among Mr. Holmstead's clients are several companies that have been cited for violations by the E.P.A., including the electric utility Southern Company, which has had 52 sites with violations over the past five years, including 23 sites with current violations, according to E.P.A.'s enforcement database. An email sent to a Southern Company spokesman requesting comment on the violations was not answered.

Another of Mr. Holmstead's clients, the electric utility, Ameren, owns 23 sites that have been cited for pollution violations over the past five years. A telephone message left with an Ameren spokeswoman was not returned.

In many years, about 10 to 20 percent of the E.P.A.'s pollution inspections turn up significant violations, according to the agency's data.

Most operators ''really are doing a good job,'' said Adam Kushner, a former top legal official at the E.P.A. ''But there's a 1 percent that are bad actors, who will continue to do what they're going to do, unless inspectors find them. And then there are sites where the operator just may not have identified the problem, and they're putting bad stuff out into the air without knowing it.''

Angela McFadden, a furloughed E.P.A. environmental engineer who oversees state permits for pollution discharge and has worked as an on-site inspector dealing with clean water violations, said she ''always'' found violations during her time as an inspector.

For example, she said, in inspecting municipal water systems in rural areas she frequently found that cities and towns overchlorinated or under-chlorinated their water—not a legal violation, but a potentially harmful situation that is easily corrected when identified by an inspector.

Ms. McFadden recalled a more frightening inspection she once performed in Pennsylvania that found excessive nitrate levels in a municipal water supply. Nitrates can sap oxygen from the blood and, when found in high levels in drinking water, are linked to ''blue baby syndrome,'' in which infants struggle to deliver enough oxygen to their bodies.

''Right now, E.P.A. is not monitoring any of that,'' Ms. McFadden said. ''Things are falling through the cracks.''

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 61, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Ms. GRANGER. Mr. Speaker, I have a motion to recommit at the dais.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Ms. GRANGER. I am, in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. Granger moves to recommit the bill H.R. 648 to the Committee on Appropriations with instructions to report the same back to the House forthwith with the following amendment:

Strike section 1 and all that follows and insert the following: ''There are appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for the pay of any employee furloughed or excepted during the lapse in appropriations beginning on December 22, 2018, as authorized by subsection (c) of section 1341 of title 31, United States Code (as added by the Government Employee Fair Treatment Act of 2019).''.

Ms. GRANGER (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Texas is recognized for 5 minutes in support of her motion.

Ms. GRANGER. Mr. Speaker, my motion amends the bill by striking all of its contents and replacing it with an appropriation to ensure Federal employees will get the backpay they deserve.

I am offering this motion because the overall bill we are considering today does not address the Department of Homeland Security's funding requirements to secure the border. Therefore, we know the President will not support it, so it will not reopen the Federal Government or ensure our employees are paid.

Last week, I essentially offered this same motion, which, again, will immediately provide the backpay our hardworking Federal employees have earned since this shutdown began.

This should be something that all Members of this Chamber support, so it is troubling that my friends on the other side of the aisle chose to vote against this measure when it was brought to the floor last week. So we are giving them yet another opportunity to end the political gamesmanship and vote for this measure today.

This shutdown has caused real-world consequences for Federal employees, such as Border Patrol and DEA agents, TSA personnel, air traffic controllers, and the hundreds of thousands of other Federal employees suffering during this shutdown.

These employees have bills to pay and families to support. This motion will ensure that they are able to do that immediately while we continue working toward a permanent solution that will reopen the government.

We need to start working on legislation that can be enacted into law. This motion is one such measure.

Federal employees should not suffer because of the Democrats' refusal to negotiate.

Mr. Speaker, I urge a ''yes'' vote on the motion, and I yield back the balance of my time.

Mrs. LOWEY. Mr. Speaker, I claim the time in opposition to the motion.

The SPEAKER pro tempore. The gentlewoman from New York is recognized for 5 minutes.

Mrs. LOWEY. Mr. Speaker, I want to make it very clear to my colleagues: This motion to recommit will ensure the government remains closed. It will be irresponsible to adopt this motion.

This means all those people who are not getting paid will continue not to get a paycheck to support their families. They will not be able to go to the supermarket and act like normal families. This is totally irresponsible.

Mr. Speaker, I urge my colleagues to strongly reject this motion, and I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Ms. GRANGER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by a 5-minute vote on passage of the bill.

The vote was taken by electronic device, and there were—yeas 200, nays 215, not voting 17, as follows:

[Roll No. 48]

YEAS—200

Aderholt
Allen
Amash
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bergman
Biggs
Bilirakis
Bishop (UT)
Bost
Brady
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Cline
Cloud
Cole
Collins (GA)
Collins (NY)
Comer
Conaway
Cook
Crawford
Crenshaw
Cunningham
Curtis
Davids (KS)
Davidson (OH)
Davis, Rodney
Delgado
DesJarlais
Diaz-Balart
Duffy
Duncan
Dunn
Emmer
Estes
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx (NC)
Fulcher
Gaetz
Gallagher
Gianforte
Gohmert
Golden
Gonzalez (OH)
Gooden
Gosar
Gottheimer
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green (TN)
Griffith
Grothman
Guest
Guthrie
Hagedorn
Harris
Hern, Kevin
Herrera Beutler
Hice (GA)
Higgins (LA)
Hill (AR)
Holding
Hollingsworth
Hudson
Huizenga
Hunter
Hurd (TX)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Kustoff (TN)
LaHood
LaMalfa
Lamb
Lamborn
Latta
Lesko
Long
Loudermilk
Lucas
Luetkemeyer
Marchant
Marshall
Massie
Mast
McAdams
McCarthy
McCaul
McClintock
McHenry
McKinley
Meadows
Meuser
Miller
Mitchell
Moolenaar
Mooney (WV)
Mullin
Newhouse
Norman
Nunes
Olson
Palazzo
Palmer
Pence
Perry
Posey
Ratcliffe
Reed
Reschenthaler
Rice (SC)
Riggleman
Roby
Rodgers (WA)
Roe, David P.
Rogers (AL)
Rogers (KY)
Rose (NY)
Rose, John W.
Rouzer
Roy
Rutherford
Scalise
Schweikert
Scott, Austin
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spano
Stauber
Stefanik
Steil
Steube
Stewart
Stivers
Taylor
Thompson (PA)
Thornberry
Timmons
Tipton
Torres Small (NM)
Turner
Upton
Van Drew
Wagner
Walberg
Walden
Walker
Walorski
Waltz
Watkins
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoho
Zeldin

NAYS—215

Adams
Aguilar
Allred
Axne
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brindisi
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Carbajal
Cárdenas
Carson (IN)
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crist
Crow
Cuellar
Cummings
Davis (CA)
Davis, Danny K.
Dean
DeFazio
DeGette
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Engel
Escobar
Eshoo
Espaillat
Evans
Finkenauer
Fletcher
Foster
Frankel
Fudge
Gabbard
Gallego
Garamendi
García (IL)
Garcia (TX)
Gomez
Gonzalez (TX)
Green (TX)
Grijalva
Haaland
Harder (CA)
Hastings
Hayes
Heck
Higgins (NY)
Hill (CA)
Horn, Kendra S.
Horsford
Houlahan
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
Kirkpatrick
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Levin (CA)
Levin (MI)
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Matsui
McBath
McCollum
McEachin
McGovern
Meeks
Meng
Moore
Morelle
Moulton
Mucarsel-Powell
Murphy
Nadler
Napolitano
Neguse
Norcross
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas

Pascrell
Perlmutter
Peters
Peterson
Phillips
Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rouda
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shalala
Sherman
Sherrill
Sires
Slotkin
Smith (WA)
Soto
Spanberger
Speier
Stanton
Stevens
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Trahan
Trone
Underwood
Vargas
Veasey
Vela
Visclosky
Wasserman Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Yarmuth

NOT VOTING—17

Abraham
Cartwright
DeLauro
Gibbs
Hartzler
Himes
Jones
McNerney
Neal
Payne
Rooney (FL)
Sánchez
Sensenbrenner
Velázquez
Wilson (FL)
Wright
Young

□ 1544

Mr. GARCÍA of Illinois, Ms. TLAIB, Messrs. BROWN of Maryland, SCOTT of Virginia, GONZALEZ of Texas, THOMPSON of Mississippi, and Ms. UNDERWOOD changed their vote from ''yea'' to ''nay.''

Messrs. GUTHRIE, WITTMAN, CUNNINGHAM, ARRINGTON, and CARTER of Georgia changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 234, nays 180, not voting 18, as follows:

[Roll No. 49]

YEAS—234

Adams
Aguilar
Allred
Axne
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brindisi
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Carbajal
Cárdenas
Carson (IN)
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crist
Crow
Cuellar
Cummings
Cunningham
Davids (KS)
Davis (CA)
Davis, Danny K.
Dean
DeFazio
DeGette
DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Engel
Escobar
Eshoo
Espaillat
Evans
Finkenauer
Fitzpatrick
Fletcher
Foster
Frankel
Fudge
Gabbard
Gallego
Garamendi
García (IL)
Garcia (TX)
Golden
Gomez
Gonzalez (TX)
Gottheimer
Green (TX)
Grijalva
Haaland
Harder (CA)
Hastings
Hayes
Heck
Herrera Beutler
Higgins (NY)
Hill (CA)
Horn, Kendra S.
Horsford
Houlahan
Hoyer
Huffman
Hurd (TX)
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
Kinzinger
Kirkpatrick
Krishnamoorthi
Kuster (NH)
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Levin (CA)
Levin (MI)
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Matsui
McAdams
McBath
McCollum
McEachin
McGovern
Meeks
Meng
Moore
Morelle
Moulton
Mucarsel-Powell
Murphy
Nadler
Napolitano
Neguse
Norcross
O'Halleran
Omar
Pallone
Panetta
Pappas
Pascrell
Perlmutter
Peters
Peterson
Phillips
Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rose (NY)
Rouda
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shalala
Sherman
Sherrill
Simpson
Sires
Slotkin
Smith (NJ)
Smith (WA)
Soto
Spanberger
Speier
Stanton
Stefanik
Stevens
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres Small (NM)
Trahan
Trone
Underwood
Upton
Van Drew
Vargas
Veasey
Vela
Visclosky
Walden
Wasserman Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Yarmuth

NAYS—180

Aderholt
Allen
Amash
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bergman
Biggs
Bilirakis
Bishop (UT)
Bost
Brady
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Cline
Cloud
Cole
Collins (GA)
Collins (NY)
Comer
Conaway
Cook
Crawford
Crenshaw
Curtis
Davidson (OH)
Davis, Rodney
DesJarlais
Diaz-Balart
Duffy
Duncan
Dunn
Emmer
Estes
Ferguson
Fleischmann
Flores
Fortenberry
Foxx (NC)
Fulcher
Gaetz
Gallagher
Gianforte
Gohmert
Gonzalez (OH)
Gooden
Gosar
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green (TN)
Griffith
Grothman
Guest
Guthrie
Hagedorn
Harris
Hern, Kevin
Hice (GA)
Higgins (LA)
Hill (AR)
Holding
Hollingsworth
Hudson
Huizenga
Hunter
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kustoff (TN)
LaHood
LaMalfa
Lamborn
Latta
Lesko
Long
Loudermilk
Lucas
Luetkemeyer
Marchant
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
Meadows
Meuser
Miller
Mitchell
Moolenaar
Mooney (WV)
Mullin
Newhouse
Norman
Nunes
Ocasio-Cortez
Olson
Palazzo
Palmer
Pence
Perry
Posey
Ratcliffe
Reed
Reschenthaler
Riggleman
Roby
Rodgers (WA)
Roe, David P.
Rogers (AL)
Rogers (KY)
Rose, John W.
Rouzer
Roy
Rutherford
Scalise
Schweikert
Scott, Austin
Shimkus
Smith (MO)
Smith (NE)
Smucker
Spano
Stauber
Steil
Steube
Stewart
Stivers
Taylor
Thompson (PA)
Thornberry
Timmons
Tipton
Turner
Wagner
Walberg
Walker
Walorski
Waltz
Watkins
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoho
Zeldin

NOT VOTING—18

Abraham
Cartwright
DeLauro
Gibbs
Hartzler
Himes
Jones
McNerney
Neal
Payne
Rice (SC)
Rooney (FL)
Sánchez
Sensenbrenner
Velázquez
Wilson (FL)
Wright
Young

□ 1554

Ms. WATERS changed her vote from ''nay'' to ''yea.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ELECTING MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Ms. CHENEY. Mr. Speaker, by direction of the House Republican Conference, I send to the desk a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 68

Resolved, That the following named Members be, and are hereby, elected to the following standing committees of the House of Representatives:

COMMITTEE ON AGRICULTURE: Mr. Thompson of Pennsylvania, Mr. Austin Scott of Georgia, Mr. Crawford, Mr. DesJarlais, Mrs. Hartzler, Mr. LaMalfa, Mr. Rodney Davis of Illinois, Mr. Yoho, Mr. Allen, Mr. Bost, Mr. Rouzer, Mr. Abraham, Mr. Kelly of Mississippi, Mr. Comer, Mr. Marshall, Mr. Bacon, Mr. Dunn, Mr. Johnson of South Dakota, Mr. Baird, and Mr. Hagedorn.

COMMITTEE ON APPROPRIATIONS: Mr. Rogers of Kentucky, Mr. Aderholt, Mr. Simpson, Mr. Carter of Texas, Mr. Calvert, Mr. Cole, Mr. Diaz-Balart, Mr. Graves of Georgia, Mr. Womack, Mr. Fortenberry, Mr. Fleischmann, Ms. Herrera Beutler, Mr. Joyce of Ohio, Mr. Harris, Mrs. Roby, Mr. Amodei, Mr. Stewart, Mr. Palazzo, Mr. Newhouse, Mr. Moolenaar, Mr. Rutherford, and Mr. Hurd of Texas.

COMMITTEE ON ARMED SERVICES: Mr. Wilson of South Carolina, Mr. Bishop of Utah, Mr. Turner, Mr. Rogers of Alabama, Mr. Conaway, Mr. Lamborn, Mr. Wittman, Mrs. Hartzler, Mr. Austin Scott of Georgia, Mr. Brooks of Alabama, Mr. Cook, Mr. Byrne, Mr. Graves of Missouri, Ms. Stefanik, Mr. DesJarlais, Mr. Abraham, Mr. Kelly of Mississippi, Mr. Gallagher, Mr. Gaetz, Mr. Bacon, Mr. Banks, Ms. Cheney, Mr. Mitchell, Mr. Bergman, and Mr. Waltz.

COMMITTEE ON EDUCATION AND LABOR: Mr. David P. Roe of Tennessee, Mr. Thompson of Pennsylvania, Mr. Walberg, Mr. Guthrie, Mr. Byrne, Mr. Grothman, Ms. Stefanik, Mr. Allen, Mr. Rooney of Florida, Mr. Smucker, Mr. Walker, Mr. Banks, Mr. Comer, Mr. Cline, Mr. Fulcher, Mr. Taylor, Mr. Watkins, Mr. Wright, Mr. Meuser, Mr. Timmons, and Mr. Johnson of South Dakota.

COMMITTEE ON ENERGY AND COMMERCE: Mr. Upton, Mr. Shimkus, Mr. Burgess, Mr. Scalise, Mr. Latta, Mrs. Rogers of Washington, Mr. Guthrie, Mr. Olson, Mr. McKinley, Mr. Kinzinger, Mr. Griffith, Mr. Bilirakis, Mr. Johnson of Ohio, Mr. Long, Mr. Bucshon, Mr.

Flores, Mrs. Brooks of Indiana, Mr. Mullin, Mr. Hudson, Mr. Walberg, Mr. Carter of Georgia, Mr. Duncan, and Mr. Gianforte.

COMMITTEE ON FINANCIAL SERVICES: Mr. King of New York, Mr. Lucas, Mr. Posey, Mr. Luetkemeyer, Mr. Huizenga, Mr. Duffy, Mr. Stivers, Mrs. Wagner, Mr. Barr, Mr. Tipton, Mr. Williams, Mr. Hill of Arkansas, Mr. Emmer, Mr. Zeldin, Mr. Loudermilk, Mr. Mooney of West Virginia, Mr. Davidson of Ohio, Mr. Budd, Mr. Kustoff of Tennessee, Mr. Hollingsworth, Mr. Gonzalez of Ohio, Mr. John W. Rose of Tennessee, Mr. Steil, Mr. Gooden, and Mr. Riggleman.

COMMITTEE ON FOREIGN AFFAIRS: Mr. Smith of New Jersey, Mr. Chabot, Mr. Wilson of South Carolina, Mr. Perry, Mr. Yoho, Mr. Kinzinger, Mr. Zeldin, Mr. Sensenbrenner, Mrs. Wagner, Mr. Mast, Mr. Rooney of Florida, Mr. Fitzpatrick, Mr. Curtis, Mr. Buck, Mr. Wright, Mr. Reschenthaler, Mr. Burchett, Mr. Pence, Mr. Watkins, and Mr. Guest.

COMMITTEE ON HOMELAND SECURITY: Mr. McCaul, Mr. King of New York, Mr. Katko, Mr. Ratcliffe, Mr. Higgins of Louisiana, Mr. Walker, Mrs. Lesko, Mr. Green of Tennessee, Mr. Taylor, Mr. Joyce of Pennsylvania, Mr. Crenshaw, and Mr. Guest.

COMMITTEE ON THE JUDICIARY: Mr. Sensenbrenner, Mr. Chabot, Mr. Gohmert, Mr. Jordan, Mr. Buck, Mr. Ratcliffe, Mrs. Roby, Mr. Gaetz, Mr. Johnson of Louisiana, Mr. Biggs, Mr. McClintock, Mrs. Lesko, Mr. Reschenthaler, Mr. Cline, Mr. Armstrong, and Mr. Steube.

COMMITTEE ON OVERSIGHT AND REFORM: Mr. Amash, Mr. Gosar, Ms. Foxx of North Carolina, Mr. Massie, Mr. Meadows, Mr. Hice of Georgia, Mr. Grothman, Mr. Comer, Mr. Cloud, Mr. Gibbs, Mr. Higgins of Louisiana, Mr. Norman, Mr. Roy, Mrs. Miller, Mr. Green of Tennessee, Mr. Armstrong, and Mr. Steube.

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY: Mr. Brooks of Alabama, Mr. Posey, Mr. Weber of Texas, Mr. Babin, Mr. Biggs, Mr. Marshall, Mr. Dunn, Mr. Norman, Mr. Cloud, Mr. Balderson, Mr. Olson, Mr. Gonzalez of Ohio, Mr. Waltz, and Mr. Baird.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE: Mr. Young, Mr. Crawford, Mr. Gibbs, Mr. Webster of Florida, Mr. Massie, Mr. Meadows, Mr. Perry, Mr. Rodney Davis of Illinois, Mr. Woodall, Mr. Katko, Mr. Babin, Mr. Graves of Louisiana, Mr. Rouzer, Mr. Bost, Mr. Weber of Texas, Mr. LaMalfa, Mr. Westerman, Mr. Smucker, Mr. Mitchell, Mr. Mast, Mr. Gallagher, Mr. Palmer, Mr. Fitzpatrick, Miss González-Colón of Puerto Rico, Mr. Balderson, Mr. Spano, Mr. Stauber, Mrs. Miller, and Mr. Pence.

COMMITTEE ON VETERANS' AFFAIRS: Mr. Bilirakis, Mrs. Radewagen, Mr. Bost, Mr. Dunn, Mr. Bergman, Mr. Banks, Mr. Barr, Mr. Meuser, Mr. Watkins, Mr. Roy, and Mr. Steube.

COMMITTEE ON WAYS AND MEANS: Mr. Nunes, Mr. Buchanan, Mr. Smith of Nebraska, Mr. Marchant, Mr. Reed, Mr. Kelly of Pennsylvania, Mr. Holding, Mr. Smith of Missouri, Mr. Rice of South Carolina, Mr. Schweikert, Mrs. Walorski, Mr. LaHood, Mr. Wenstrup, Mr. Arrington, Mr. Ferguson, and Mr. Estes.

Ms. CHENEY (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read.

The SPEAKER pro tempore (Mr. NEGUSE). Is there objection to the request of the gentlewoman from Wyoming?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

HOUR OF MEETING ON TOMORROW

Mr. KENNEDY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

HARMFUL MOTION TO RECOMMIT

(Ms. MCCOLLUM asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MCCOLLUM. Mr. Speaker, I rise to address the Republicans' motion to recommit that was offered on the previous bill and to explain to the American people the harm that that motion would have caused.

The Trump shutdown is in its 33rd day. Critical programs that help our most vulnerable friends and neighbors, like SNAP benefits for seniors, will soon run out.

As chair of the Interior, Environment, and Related Agencies Appropriations Subcommittee, I know the difficulties this shutdown is causing for Indian Country, where basic healthcare programs could end soon.

Mr. Speaker, for our Native American brothers and sisters, this shutdown is literally a life-or-death matter, and that is why the Republican motion to recommit was so very disappointing. It strips the entire text of the bill, keeping the Federal Government closed and threatening the well-being of tens of millions of Americans.

It is callous, it is cruel, and it is wrong. And that is why I join my Democratic colleagues in rejecting the motion to recommit.

House Democrats are doing our job. We are passing legislation to reopen the government and to fund our Federal employees with the paychecks they deserve. Mr. Speaker, it is time for the Senate and the President to do the same.

□ 1600

COMMENDING CHANDLER POLICE CHIEF SEAN DUGGAN

(Mr. BIGGS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BIGGS. Mr. Speaker, I rise tonight to commend Chandler Police Chief Sean Duggan for recently being named the 2019 Chief of the Year by the Arizona Association of Chiefs of Police.

Chief Duggan has served Arizonan communities in law enforcement for more than 30 years, following in the footsteps of his father who was a New York City police officer. He joined the police force in 1986 when he started with the Scottsdale Police Department and also served as a member of the Arizona Department of Public Safety's gang and illegal immigration task force.

In an interview 5 years ago, after being selected as Chandler's top cop, Chief Duggan said: ''Was I a kid who wanted to be chief? No. It's the greatest honor that can be bestowed on me professionally.''

Mr. Speaker, I say to Chief Duggan: Your service to Chandler has been honorable. The citizens of Chandler thank you for your leadership. Throughout your career, you have dedicated yourself to protecting our liberties and ensuring that criminals are removed from the streets. The east valley is privileged to count you as a neighbor, influencer, and leader.

Congratulations on your award. You have earned it.

PFAS TASK FORCE

(Ms. DEAN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DEAN. Mr. Speaker, Article I, Section 27 of the Pennsylvania Constitution reads: ''The people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic, and esthetic values of the environment. Pennsylvania's public natural resources are the common property of all the people.''

Pure water, it doesn't get any more basic than that. But for years, constituents in my district in towns like Horsham, Willow Grove, North Hills, and Upper Dublin have worried about the quality of their water and the impact of that water on their health and their family's health. Like citizens who live near military bases across the country, their water supplies have been contaminated with a class of manmade chemicals known as PFAS.

Unfortunately, government has been slow to act. The EPA has attempted to block research showing just how dangerous these chemicals really are. Testing and cleanup have been insufficient, and, now, day 33 of the administration's shutdown, 93 percent of EPA workers are furloughed, challenging our ability to deal with this and other important issues.

But today, we in the Congress have launched a bipartisan PFAS Task Force. I invite all Members of Congress to work with us on this matter of genuine national concern.

BACKPAY FOR FEDERAL EMPLOYEES

(Mr. KEVIN HERN of Oklahoma asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KEVIN HERN of Oklahoma. Mr. Speaker, just a few minutes ago, we voted to fund Federal pay through the end of the shutdown. Republicans voted unanimously with bipartisan support from 10 Democrats. If we had just eight more Democrats, our Federal workers would be getting paychecks. Now hardworking Americans are facing a second zero-dollar paycheck.

President Trump has asked Democrats to work with him to find a way to reopen the government and pay our furloughed employees, but Speaker PELOSI didn't even listen to the President's proposal before she rejected it this weekend.

This is ridiculous. The President offered a legitimate proposal with the compromises that Democrats asked for, the same priorities that Speaker PELOSI talked about just last year. In return, he wants the funding to solve the crisis at our border.

This is bigger than partisan games. This is the lives and livelihood of hundreds of thousands of Americans. Let's stop stonewalling, stop the theatrics, and do our jobs.

SHUTDOWN

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, what my good friends have not heard is the outrage and cry of the desperate Federal workers, some sending their children to relatives because they cannot support them, museums shut down costing $4 million, TSA officers not able to come to work, and air traffic controllers suffering.

Today, Democrats did again what they have done over and over again. The message is: Mr. President, open the government, pay the workers now, and let us sit down at the table of reconciliation and iron out the question of border security.

As a member of the Homeland Security Committee, I have voted time after time as a Democrat for border security—barriers, drones, technology, jeeps, and laptops. I know what it is. I am from a border State. I have been to the borders in the daylight and in the dark.

Today, we voted to open up Agriculture, Commerce, Justice, financial services, environment, Transportation, Housing, and all of the law enforcement we voted for.

Our simple cry is: Mr. President, understand the pain of America. Open the government, pay the workers, and let's get down to the business of negotiating on behalf of the American people.

HONORING AL AND CHERYL HODGE

(Mr. GRAVES of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GRAVES of Georgia. Mr. Speaker, I rise today to honor Albert Hodge, Jr., and as anyone who knows Al will attest, my remarks would not be complete without a recognition of Al's talented wife, Cheryl.

Over the past 21 years, Al has served as president and CEO of the Rome, Floyd County, Chamber of Commerce. Thanks to his hard work, employers—including Suzuki, Pirelli, Neaton, and Lowe's—have brought more than $1.2 billion of direct investment to our region and thousands of jobs.

But Al's success would not be possible without Cheryl. Cheryl is not just a supportive wife, mother, and grandmother. She is a Rome institution in her own right. A talented artist active with the Rome Area Council for the Arts, Cheryl is best known for her beautiful water colors, one of which is hanging in my office right here in Washington, D.C.

I pray for the best for Al and Cheryl, wherever life takes them. They came to Rome over 20 years ago, and it is certainly a better place today because of them.

Al and Cheryl, thank you and God bless.

WE ARE A NATION OF IMMIGRANTS

(Mr. ESPAILLAT asked and was given permission to address the House for 1 minute.)

Mr. ESPAILLAT. Mr. Speaker, I rise today to congratulate the New York State Legislature for passing the DREAM Act. States have had to step up because of the Trump shutdown, because of our inability to move forward and recognize that this continues to be a nation of immigrants.

So States like New York today had to pass the DREAM Act to allow in young people, many of whom are nurses, doctors, members of our Armed Forces, and teachers who are contributing to our communities across the country. All they want is a shot to be part of the American Dream, because this is a nation of immigrants.

The DREAM Act today in the New York State Legislature was named after my good friend who passed this year, unfortunately, Senator Jose Peralta.

I congratulate New York. That lady still stands in the harbor with her torch lighting the bay for everyone across the world, because we are a nation of immigrants.

SCHOOL CHOICE

(Mr. ALLEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALLEN. Mr. Speaker, this week, we celebrate National School Choice Week. Every child and family is unique in their own way, and when it comes to learning, it is no different. National School Choice Week shines a bright spotlight on effective educational options for children.

At the heart of our American values is the belief that we can all pursue happiness through hard work and dedication on the path to achieve the American Dream. This path starts at a young age, and school choice empowers parents and families to choose the best educational environment for their child, ensuring that the American Dream can become a reality.

In the town of Dublin in my district, school choice starts in elementary school where students are encouraged to find their passions early on and are provided with the tools to succeed. And it has worked. Dublin City Schools have a 90 percent graduation rate, with Dublin High School reaching almost 97 percent.

As a proud school choice supporter and member of the House Education and Labor Committee, I look forward to continuing my work highlighting the effect of school choice in Georgia and throughout the Nation.

GOVERNMENT SHUTDOWN'S IMPACT ON CENTRAL VIRGINIANS

(Ms. SPANBERGER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SPANBERGER. Mr. Speaker, today, I rise to share another story of how this reckless shutdown is hurting real people in real communities, including in central Virginia.

Chesterfield, Virginia, resident Donna Ingram has worked for the U.S. Department of the Treasury for 15 years. She is a mother of two, and because of the shutdown, she is worried about her ability to make ends meet. Earlier this month, Donna's pay stub showed the word ''furloughed,'' and her paycheck showed the number zero.

Donna is currently in the middle of medical treatment, but because of the shutdown's financial harm, she has been forced to discontinue her treatment. Donna said her livelihood is at stake and that she could lose everything she has worked so hard for over the past 15 years.

Donna said that Federal employees like her want to work; they want to serve our government and our communities; and they want to continue their service.

Yet this is how we treat our public servants here in the United States? Are they bargaining chips?

I will continue to push for an immediate end to the shutdown, because I do not think they should ever be used as bargaining chips. There are hundreds of thousands of hardworking Federal employees like Donna who are depending on us, their elected officials, to do our jobs, to open this government, and to restore the function of our government.

END THIS SHUTDOWN

(Mr. MEUSER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MEUSER. Mr. Speaker, I am new here, but I am almost speechless. We just had, moments ago, a vote that would have provided pay to the Federal workers who have not received their paychecks this year.

Americans agree that we must provide for our border security, reopen the

government, and end this shutdown. But since House Democratic leadership has refused to come to the table and negotiate in good faith, the least we could do is ensure our Federal workers don't suffer because of Washington's dysfunction.

Last week, only six Democrats joined every Republican to vote to pay our workers. This vote took place moments ago, and 10 Democrats joined us again. We have heard speeches today on the floor, in the media, and all over the news by Democrats who claim to empathize with Federal workers who have gone unpaid. But when they had the chance today to pay them, for the most part, they have declined.

We need to listen to the people, pay our Federal workers, secure our borders, and end this shutdown.

SHUTDOWN

(Mr. MCADAMS asked and was given permission to address the House for 1 minute.)

Mr. MCADAMS. Mr. Speaker, working families in Utah are now facing another lost pay period. Through no fault of their own, they are suffering from the last Congress' failure to pass bills to fund government operations and our inability now to get an agreement to end the shutdown.

This weekend, I heard stories firsthand. Family members are facing medical issues due to the stress of wondering when a spouse will be paid. IRS workers worry about missing the training they need to be ready for processing tax returns. Air traffic controllers are working hard to keep airplanes in proper airspace over the Salt Lake Valley but are going without normal staff backup and equipment maintenance.

One individual who has been in government service for 30 years as a member of the military and as a civilian has applied for other jobs, knowing that he is likely not going to get hired. Employers see too much uncertainty.

Small businesses are hurting because their customers don't have money to eat at local restaurants or shop in local stores. The shutdown is harming the entire American economy and every American.

As one worker said to me: Our jobs have nothing to do with the border.

They have had enough of political games. I support border security, and I support Dreamers, but we need to end the shutdown so that they can get back to work.

REMEMBERING MARSHALL COUNTY HIGH SCHOOL STUDENTS

(Mr. COMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COMER. Mr. Speaker, I rise today in solidarity with the Marshall County community to honor and remember the precious lives of Preston Cope and Bailey Holt. Preston and Bailey were victims of a tragic shooting at Marshall County High School in Benton, Kentucky, on this day last year.

Marshall County High School is comprised of a truly compassionate group of students, parents, and alumni who have demonstrated the resiliency of this community in the wake of such devastation.

Preston Cope and Bailey Holt remain in our hearts as we remember and honor all that these young, bright individuals brought to their families, friends, school, and community.

(1615)

TRUMP SHUTDOWN

(Mrs. LAWRENCE asked and was given permission to address the House for 1 minute.)

Mrs. LAWRENCE. Mr. Speaker, I rise today addressing the damaging impact of Trump's senseless shutdown in the State of Michigan and in the 14th District.

Thirty days and Trump continues to hold the American people hostage over a wall that Mexico was supposed to pay for. Over 5,000 workers in the State of Michigan continue to suffer.

My constituents are suffering the hardships because of this shutdown. A constituent from Southfield, Michigan, wrote:

> I have worked for the Federal Government for over 30 years. I have given 100 percent in my career with the IRS, and now I am facing the possibility of not being able to pay my mortgage because of this shutdown.

Our Federal Government is supported by a devoted workforce who are feeling like they have been taken for granted and used. This is unacceptable. Our hardworking Federal employees deserve so much better.

This shutdown is causing chaos and pain for our dedicated Federal workers in America. It must stop.

BRING THE COUNTRY TOGETHER FOR THE STATE OF THE UNION

(Mr. ZELDIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ZELDIN. Mr. Speaker, I rise today to voice my objection and disappointment with the decision that was made to disinvite the President of the United States to address this Chamber for the State of the Union.

I would like to commend Majority Leader STENY HOYER, who, just yesterday, said he would welcome the President here to the Chamber this upcoming Tuesday.

This decision that was made is not one to bring this House together. That is a decision that is not one to move our country forward. I object. And many others in this Chamber do as well, and I believe many Democrats do.

Then I hear that we are about to leave again? I say we stay here. We should all be in one room. No phones, no pay, no one is leaving the room until we have a deal and there is white smoke.

That is how to lead, not to set us backward, as we are seeing again by the Speaker's decision today.

NATIONAL SCHOOL CHOICE WEEK

(Mr. WATKINS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WATKINS. Mr. Speaker, this week is National School Choice Week. It is when we shine a light on the educational opportunities when they are tailored to the individual student.

I was raised by four academics, and they would be the first to tell you that, in order to empower young people to develop into the type of adults who can solve the problems of tomorrow, their educational experiences need to be tailored.

No parent, no teacher, no student wants an ill-fitting educational experience.

Education is the great equalizer. It is the combat multiplier. It is the path that leads toward American dreams.

God bless the American student. God bless the American teacher.

READING OF THE CONSTITUTION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2019, the gentleman from Arkansas (Mr. HILL) is recognized for 60 minutes as the designee of the minority leader.

Mr. HILL of Arkansas. Mr. Speaker, I thank the Chair for the opportunity to address the House today as we come together as Members of the House and read our U.S. Constitution.

Long-time British Prime Minister William Gladstone in 1878 said: ''The most wonderful work ever struck off at a given time by brain and purpose of man.'' That is how he described the U.S. Constitution.

For 2 centuries the Constitution has dedicated the structure of our remarkable Republic and created the operation of the consent of the governed and the protection of a free people's individual rights.

All of us who work here in the people's House marvel at its daily majesty, of James Madison's checks and balances, separation of powers, and the institutional hybrid of Federalism.

Today, we gather at the heart of the Capitol, the heart of Article I, the first branch, to read our governing document:

''We the People of the United States, in Order to form a more perfect Union, establish justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.''

Ms. FOXX of North Carolina. Article I, Section 1:

''All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.''

Section 2:

''The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

''No Person shall be a Representative who shall not have attained to the Age of twenty five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

''Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons.

''The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode-Island and Providence Plantations one, Connecticut five, New-York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.''

Mr. EMMER. ''When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

''The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.''

Section 3:

''The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and each Senator shall have one vote.

''Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the expiration of the second Year, of the second Class at the expiration of the fourth Year, and of the third Class at the expiration of the sixth Year, so that one third may be chosen every second Year; and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.''

Mr. DAVIDSON of Ohio. ''No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

''The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

''The Senate shall chuse their other Officers, and also a President pro tempore, in the Absence of the Vice President, or when he shall exercise the Office of President of the United States.

''The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.

''Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.''

Mr. BOST. Section 4:

''The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators.

''The Congress shall assemble at least once in every Year, and such Meeting shall be [on the first Monday in December,] unless they shall by Law appoint a different Day.''

Section 5:

''Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.

''Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behaviour, and, with the Concurrence of two thirds, expel a Member.

''Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one fifth of those Present, be entered on the Journal.''

Mr. YOHO. ''Neither House, during the Session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.''

Section 6:

''The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place.

''No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been encreased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.''

Mr. CONAWAY. Section 7:

''All bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

''Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States; If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

''Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.''

□ 1630

Mr. WILLIAMS. Section 8:

''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

''To borrow Money on the credit of the United States;

''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

''To establish a uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

''To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

''To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

''To establish Post Offices and post Roads;

''To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

''To constitute Tribunals inferior to the supreme Court;

''To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;''

Mr. WALBERG. ''To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

''To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

''To provide and maintain a Navy;

''To make Rules for the Government and Regulation of the land and naval Forces;

''To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

''To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

''To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;—And''

Mr. ALLEN. ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

Section 9:

''The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

''The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

''No Bill of Attainder or ex post facto Law shall be passed.

''No Capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or enumeration herein before directed to be taken.

''No Tax or Duty shall be laid on Articles exported from any State.

''No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another: nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

''No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.''

Mr. CARTER of Georgia. ''No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.''

Section 10:

''No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

''No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing it's inspection Laws: and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Controul of the Congress.

''No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.''

Mr. BARR. Article II, Section 1:

''The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice President, chosen for the same Term, be elected, as follows

''Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office or Trust or Profit under the United States, shall be appointed an Elector.

''The Electors shall meet in their respective States, and vote by Ballot for two Persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately chuse by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the List the said House shall in like Manner chuse the President.''

Mr. PERRY. ''But in chusing the President, the Votes shall be taken by States, the Representation from each State having one Vote; A quorum for this Purpose shall consist of a Member or Members from two thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall chuse from them by Ballot the Vice President.

''The Congress may determine the Time of chusing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

''No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty five Years, and been fourteen Years a Resident within the United States.

''In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the Same shall devolve on the Vice

President, and the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.''

Mr. OLSON. ''The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be encreased nor diminished during the Period for which he shall have been elected, and he shall receive within that Period any other Emolument from the United States, or any of them.

''Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation:—'I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States.'''

Section 2:

''The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment.''

Mr. BABIN. ''He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

''The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.''

Section 3:

''He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States.''

Section 4:

''The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.''

Mr. GRIFFITH. Article III, Section 1:

''The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office.''

Section 2:

''The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;—to all Cases affecting Ambassadors, other public Ministers and Consuls;—to all Cases of admiralty and maritime Jurisdiction;—to Controversies to which the United States shall be a Party;—to Controversies between two or more States;—between a State and Citizens of another State,—between Citizens of different States,—between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.''

□ 1645

Mr. HICE of Georgia. ''In all cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

''The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.''

Section 3:

''Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open court.

''The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attainted.''

Mr. GRIFFITH. Article IV, Section 1:

''Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.''

Section 2:

''The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

''A Person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on Demand of the executive Authority of the State from which he fled, be delivered up, to be removed to the State having Jurisdiction of the Crime.

''No Person held to Service or Labor in one State, under the laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labor, but shall be delivered up on Claim of the Party to whom such Service or Labor may be due.''

Section 3:

''New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.''

Mr. HILL of Arkansas. ''The Congress shall have power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.''

Section 4:

''The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive, when the Legislature cannot be convened, against domestic Violence.''

Article V:

''The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.''

Article VI:

''All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

''This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

''The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.''

Article VII:

''The Ratification of the Conventions of nine States, shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.''

Mr. Speaker, this historic reading of the U.S. Constitution on the floor of the House tonight, together with the Bill of Rights and all the amendments ratified as described in the original document, make the supreme law of the land. They are the law that we look to every day to guide the work of this House of Representatives. And I will remind my friends that 50 percent of the words in this historic document are governed and written in regard to Article I, the first branch, the Congress of the United States, the legislative branch.

Mr. Speaker, I want to thank my colleagues tonight who have joined us on the floor in reading the U.S. Constitution: VIRGINIA FOXX, TOM EMMER, WARREN DAVIDSON, MIKE BOST, TED YOHO, MIKE CONAWAY, ROGER WILLIAMS, TIM WALBERG, JODY HICE, RICK ALLEN, PETER OLSON, BUDDY CARTER, MORGAN GRIFFITH, ANDY BARR, BRIAN BABIN, and SCOTT PERRY. I am grateful for their participation in reading this historic document.

Mr. Speaker, I yield back the balance of my time.

BORDER SECURITY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2019, the Chair recognizes the gentleman from Virginia (Mr. GRIFFITH) for 30 minutes.

Mr. GRIFFITH. Mr. Speaker, I come to the floor tonight to discuss a trip that was recently made to our southern border in Arizona with the sovereign state of Mexico. Mr. BIGGS headed that party up, and at this time, Mr. Speaker, I yield to the gentleman from Arizona (Mr. BIGGS).

Mr. BIGGS. Mr. Speaker, it is a pleasure to be here and to speak and report to the American people about what we saw and learned on the Arizona-Mexico border over the weekend.

We spent Sunday and Monday putting a lot of miles on cars, traveling within 30 miles of the border all the way from the New Mexico line through about two-thirds of the State of Arizona. It becomes kind of interesting because, quite frankly, there are so many people who do not appreciate the breadth and the wide open space of that country.

Let me just take a few minutes and tell you that we had nine Members of Congress there. We met with Border Patrol agents, Customs agents, Border Patrol management. We met with ranchers, residents along the border. We met with numerous people, all who have an interest in the immediate impacts of illegal border crossings.

One ranch that we happened to visit in Arizona, right on the border, you could look out and you could see the vastness of what our Border Patrol agents are dealing with. You could literally see many miles into Mexico. The Sierra Madres are coming down from their height, leveling down, and then you have two other additional mountain ranges that come on the Arizona side, right through it, kind of tapering into the Chiracahua Mountains, beautiful mountains.

You can see the vastness of this open space, and it is many hundreds of miles, and even thousands of miles square. We have two or three Border Patrol agents there and no fence, really, to speak of.

So we talked with some of the ranchers who live along there and their experience. We walked through some of the hills and on the paths that illegal aliens and drug traffickers pass through and walk. We talked with some of them.

One gentleman explained to us that he has had four home invasions—four home invasions—more than 15 burglaries, and, every day, trespassers on his property.

Imagine that as your lifestyle, knowing that you will have home invasions, knowing that you are going to have people trespassing on your property consistently.

We moved over to the wall in Douglas, Arizona. It sits on the border with Agua Prieta. We took pictures. We talked with Border Patrol agents. And then we could see where that border wall, how long that goes.

It is bollard fencing, which is slatted steel fencing that goes anywhere from 10 to 15, 18 feet high. But it was so ineffective in some places that they have started putting concertina razor wire to keep people down.

In a minute, I will tell you how that doesn't really work.

And then they put up a third or second barrier there in some parts of Douglas, but not enough money. It just kind of runs out. And you can see how far that border wall goes in Douglas, and it is the bollard fencing.

We then kept moving in Cochise County in Arizona, and we ended up, we were able to talk to some local law enforcement and some of the Angel Parents.

But I want to talk about something that I thought was most intriguing and interesting. As we were sitting there in that restaurant with some of our staff, our Members of Congress, some local law enforcement, some of the Angel Families, we had a resident just come up out of the blue, and she thanked the local law enforcement for the efforts being made to protect the citizens of that county.

□ 1700

She said: You know, I have had a home invasion. I have had repeated burglaries. I have had trespassing on my property, on my ranch. We get people come in, they turn on water, they want a drink of water, and they just let the water run. They never turn it off. They trash my property.

She was telling me this. I asked her to address our group. She did. Impromptu, she told of her experience, out of the blue. She didn't know who we were. I thought that was remarkable. It was completely unstaged.

We had the Angel Parents, Mary Ann Mendoza talk about her son, Brandon, who was a Mesa police officer. Brandon was killed by a driver who had previously been arrested and deported. He was driving along the wrong way on the freeway and runs into Brandon and kills him.

Steve Ronnebeck spoke. Steve had a son, Grant, early twenties, very outgoing, gregarious young man, working at the QT, which is a convenience store. One night, Mr. Altamirano, who had been convicted and deported previously—in fact, he was convicted for burglary. That was a plea deal down from the two counts of kidnapping and rape of a woman who was victimized by Mr. Altamirano.

He had been deported. He comes back, goes in to buy a pack of cigarettes. Grant is counting out the change. Mr. Altamirano does not like how slow it seems to be taking, pulls a gun out, and pointblank shoots him in the face, killing Grant Ronnebeck. What a tragedy that is.

So they are not alone. I have talked with Angel Families from throughout the country. You say: Well, okay. You are in a border State. That might happen in a border State. This goes throughout the country. These types of tragedies have happened throughout the country.

It is unfortunate and it is sad, but it is preventable in large measure.

We got a briefing at a Border Patrol station in southern Arizona. They are not too far below their full complement. They are about 80, maybe 75 percent of their full complement of agents. This is a big area, though, and they run three shifts. By the time you

take care of time off, vacation days, sick days, by the time you take everything into account, you have seven people watching and monitoring the cameras that do not cover even all of the area for which this station is responsible.

You have seven Border Patrol agents trying to interdict, literally, over hundreds of miles, hundreds of miles largely fenced with a four-strand barbed wire fence. It isn't like you have even have T poles as your fencing poles or even a more rigid pole. It is basically branches of trees. That is what you have along that particular section of the border. It doesn't take much to get across.

So we went to Sasabe, which is a very small port of entry, and they have 1½ miles of bollard fencing either side of that. Then this is something that is really hard to explain, but they have, again, the four-strand barbed wire fence that rolls on out until, I know, where it goes into single-strand barbed wire fencing. I have been there, I have seen it. But on this trip, we just watched the four-strand barbed wire fence.

When you get there, how does it tie in to the bollard fencing: with a piece of rope that is tied to a slipknot.

And you think fences don't work? Of course they work. The bollard fence works. You can stand there right at the end of the bollard fence and look out into Mexico, and the several paths that you see moving north toward their border all come up to where that rope and that slipknot that is holding the four-strand barbed wire fence comes into the bollard fence, and they all come right to there.

Why? Because you lift up the rope, pull it down. You can actually put it back on and then continue on up the hill.

But there is a convenience store in that little town near that Border Patrol stocked with MREs. And guess who needs MREs: cartel scouts who are in the hills and mountains of southern Arizona and near that little town.

They sell bullets, not in the box. When I have ever bought bullets, ammunition for my guns, they are in little boxes—not here. You can get them in little baggies, you know, little plastic bags you buy to put your sandwich in. This is what you have.

So is it any wonder that in the Tucson sector, 40 percent of the drugs that have been seized in the last couple years are in that sector?

You have a drug problem. We have tens of thousands of people killed each year because of opioid abuse. The vast majority of that is coming across the southern border. And of that that is interdicted, you have a significant plurality that is coming right through that Tucson sector.

So we then had a chance to meet with some Border Patrol agents, talk to them about what is going on. It was marvelous. They gave us some ideas.

I want to talk a little bit about something that we really don't focus on.

Mr. Speaker, I am going to save that, though, because I see the gentleman from Arizona.

Mr. GRIFFITH. Mr. Speaker, I yield to the gentleman from Arizona (Mr. GOSAR).

Mr. GOSAR. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, as the gentleman said, we had a tour this weekend in which eight other Members plus Andy and I had actually gone on this 2-day border tour.

We spoke with the Border Patrol agents, ranchers, and law enforcement officials; and during our tour, we heard, firsthand, the destruction and the dangers that came with open borders and loopholes in our immigration laws.

Ranchers told their stories about the day-to-day reality of illegal aliens using their land as drug and human trafficking routes. They walked us through how these criminal organizations used their open borders and their land to make billions.

Now, let's look at the statistics.

In 2017, more than 49,000 Americans died from heroin and opioid-related overdoses. And we are just starting to see the intrusion of the synthetic fentanyl for which you don't get second chances. It is so toxic, that even a dose as small as a grain of salt given to somebody can kill them.

Ninety percent of the heroin in our country comes from the southern border. This weekend, I stood on the soil that thousands of illegal aliens walk to smuggle these deadly drugs into our country.

We also spoke with Border Patrol, who shared their stories detailing changes that have occurred, particularly in the last 10 years. They noted that one of the biggest changes they are seeing is the shift in the illegal aliens' attitude. Instead of fleeing, they are fighting. Illegal aliens have become emboldened by the advocation of open borders the Democrats have promoted.

Now, over the last 5 years, we have seen a 2,000 percent increase in the asylum claims. We have seen a 50 percent rise in family units coming to our southern border. Ninety-eight percent of those family units will stay in our country.

Think about this. They will be turned in to our country; they will never come back to a court order, staying in our country. So it is very important to hear that 98 percent of these family units will stay in our country.

This isn't just lawmakers in Washington saying they have a crisis at our southern border; this is people who live the reality of this every day. These are the ranchers and individuals whose livelihood has been taken from them because open border advocates have chosen to protect illegal aliens instead of the citizens they represent.

Republicans have taken action and provided a solution; Democrats have not.

Ignoring this crisis diminishes the Americans and migrants who have fallen victims to the crimes committed by illegal aliens or are harmed because of illegal drugs flowing across the border.

Our job is to protect our own citizens, our country. The President's proposal echos the very need Border Patrol agents tell us firsthand they need: We need a wall, and we need it now.

Mr. GRIFFITH. Mr. Speaker, I thank the gentleman for his comments.

Mr. Speaker, I yield to the gentleman from Arizona (Mr. BIGGS) for a question.

Mr. Speaker, in listening to the gentleman's remarks, of course I was there and saw this rope as well, but I think the folks back home need to be aware of this rope. We are not talking about some massive rope. We are talking about—what?—an inch, half-inch, quarter-inch rope?

Mr. BIGGS. Mr. Speaker and the gentleman, I would tell you, it looked to me like it was about a quarter-inch rope. It was not much more than what you would call about a clothesline width, but it was about a quarter to a half inch.

Mr. GRIFFITH. Mr. Speaker, in fact, was it not accurate that you could actually roll back part of the barbed wire fence once you took the rope off and you could have multiple people coming through at any given moment?

Mr. BIGGS. Mr. Speaker, that is correct.

Mr. GRIFFITH. Mr. Speaker, the reason that illegal immigrants or drug cartels would like it that way is that they can roll that back and, wearing their carpeted shoes which prevent tracking, they can then come in there, put it back, and that way the border agents who are working that area won't have any idea that somebody has actually come through there because they can't really tell. There is a well-worn track, but you won't know when somebody has come through.

Mr. Speaker, I ask the gentleman if that is his impression as well.

Mr. BIGGS. Mr. Speaker, yes, that was my impression. You also can't tell how many people are coming through. It may be one or two. It may be 20 or 40.

Mr. GRIFFITH. Mr. Speaker, in fact, there, they had a road as well, which our border agents told us was very helpful. When you have a wall, you have a road next to it to help catch those folks who are trying to come through. But they had a device up, also, made of heavy metal and concrete to prevent the drug traffickers from using vehicles at that point and bringing their stuff in and just loading it onto a vehicle.

Mr. Speaker, I ask the gentleman if that isn't correct.

Mr. BIGGS. Mr. Speaker, that is exactly right. In fact, that road kind of ended where the bollard fence ended. And then you had the Normandy fence that was sitting there, but then right next to it, you had that track for people to come walking through that barbed wire fence.

Mr. GRIFFITH. Mr. Speaker, continuing in this colloquy with my friend from Arizona, I ask if he would agree that when we heard from the border agents that the wall—this bollard fencing, wall, however you want to describe it—is important, but things like having roads where you can get in are also important, because we heard numerous stories.

I would like for the gentleman to maybe tell one, about how the agents may be able to see through electronic devices that somebody has crossed the border, but then it may take them hours to get there. I remember several specific stories, but I just wondered if Mr. BIGGS remembered any stories like that.

Mr. BIGGS. Mr. Speaker, yes. I would tell the gentleman that when I talked about, literally, nearly 1,000 or more square miles that seven agents are covering, if the camera is there, they have seen these people. By the time they get there—it takes 2, 2½ hours because it is rugged terrain—nobody is there anymore; because the sensors, the cameras are there, and nobody is there anymore, and they are moving on. That is because they are trying to get to their destination, which may be Tucson, it may be Phoenix, and from there, all points throughout the country for these drugs to be distributed.

But, yes, indeed, this happens over and over and over on a daily basis.

Mr. GRIFFITH. Mr. Speaker, I would say that we heard this repeatedly, and what we heard is that we need the wall to help channel this flow of illegal immigrants. We need the wall to make sure that we have some idea of what is going on. We need the electronic surveillance.

So this is not a one-size-fits-all kind of situation, but we need the electronic surveillance to help when we are monitoring the wall. We need additional folks on horseback. We need additional canine units.

We heard from one agent that we need, at the Customs department, density equipment so they can test to see if a tire is supposed to be a certain density. If it is twice as dense as it is supposed to be, they know that something is being hidden in that tire, some contraband, most likely drugs, and so this is important.

□ 1715

Mr. Speaker, I yield to the gentleman from Arizona (Mr. BIGGS) for additional questions. I would like to continue our colloquy. I don't know if his colleague, also from Arizona, Mr. GOSAR, would like to join in that colloquy as well.

I would say to the gentleman, Mr. BIGGS of Arizona, did he also find it interesting that almost everybody who we talked to, and certainly all of the border guards and all of the ranchers right on the border, specifically said a wall would be helpful; but there were other things that needed to be done as well?

Mr. BIGGS. Mr. Speaker, yes. It was one of the Angel Moms, Mary Ann Mendoza, who said it well. She said: A wall won't stop everyone, but no wall will stop no one. They wanted a wall.

There was not one person that I met, and that we met, that didn't advocate for a wall. But they also understood that you need to have the infrastructure, that is to say, roads. You need to have cameras and sensors. You need to actually have more boots on the ground: better vehicles that can get there, and, where necessary, horses.

Don't forget that they were using dogs, for instance, to sniff out currency. We have a shortage of dogs at the ports of entry and in the interior between the ports of entry.

They need lighter weight. We talked to one agent who said that when he is out there wearing his full bulletproof vest and the whole harness, if it is 110 degrees ambient temperature—which, by the way, most of our summer is going to be well above 100—he said that quickly rises and you are at 145 to 160 degrees as a Border Patrol agent.

So, yes, we need a lot. But the one thing that is foundational to all of this, to try to get the border under control, is fencing.

Mr. GRIFFITH. Mr. Speaker, I yield to the gentleman from Arizona (Mr. GOSAR). Would the gentleman tell me some of the stories related to fencing or additional equipment and how those fences will channel people; where it makes it easier to keep track of who is crossing that border? Did he have any stories that he might like to speak of?

Mr. GOSAR. Mr. Speaker, oh, absolutely.

The ranchers told us over and over again. One of the ranchers was working on one of his backhoes on his property. He turned to look and a well-armed illegal is sitting there with an automatic weapon. Over and over again we see this, time and time again.

We have the Border Patrol telling us, over and over again, that what they see is they will see a mass of undocumenteds that are family units or undocumented children. They have to take their resources and attach them to those people, allowing the drug cartels to swiftly move in another point of reference.

It is big country, as the gentleman from Virginia got to see. There is lots of space, that goes north and south that have the advantages of cover. In fact, if I am not mistaken, the gentleman can actually tell the story of our last stop in Nogales and what happened right in front of us over the border.

Mr. GRIFFITH. Mr. Speaker, reclaiming my time, I will tell that story, because what happened is very interesting.

The Border Patrol was there and an individual did cross the fence. Sometimes people say: Well, the people can climb over the fence. They can, but it slows them down and allows the border agents, using cameras and being there live on the scene, to intercept those people.

And, sure enough, there we are, standing—I think we kind of acted as blockers. This fellow comes over the fence and drops down. The border agents are moving fast, and there we are standing where the natural escape route would be. While we didn't do anything heroic, and we had to watch the border security agents do their job very professionally, they got the gentleman into custody fairly quickly, it was because there was a wall, agents, and a whole team of equipment working together: the cameras, the wall, and the agents working together.

If you don't have a wall there, they are never seeing that guy; they are never catching that guy, because he had to rise up and be seen in order to cross the border wall/fence.

Mr. Speaker, I yield to the gentleman from North Carolina (Mr. BUDD).

Mr. BUDD. Mr. Speaker, I thank my friend for yielding, and I also thank my friend from Arizona for inviting us to his home State to meet with several Members from Arizona. What an eye-opener. This is something that I have supported—the building of the wall, increasing our border security—standing strong with the President for that. But to see it in person was quite an eye-opener, and I really want to thank my friend for doing that.

After spending several days in Arizona, with Customs and Border Patrol, touring areas of this southern border, I can say with more assurance than ever that we are in desperate need of a wall. In certain areas, all that separates us from another sovereign nation is a barbed wire fence. Living on a cattle farm in North Carolina, if a fence on our farm was in the same condition as that, we would be spending all night to replace it because we would be losing cows left and right. Our ranchers down there in Arizona are losing their cows into Mexico. The cows from the ranches in Mexico are coming down.

You don't realize—we don't think about it much—but there are ranchers on the Mexican side that actually want a wall. They say: Please, build the wall. We don't think about hearing it that much, but we do because they don't want the cartels coming into their ranch and cutting their fences. There are a lot of problems.

While I was there, over and over, I heard, again and again, about the need to have a wall to shrink the amount of mileage that our Border Patrol agents need to cover.

When technology detects an illegal, it takes them about 2 hours by car to get there, give or take, and then about 2 hours on foot, and then from there it is a completely different game. A wall will act as a complement to our brave border agents, and it limits the amount of terrain, which is vast—it will limit the amount that they have to cover.

The situation facing the ranchers is bleak, as I mentioned before. I spoke to one woman, whose brother was killed by an illegal alien during a home invasion. We hear all the time about home

invasions. Many of these Angel Families have been left with lost loved ones. Other families have had property damage or stolen vehicles. A simple F–150 pickup truck, that we would normally just park and take our keys with us, they have got chains wrapped around the whole vehicle to keep it from being stolen by the illegals.

We spoke with two other Angel Families, and their stories are heartbreaking and, unfortunately, not anomalies. Throughout the trip, we heard over and over again how the drug cartels will use illegal immigrants as decoys in order to overwhelm Customs and Border Patrol agents at the checkpoint, leaving the border unmanned so that they can move their drugs across.

Each immigrant, who is caught trying to illegally enter our country, takes about 2 to 4 hours to process. The cartels have done the math. They have sent waves and waves of people to tie up our Border Patrol so that they can, in essence, send their cartel and drug mules across in another area.

This weekend, President Trump put forth a plan that would reopen the government, but the plan was rejected by Democrats before it was even released. I call on my Democratic colleagues to come to the table and negotiate in good faith. In the past, Democrats have been more than open to securing our borders: in some cases, voting for $50 billion and $40 billion, respectively. The $5 billion that Trump is asking for pales in comparison.

Before us is a national security crisis, a drug crisis, and a humanitarian crisis. A wall will help in a much broader effort to get operational control of our border and keep our country safe.

Mr. GRIFFITH. Mr. Speaker, I yield to the gentleman from Texas (Mr. BABIN).

Mr. BABIN. Mr. Speaker, I thank my colleague from Arizona for this Special Order and for the opportunity to speak.

Mr. Speaker, last weekend, a handful of colleagues and I toured the southern border between Arizona and Mexico, meeting with Border Patrol agents, ranchers, law enforcement, and Angel Families, who have lost loved ones to illegals. Mr. Speaker, I can say, more confidently than ever, that we need stronger border security. This is not—I repeat, not—a manufactured crisis on the border, as we are hearing the opposite side of the aisle say.

This crisis at the border is getting worse, but the solution is the same: we must secure our borders in order to regain control of our broken immigration system. The brave men and women who put their lives on the line every day to protect our country are doing so without the full support of the Federal Government, and that is unacceptable and tragic. It certainly is not a manufactured crisis.

We need to build a border wall, construct roads and infrastructure, improve our technological resources, and restore pay to Border Patrol agents that was stripped out under the Obama administration. I hear our Democratic opponents say across the aisle that walls are immoral and ineffective. A wall is not immoral. It is absolutely necessary. Certainly, a wall will not prevent all illegals from coming over, but no wall keeps no one out.

Mr. Speaker, I urge my colleagues on the other side of the aisle to put their money where their mouth is and actually go and visit our southern border.

This is what our opponents say across the aisle is border security. We saw it. We were there. I want the American people to see this, and my constituents to see this. Our Democrat colleagues need to go down to the border and see this.

Mr. GRIFFITH. Mr. Speaker, I thank the gentleman for his remarks.

Mr. Speaker, I yield to the gentleman from Arizona (Mr. BIGGS) for the conclusion on this great trip.

Mr. BIGGS. Mr. Speaker, I appreciate everyone who went to the border with us. We will be doing it again. I will invite my Democratic colleagues to come with us as well. It is eye-opening.

Mr. GRIFFITH. Mr. Speaker, I yield back the balance of my time.

CELEBRATING BOONE DRUG'S 100TH ANNIVERSARY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2019, the Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 30 minutes.

Ms. FOXX of North Carolina. Mr. Speaker, I rise to congratulate Boone Drug in Boone, North Carolina, on celebrating the 100th anniversary of the founding of its original store, opened in North Carolina's Fifth District by Dr. George Kelly Moose. With this longevity of service in the community, Boone Drug can truly claim to be a neighborhood institution. In January 1919, when it opened, it was one of only two drugstores in Boone, and it has thrived in the midst of the changes of the pharmaceutical industry through the last century.

For 50 years, customers went to see Dr. Moose, walking from miles away to buy their medicine at Boone Drug. The upstairs of the building was occupied by a group of doctors and a dentist, which kept constant traffic moving in and out of the store. Dr. Moose even kept his drugstore open until each doctor had seen his last patient, often late into the night.

In 1947, two brothers, Dr. Odell Kelly—''O.K.'' for Odell Kelly—and Dr. Wayne Richardson, joined Dr. Moose at the pharmacy. The space was expanded for a soda fountain and grill, where many locals socialized, and the town's movers and shakers talked politics.

Joe Miller was next to join the Boone Drug ownership. Having worked at the fountain in high school, the Richardson brothers convinced him to go to pharmacy school and eventually made him a fourth owner.

Dr. Miller was joined by Dr. John Stacy and Dr. Jim Furman. They have kept alive the legacy of customer service, philanthropy, and business expansion of their predecessors. The Boone Drug pharmacists often volunteered their services, staying open until 9 p.m.; so that physicians could work long hours and patients could fill their prescriptions after a late-night doctor's visit. The store's philosophy was that anyone who came in with a prescription left with medicine, even if one didn't have the means to cover the entire prescription's cost right away.

In the mid-1980s, Dr. Miller broadened the store's horizons, selling art supplies. The popular art supply store, named Cheap Joe's Art Stuff, began in the upstairs of the drugstore. At first, art supplies were placed on shelves between over-the-counter medicines downstairs. Eventually, what started as Dr. Miller's hobby outgrew the drugstore and Cheap Joe's Art Stuff moved into its own location, serving customers worldwide.

□ 1730

Although the drugstore's fountain and grill closed in 2011, the owners have filled its former space with a nonprofit community kitchen that feeds the hungry.

Today, there are 17 Boone Drug locations in North Carolina, South Carolina, and Tennessee. The pharmacists in these pharmacies serve as direct contacts for medical information without an appointment or the expense of a doctor's visit.

Boone Drug provides a shining example of the important role that pharmacies play in supporting healthy communities. They provide immunizations, durable medical equipment, counseling, and expertise in healthcare.

I have been a patron of Boone Drug since moving to Boone as a student at Appalachian State University and always enjoy my visits to the store. I continue to love all the wonderful employees and am privileged to represent this small business and local pharmacy. It treats clients like family, which is the hallmark of a small town drugstore that lasts a century, and I wish Boone Drug another 100 years of success.

Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. KIND (at the request of Mr. HOYER) for today until 3 p.m. on account of travel delays due to weather.

ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 259. An act to extend the Medicaid Money Follows the Person Rebalancing demonstration, to extend protection for Medicaid

recipients of home and community-based services against spousal impoverishment, and for other purposes.

H.R. 430. An act to extend the program of block grants to States for temporary assistance for needy families and related programs through June 30, 2019.

ADJOURNMENT

Ms. FOXX of North Carolina. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 31 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, January 24, 2019, at 9 a.m.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CORREA (for himself and Mr. HIGGINS of Louisiana):

H.R. 712. A bill to direct the Secretary of Veterans Affairs to carry out a clinical trial of the effects of cannabis on certain health outcomes of adults with chronic pain and post-traumatic stress disorder, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. WALORSKI (for herself and Ms. KUSTER of New Hampshire):

H.R. 713. A bill to amend title 38, United States Code, to provide for the eligibility for beneficiary travel for veterans seeking treatment or care for military sexual trauma in specialized outpatient or residential programs at facilities of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BROOKS of Alabama (for himself, Mr. POSEY, Mr. BRADY, Mr. KING of Iowa, Mr. GOSAR, Mr. JONES, Mr. BOST, Mr. HICE of Georgia, Mr. GOHMERT, Mr. NORMAN, Mr. GAETZ, Mr. DUNCAN, Mr. MEADOWS, Mr. BYRNE, Mr. GREEN of Tennessee, and Mr. BIGGS):

H.R. 714. A bill to reserve any amounts forfeited to the United States Government as a result of the criminal prosecution of Joaquin Archivaldo Guzman Loera (commonly known as ''El Chapo''), or of other felony convictions involving the transportation of controlled substances into the United States, for security measures along the Southern border, including the completion of a border wall; to the Committee on the Judiciary.

By Mr. STIVERS (for himself and Mrs. BEATTY):

H.R. 715. A bill to amend section 428 of the McKinney-Vento Homeless Assistance Act to provide incentives to grantees under the Continuum of Care program to re-house all former members of the Armed Forces, and for other purposes; to the Committee on Financial Services.

By Mrs. BEATTY (for herself, Mr. STIVERS, Mr. TED LIEU of California, and Mr. TURNER):

H.R. 716. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to enter into partnerships with public and private entities to provide legal services to homeless veterans and veterans at risk of homelessness; to the Committee on Veterans' Affairs.

By Mr. BROWN of Maryland (for himself, Ms. ADAMS, Ms. BLUNT ROCHESTER, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BUTTERFIELD, Mr. CARBAJAL, Mr. CICILLINE, Mr. CISNEROS, Ms. CLARKE of New York, Mr. CLAY, Mr. CLEAVER, Mr. COHEN, Mr. DANNY K. DAVIS of Illinois, Ms. DEGETTE, Mr. ENGEL, Mr. EVANS, Mr. FITZPATRICK, Ms. FUDGE, Mr. GREEN of Texas, Mr. HASTINGS, Mrs. HAYES, Mr. JEFFRIES, Ms. JOHNSON of Texas, Ms. KELLY of Illinois, Mr. KHANNA, Mr. KING of New York, Mr. LANGEVIN, Mr. LAWSON of Florida, Ms. LEE of California, Mr. LEWIS, Mr. MALINOWSKI, Mr. MAST, Ms. MATSUI, Mrs. MCBATH, Mr. MCEACHIN, Mr. MEEKS, Ms. MOORE, Mr. NEGUSE, Ms. NORTON, Ms. OMAR, Ms. PINGREE, Ms. PRESSLEY, Mr. RASKIN, Mr. RICHMOND, Mr. ROUDA, Mr. RUPPERSBERGER, Ms. SCHAKOWSKY, Mr. SCOTT of Virginia, Mr. DAVID SCOTT of Georgia, Ms. SHALALA, Mr. THOMPSON of Mississippi, Ms. UNDERWOOD, Mr. VEASEY, Mrs. WATSON COLEMAN, Mr. YARMUTH, and Mr. MCGOVERN):

H.R. 717. A bill to amend title 18, United States Code, to prohibit a Federal firearms licensee from selling or delivering certain semiautomatic centerfire rifles to a person under 21 years of age, with exceptions for active duty military personnel and full-time law enforcement officers, and for other purposes; to the Committee on the Judiciary.

By Mr. MEEKS:

H.R. 718. A bill to designate the Federal building located at 158-15 Liberty Avenue in Jamaica, Queens, New York, as the ''Floyd H. Flake Federal Building''; to the Committee on Transportation and Infrastructure.

By Mr. BROWN of Maryland (for himself, Ms. ADAMS, Mr. BUTTERFIELD, Mr. CARSON of Indiana, Mr. CISNEROS, Ms. CLARKE of New York, Mr. CLAY, Mr. CLEAVER, Mr. CONNOLLY, Mr. DANNY K. DAVIS of Illinois, Mr. EVANS, Ms. FUDGE, Mr. GREEN of Texas, Mr. HASTINGS, Mrs. HAYES, Ms. JACKSON LEE, Ms. JOHNSON of Texas, Ms. KELLY of Illinois, Mr. LAWSON of Florida, Ms. LEE of California, Mr. LEVIN of Michigan, Mrs. MCBATH, Mr. MCEACHIN, Mr. MEEKS, Ms. MOORE, Mr. NEGUSE, Ms. NORTON, Ms. OMAR, Ms. PRESSLEY, Mr. RICHMOND, Ms. SCHAKOWSKY, Mr. DAVID SCOTT of Georgia, Mr. SUOZZI, Mr. THOMPSON of Mississippi, Ms. UNDERWOOD, Mr. VEASEY, and Mrs. WATSON COLEMAN):

H.R. 719. A bill to require certain semiautomatic pistols manufactured, imported, or sold by Federal firearms licensees to be capable of microstamping ammunition, and to prohibit the removal, obliteration, or alteration of the microstamped code or microstamping capability of a firearm; to the Committee on the Judiciary.

By Mr. BROWN of Maryland (for himself, Mr. RASKIN, Mr. TRONE, Ms. NORTON, Mr. BEYER, Mrs. TRAHAN, and Ms. WEXTON):

H.R. 720. A bill to deem Federal employees excepted from furlough during a Government shutdown in fiscal year 2019 to be eligible for unemployment compensation, and for other purposes; to the Committee on Ways and Means.

By Mr. CRIST (for himself, Mr. GRAVES of Louisiana, Mr. CARTWRIGHT, and Mr. JONES):

H.R. 721. A bill to direct the Attorney General to convene an interagency working group to study the enforcement of section 227(b) of the Communications Act of 1934; to the Committee on Energy and Commerce.

By Mr. CURTIS (for himself, Mr. BISHOP of Utah, Mr. STEWART, and Mr. MCADAMS):

H.R. 722. A bill to designate a mountain in the State of Utah as ''Miracle Mountain''; to the Committee on Natural Resources.

By Mr. DAVIDSON of Ohio (for himself, Mr. AMASH, Mr. BARR, Mr. BUCK, Mr. LAHOOD, Mr. MEADOWS, Mr. POSEY, Mr. WALKER, Mr. BUDD, Mr. JOHNSON of Louisiana, and Mr. BANKS):

H.R. 723. A bill to provide for congressional review of the imposition of duties and other trade measures by the executive branch, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DEUTCH (for himself, Mr. BUCHANAN, Mr. NADLER, Mr. AGUILAR, Ms. BARRAGÁN, Mr. BLUMENAUER, Ms. BLUNT ROCHESTER, Ms. BROWNLEY of California, Mr. BEYER, Mr. CHABOT, Mr. CARTWRIGHT, Mr. CLAY, Mr. CONNOLLY, Mr. CRIST, Mr. CALVERT, Mr. BUDD, Ms. DELAURO, Mrs. DEMINGS, Mr. SWALWELL of California, Ms. ESHOO, Mr. CICILLINE, Mr. FOSTER, Mr. FITZPATRICK, Mr. GARAMENDI, Mr. GRIJALVA, Ms. JACKSON LEE, Mr. ENGEL, Ms. JAYAPAL, Mr. JONES, Mr. GONZALEZ of Texas, Ms. KAPTUR, Mr. LIPINSKI, Ms. MCCOLLUM, Mrs. MURPHY, Mr. HIGGINS of New York, Mr. MAST, Mr. ESPAILLAT, Mr. O'HALLERAN, Mr. MEADOWS, Ms. NORTON, Mr. PAYNE, Mr. MOULTON, Ms. MENG, Mr. KRISHNAMOORTHI, Mr. KHANNA, Ms. MATSUI, Mr. KEATING, Mr. KING of New York, Mr. PANETTA, Mr. QUIGLEY, Mr. CURTIS, Mr. POCAN, Mr. SHERMAN, Mr. SERRANO, Mr. SCHRADER, Mr. TIPTON, Mr. TONKO, Mr. THOMPSON of California, Mr. RYAN, Ms. FRANKEL, Mr. PRICE of North Carolina, Ms. BASS, Mr. SUOZZI, Ms. SCHAKOWSKY, Mr. MEEKS, Mrs. KIRKPATRICK, Mrs. BEATTY, Ms. KUSTER of New Hampshire, Mr. JOHN W. ROSE of Tennessee, Ms. SHALALA, Mr. LOEBSACK, Mr. KILMER, Mrs. LOWEY, Mr. CORREA, Ms. GABBARD, Mr. MARSHALL, Mr. JOHNSON of Georgia, Mr. GAETZ, Mr. BUCK, Mr. SCHWEIKERT, Mr. GALLEGO, Mr. YARMUTH, Mr. ZELDIN, Mr. TURNER, Ms. HERRERA BEUTLER, Mr. COLLINS of New York, Mr. YOHO, Miss RICE of New York, Mr. SABLAN, Mr. WELCH, Mr. DESAULNIER, Ms. STEFANIK, Mr. LANGEVIN, Ms. WASSERMAN SCHULTZ, Mr. POSEY, Ms. ROYBAL-ALLARD, Mr. PASCRELL, Mr. VARGAS, Mr. UPTON, Ms. CLARK of Massachusetts, Mr. RUPPERSBERGER, Mr. KATKO, Mr. COLE, Mr. SMITH of Washington, Mr. PETERS, Ms. TITUS, Mr. KENNEDY, Mr. CÁRDENAS, Mrs. AXNE, Mr. BERA, Ms. LEE of California, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. TED LIEU of California, Mr. RODNEY DAVIS of Illinois, Mr. PERRY, Mr. RASKIN, Mr. GOMEZ, Ms. HILL of California, Ms. PINGREE, Mr. JOYCE of Ohio, Mr. NEAL, Ms. SPEIER, Mrs. DAVIS of California, Mr. WITTMAN, Ms. VELÁZQUEZ, Mrs. TORRES of California, Mr. WILLIAMS, Mr. COHEN, Ms. BONAMICI, Mr. LEVIN of California, Mr. LEWIS, Mr. PALLONE, Mr. GOTTHEIMER, Mr. MCEACHIN, Mr. HECK, Mr. LOUDERMILK, Mr. VELA, Mrs. BUSTOS, Mr. KILDEE, Ms. SLOTKIN, Ms. JUDY CHU of California, Ms. WILSON of Florida, Mr. SIRES, Mr. SEAN PATRICK

MALONEY of New York, Mr. SCHNEIDER, Mr. DEFAZIO, and Ms. PLASKETT):

H.R. 724. A bill to revise section 48 of title 18, United States Code, and for other purposes; to the Committee on the Judiciary.

By Mrs. DINGELL (for herself and Mr. UPTON):

H.R. 725. A bill to amend chapter 85 of title 5, United States Code, to clarify that Federal employees excepted from a furlough are eligible for unemployment compensation, and for other purposes; to the Committee on Ways and Means.

By Mr. FORTENBERRY (for himself, Mr. HUFFMAN, and Ms. BLUNT ROCHESTER):

H.R. 726. A bill to amend the National Trails System Act to include national discovery trails and to designate the American Discovery Trail, and for other purposes; to the Committee on Natural Resources.

By Mr. HASTINGS (for himself, Mr. COHEN, Mr. DESAULNIER, Ms. NORTON, Ms. PINGREE, and Mr. RYAN):

H.R. 727. A bill to end the use of corporal punishment in schools, and for other purposes; to the Committee on Education and Labor.

By Mr. JOYCE of Ohio (for himself, Ms. GABBARD, Mr. RODNEY DAVIS of Illinois, Ms. BONAMICI, Ms. MATSUI, Ms. CASTOR of Florida, Mr. MCKINLEY, and Ms. UNDERWOOD):

H.R. 728. A bill to amend title VIII of the Public Health Service Act to extend advanced education nursing grants to support clinical nurse specialist programs, and for other purposes; to the Committee on Energy and Commerce.

By Mr. KILMER (for himself, Mr. YOUNG, Mr. GRIJALVA, Mr. COLE, Mr. HECK, Mr. COOK, Mr. GALLEGO, Ms. DELBENE, Ms. PINGREE, Mr. HUFFMAN, Ms. MOORE, Mr. LUJÁN, and Mrs. DINGELL):

H.R. 729. A bill to amend the Coastal Zone Management Act of 1972 to authorize grants to Indian Tribes to further achievement of Tribal coastal zone objectives, and for other purposes; to the Committee on Natural Resources.

By Mr. KING of New York (for himself, Mr. LARSEN of Washington, Mr. DEUTCH, Ms. STEFANIK, Mr. ZELDIN, Mr. JONES, Mr. AUSTIN SCOTT of Georgia, Mr. CICILLINE, Ms. KELLY of Illinois, Mrs. DINGELL, Mr. RYAN, Mr. MEADOWS, Mr. LIPINSKI, Mr. PERLMUTTER, Mr. WALKER, Mr. GIBBS, Mr. RUSH, Mr. CONNOLLY, Mrs. BROOKS of Indiana, Mrs. BEATTY, Mr. MCGOVERN, Mr. RASKIN, Mr. HIMES, Mr. HICE of Georgia, Mr. COHEN, Ms. MATSUI, and Mr. HECK):

H.R. 730. A bill to amend title 38, United States Code, to include the cost of applying to an institution of higher learning as part of the benefits provided under the Post-9/11 Educational Assistance Program; to the Committee on Veterans' Affairs.

By Mr. MALINOWSKI (for himself, Mr. NORCROSS, Mr. VAN DREW, Mr. KIM, Mr. PALLONE, Mr. PASCRELL, Mr. PAYNE, and Ms. SHERRILL):

H.R. 731. A bill to modify the treatment of certain loans in consideration for fixed guideway capital investment grants, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. SERRANO, Ms. MENG, Mr. SOTO, Mr. CLAY, Ms. TLAIB, Mrs. KIRKPATRICK, Ms. WILD, Ms. SCHAKOWSKY, Ms. MCCOLLUM, Mr. SIRES, Mr. VELA, Mr. ESPAILLAT, Ms. NORTON, Mr. COOPER, Mr. DEFAZIO, Mr. PASCRELL, and Ms. JUDY CHU of California):

H.R. 732. A bill to amend title 13, United States Code, to require the Secretary of Commerce to provide advance notice to Congress before changing any questions on the decennial census, and for other purposes; to the Committee on Oversight and Reform.

By Ms. MCCOLLUM:

H.R. 733. A bill to provide for the transfer of certain Federal land in the State of Minnesota for the benefit of the Leech Lake Band of Ojibwe; to the Committee on Natural Resources.

By Mr. NEGUSE (for himself and Mr. SARBANES):

H.R. 734. A bill to amend the National Voter Registration Act of 1993 to require States to accept applications to register to vote in elections for Federal office in the State from individuals under 18 years of age at the time of application; to the Committee on House Administration.

By Ms. NORTON:

H.R. 735. A bill to amend the District of Columbia Home Rule Act to eliminate Congressional review of newly-passed District laws; to the Committee on Oversight and Reform, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. QUIGLEY (for himself, Ms. FOXX of North Carolina, Mr. MOULTON, Ms. STEFANIK, Mr. COOPER, Ms. NORTON, Mr. KHANNA, Mr. SARBANES, Ms. ROYBAL-ALLARD, Miss GONZÁLEZ-COLÓN of Puerto Rico, Mr. SUOZZI, Mr. GRIJALVA, Mr. WALKER, Mr. RODNEY DAVIS of Illinois, and Mr. LOUDERMILK):

H.R. 736. A bill to require the Director of the Government Publishing Office to establish and maintain an online portal accessible to the public that allows the public to obtain electronic copies of all congressionally mandated reports in one place, and for other purposes; to the Committee on Oversight and Reform, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SABLAN (for himself, Mr. MCCAUL, Mr. BISHOP of Georgia, Ms. BONAMICI, Mr. BLUMENAUER, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BUCHANAN, Mr. CALVERT, Mr. CARTWRIGHT, Mr. CHABOT, Mr. CRIST, Ms. DEGETTE, Mr. FITZPATRICK, Mr. GALLEGO, Mr. GARAMENDI, Ms. HILL of California, Mr. HUFFMAN, Mr. JOHNSON of Georgia, Ms. KAPTUR, Mr. KATKO, Mr. KEATING, Mr. KENNEDY, Mr. KINZINGER, Ms. KUSTER of New Hampshire, Mr. LIPINSKI, Mr. LOWENTHAL, Mr. MCNERNEY, Mr. MITCHELL, Ms. NORTON, Mr. PANETTA, Mr. PERLMUTTER, Mr. QUIGLEY, Mrs. RADEWAGEN, Mr. RASKIN, Mr. RESCHENTHALER, Ms. ROYBAL-ALLARD, Mr. RYAN, Mr. SCHWEIKERT, Mr. SMITH of Washington, Mr. SOTO, Mr. SUOZZI, Ms. TITUS, Mr. THOMPSON of California, Mrs. TORRES of California, Mr. VELA, Mrs. WATSON COLEMAN, Ms. WILSON of Florida, Mr. AGUILAR, Mr. RODNEY DAVIS of Illinois, Mr. GOMEZ, and Mr. WEBER of Texas):

H.R. 737. A bill to prohibit the sale of shark fins, and for other purposes; to the Committee on Natural Resources.

By Mr. SENSENBRENNER:

H.R. 738. A bill to protect private property rights; to the Committee on the Judiciary.

By Mr. MCCARTHY (for himself, Mr. KEVIN HERN of Oklahoma, Mr. BUCSHON, Mr. BABIN, and Mrs. MILLER):

H. Con. Res. 6. Concurrent resolution providing for a joint session of Congress to receive a message from the President; to the Committee on House Administration.

By Mr. JEFFRIES:

H. Res. 67. A resolution electing Members to certain standing committees of the House of Representatives; considered and agreed to.

By Ms. CHENEY:

H. Res. 68. A resolution electing Members to certain standing committees of the House of Representatives; considered and agreed to.

By Mr. BUCSHON (for himself, Mr. BEYER, Mr. KILDEE, and Mr. SENSENBRENNER):

H. Res. 69. A resolution recognizing the 300th anniversary of the founding of the Principality of Liechtenstein, and expressing support for efforts by the United States to continue to strengthen its relationship with that country; to the Committee on Foreign Affairs.

By Ms. SCHAKOWSKY (for herself, Mr. GRAVES of Missouri, and Ms. ROYBAL-ALLARD):

H. Res. 70. A resolution recognizing the roles and the contributions of America's Certified Registered Nurse Anesthetists (CRNAs) and their role in providing quality health care for the public; to the Committee on Energy and Commerce.

By Mr. LEWIS (for himself, Ms. ADAMS, Mr. ALLRED, Mrs. AXNE, Mrs. BEATTY, Mr. BEYER, Mr. BILIRAKIS, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BROWN of Maryland, Mr. CICILLINE, Ms. CLARKE of New York, Mr. COHEN, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Ms. DEAN, Mr. DESAULNIER, Mrs. DINGELL, Mr. ENGEL, Mr. ESPAILLAT, Mr. EVANS, Ms. FUDGE, Mr. GARCÍA of Illinois, Mr. GRIJALVA, Ms. HAALAND, Mr. HASTINGS, Mr. HORSFORD, Mr. HUFFMAN, Mr. COOPER, Mr. JOHNSON of Georgia, Mr. KENNEDY, Mr. KILMER, Mr. LARSEN of Washington, Mr. LAWSON of Florida, Ms. LEE of California, Mr. LYNCH, Mr. SEAN PATRICK MALONEY of New York, Mr. MCEACHIN, Mrs. MURPHY, Mrs. NAPOLITANO, Ms. NORTON, Ms. OMAR, Ms. PLASKETT, Ms. PRESSLEY, Mr. RICHMOND, Mr. SCOTT of Virginia, Mr. RUSH, Ms. SCHAKOWSKY, Mr. DAVID SCOTT of Georgia, Ms. SHALALA, Mr. SIRES, Mr. SUOZZI, Mrs. LEE of Nevada, Ms. TLAIB, Mr. TONKO, and Ms. WILSON of Florida):

H. Res. 71. A resolution observing Dr. Martin Luther King, Jr., Day; to the Committee on the Judiciary.

By Mr. ZELDIN (for himself, Mr. BUDD, Ms. STEFANIK, Mr. GAETZ, Mr. JORDAN, and Mr. HICE of Georgia):

H. Res. 72. A resolution rejecting anti-Israel and anti-Semitic hatred in the United States and around the world; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. CORREA:
H.R. 712.
Congress has the power to enact this legislation pursuant to the following:
(1) The U.S. Constitution including Article 1, Section 8.
By Mrs. WALORSKI:
H.R. 713.
Congress has the power to enact this legislation pursuant to the following:
Clause 3 of Section 8 of Article I of the United States Constitution
By Mr. BROOKS of Alabama:
H.R. 714.
Congress has the power to enact this legislation pursuant to the following:
The principal constitutional authority for this legislation is clause 18 section 8 of article 1 the Constitution (Necessary and Proper Clause), which states ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers . . .''
In addition, clause 3 of section 8 of article I of the Constitution of the United States (the Commerce Clause) gives Congress the authority ''to regulate commerce . . .''
In addition, clause 1 of section 8 of article I of the Constitution (the Spending Power) provides: ''The Congress shall have the Power . . . to pay the Debts and provide for the common Defense and general Welfare of the United States . . .''
Together, these specific constitutional provisions establish the congressional power to enact this legislation.
By Mr. STIVERS:
H.R. 715.
Congress has the power to enact this legislation pursuant to the following:
Article 1 Section 8 of the Constitution
By Mrs. BEATTY:
H.R. 716.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8
By Mr. BROWN of Maryland:
H.R. 717.
Congress has the power to enact this legislation pursuant to the following:
Commerce Clause (Art. 1, Sec. 8, Cl. 3)
By Mr. MEEKS:
H.R. 718.
Congress has the power to enact this legislation pursuant to the following:
Article 1 of the Constitution, necessary and Proper Clause.
By Mr. BROWN of Maryland:
H.R. 719.
Congress has the power to enact this legislation pursuant to the following:
Commerce Clause (Art. 1, Sec. 8, Cl. 3)
By Mr. BROWN of Maryland:
H.R. 720.
Congress has the power to enact this legislation pursuant to the following:
Necessary and Proper Clause (Art. 1, Sec. 8, Cl. 18)
By Mr. GRIST:
H.R. 721.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section VIII
By Mr. CURTIS:
H.R. 722.
Congress has the power to enact this legislation pursuant to the following:
Article IV, Section 3, Clause 2
By Mr. DAVIDSON of Ohio:
H.R. 723.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 1: The Congress shall have power to lay and collect taxes, duties, imposts and excises
Article 1, Section 8, Clause 3: To regulate commerce with foreign nations, and among the several states, and with the Indian tribes;
By Mr. DEUTCH:
H.R. 724.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3, known as the Commerce Clause, provides Congress with the authority regulate interstate and foreign commerce.
By Mrs. DINGELL:
H.R. 725.
Congress has the power to enact this legislation pursuant to the following:
Article 1 Section 8
By Mr. FORTENBERRY:
H.R. 726.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority for this bill is pursuant to Article I, Section 8, Clause 18 of the United States Constitution.
By Mr. HASTINGS:
H.R. 727.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8
By Mr. JOYCE of Ohio:
H.R. 728.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the United States Constitution.
The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.
By Mr. KILMER:
H.R. 729.
Congress has the power to enact this legislation pursuant to the following:
Article I, section 8 of the United States Constitution.
By Mr. KING of New York:
H.R. 730.
Congress has the power to enact this legislation pursuant to the following:
Article I Section 8 of the Constitution of the United States.
By Mr. MALINOWSKI:
H.R. 731.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the Constitution of the United States.
By Mrs. CAROLYN B. MALONEY of New York:
H.R. 732.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 18
Congress shall have the power . . . to make all Laws which shall be necessary and proper for carrying into Execution the Foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof . . .
By Ms. McCOLLUM:
H.R. 733.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8 of the Constitution
By Mr. NEGUSE:
H.R. 734.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the U.S. Constitution
By Ms. NORTON:
H.R. 735.
Congress has the power to enact this legislation pursuant to the following:
clause 17 of section 8 of article I of the Constitution.
By Mr. QUIGLEY:
H.R. 736.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 3 of the U.S. Constitution
By Mr. SABLAN:
H.R. 737.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8
By Mr. SENSENBRENNER:
H.R. 738.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause I

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 1: Ms. SHERRILL.
H.R. 20: Mr. COMER, Mr. CARTER of Georgia, Mr. MEUSER, Mr. ROY, Mr. RODNEY DAVIS of Illinois, Mr. BISHOP of Utah, and Mr. HAGEDORN.
H.R. 26: Mr. MCADAMS.
H.R. 32: Mr. GREEN of Tennessee.
H.R. 51: Mr. ALLRED.
H.R. 92: Mr. DESAULNIER.
H.R. 94: Ms. HILL of California and Ms. LOFGREN.
H.R. 114: Mr. BISHOP of Georgia.
H.R. 117: Mr. POCAN, Mr. KRISHNAMOORTHI, and Ms. HILL of California.
H.R. 129: Mr. MCADAMS.
H.R. 141: Mr. CALVERT and Mr. CARTWRIGHT.
H.R. 155: Mr. NEWHOUSE, Mr. JOHNSON of Ohio, and Mr. SMITH of Nebraska.
H.R. 163: Mr. LOWENTHAL.
H.R. 166: Mr. THOMPSON of Mississippi, Ms. OMAR, and Ms. WILSON of Florida.
H.R. 216: Mr. CUELLAR.
H.R. 220: Mr. VELA and Mr. SEAN PATRICK MALONEY of New York.
H.R. 223: Ms. WILSON of Florida.
H.R. 230: Mr. LEVIN of Michigan and Mr. RASKIN.
H.R. 262: Mr. JOYCE of Pennsylvania.
H.R. 273: Mr. DESAULNIER, Mr. GRIJALVA, Ms. TITUS, Mr. SIRES, Mr. LEVIN of Michigan, Mr. AGUILAR, Mr. SCHIFF, and Mr. NADLER.
H.R. 276: Mrs. TORRES of California.
H.R. 281: Ms. JOHNSON of Texas.
H.R. 294: Ms. WILSON of Florida, Mr. PHILLIPS, Mr. WELCH, and Ms. TITUS.
H.R. 295: Mr. SENSENBRENNER.
H.R. 299: Mrs. TORRES of California, Mrs. WALORSKI, Mr. KIND, Mr. DESAULNIER, Mr. RESCHENTHALER, Mrs. LESKO, Mr. BERGMAN, Mr. BACON, Mr. TURNER, Mrs. LEE of Nevada, Mr. MAST, and Mr. GALLAGHER.
H.R. 301: Mr. WITTMAN.
H.R. 303: Mr. SARBANES and Mr. FORTENBERRY.
H.R. 305: Mrs. HARTZLER.
H.R. 339: Mr. MOULTON.
H.R. 344: Mr. FORTENBERRY.
H.R. 350: Mr. WELCH.
H.R. 367: Mr. WALTZ, Mr. PANETTA, Mr. RUIZ, Mr. RUSH, Mr. JOHNSON of Ohio, Mr. WESTERMAN, Ms. STEFANIK, Mr. BROWN of Maryland, Mr. DUNN, Mr. STEIL, Mr. ROGERS of Kentucky, Mr. LATTA, Mr. NORMAN, Mr. CROW, Mr. ROUZER, Ms. KELLY of Illinois, Ms. SPEIER, Ms. WILSON of Florida, and Mr. JOHNSON of Georgia.
H.R. 371: Mr. GROTHMAN and Mr. NORMAN.
H.R. 372: Ms. KUSTER of New Hampshire and Ms. OMAR.
H.R. 394: Ms. NORTON.
H.R. 414: Mr. STEUBE.
H.R. 473: Ms. HILL of California.
H.R. 479: Mr. BABIN, Mr. ALLEN, and Mr. DUNN.
H.R. 485: Mr. PETERSON.

H.R. 493: Ms. SCHAKOWSKY.

H.R. 502: Mrs. AXNE.

H.R. 510: Mr. WESTERMAN, Mr. GARAMENDI, Mr. ESTES, Mr. HUFFMAN, Ms. NORTON, Ms. STEFANIK, Mr. WOMACK, Mrs. BUSTOS, Mr. MULLIN, Mr. DAVID P. ROE of Tennessee, Mr. COURTNEY, Mr. GRAVES of Missouri, Ms. BROWNLEY of California, Mr. DEFAZIO, Mr. HIGGINS of New York, Mr. FLEISCHMANN, Mr. NADLER, Mr. YOUNG, Mr. MITCHELL, and Mr. THOMPSON of Pennsylvania.

H.R. 511: Mr. LEVIN of Michigan and Ms. JAYAPAL.

H.R. 516: Mr. JOYCE of Pennsylvania and Mrs. LESKO.

H.R. 523: Mr. JOYCE of Pennsylvania.

H.R. 532: Mr. LEVIN of Michigan.

H.R. 535: Mr. DELGADO and Mr. POCAN.

H.R. 544: Ms. WEXTON.

H.R. 545: Mr. JOHNSON of Ohio.

H.R. 553: Mr. LARSEN of Washington, Mr. YOUNG, Mr. RUPPERSBERGER, Mr. BISHOP of Utah, Mr. PERLMUTTER, Mr. TONKO, Mr. SARBANES, Ms. MATSUI, Mr. HURD of Texas, Mr. PETERSON, Mr. PETERS, Mr. BYRNE, Mr. GREEN of Tennessee, Mr. LOEBSACK, Mr. JOYCE of Ohio, Mrs. LURIA, and Ms. DELBENE.

H.R. 554: Mr. ZELDIN and Ms. FRANKEL.

H.R. 555: Mr. TONKO, Ms. CLARKE of New York, and Mr. BLUMENAUER.

H.R. 562: Mr. NEWHOUSE.

H.R. 578: Mrs. TORRES of California.

H.R. 582: Mr. CASE, Mr. MOULTON, Mr. BERA, and Mr. LYNCH.

H.R. 587: Mr. POSEY, Mr. HIGGINS of New York, Mr. LIPINSKI, Mr. BOST, Ms. NORTON, Mr. SUOZZI, Mrs. DINGELL, Ms. STEFANIK, Mr. RODNEY DAVIS of Illinois, Mr. LAMALFA, Mr. MOONEY of West Virginia, Mr. CHABOT, Mr. BIGGS, Mr. LOUDERMILK, Mr. BERGMAN, Mr. RICE of South Carolina, Mr. NEAL, Ms. WILSON of Florida, Mr. JONES, Mr. AUSTIN SCOTT of Georgia, Mr. LAMBORN, Mr. TAKANO, Mr. ZELDIN, Mr. RATCLIFFE, Mr. GIANFORTE, Mr. ARRINGTON, Mr. HOLDING, Mr. MOULTON, Mr. MOOLENAAR, Mr. JOYCE of Ohio, Mr. CURTIS, Mr. BILIRAKIS, Mr. SCOTT of Virginia, Mr. MARSHALL, Mr. NORMAN, Mr. RUSH, and Mr. PERRY.

H.R. 590: Mr. MORELLE.

H.R. 592: Mr. COLE and Ms. HILL of California.

H.R. 601: Mr. PETERS and Mr. STEUBE.

H.R. 603: Mr. JORDAN, Mr. NORMAN, and Mr. BUDD.

H.R. 615: Mrs. NAPOLITANO and Mr. CICILLINE.

H.R. 617: Mr. GALLAGHER.

H.R. 628: Mr. CLOUD, Mr. WILSON of South Carolina, Mr. POSEY, Mr. CHABOT, and Mr. DUNN.

H.R. 634: Mr. KUSTOFF of Tennessee and Mr. JORDAN.

H.R. 643: Mr. COX of California.

H.R. 645: Ms. SPEIER, Ms. KENDRA S. HORN of Oklahoma, Mr. KIM, Mr. PETERS, and Mr. PAYNE.

H.R. 647: Ms. KELLY of Illinois, Mr. UPTON, and Mr. MULLIN.

H.R. 649: Ms. KAPTUR, Ms. WEXTON, Mr. MCGOVERN, Ms. PELOSI, and Mr. GALLAGHER.

H.R. 650: Ms. HILL of California.

H.R. 652: Mr. KENNEDY.

H.R. 663: Mr. NEWHOUSE.

H.R. 664: Mr. NEWHOUSE and Mr. ABRAHAM.

H.R. 672: Ms. KUSTER of New Hampshire and Mr. GROTHMAN.

H.R. 705: Mr. RODNEY DAVIS of Illinois, Mr. SMUCKER, Mr. HURD of Texas, and Mr. NEWHOUSE.

H.R. 708: Mr. WESTERMAN, Mr. NORMAN, Mr. GROTHMAN, Mr. ROUZER, and Mr. ALLEN.

H.J. Res. 2: Mr. CRIST, Mr. SUOZZI, and Mr. CICILLINE.

H.J. Res. 22: Mr. NEWHOUSE and Mr. TIMMONS.

H. Con. Res. 5: Ms. WILSON of Florida.

H. Res. 12: Mr. GAETZ.

H. Res. 23: Mr. HIGGINS of New York, Ms. CLARKE of New York, and Miss RICE of New York.

H. Res. 33: Ms. KELLY of Illinois, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. TITUS, Mr. PETERS, Mr. ESPAILLAT, Mrs. AXNE, Mr. CARBAJAL, Mr. JOHNSON of Georgia, and Mrs. LURIA.

H. Res. 35: Ms. SCANLON.

H. Res. 44: Mr. JOHNSON of Louisiana.

H. Res. 50: Mrs. HARTZLER, Mr. MEADOWS, and Mr. GOSAR.

H. Res. 58: Mr. THOMPSON of Mississippi, Ms. KENDRA S. HORN of Oklahoma, Mr. CRIST, Mr. GALLEGO, Ms. FUDGE, Mr. QUIGLEY, Mr. BLUMENAUER, and Ms. VELÁZQUEZ.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 116th CONGRESS, FIRST SESSION

Vol. 165 WASHINGTON, WEDNESDAY, JANUARY 23, 2019 No. 14

Senate

(Legislative day of Tuesday, January 22, 2019)

The Senate met at 11 a.m., on the expiration of the recess, and was called to order by the Honorable JOHN HOEVEN, a Senator from the State of North Dakota.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, the center of our joy, on September 11, 2001, our Nation united because of an external threat. Remind our lawmakers that nations are not only destroyed from without but from within.

As each Senator has taken an oath to protect our Constitution from all enemies, foreign and domestic, provide him or her with the guidance to passionately defend this land we love from the most subtle incursions. Lord, as some Members of our Armed Forces seek sustenance at charity food pantries and prepare to miss a second payday, something has to give.

Forgive us, almighty God, for our sins of commission and omission. Remind each Senator of the words of Jesus of Nazareth in Luke 10:7: ''Those who work deserve their pay.''

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. GRASSLEY).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 23, 2019.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHN HOEVEN, a Senator from the State of North Dakota, to perform the duties of the Chair.

CHUCK GRASSLEY,
President pro tempore.

Mr. HOEVEN thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

STRENGTHENING AMERICA'S SECURITY IN THE MIDDLE EAST ACT OF 2019—MOTION TO PROCEED—Resumed

The ACTING PRESIDENT pro tempore. The clerk will report the pending business.

The legislative clerk read as follows:

Motion to proceed to S. 1, a bill to make improvements to certain defense and security assistance provisions and to authorize the appropriation of funds to Israel, to reauthorize the United States-Jordan Defense Cooperation Act of 2015, and to halt the wholesale slaughter of the Syrian people, and for other purposes.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

Mr. SCHUMER. Mr. President, yesterday, the Republican leader, my friend, announced that the Senate would hold two votes on Thursday afternoon. First, the Senate will vote on the President's proposal, and then the Senate will vote on an amendment that is essentially identical to the underlying bill sent to us from the House, meaning a continuing resolution that opens the government for 3 weeks plus disaster assistance.

Let me be very clear. These two votes are not equivalent votes. It is not ''on the one hand, on the other hand.'' The President's proposal demands a wall and radical legal immigration changes in exchange for opening up the government. The second vote demands nothing in exchange for opening up the government.

The first vote—unless you do it my way, I am keeping the government shut down—is the Trump amendment. Our amendment says: Open up the government, and then let's talk.

To say, well, one is a Democratic amendment and one is a Republican amendment doesn't get the magnitude of this. The difference is one is holding 800,000 workers hostage—millions of Americans hostage—unless the amendment authors get their way. The second vote doesn't demand anything. It just says to open up the government and then let's discuss it.

The first vote, on the President's plan, includes radical changes to our asylum system and the full funding the President asked for the border wall in exchange for reopening the government. The first vote is completely partisan. The first vote is the President's hostage-taking position codified into an amendment. It says: You must do it our way and pay $5.7 billion for a wall before we open the government.

The second vote is the opposite. It does not demand anything before we reopen the government. It simply reopens the government for 3 weeks and allows us to continue debating border security. There is nothing partisan about the second vote. If President Trump weren't opposed to it, there would be nothing controversial about the second vote and just about every Republican would vote for it, as they did the first time, a month ago.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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The second vote is not a Democratic proposal with demands. The first vote is a Republican proposal with Republican demands. One simply reopens the government. The other says: No way. It embodies the President's temper tantrum: If you don't do it my way, I am shutting down the government and hurting lots of people.

The two votes are not equivalent. It is not ''on the one hand, on the other.'' They are diametrically opposed in concept.

I do give Leader MCCONNELL credit. He put on the floor, for the first time, an ability for Senators to vote on a clean proposal to reopen the government. That is the second vote. It is completely silent on the issue of border security. A vote for the continuing resolution does not preclude a continued discussion on how we best secure our border. It isn't pro-wall or anti-wall. It just says: Open up the government. It is a way to reopen government while we continue to work out our differences.

I want my Republican friends to understand the stakes here. Reopening the government for 3 weeks may not sound like a long time, but it is massively important to 800,000 public servants who have been languishing without pay. Reopening the government even for 3 weeks would mean that all 800,000 get their backpay, to which they are entitled. That is three full paychecks: one for January 11, one for January 25, and one for February 8. Let me repeat that. Even a 3-week continuing resolution would provide three full paychecks to our Federal employees: TSA, Border Patrol, FBI agents, air traffic controllers, food safety inspectors, Coast Guard. Every one of the ones I mentioned involves our security. The President says—in my opinion, totally incorrectly, misstating all of the facts—that we need the big wall for our security. Even if he succeeds—which he will not, I believe—it would take years to build that wall. There is also eminent domain and so many other issues that it might never be built at all. But this is hurting TSA, hurting Border Patrol, and hurting FBI agents, air traffic controllers, food safety inspectors, and Coast Guard members, who all deal with our security right now—right now.

So if you believe in the security of America, you vote for the second amendment, no matter what you think of the wall.

The American people, more and more—it is amazing—were on our side to start with, and they are turning more on our side now. In a CBS poll this morning, 7 out of 10 Americans say the issue of a border wall is not worth this government shutdown, including 71 percent of Independents, but, astoundingly, 43 percent of all Republicans say a border wall is not worth a government shutdown. Close to half of all Republican voters are saying to President Trump and to Leader MCCONNELL and to every Republican Senator in this Chamber: Don't keep this shutdown going over the wall. Don't hold the government hostage. Open it back up and figure out your policy differences.

Parenthetically, I would remind my colleagues that this poll—and another one this morning showed the same thing with President Trump's ratings lower than ever—occurred after his speech on Saturday. His gambit to try to get the shutdown off his back failed, as it should have, because the shutdown is solely his. He said he was proud of it. He said 25 times before he did it that he wanted to do it. Everyone knows the shutdown is his. Neither the President nor our Republican friends can squiggle out of that one. Because of the President's destructive hostage-taking gambit, as I said, his disapproval rating reached the highest level of his Presidency in the CBS poll.

What more do my Republican colleagues need to hear? The will of the American people is crystal clear: Open the government.

I know that President Trump has some power in these Republican primaries, but sometimes you have to rise to the occasion.

The second bill, without any preconceptions or preconditions says: Open the government. The first bill is hostage-taking: Unless you do it my way, the government is staying shut down.

So these are not equivalent bills. These are not ''on the one hand, on the other hand.''

For weeks we have been at a stalemate. Leader MCCONNELL has not allowed a vote on legislation to reopen the government until now. Tomorrow the Senate will finally have its chance. We can reopen the government until February 8 and continue to discuss border security. If you are worried about hundreds of thousands of Federal employees going without pay, if you are worried about the impacts of the shutdown on our economy or our basic security—as law enforcement, Border Patrol, and food safety are not paid—if you are worried about our national security, and if you are looking for a way to open up the government, this is the way. The second vote is the only way that is on the floor of the Senate and can actually open up the government.

I urge all of my Republican colleagues, as they did once before—before President Trump said what he said—to join Democrats on a bipartisan basis on the second vote tomorrow and, finally, open up the government.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Ohio.

Mr. PORTMAN. Mr. President, I am here today to talk about the ongoing government shutdown and the need to provide more security on our southern border and to try to put a little perspective around it.

The President just issued his own proposal. It is a reasonable proposal, I think, and a constructive proposal to try to end this shutdown and reopen the government and strengthen the southern border. I am told we are going to vote on that plan tomorrow here in the Senate. It includes a lot of the ideas that I have been discussing with colleagues on both sides of the aisle, Democrats and Republicans, over the past few weeks. Some of these ideas are ones that Democrats support more, and some the Republicans support more. It is the basis for a compromise.

I am going to vote for the President's plan, and I am going to explain here in a minute why I would hope that colleagues on both sides of the aisle would support that plan tomorrow as a way to take a step forward and to take a step back from the partisanship and the division that is keeping our government shutdown.

My hope is that even if the proposal cannot pass with a 60-vote majority, which, unfortunately, seems likely right now, it will spark good-faith negotiations to enable us to quickly end the government shutdown and move forward.

Unfortunately, some of the partisanship and division I talked about has made that harder. It is interesting that even before the President made his announcement, but on the day he was making it, the Speaker of the House, NANCY PELOSI, said the proposal was a nonstarter before she knew what was in it. That is not serious. That is not the basis for a serious negotiation and certainly not responsible for us in the middle of a partial government shutdown.

I think there is in this body—and, I think, in the House, as well—a general consensus that we need to do more to protect the southern border. The Democratic leadership of the House and the Speaker of the House just presented a billion-dollar plan, for instance, for more border security.

I call it a crisis, but call it what you want. Here are the facts. During October and November of last year, the most recent months for which we have good information, Customs and Border Protection agents apprehended more than 100,000 people trying to enter our country illegally. That is nearly double the number of people who were apprehended a year ago in 2017. That is twice as many people.

The big increase, as you know, is with families and kids, unaccompanied children. According to the Department of Homeland Security, there has been a 50-percent increase in the number of families coming across the border illegally and a 25 percent increase in the number of children during fiscal year 2018. Along with that, there has been a 2,000-percent increase over the past 5 years in asylum claims. That increase has primarily come from three Central American countries: Guatemala, El Salvador and Honduras. While 9 out of 10 of these asylum claims are ultimately rejected by the immigration courts, the applicants have long since been released into the interior of the

United States. People don't stay in detention waiting for their hearing. They are released into our communities. I am told by Customs and Border Protection that they think about 90 percent of those families and children are never removed.

Is that a problem? I think everyone should agree that this is a problem. The system is breaking down.

In fiscal year 2018, Customs and Border Protection referred nearly 50,000 unaccompanied minors—all of whom came across our southern border to seek asylum—to the Department of Health and Human Services for care. I have done a lot of work on this issue in the Homeland Security subcommittee called the Permanent Subcommittee on Investigations.

It is a tough situation. It is a tough situation to have these kids in any kind of detention for any kind of time. It is a tough situation for these children, many of whom have experienced trauma and violence on their journey north and need significant help.

Human trafficking remains a significant problem along the border. Law enforcement officials on both sides continue to arrest people for facilitating labor and sex trafficking of adults and children, women and children. Local law enforcement along the border have repeatedly voiced their concerns.

In addition to the individuals trafficked into the United States involuntarily, criminal smuggling networks mislead prospective migrants by assuring them a safe route into the United States. This happens all the time. According to a survey by Doctors Without Borders, over two-thirds of migrants report facing violence on the journey north, including theft, extortion, torture, and sexual assault. Almost one-third of women report being sexually abused while being taken on that journey north to enter the United States. This is something none of us should find acceptable.

Furthermore, as we know, the Drug Enforcement Agency has said: ''The southwest border remains the primary entry point for heroin into the United States.'' There is no disagreement about that. I am told that about 90 percent of the heroin that is flowing into our communities comes across the southern border and that fentanyl, which is this incredibly powerful synthetic opioid that is 50 times more powerful than heroin and comes primarily from China and primarily through the Postal Service, is actually increasingly going through Mexico too. Law enforcement tells me that it is being shipped from China to Mexico and is then being taken across the southern border. Seizures of fentanyl—which, by the way, is the No. 1 cause of death in my home State of Ohio and in, probably, your States—increased by 135 percent in its coming across the southern border last year as compared to 2017. Again, most of it is coming from China, and most of it is coming through the mail system, but increasingly it is also coming across the border.

It gets worse. Over the past few weeks, I have been at three meetings with drug abuse task forces in Ohio and have talked about the crisis back home and how we should address it, and we are making some progress. That is the good news. Progress is also being made with regard to opioids. We are seeing fewer deaths by overdose, and we are seeing fewer addictions.

What we have done here in Congress is to put more money into prevention and treatment and longer term recovery, and our providing Narcan to our first responders and others is beginning to work.

Guess what I heard from all three of these task forces. It is that now, coming up—raising its ugly head—is pure crystal meth. Methamphetamines are taking the place of opioids in some of these communities. That is the new scourge. Guess where this crystal meth is coming from—Mexico. This is pure, powerful crystal meth. We have seen a 38-percent increase in methamphetamine trafficking across the border, again, just from 2017 to 2018.

I don't think there is any disagreement on either side of the aisle that we need a more secure southern border, not just because of people coming in illegally but because of the fact that there is trafficking, that there are drugs being transported across that border, and we all want to address it.

Senator SCHUMER, who just spoke, has talked a lot about the need for more screening at our ports of entry because most of these drugs come in by way of cars and trucks. He is right. By the way, that is in the President's proposal.

Because of all of those problems, the experts tell us we need to do some things. One thing they say they need are more physical barriers. This is from the experts. They also want more Border Patrol agents. They want more technology. They want more surveillance, more cameras. They want drones to be in some places that are out in the desert so they can see what is going on. They want more screening at the ports of entry. Again, the Democrats have supported it, and I have supported it. They are looking for anything they can do to try to stop the flow of drugs and to do it with technology, and that takes more money.

I believe the proposal the President outlined over the weekend hits all of those points. That is why I think it is responsible. He made clear that he is prepared to have these new barriers that he is proposing not be cement walls, which is what so many Democrats have opposed, but, rather, to be fences. In some places, they should be wire—pedestrian fences. In other places, they should be low vehicle barriers. In other places, they should be what the President has called steel barriers, the ones you see through. That is the kind of construction we are talking about here, not the cement wall that a lot of people think he is proposing. Frankly, that is what they have taken from what he has said and from what the Democrats have said. It is almost like we are talking past each other.

Second, specifically, his proposal stipulates that these barriers would be constructed in a way that would be consistent with the ''Border Security Improvement Plan.'' It is a plan that experts at the Customs and Border Protection Agency have proposed. These are the experts.

It is not 2,000 miles of the border that would have these fences and structures and barriers that we are talking about. In the President's proposal—and this is going to surprise you—it would be 234 miles of the border.

So, No. 1, they would not be the cement walls in the way that people are talking about. No. 2, it is going to be done in the way in which the experts recommend in terms of where they are going to be placed and what kinds of structures they will be. It will also be a total of 234 miles out of the 2,000-mile border.

The 234 miles are going to support the top 10 priorities of this plan that the Customs and Border Protection people have submitted, which is this ''Border Security Improvement Plan.'' It is going to be specifically what the experts say the top 10 priorities are. What are their top 10 priorities? I am told, for instance, it is a new fence in parts of Texas where there is no fencing in the urban areas. That is in the plan. The White House is not making these decisions, but the experts are through this border security plan.

The legislation that the President has proposed has some specific language in it saying that these barriers must be built in an operational, effective design that prioritizes agents' safety. That language, folks, was taken right out of the bipartisan fiscal 2018 appropriations bill that this Senate passed last year. This is consistent with votes we have taken in the past as to what kind of wall it will be and where it will be. That means the definition is one we have long voted for. As we speak, approximately 115 miles of border barrier is being built using this same definition because it was proposed and voted on by this Chamber last year, just a year ago, on a bipartisan basis.

The $5.7 billion proposal in funding for the construction of additional physical barriers along the southern border is consistent with what the experts say ought to be done.

Based on the Secure Fence Act back in 2006, which, again, was bipartisan, more than 500 miles of fencing have already been built in California, in Arizona, and in New Mexico by previous administrations, Republican and Democratic alike. Based on the data, on the actual facts, it is making a difference. The data from Customs and Border Protection show that in areas where this fencing has been built, apprehensions have decreased substantially. That probably doesn't surprise

you if you think about it. At a minimum, having these barriers slows people down and keeps vehicles from coming across that desert terrain, which gives the Border Patrol a chance to respond, along with there being the technology—the cameras, the sensors.

Again, another one of the misconceptions about this whole debate is that it is over the entire 2,000-mile border. It is not. It is over 234 miles. These barriers will be strategically deployed. They will be built where they are the most needed—in populated areas, where there are not already natural barriers to keep people from crossing. What his proposal does, as I look at it, is it fills a demonstrated infrastructure gap along the border but only where it is necessary.

As we talked about, our Border Patrol experts say Texas is their top priority. Why? It is because Texas is 1,200 miles of the 2,000-mile border and because there are only 100 miles of barrier in Texas currently. So there are over 500 miles of border that have barriers, and only 100 miles of that is in Texas, which has 1,200 miles of the border. It has most of the border.

The new fencing is particularly necessary in the most populated parts of the Rio Grande Valley. McAllen, TX, is one example of that. To me, that makes sense because that is where about 40 percent of the crossings occur and because they are asking for this fencing there. These are the experts.

In addition to there being more funding for more barriers, the President has requested more money with which to hire another 750 Border Patrol agents and 2,000 additional law enforcement professionals. Again, more people to be able to respond is something that on a bipartisan basis, I think we support here.

He is proposing $800 million for humanitarian needs, to fund and enhance medical support and transportation facilities for those who are detained at the border. This is consistent with what the Democrats have supported in order to deal with the humanitarian challenge. The Homeland Security appropriations bill already includes funding for these purposes, but the President requested additional funds to help with the influx we have talked about. So it is like a supplemental spending request. We have had more families and more unaccompanied children in particular, so it makes sense to have more humanitarian funds available to deal with that.

The President has also requested $563 million for 75 additional immigration judges and support staff so we can reduce the nearly 800,000 pending immigration cases that are backlogged. This backlog is part of our problem because people are typically in the communities, and many of them don't show up for their court cases. Reduce the backlog—that is the obvious answer here. By the way, this part of the President's proposal is identical to the proposal Speaker PELOSI made just a few days ago. It is identical—75 new judges and support staff.

Finally, the President has requested a total of $805 million for counter-narcotics and weapons technology screening at the ports of entry. There is $675 million within that for reinvestment in drug and weapons detection and $130 million for K–9 units, training, personnel, and portable scanners. Again, this is one some of us feel very strongly about, including Senator SCHUMER and including a lot of us on this side of the aisle. It is one that was also proposed by Speaker PELOSI a few days ago—more money for screening at the ports of entry. Her proposal is almost identical to the President's, except, frankly, the President proposes a little more money for the same purposes.

It is like we are talking past each other. We know there is a need. We generally agree. There is a general consensus on the need for what has to be done along the border; yet we can't seem to find common ground. To try to get there, in addition to these funding requests—and I applaud him for this—the President outlined his support for dealing with other immigration reforms that both parties support, such as DACA.

I remember DACA as being these young people who came here as children through no fault of their own and that the question was, Do you continue the program that President Obama set in place or not? My view is to resolve this political football once and for all and provide certainty to these young people who came here through no fault of their own. Some of them are working, some of them are in school, and some are in the military. They are looking for some certainty.

In the way the legislation is drafted, it is for these young people who have taken the responsible course and have gone to school or who are working or who are in our military. This is a process whereby we can provide that certainty, and the President has proposed it. He has proposed for all of those children who have applied for and been accepted into this DACA Program 3 years of additional authorization to be here, which will be past this administration.

The President has also embraced an effort to look at this issue of temporary protected status, or TPS, which allows us to provide protection to individuals who come from particularly trouble-stricken countries, and there are now 10 countries on that list. The Secretary of Homeland Security has the authority to provide harbor to those individuals where there has been a natural disaster, where there is a war, or where there has been a lot of violence in those countries.

Some of those TPS visas are expiring. I believe the President has laid out something that many Democrats have called for that makes sense, in my view, which is to provide some more certainty for some of those individuals. Again, it is a 3-year authorization, which will go beyond the next election.

The President has also talked about changing the asylum process. He has picked up some ideas from that side of the aisle and this side of the aisle, including having people apply for asylum in their own countries.

This is an attempt to find that common ground. Yes, let's be sure we have a protected southern border, but let's also deal with what have been some political and, unfortunately, intractable problems. For all of these reasons, I think we need to come together and negotiate a solution. I think the President's proposal is a reasonable one. That is why I plan to support it.

I know my Democratic colleagues have other ideas as well. What I said to them this morning and last night and will say again this afternoon when we meet—Republicans and Democrats alike—is, let's talk. We are not that far apart. Let's close this gap. That is what I find to be the most frustrating part of this. Yes, we have had shutdowns in the past, but I don't think we have ever had a shutdown that is so easy to resolve. We are not that far apart. If we would stop talking past each other, including as to what kind of structures we are going to put along the border, as I talked about, I think we could get there.

In my view, shutdowns don't make sense. We are now in day 33 of this government shutdown. I am not a big fan. I have legislation I have now introduced five times in Congress to say let's end government shutdowns. The legislation would simply continue the spending from the previous year and reduce it by 1 percent after 120 days and another 1 percent after the next 90 days in order to incentivize Congress to get its act together and actually pass the appropriations bills.

At day 33, 800,000 workers have missed one paycheck, and another paycheck is coming up tomorrow.

I have heard from a lot of folks in my State of Ohio—TSA employees, of course, at the airports, many of whom I spoke to when I came to Washington yesterday morning. It is a tough situation for them. Some of them don't have the savings. They live paycheck to paycheck. They are getting by through a combination of things—family members helping them, talking to the banks about their car payments or their mortgage payments. It is putting a lot of stress on them. I applaud them for showing up to work, by the way.

Workers at NASA—NASA Glenn in Cleveland, OH—can't go to work, so our space program is being slowed down. That is a problem.

Across the board, I am hearing from people who are in law enforcement, our prosecutors, saying they can't pay informants to be able to go after drug dealers. I am hearing from our Coast Guard personnel on Lake Erie. Again, these are patriots. They are showing up for work. I applaud them for that. I thank them. We owe them an end to this shutdown and a resolution to this issue.

I also don't like shutdowns because, frankly, as bad as they are for families, they are also bad for taxpayers. As taxpayers, we always end up paying more in the end. In the end, we are paying people not to work because people who are furloughed are going to get their paychecks when this is over. That doesn't seem very good for taxpayers. The people who are actually showing up for work—we are not paying them now, but we will pay them later. It is inefficient. Services are being cut off. Yet, in the end, taxpayers are going to be paying for it. So it doesn't help taxpayers.

I also don't like it because it hurts our economy. People say: Well, not much. We are doing fine.

We are doing fine. Thanks to the tax cuts and tax reform and regulatory relief, the economy is doing better, but this is running the other way. This is providing negative momentum.

The Council of Economic Advisers at the White House told us this week that the shutdown is going to reduce quarterly economic growth by 0.13 percent for every week it lasts. In other words, every week the shutdown continues, it hurts our economy more. If this shutdown lasts another 4 weeks, that will be a full point off GDP. So in just another 23 days, it will be a full point off our GDP. That is a big deal. That hurts paychecks, it hurts jobs, and it hurts the economic growth that all of us are so happy to finally have—to see the fact that unemployment is low, to see the fact that there are more jobs out there than there are workers looking, and to see the fact that wages are finally starting to increase. Let's not go the other way.

We have the opportunity before us to solve this. It is not that hard. Let's stop talking past each other. Let's find that common ground.

The President is going to have to continue to negotiate, and he says that he will. The Speaker of the House is going to have to move. It is not responsible for her to say not a penny more for barriers along the border, which she traditionally supported, as have other Democrats.

Let's act in good faith. Let's move forward to a responsible resolution that will reopen the government but will also ensure that we have a secure southern border. That is what the American people want. That is what we should be providing in the Senate and in the House, working with the President. Let's come together, and let's get it done.

I yield back my time.

The PRESIDING OFFICER (Ms. MURKOWSKI). The Senator from Wyoming.

Mr. BARRASSO. Madam President, I have up here a quote from the Washington Post from January 20, 2019. The words say: ''to refuse even to talk until the government reopens does no favors to sidelined Federal workers and contractors''—to refuse even to talk. This is a Washington Post editorial message to the Democrats.

The Post says that the Democrats should welcome the President's weekend offer and return to the negotiating table to end this partial government shutdown, which is now in its fifth week. I agree. It is time to end this stalemate. It is time to talk, and it is time to vote.

The title of the editorial was ''Make a deal. Save the dreamers''—make a deal.

Divided government is often messy business. It is also serious business. It is what the American people have voted for and what we have seen more often than not in this country. Politically, there really are no winners and losers in this arena. What I worry about is the American people. Nobody wins in terms of a shutdown.

The Senate will vote tomorrow on commonsense, compromise legislation to secure the border, reopen the government, as well as to address what I believe are key immigration issues for the country.

We do have a national security and a humanitarian crisis at our southern border. President Trump has, again, requested $5.7 billion. That is one one-thousandth of the Federal spending. He has requested the money for a steel barrier system.

The southern border is almost 2,000 miles. The physical barrier already protects about 650 miles. The President wants to build more security barriers because we know they are a proven solution.

In addition, the President is proposing to grant provisional status—a 3-year reprieve—for the 700,000 Deferred Action for Childhood Arrivals illegal immigrants, known as DACA. This 3-year reprieve will also help 300,000 temporary protected status immigrants. When people say TPS, that is what it stands for—immigrants with temporary protected status. Right now, they have protected status, but that is expiring. These are individuals who have suffered devastation in their lives due to the challenges previously faced in Haiti, as well as individuals from Central America. So we are talking about over 1 million people for whom the President is proposing changes that would impact them and their lives.

These DACA and TPS measures are an immigration policy bandaid. They are not the solution to everything. They deal with an immediate problem for a limited period of time. Once the government reopens, the President then plans, as he said, to hold weekly, bipartisan meetings aimed at broader immigration reform.

Border security policy has always been bipartisan. For decades, Presidents and congressional leaders from both parties have supported security barriers to protect the American people.

In 2006, Senate Democrats, including Senator Barack Obama at the time and Senator Hillary Clinton and Senator Joe Biden and Senator CHUCK SCHUMER—all of them—voted to construct a physical barrier on the southern barrier.

In 2005, then-Senator Obama said this: ''We simply cannot allow people to pour into the United States undetected, undocumented, and unchecked.'' Then, when Senator Obama became President Obama, he actually described the border situation as a crisis, but he failed to fix it.

President Trump resolved to fix the decades-old problem. That is when Democratic leaders suddenly changed their tune. They withdrew support for securing the border and dug in their heels, prolonging the partial government shutdown.

Even President Obama's last Border Patrol Chief, Mark Morgan, supports President Trump's efforts. President Trump did not keep him in the job, but Mark Morgan has said—and he was on television the other day—that building the wall is key to solving the security crisis and that Trump—President Trump—should ''stay the course.''

Still, Democrats refuse to negotiate with this President, so we can't reopen the affected Federal Agencies and pay the 800,000 furloughed Federal workers.

President Trump has the truth on his side. Here is the Homeland Security Department's assessment of the border situation: Each month, 60,000 illegal immigrants reach the border. Drug smuggling spiked in 2018, with a 38-percent increase in methamphetamine, a 22-percent increase in heroin, and a 73-percent increase in fentanyl. We also saw a surge in arrests of dangerous criminals, including 17,000 adults with criminal records and 6,000 MS–13 and other gang members.

In 2018, 60,000 unaccompanied children and 161,000 families reached the border—a dramatic increase from 2017. Many were victimized along their journey.

The Border Patrol areas that do have enhanced or expanded physical barriers have seen a dramatic decrease in illegal traffic. That is why the President has requested additional funds to construct more barriers. The areas he has pointed to are the 10 locations where the Border Patrol has said: These are the spots where we really need the help.

All Americans want a healthy immigration system that enforces the law and keeps families together. The President has put a reasonable, bipartisan compromise on the table to end this partial shutdown and to pay furloughed Federal workers. President Trump is ready to sign this legislation. The Senate will vote on it tomorrow.

The House Democrats hold the keys to reopening the government. I believe Democrats should stop playing politics and meet President Trump in the middle. That is what President has done with his good-faith effort.

I say: Let's vote to secure the border and vote to reopen the government.

TRIBUTE TO ALFRED REDMAN, SR.

Madam President, now I would like to turn to a different topic that would

be at an appropriate location in the RECORD. It is something that I think the Presiding Officer, as the former chairman of the Indian Affairs Committee, would find interesting. That is because I rise today to pay tribute to an incredible individual, a great man, the legendary Indian High School boys' basketball coach, Alfred Redman.

Saturday night, in Ethete, WY, the long-time coach was surrounded by school officials, by players, and by fans, who gathered for a ceremony renaming the school's gymnasium in his honor. Redman's incredible coaching record as he coached the Chiefs was 426 wins and 118 losses in 26 seasons.

Under his leadership, the Chiefs consistently made State tournament appearances, winning six State championship titles, and finishing second six additional times.

Coach Redman was tough. He conditioned his players through grueling practices. This was his formula for success: Work the players hard and make the games easier to win. His toughness paid off. He put Wyoming Indian basketball on the map, both at the State and the national levels.

Over the seasons, from 1983 to 1986, Redman's Chiefs set the State bar with a recordbreaking 50 straight victories. That record still stands today. It is no surprise that Redman is both a Wyoming and a national coaches Hall of Fame inductee.

Wyoming owes a great debt of gratitude to Coach Redman—a giant in State basketball history.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

GOVERNMENT FUNDING

Mr. REED. Madam President, I come to the floor again to urge an end to the Trump shutdown, which is over a month old—the longest in history.

Let's be clear. This is the Trump shutdown. The President called for a shutdown two dozen times, and he said he would be proud to own it.

Regrettably, it is clear that he does not care about the impact his shutdown is having on families across the United States. He barely acknowledges their pain.

If you needed any reminder of the low regard the President has for the Federal workforce, remember that on December 28, in the midst of the shutdown he instigated, he signed an Executive order that will freeze pay for the civilian workforce in 2019—assuming he ever reopens the government.

With his announcement on Saturday, the President is now playing games with the lives of hundreds of thousands of refugees and Dreamers, who, because of his earlier actions, could face the real threat of deportation.

Meanwhile, his administration is playing favorites, rewarding those with deep pockets and good connections, forcing IRS employees back to work without pay to process tax returns, reopening the Department of the Interior to help pave the way for oil and gas leaks.

For those without resources, it is often a different story. Recipients of Federal housing assistance, for example, are wondering what their status might be in the next month.

FBI agents are worried about the effect the shutdown will have on active investigations. Air traffic controllers, FAA inspectors, and TSA workers are working long hours to keep flights on time and safe, but the cost to them and their Agencies will stretch years into the future.

Transit agencies, unable to draw down needed Federal capital and operating funding, are also feeling the pinch, which could affect service and safety down the line. We have seen this coming. That is why Democrats have been pleading with the majority leader for weeks to allow a vote on the funding bills that Senate Republicans wrote last year so we can reopen the government. These measures have broad bipartisan support. In fact, the leader voted for each of them, but for weeks, the majority leader refused to allow a vote on these and other bills, saying the Senate will not waste floor time on show votes, on bills he believes the President will not sign. By his definition, he can only bring up bills that can pass the House, earn 60 votes in the Senate, and get the President's signature.

As the leader knows, when there is a veto-proof majority—as there has been in the Senate on these very bills to fund the government—the President is, quite frankly, irrelevant.

Here is what the record shows: Last year, the Senate passed the Agriculture appropriations bill 92 to 6. We passed the Interior appropriations bill 92 to 6. We passed the Financial Services-General Government appropriations bill 92 to 6. We passed the Transportation-HUD appropriations bill 92 to 6. Although they didn't come to the floor, the Appropriations Committee passed the Commerce-Justice-Science bill and the State-Foreign Operations bill unanimously.

As for the Department of Homeland Security, we passed a continuing resolution in the Senate unanimously last year to keep the Department funded at least temporarily. There is no reason we can't pass that measure again and start paying our coastguardsmen and other DHS personnel. What cannot pass is President Trump's demand for billions and billions to build hundreds of miles of ineffective wall through places where it is unwarranted.

Don't take my word for it. Listen to Congressman WILL HURD, a Texas Republican, who represents a district he says includes 820 miles of the roughly 1,900-mile border with Mexico. Congressman HURD has called the wall ''the most expensive and least effective way to secure the border.'' He is correct, and MIT engineers and other experts have estimated this wall will cost well north of $30-plus billion.

Democrats want to focus on border security infrastructure but the improvements of greatest need, including ports of entry and more effective technology to detect illegal border crossings and drug smuggling. Once the government is open, there is room for debate on how best to improve border security and even on longstanding immigration matters.

It will not be easy. First, the President's call for a wall is as political as the day is long. He is focused on motivating the roughly 30 percent of Americans who think keeping the government shut down is a good thing.

Second, negotiating with this President has proved a difficult job, even for members of his own party because he has a hard time keeping his end of the bargain. In December, when Republicans controlled both the House and Senate, the Senate unanimously passed a bipartisan deal, sponsored by the majority leader, to keep the government funded until the beginning of February. The clear understanding was that the President, as communicated by Vice President PENCE, would sign the legislation, but, within hours, the President scuttled the agreement.

Going back to March 2018, the President nearly vetoed the Republican Omnibus appropriations bill that was based on funding levels he had already agreed to.

As far as funding for border security, the President changes his demands constantly. First, Mexico was going to pay for the President's border wall. Last February, he asked taxpayers for $1.6 billion. Then it became $5 billion. Now it is $5.7 billion. How is it possible to make a deal with, frankly, such an unreliable party?

Here is one other point, and it goes beyond President Trump. If Congress capitulates to his demands because he has shut down the government, he will be emboldened to use the same tactic again and again and again. If he succeeds, then every President who follows will feel justified in using the same ploy. Rather than ending one shutdown, we will be inviting more in the future.

The only choice we have in Congress is to pass the bills we know have overwhelming bipartisan support and reopen the government with or without the President's signature.

Tomorrow the majority leader will be asking the Senate to surrender to the President's cynical demands for wall funding. That proposal is a dead letter purposely filled with poison pills: It will not get 60 votes in the Senate and will not pass the House. It fails the very test the majority leader has been saying must be met. It is, by his own definition, a show vote.

As an alternative, the Senate will have the opportunity to vote again on the majority leader's proposal from last December, which would reopen the government through February 8. Added to that measure will be much needed disaster assistance. It will be interesting to see if the Senate Republicans

will support or oppose this measure, which is essentially one they wrote. I hope they will take yes for an answer and vote with all of us to reopen the government and to begin serious, thoughtful, and principled discussions on ways we can improve borders and many other topics.

I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. MCCONNELL. Madam President, tomorrow the Senate will vote on the plan put forward by President Trump to reopen the closed portions of the Federal Government right away, increase security on our southern border, deliver disaster recovery funding, and address some outstanding immigration issues.

By way of reminder, this is a compromise measure that was carefully designed to include the kinds of ideas Democrats have been eager to support, including very recently. First and foremost, the legislation would end this partial shutdown and bring all parts of the Federal Government back online for the American people. Normal operations would resume. Federal workers would receive backpay and continue to be paid. This could happen quickly.

The bill also takes a compromise approach to the underlying disagreement that brought us to this point. It would fully fund the border security priorities identified by the men and women actually working on the ground: investments in surveillance and security technologies, in recruiting and training new Border Patrol agents, and, yes, additional funding for physical barriers like the walls and fences which Democratic Senators used to boast about voting for and which President Obama's administration bragged about building.

Of course, the reality of a divided government is that negotiations do not leave either side with their perfect plan. So the President went out of his way to include additional items that have been priority areas for Democrats. For example, the proposal would grant 3-year lawful status for certain currently enrolled DACA recipients and individuals under TPS. Finally, the White House proposal also includes all seven of our regular order appropriations bills, the product of bipartisan work in this body and in the House throughout last year.

So the President's compromise offer should command serious consideration in both Houses of Congress. On day 33 of this partial government shutdown, we have before us a bill to immediately reopen the Federal Government, deliver all remaining full-year appropriations measures, support disaster recovery efforts, fully fund comprehensive border security priorities, and address some outstanding immigration issues. It is hard to think of a good reason to oppose this, but my Democratic friends are trying to come up with something—anything—to justify prolonging the stalemate. I have a great deal of respect for my friends across the aisle, but honestly this is getting downright silly—downright silly.

Yesterday the Democratic leader announced that he was denouncing President Trump's proposal because ''there were no serious negotiations with any Democrat.'' It would appear my friend is offended that he wasn't consulted while this compromise was under construction. So let's stop and think about that for a minute.

For days—weeks now—the American people have seen the Democratic leader and the Speaker of the House make a public strategy out of refusing to negotiate. That has been their position; that we will not negotiate.

They have said it publicly. They have announced they are not interested in a negotiated solution to this impasse, not interested in meeting the President halfway on immigration policy or anything else, happy to keep the government closed unless and until everyone agrees to move forward in their preferred manner with no concessions and nothing for border security.

Now, that has been the Democrats' public stance. Our friends across the aisle have said repeatedly that they have no intention to negotiate out of the stalemate. The Speaker of the House joked that she would allow $1—$1—for physical barriers like wall fencing. That is why they have turned away from multiple opportunities to negotiate at the White House in recent weeks.

So my friend across the aisle is attempting quite the two-step here. First, the Democratic leader repeatedly said he wasn't interested in any talks at this point, but then when President Trump puts forward a proposal to move us forward, my colleague complains he wasn't consulted.

Well, the President and the American people are picking up on the strangeness of the Democratic leader's strategy of refusing to even negotiate. Here is one headline from a newspaper editorial that echoes this growing national sentiment. Here is what he said: ''Trump made an offer—it's time for Democrats to start negotiating.''

This is from the Washington Post—the Washington Post:

> [T]o refuse even to talk until the government reopens does no favors to sidelined federal workers.
>
> [A] measure of statesmanship for a member of Congress now is the ability to accept some disappointments, and shrug off the inevitable attacks from the purists.

There are signs that Democratic Members in both Chambers are starting to come to the same conclusion, starting to reject their leaders' refusal to even negotiate.

Here is what a few of our Democratic colleagues in the Senate have said in the last few days:

> I personally don't think a border wall is in and of itself immoral.

Here is another:

> Everybody is for border security. . . . There are places a wall makes sense.

Here are a few of our Democratic colleagues over in the House:

> If we don't compromise, the American people are the ones who get hurt.

Another said:

> If I had the opportunity to vote for some sort of deal, I would.

Another said:

> There is common ground. . . . We do have to figure out how to secure our borders.

Even Speaker PELOSI's own House majority leader broke completely with her extreme position in a television interview just yesterday. When asked if he would personally be open to wall funding, Congressman HOYER replied:

> Look, I think physical barriers are part of the solution.

That is the majority leader of the House of Representatives.

When the news anchor pressed him on Speaker PELOSI's statement that a wall is immoral, Majority Leader Hoyer replied:

> It depends on what a wall is used for, whether it's moral or immoral. If it is protecting people, it is moral. That is not the issue.

He went on:

> We want to make sure that people who come into the United States are authorized to do so. . . . We are for border security and I think we can get there.

So more and more Democrats seem to be coming to the same collusion as the rest of us. It is time to make a deal—time to make a deal.

Fortunately, a deal is on the table. It is a deal for everyone who would rather reopen the government, invest in border security, and secure more certainty for DACA recipients than sacrifice all that for the sake of this radical new position that physical barriers, like walls or fencing, are inherently immoral. So the President has produced a fair compromise that pairs full-year government funding with immigration policy priorities from both sides.

Enough political spite—enough. Enough showboating for ''the Resistance.'' Enough refusing to join in talks and then complaining you weren't consulted. Our Federal workforce and the American people deserve a whole lot better than this.

I can't believe the bulk of our Democratic colleagues really see opposing the President as more important—more important—to their constituents than restoring full government function, paying our Federal employees, securing the border, and more certainty for the DACA population.

When we vote on the President's plan tomorrow, we will see what each Senator decides to prioritize.

COVINGTON CATHOLIC HIGH SCHOOL

Madam President, on one final and totally different matter, I need to say a few words about something that took place this past weekend.

Last week, Kentuckians of all ages traveled to our Nation's Capital to exercise our fundamental American rights to peacefully assemble and petition the government.

Unfortunately for the students of Covington Catholic High School, their participation has resulted in threats on their lives.

Far-left activists and members of the national and State media isolated a very few seconds of video footage from any shred of context, and many decided it was time to attack and denigrate these young people.

Because of what some highly partisan observers thought—thought—they saw in a few seconds of confusing video, these kids, their school, and their families were met with a deluge—a virtual deluge—of partisan vitriol and hatred from people who never met them and had no idea what had taken place. Some prominent figures even used this pile-on to propose curtailing the First Amendment for groups with whom they disagree, even targeting the students' hats.

How quickly some seem to forget why the Framers insisted on these protections in the first place.

In a matter of hours, these students were tried, convicted, and sentenced by the media, where accuracy is irrelevant and the presumption of innocence does not exist. To their credit, some apologized for their commentary upon learning more, but by that point too much damage had already been done.

Because of the startling death threats against these students and their families, Covington Catholic—which, by the way, is in Kentucky—was closed yesterday. The school's administration is working closely with law enforcement, but it is unclear when any sense of normalcy might return.

This time, it is families in my home State who are paying the price for exercising their freedoms. Sadly, this kind of fact-free rush to judgment is becoming an all-too-often occurrence.

If we can learn anything from this weekend, here is what I hope it is: When the rush for headlines takes precedence over the facts, mistakes are made, and our rights as Americans are put at risk. This trend is particularly troubling when young people are involved.

SIGNING AUTHORITY

Madam President, I ask unanimous consent that the Senior Senator from Alaska be authorized to sign duly enrolled bills or joint resolutions today.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—H.R. 21

Mr. KAINE. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 5, H.R. 21, making appropriations for the fiscal year ending September 30, 2019, and for other purposes. I further ask that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. MCCONNELL. I object.

The PRESIDING OFFICER. Objection is heard.

The PRESIDING OFFICER. The Senator from Virginia.

GOVERNMENT FUNDING

Mr. KAINE. Madam President, I rise to discuss the effects of the Federal Government shutdown. I have given a number of floor speeches about the effects of the shutdown on Federal employees and their families. I heard the Presiding Officer give a similar speech about the effects on the Coast Guard in Kodiak, AK, the other day. I have also talked about the effect of the shutdown on American citizens who depend upon the services of Agencies that have been shuttered or dramatically reduced in capacity.

Today I want to talk about something different. I want to talk about the effect of the shutdown on American businesses, especially small businesses.

Over the past month, I have had numerous conversations with business owners who tell me how this shutdown has hurt them, and, no surprise, economic analysts have indicated that the shutdown is having a massive effect on the U.S. economy.

S&P, for example, has concluded that the shutdown will cost the United States more than $6 billion by week's end, a little bit over 1 month in.

President Trump's chief economic adviser, Kevin Hassett, said that a zero-percent growth rate is possible because of the shutdown.

His quote in an article dated January 23:

> If [the shutdown] extended for a whole quarter and given the fact that the first quarter tends to be low because of residual seasonality, then you could end up with a number close to zero in the first quarter.

We are now more than 1 month into the shutdown, and this economic effect is very real.

I just returned this morning from a discussion with businesses in Loudoun County, VA, which is sort of in the western outer suburbs of Washington, and here is what these businesses told me:

A conference hotel in Loudoun whose bookings in the first quarter are down 50 percent from the same quarter last year, and because they had such a strong year last year, they said they were projecting for increases this year, so their bookings are down 70 percent from what they had projected for the first quarter of 2019.

When they lose revenue because of lost bookings, that affects their ability to hire people. It also affects their purchase of supplies from area suppliers. They say they have a HIVA practice—Hire Virginia—and what did they call the other one—a SUVA practice, Supplies from Virginia. They try to buy all of their supplies and hire all of their people from Virginia, and so the reduced bookings are having a direct effect on other businesses and individuals as well.

A local chamber of commerce, with 1,200 members who are suffering in a variety of ways, but the chamber president pointed out to me that 300 members are nonprofits—nonprofits which are seeing reduced contributions because of the shutdown and people having less income but also increased demands for services.

Local restaurants whose revenues are down 20 to 30 percent—that reduction in revenue, which is fewer people coming in or people coming in and spending less, affects hiring and it affects their payments to local suppliers, thus having a second-order effect on other businesses.

Restaurants are reporting that they are seeing a big uptick in Federal employees applying for part-time work at their restaurants, which they have a hard time providing because their revenues are down and fewer customers are coming in.

Many government contracting firms in Northern Virginia—often started and operated by veterans—whose employees are furloughed or working fewer hours, thereby affecting the profitability of their businesses, most said they are trying to continue to pay their employees even though they are not working, even though they are not bringing in revenue, which is affecting profitability and eventually the viability of the very businesses themselves.

The contractors are talking about how they are starting to lose employees in a tight labor market to other businesses that are not dependent upon government contracts.

Loudoun is the third most popular tourism destination in Virginia out of 134 cities and counties. I did not know that until I was informed of it by a proud operator of the Loudoun Tourism Department today, but they are seeing dramatically reduced attendance at any tourism site, from restaurants to hotels and bars, to museums and all kinds of other historic sites in Loudoun.

Here is one that was interesting, and it dovetails with a discourse, a speech given by the Presiding Officer on the floor a few days ago—a local microbrewery. A local microbrewery said, first, sales are down due to people losing salaries, and sales being down affects their employment, but they are also unable to launch new product lines. New product lines require an approval by a Department of the Federal Government to approve that a new product line is offered. There are 7,000 microbreweries in the United States, and they all need approval from this Federal Agency, the TTB, when they want to offer a new product line.

The owner of Old Ox Brewery told me: We set it up months in advance. This was going to be the March release. Normally, it would take about 2 weeks from an application. This Agency is really pretty prompt. They get back with you quickly, and they tend to approve quickly, but he said: I have two problems with the Agency right now. They are shuttered so they can't approve the product lines I have developed and I wanted to brew for March. I

can't brew them now if I can't sell them. That means products I promised not only in-house at our brewery but to grocery stores and restaurants that I promised, I can't brew. He said: I know this Agency, when they finally come back with a reopening, with 7,000 breweries just like mine having filed with them, the backlog is going to mean they are not going to be able to respond in 2 weeks. It is going to take them significantly longer.

If I might read a letter—this is not from the Old Ox Brewery, where I was this morning, but another brewery in Alexandria, VA:

Dear Senator Kaine,

Here is a summary of the negative effects the government shutdown is having on our small business in Alexandria, VA.

The Alcohol & Tobacco Tax & Trade Bureau (TTB) has stopped reviewing recipes and labels. . . . It affects our entire operation, and damages our revenue stream, which relies on new beers in the market.

It also hurts our employees, some of whom are paid on commission from the sale of our beer.

Upstream in our supply chain, it negatively affects our farmers who provide our grain, as well as our hop growers and malt suppliers. It also hurts our other suppliers, such as our label printers and box manufacturers.

Downstream, it hurts our distributors and retailers because they don't have our new beers to sell [and ultimately affects customers].

We have a pending Small Business Administration loan for our new bottling equipment. The SBA has closed and we cannot close on this loan until the shutdown is over.

The brewery I was at this morning—the Old Ox Brewery—was a little bit ahead of Port City in the process. They got a loan to renovate a new facility in Middleburg, VA, which they have purchased and renovated, but they can't get it open until the TTB comes out and does the inspection of the brewery equipment.

He said: I invested, and I am paying, but I am not able to bring in any revenue, and I have no idea when I am going to be able to bring in revenue.

Traditionally opening a new facility requires a TTB approval first, and you then go to the State to get permission to open the facility.

He said: Am I looking at 90 days? Am I looking at 4 months of paying for this facility without being able to bring in any revenue for it?

This same challenge as was indicated in the letter from Port City affects not only breweries but wineries. Loudoun County has a lot of farm wineries.

One owner of a local winery came. This is a small operation. They started the winery so they could preserve the family farm and not have to sell it to developers.

A lot of our small family farms get turned into subdivisions unless the family who operates the farm can find a productive way to make a small acreage profitable.

In 2002, this family, who had been in farming for generations, decided: We don't want to sell for a subdivision. The way we will try to be profitable is to operate a farm winery.

The same Agency, the TTB, is charged with approving their product and also labels. They have done their grape harvest, and they booked time at the local bottling plant in March to take all of the wine and put it in bottles with labels affixed, but they can't get the labels approved. They have all their product, and they have booked time at a facility that starts in a very few weeks, but there would be no reason to use the bottling facility to put wine in bottles with no labels on them. They couldn't sell it. The Agency that is required to approve labels is shuttered. They don't know what they are going to do.

A 10-person, small family business—maybe this spoke to me because I grew up in a house with a small business where, in a good year, there would be eight employees, and in a bad year, there would be five, plus three teenage boys and my mother. So this business was a lot like my own family's experience in size. They distribute janitorial supplies to customers, such as the Smithsonian. The Smithsonian operations are closed. They also distribute janitorial supplies to WMATA, their largest customer.

WMATA is open. WMATA's Federal revenues are still coming in, but WMATA also relies on the farebox revenue. WMATA is down $400,000 a day because, with Federal employees furloughed, huge numbers of people who normally ride the Metro Monday to Friday aren't.

That $400,000-a-day hit on WMATA has not yet affected this business—he was careful to point that out—but with the Smithsonian shut and WMATA affected, he is worried about when he will see his 10-person business affected.

There is deep concern by area businesses in this part of Loudoun, which is very close to Dulles, about the effect of the shutdown on TSA workers and air traffic controllers, as would be the case in Alaska, where air travel is critical. It would probably be air or snowmobile for many people living in Alaska. In Virginia, air travel is critical. Anything that affects commercial air poses huge jeopardy on people's access and on the local economy.

This one was interesting—a local consignment shop. I was like, well, how are you affected by the shutdown? It is a consignment shop that is fairly notable and has won awards for being one of the best small businesses in the county. They talk about how their business is dramatically affected by the shutdown. They see it every day. More Federal employees are bringing in personal items to try to submit to consignment because to make do, they need to sell personal items they might not otherwise want to. Also, there are fewer people coming in to buy the items that are available in the consignment shop because there is less discretionary income. This shop has reduced its own employees' hours by 20 percent.

A local small business development center—this is kind of a community center, like an incubator for small business. It is funded through SBA. It serves 300 startup businesses a year. They are unable to operate. They have some local funds. They can see clear to March, but they don't know whether they can stay open thereafter due to no Federal funding. These small business centers operate around the country. One of the things they do is help businesses like Port City get small business loans. They can't do that now because there are no business loans being made.

A Federal contractor who is currently unaffected because their contracts are with DOD Agencies had an expansion plan to go out and work with other Agencies that are shuttered by the shutdown; thus they cannot move forward on the expansion plan.

Finally, county government officials who were at the meeting have now had to provide emergency funding for local food banks and for free public transportation for affected Federal employees and other emergency services as well. That wasn't what they thought they would need to be doing with the budget they had planned for. The fiscal year began July 1. They hadn't put it into the budget, but they are having to cobble together ways to serve the Federal employees and their families who are affected.

There are so many other stories like this that I heard around Virginia. One that stuck with me in particular was a local dentist commenting that so many patients are canceling appointments because of their concerns about inability to pay copays or buy medications. Hopefully, these are postponements and not cancellations. Obviously, it is not good for people's health and not good for the small business this dentist operates.

We do have a solution to this that the Senate will take up tomorrow. I am heartened by the fact that we will have an opportunity tomorrow to vote on a solution. I think we should vote to open government until February 8. That is not a lot of time. From tomorrow, it will be 15 days. Then we should engage immediately in an effort to consider, debate, amend, and vote upon the proposal the President introduced through the majority leader yesterday.

I listened to the majority leader's comments before I spoke, and he said a deal was on the table. As I saw Republicans—for example, my colleague from Oklahoma—describe the deal on Sunday during one of the television shows—he said: It is the President's opening proposal. It is meant to inspire constructive dialogue.

In that sense, I agree. It is a proposal to inspire constructive dialogue. The four elements of the President's proposal—border security, the temporary protected status program, the DACA Program, asylum processes, and the bases for receiving asylum—are very

legitimate discussions on which I believe we can find a bipartisan compromise.

We will have a vote on that proposal tomorrow, but it will not be a proposal that is about compromise—it will be an up-or-down vote. Do you accept the President's proposal without the opportunity to hear its justification, without the opportunity to offer an amendment? Take it or leave it. Under those circumstances, it is very hard to say that is a constructive debate or dialogue; however, we have the opportunity to do that.

I believe that if we vote to open government through February 8—15 days—the Senate should, in this humble Senator's view, put that bill in committee next week. There should be an administration explanation of the pieces of the bill, with the members of the relevant committees being able to ask questions. For example, on the TPS proposal, you propose to restore TPS for 4 of the 10 affected countries but not the other 6. Why is that? Is there some reason for that, or can we explore it?

I think those questions need to be asked, and they need to be answered. There may be a reason there. There may be a better approach there.

Then the committee should be able to move—again, in my opinion; I am not on either of the relevant committees, Appropriations or Judiciary, but with Republican majorities and Republican chairs, I believe this could be done—move to a markup of the bill a few days or 2 days after the explanatory discussion. The bill could then be on the floor the following week, before February 8, where we could do the same thing and have the opportunity to try to make the bill as strong as it can be, as bipartisan as it can be because it would need to be to have a realistic chance of passing in the House.

I do agree with the majority leader—there is now a proposal on the table. It is a proposal that is worthy of discussion. I have some ideas about ways to make it better, and I bet virtually every Member—Republican and Democratic—in the Chamber would have ideas as well. But if we are going to take it seriously, let's take the time to take it seriously.

I urge my colleagues to vote yes on one of the votes we will take tomorrow, which would reopen government for 15 days while we engage earnestly with the President's proposal. I deeply believe that if we undertake that kind of focused effort without being pulled away because of the needs of constituents affected by the shutdown, we can be focused and find an answer.

The last thing I will say before I yield the floor is this. Some would say: Why don't you negotiate while the shutdown is in place?

If there was a hurricane in Virginia Beach, everybody in this Chamber would understand that I wasn't here; I was in Virginia Beach dealing with people who were hurting. This is a hurricane. When it affects the livelihood of so many Virginians who are hurting deeply, I am out every day with people who are hurting. In the middle of a hurricane, no one would fault me for being in Virginia Beach or a Florida Senator from being in Florida trying to comfort people who are hurting. Nobody would say: Why aren't you back here having around-the-clock negotiations on something?

For this Senator, the top priority I have every day is trying to be out with people who are hurting and trying to provide them with answers and some assurance that we can move forward. If we can get government open for 15 days, we can be here around the clock, and we can find a solution to this. I am confident we can. I ask my colleagues to join me in that when we have that vote.

With that, Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, government shutdowns, regardless of which party controls Congress or the White House, are always harmful to Federal employees and their families, who struggle to pay their bills without paychecks, to Americans who need help from closed government Agencies, and to our economy, which is damaged by the decline in consumer spending and consumer confidence. Ironically, they also always end up costing taxpayers more money than if government had been funded on time. That is why I have always worked to end shutdowns.

In 2013, for example, I convened a bipartisan group, of which the Presiding Officer was the very first member, that produced the plan that led to the reopening of government after a 16-day shutdown.

During the past month, I have had numerous discussions with colleagues on both sides of the aisle, as well as with White House officials, on what we can do to reopen government. At the same time, I have been working to mitigate the impacts of this shutdown as much as possible for the hundreds of thousands of Federal employees and their families. These families are being unfairly and seriously harmed, and they have no idea when they will receive their next paycheck.

Right around Christmas, I worked closely with the White House to ensure that the Coast Guard received pay for their work prior to the shutdown, when an anomaly in the pay system put their paychecks at risk. In addition, Democratic Senator BEN CARDIN and I sponsored a bill to guarantee backpay to Federal workers affected by the shutdown. Our legislation was passed by both chambers and was signed into law by the President.

I have also joined Senator RON JOHNSON from Wisconsin in introducing the Shutdown Fairness Act, which would ensure that Federal workers who are deemed essential and required to come to work each day are paid on time despite the partial government shutdown. It is simply not fair to force employees to work and not pay them, and I hope that this bill, too, will become law.

As the Presiding Officer is well aware, after 33 days—the longest shutdown in history—it is long overdue for all sides to come together to engage in constructive debate and compromise to end this standoff. Shutdowns represent the ultimate failure to govern and should never be used as a weapon to achieve an outcome.

Here is what does not reopen government. Political ads do not end shutdowns. Overheated and inflammatory statements do not end shutdowns. An unwillingness to budge and a lack of specific proposals do not end shutdowns. What will end this shutdown? Remembering the real harm that this shutdown is causing, putting specific proposals on the table so that the administration and Republicans and Democrats in both the Senate and the House can see signs of good faith and compromise, voting on specific proposals and trying to get to yes—that is what is necessary to end shutdowns.

Finally, over the weekend, the President submitted a plan to end the shutdown, which the Senate will consider tomorrow. His legislative package avoids the chicken-and-egg dilemma of whether we should reopen government first or whether border security measures should be considered first. It combines all of those issues in one package that would reopen government, strengthen the security of our borders, change some immigration rules for the better and some, in my judgment, for the worse, and provide disaster relief funding. The administration's package would reopen government for 800,000 Federal employees, including hundreds of thousands who work at the FBI, the TSA, Border Patrol, Coast Guard, and the DEA, who have been working without pay to protect us from terrorists, drug cartels, and other criminals. It provides disaster funding to address devastating hurricanes, wildfires, earthquakes, and volcanoes. The bill also makes border security investments and includes some immigration changes.

It is important to note that all of the remaining appropriations bills are incorporated into this package, and, thus, this bill would fully reopen government until September 30, the end of the fiscal year.

I would also note that these seven bills either passed this Chamber or the Appropriations Committee last year with widespread bipartisan support. The Transportation, Housing, and Urban Development bill that I offered with my good friend and colleague Senator JACK REED, the ranking member, is a great example. At its core, this is a bill that creates jobs, strengthens communities, improves our infrastructure, and helps low-income families, veterans, seniors, and those who are homeless with their housing needs. This bill passed the Senate in August by an overwhelming vote of 92 to 6 as

part of a four-bill package. It should be law.

This shutdown is harming low-income families and seniors across the country. Funds for housing repairs and disaster recovery have been stopped from being allocated to areas of critical need. Public housing agencies and multifamily property owners in Maine and across the country are scrambling to line up short-term loans and other financing to try to fill the gap caused by a lack of HUD funding.

Since the shutdown began, nearly 42,000 households, most of which are comprised of low-income seniors or disabled individuals, have not had their rental assistance renewed, and millions more are at risk the longer the shutdown continues.

Just this morning, the city of Portland contacted me to express alarm over the 1,700 housing vouchers serving 3,500 people who will be affected on March 1. Statewide, that number is in the vicinity of 10,500 vouchers, affecting many thousands more vulnerable individuals and families.

The problems, unfortunately, go well beyond HUD housing vouchers. Because most HUD staff have been furloughed, HUD has been unable to correct computer errors that are keeping local shelters and small nonprofit groups across the country that assist the homeless and victims of domestic violence from accessing their grants. Maine's eight domestic violence shelters are about 75 percent funded by the Federal Government. If this shutdown continues, how can they continue to serve the women and children who are escaping abuse and violence?

While there is never a good time of the year to be at risk of losing one's housing or to be unable to find a shelter if one finds oneself homeless or to be able to escape domestic violence and abuse, the middle of the winter is an especially cruel time to face a housing crisis.

The shutdown is also challenging for our Nation's air traffic controllers, who remain on the job, dedicated to the safety of every flight, despite missing paychecks. Our Nation's air traffic controllers and safety professionals work in a system that has no room for error. Regrettably, they are now enduring financial strain in jobs that are already very stressful.

So many other important functions of the Federal Government—operating our national parks and the tourism they support, ensuring the safety of the food that we eat, preventing hunger, avoiding drug shortages, processing tax refunds, addressing the opioid epidemic, providing access to loan guarantees for small businesses and homeowners—all would be addressed by reopening government.

Let me provide just a few examples from my State of Maine. I have heard from physicians in Portland about emergency shortages of critical drugs. We cannot reach the FDA, which is where we would normally turn for assistance because of the furloughs. Instead, we are contacting the manufacturers to try to get help.

A small Maine-owned architecture and engineering business in Western Maine has contracts with 10 Federal Agencies. It will very soon not have enough work for its employees because it is not being paid by these Agencies. A smoked salmon facility in Hancock, ME, cannot operate because it lacks a vital certificate from the FDA. Seniors at the Maine Maritime Academy are unable to take their licensing exams, which will delay their job searches significantly, and current merchant mariners who need to renew their licensees cannot do so.

The Coast Guard, which is so important to my State and to the State of the Presiding Officer, is not being paid, and yet its members are required to work to perform absolutely vital tasks, and they cannot be absent to take on another job to pay the bills.

Of course, like many of my colleagues, I have talked with so many TSA employees in Bangor and in Portland who are having difficulties paying their bills, having to take out loans or rely on family or friends, and yet they are so devoted to their important mission that they show up for work day after day, despite not being paid.

In addition to reopening government, the legislation also includes investments and policies to lessen the problems at our southern border. Ninety percent of the heroin that is flooding into this country is coming from Mexico, some through legal ports of entry that lack the technology to detect these drugs and some smuggled across the border outside of ports of entry.

Physical barriers have proven to be an effective deterrent in many areas where they have been built, such as San Diego and El Paso. That is why Congress and two previous administrations, on a bipartisan basis, authorized and built more than 600 miles of walls, fences, and other barriers by January 2017, an often overlooked fact.

In fact, to listen to this debate, you would think that there were no barriers along our southern border, and that is not true. There are more than 600 miles of physical barriers. In some places, they don't make sense, but in some places, they have proven to be an effective deterrent. Republicans and Democrats voted to support the construction of these physical barriers in 2006.

As recently as last June, the Senate Appropriations Committee passed—again, on a bipartisan basis—a Homeland Security funding bill that would have provided the money for additional physical barriers at the border. The package before us that we will vote on tomorrow would supplement this existing infrastructure by providing funding for an additional 234 miles of barriers at high-priority locations identified by the experts at Customs and Border Patrol.

We already have more than 650 miles of physical barriers. What this bill would provide is funding for 234 additional miles of fences, walls, and other kinds of physical barriers that have been specifically identified as needed by the experts at Customs and Border Patrol.

The bill would also provide $800 million to meet the urgent humanitarian needs of those who are crossing the border, as well as additional funding for new Border Patrol agents, immigration judges, and Customs officers. Again, you rarely hear any discussion that this package includes $800 million for humanitarian assistance, as well as funding for personnel, for technology, for K–9, and for sensors. This has to be a multipronged approach to be effective.

The package also takes some preliminary steps to alter our broken immigration system. We need to focus on the Dreamer population, those young people who were brought to this country by a parent usually at a very young age.

I so remember a conversation I had with a Dreamer who lives in Portland, ME, and attends the University of Southern Maine. He was brought to this country by his parents when he was age 4. He had no idea that he was not an American. He thought he was born in Portland and had lived his whole life there. It was only when he was going to apply for his driver's license that his parents told him the truth. The fact is, like so many other Dreamers, this young man has known no other country but America.

Many of the Dreamers are going to school, working, serving in the military, or otherwise contributing to our country. This legislation does not go as far as I would like, but it would at least provide relief for 3 years to the 700,000 young immigrants who are enrolled in the Deferred Action for Childhood Arrivals Program, or DACA Program. Frankly, I would prefer giving these young people a path to citizenship, provided that they have abided by and continue to abide by our laws.

We also need to help those legally receiving temporary protected status, the so-called TPS population. Many of these immigrants have been in the United States for years—even decades—working hard, creating jobs, and becoming established and valued members of their communities.

On the other hand, some of the asylum changes proposed in the President's bill are problematic. Allowing people to apply for asylum in their home countries appears to me to be a good idea, but raising the bar to qualify for asylum needs much more study.

The plan put forth by President Trump is by no means ideal, but it would result in the reopening of government—my priority—and the outlines of a compromise are before us. I urge my Democratic colleagues to also put forth a specific plan that addresses all of these issues.

Compromise is not a sign of weakness. It is a sign of strength, particularly when hundreds of thousands of families are being harmed.

The administration and Senate Republicans and Democrats have the opportunity to resolve the stalemate before 800,000 Federal workers and their families—dedicated public servants—miss yet another paycheck, and our economy is further damaged. Shutdowns harm too many innocent Federal employees and their families as well as vulnerable citizens, homeowners, small businesses, and rural communities. This shutdown must end.

I thank the Presiding Officer.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Madam President, it is day 33 of this dangerous and unnecessary government shutdown.

Let me share with my colleagues that this morning, I stopped by an IBEW office that was set up by the Maryland Food Bank. We are very proud to have the Maryland Food Bank in Maryland. It provides the necessary food for hungry Marylanders who go through tough times and can't get enough food for their families. I don't think we ever thought it would have to set up a special location for Federal workers and for those who are impacted because of a Federal shutdown, but it is exactly what it did today. I am very proud of those at the Maryland Food Bank. I thank them for their services to the people of our State. They have now been able to provide basic food to patriotic Federal workers who are not getting their paychecks.

This will be the second pay period this week for which Federal workers' pay stubs will read ''zero'' for the work they will have done. Of the over 800,000 Federal workers, 30 percent are veterans. They are patriotic Americans who show up every day to do work—to keep us safe, to deal with our national security, to deal with our food safety. The list goes on and on and on. They are showing up today and working on the 33rd day. They are being asked to carry out their work with their having no prospects of getting paid in the near future. These are patriotic Americans.

The number is more than 800,000. We also have contract workers who get contracts from the government. Many of these contractors employ low-wage workers to do basic work for the government. These workers are not getting paid.

We have small businesses that depend upon contracts that are not being fulfilled right now because of the government shutdown. They are laying off workers.

Then we have the general impact on our economy. It is projected that we are going to lose all of our economic growth, which will slow down and create more unemployment in America.

All of that is happening because of this shutdown. It is in our national security interest to end this dangerous shutdown. The FBI is on shutdown, meaning many of its workers are not even being brought in, and those who are being brought in are having a difficult time doing their jobs. On Thursday, the FBI Agents Association released a petition that describes the shutdown as a matter of national security. It urges leaders in Washington to reopen the government.

''On Friday, January 11, 2019, FBI Agents will not be paid due to the partial government shutdown, but we will continue our work protecting our nation,'' the petition reads. ''We urge our elected representatives to fund the Department of Justice . . . and the FBI because financial security is a matter of national security.''

My colleagues, these are people who go to work every day to keep us safe, and we are asking them to do that without their having a full complement of supporting workers and to do it without being paid.

Recently, I met with our airport security people—the TSA and others—who are charged with keeping our airports safe. They are responsible for air traffic safety. They asked me how they can do their work when they are distracted. How are they going to pay their bills? They also don't have the full complement of support staff necessary. That is what it is at risk.

We know security is being compromised in our Federal Prison System. On Friday, prison guard Brian Shoemaker was patrolling the halls of Lee penitentiary in Southwestern Virginia when an inmate tried to squeeze past him into a restricted area. Seconds after Shoemaker told the prisoner to turn around, the inmate lunged at him and punched him in his shoulder. Mr. Shoemaker did not sustain a major injury, but it did not escape him that he was working without a paycheck at one of the most dangerous Federal jobs in America during this partial government shutdown. Fears for his and other prison staff members' safety are escalating as 16-hour shifts become routine and as a growing number of guards call in sick in protest and work side jobs to pay their bills.

''I don't think we should be subjected to that kind of thing and not receive a paycheck,'' said Shoemaker, age 48, a 17-year veteran of Lee penitentiary. ''I'm walking in here and doing my job every day, and it's very dangerous.''

Mr. Shoemaker is one of 36,000 Federal prison workers who is deemed to be an essential employee by the U.S. Government, which means he is expected to report for work during the shutdown even though he will not get paid until the government reopens. He has worked 33 days without pay.

Even though these employees are supposed to work, union officials at 10 prisons, including Lee, who were reached by the Washington Post, say the number of employees who are not showing up for work has at least doubled since the shutdown began. This cannot continue.

As a result, those who are showing up are routinely working double shifts, correctional officers and other prison staff members say. Secretaries, janitors, and teachers are filling in for absent officers. There is at least one prison—Hazelton Federal Correctional Complex in West Virginia—at which the number of assaults on officers has increased since the shutdown, according to a union official there.

''There has been a rise in people calling in sick and taking leave during the shutdown,'' said Richard Heldreth, the local union president at the Hazelton prison. ''The staff who are showing up are dealing with this violence, long hours and extra overtime with the uncertainty of when we will be compensated.''

The list goes on.

I had a chance to meet with some of our Coast Guard workers this morning. The Coast Guard is in a partial shutdown. Here is one of the critical national security Agencies of this Nation that is not working at its full strength. We have heard the President talk about border security. He has compromised border security by not allowing Homeland Security to be fully operational—to have all of its capacity—and its workers to be paid to do their work.

Research is being very badly hurt as a result of this shutdown. A coalition of more than 40 patient and healthcare provider groups is warning about the effects of the government shutdown on the FDA. This marks the first time advocacy organizations have weighed in on the more than month-long lapse in appropriations.

''We fear that this continued shutdown not only puts the current health and safety of Americans' safety at risk, but has begun to put future scientific discovery and innovation in jeopardy,'' the group wrote in a letter to President Donald Trump and senior congressional leadership. The effort, spearheaded by Friends of Cancer Research, has drawn in the American Academy of Pediatrics, the American Society of Clinical Oncology, Research!America, and the National Organization for Rare Disorders.

The shutdown is keeping the FDA from reviewing new drug and medical device applications and from conducting certain inspections of food and medical product facilities. It has also slowed the hiring and onboarding of new staff at an Agency that is already grappling with hundreds of vacancies. Some FDA research and policy development has also come to a halt.

The FDA regulates products and industries that comprise about one-quarter of the U.S. economy. The FDA ensures a safe food supply; protects patients from contaminated and unsafe medical products; and approves new lifesaving treatments, the group wrote.

The list goes on.

Diplomatic missions around the world are being compromised. I had a chance to talk to one of our Ambassadors in a key country of great interest to the United States. He confided in

me that without a full complement of staff, his mission is being compromised, and our national security is being put at risk.

Let's take a look at the faces of the people who are impacted by this shutdown. I already mentioned the fact that just a few hours ago, I was at the Maryland Food Bank location at which I saw very proud, patriotic government workers stand in line to get bags so they could pick up food because they didn't have the money to pay for food for their families. That is what is at stake.

I have received letters from Federal workers who are concerned about whether they will be able to continue their dental and vision health protection because those payments are not automatically made when we are in shutdown. The workers are supposed to make those payments directly. How many workers are going to be able to or will even know that they need to make the payments? They may see the loss of critical coverage.

I know it is affecting people's credit scores. We know credit agencies are not very tolerant with late payments. Yet government workers are going to have to slow down in paying their bills because they will not have money. Most workers live paycheck to paycheck in paying their bills. Now their credit scores are going to be affected, and that is going to affect the cost of credit. It may affect such things as their security clearances, which will affect their employment.

I have heard from several Federal workers. I heard from one who said: I have this dilemma. I live 90 miles away from where I work as a Federal worker. I am expected to be there every day. I don't have the money to pay for gasoline for my car. Yet I am expected to pay for that without getting a paycheck. By the way, I don't have the money to pay for the childcare for my children. How am I expected to show up for work and do essential work when I don't have the money to take care of my needs so I can get transportation to my job and take care of my family's needs with safe childcare?

This is the face of the people who have been impacted by this partial government shutdown. Her circumstances are really shocking.

One might be surprised to learn that many Federal workers are expected to use their own personal credit cards to pay for government expenses. If they travel on behalf of the government, they use their own credit cards to pay for those expenses. I am told it averages somewhere around $600 a month. At the end of the month, they have to, of course, pay their credit card bills, but they have their reimbursements from the Federal Government for these legitimate expenses. In a government shutdown, there is no Agency that can reimburse them for that money. The credit card companies are going to demand that they pay. These are government expenses, not theirs. What do they do? This is where we are today with the tragedies.

There was an ad in the paper that really got to me. It was written by a government worker who said she was looking for a job.

She writes:

> I'm currently furloughed due to the government shutdown and am available for baby-sitting during the workday. I have plenty of childcare experience from raising my two children, ages 3 and 5, so I know how hard it can be to find last-minute weekday childcare. Alternatively, I'm also happy to provide science tutoring for any high school or college students. I have a Ph.D. in cellular and molecular medicine and can help with biology, genetics, microbiology, biochemistry, cell bio, or research methods. Please message me if interested, and I would be happy to provide you with additional information. Thanks.

Here is a Federal worker whom we want to keep in Federal service. She needs money to pay her bills and is willing to be a babysitter but has scientific training. We know she could be gobbled up in the private sector for a lot more money than she is making as a government employee, and we are going to lose her. We are going to lose a lot of talented workers who ask: How much longer can I put up with this? How much longer can I work without pay? The critical missions that she is performing on behalf of America will be compromised and lost. This is what is at risk. This is what we are risking.

I haven't even gone into all of the different Agencies or the work that is important to Americans. HUD's being closed means FHA loans are not being processed and that you can't go forward with your closing on a home. I know several senior housing projects are being put on hold, which jeopardizes quality, affordable housing for our seniors. The IRS season is beginning, but it doesn't have its full complement. People want their refunds, but they are going to be delayed. The list goes on and on and on.

This is President Trump's shutdown. Many of us, on both sides of the aisle—Democrats and Republicans—understand border security issues. In the fiscal year 2019 appropriations, our appropriators did their work. The distinguished ranking member, Senator LEAHY, is on the floor. He worked very closely with Senator SHELBY on every single appropriations bill in a bipartisan manner. We did our work in the U.S. Senate.

Seven of the appropriations bills have not yet been completed through no fault of the work of our appropriators. Four of them passed the Senate by a vote of 92 to 6. Why don't we just pick them up and pass them? We have tried. I have asked unanimous consent. Because we don't want to offend the President, the Republican leaders have refused to allow us to consider them. Two others passed the Appropriations Committee by votes of 31 to 0 and 30 to 1.

With regard to Homeland Security, on border security the committee did its work on the fiscal year 2019 budget. They came up with a game plan on border security. We did our work on time, in a bipartisan manner. We know how to deal with border security issues. We have the expertise to work to make sure that we spend our money in the most appropriate way to defend our border and to protect Americans.

So what should we do? First, we should open the government. There is no excuse for the government to be closed. We are a coequal branch of government. We need to act as a coequal branch of government. It is our responsibility. We will have that chance tomorrow.

There will be a vote on the floor of the Senate to pass a short-term continuing resolution. This is identical to what we acted on by unanimous consent before the President changed his mind.

Let's remove the hostage-taking of the American public. Let's have a short period of time to prove that we can use the legislative process here, as we have in the past, to work on border security issues and pass a bipartisan border security bill, but not under the tactics the President of the United States is currently using. We can act that way on behalf of the American people.

This is a dangerous shutdown. We have seen the results, and we know people's lives have been compromised and our national security has been affected. We need to take the leadership.

I hope my colleagues will join me tomorrow in voting for the continuing resolution so we can open the government and use our legislative process to deal with the border security issues and to deal with what is important to the American people.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, I hope the country has heard what the distinguished senior Senator from Maryland said. He sees this every day. He sees it when he goes home to Baltimore. He sees it when he talks with his neighbors. He sees it when he is in the grocery store. He sees it at the temple. He sees it everywhere because these are the people who are among our finest government workers, and they are out of work. They are not being paid. I suspect he also sees it with the contractors and subcontractors and those who are not on the Federal payroll but who would lose their jobs if the Federal Government is closed. So I compliment him for doing this.

I also appreciate what he said about the Appropriations Committee. The distinguished Presiding Officer is one of the hardest working chairs of the Appropriations subcommittees. I realize she cannot respond in her position as Presiding Officer, but I note that she moved her bill through. She did it in a way that got enormous support from Republicans and Democrats across the political spectrum, which is the way we are supposed to do it. It certainly has

been the way we have seen it done with people from her State. We did it with her father. We did it with my dear friend, Senator Stevens, when he was chair of the Appropriations Committee. We did it when the distinguished senior Senator from Maryland, Ms. Mikulski, was chair of the overall committee. We got this done.

It is a lot of work. It is tremendous work for our staffs on both sides of the aisle—a lot of late nights and weekends—but it is done because the American people want the U.S. Government to work.

For a month now, much of the Federal Government has been closed for business while the President of the United States rants and raves about his personal obsession, the centerpiece of his extreme, anti-immigration agenda—a wall on our southern border.

For a month now, hundreds of thousands of dedicated public servants have gone without a paycheck, even while many of them showed up for work every single day. Many can no longer pay their bills. They worry about how they are going to put food on the table. Many are looking for temporary work. Many are standing in line at food pantries. These are professionals. They are trying to figure out: How do we pay for childcare or healthcare? How do we pay our student loans? How do we pay for our mortgage?

It is not just the individuals. It is also our institutions. Our Federal courts are running out of money. Our Federal courts are running out of money. TSA agents are calling in sick in droves after weeks on the job without pay. What is that doing with air traffic, especially during the winter, in America?

Thousands of people who are trying to buy new homes, which boosts our economy, with a Federal Housing Administration loan told: Come back later.

Come back when?

Well, we don't know. Whenever President Trump ends the shutdown, come back.

Small businesses and farmers cannot get federally backed loans. This is after this body—under the leadership of the distinguished Republican, Senator ROBERTS, and the distinguished Democrat, Senator STABENOW—put through a 5-year farm bill, which brought almost all of us together. We voted for it, but now farmers can't use it. They don't even know what the new rules are because nobody is there to answer their questions.

We scaled back on food inspections. We are not enforcing our clean air and clean water rules. Our national parks are being vandalized and permanently damaged as they remain open to the public, but they are not staffed.

As a former prosecutor, here is something that sends a chill down my spine. The FBI Agents Association says criminal investigations are being stymied, grand jury subpoenas are going undelivered, and confidential sources are being lost. It is quickly becoming a national security threat.

This is America? This is the country I am proud to serve?

Either the President does not understand the harm his shutdown is causing, or he does not care. But the country is suffering. Our economy is suffering. The American people are suffering.

The Trump shutdown makes us look foolish and weak to the rest of the world. This is the leader of the free world we are seeing as weak and incompetent. However, over the weekend, the President addressed the country from the White House, and he laid out his price to stop the shutdown. Calling it a compromise, he made vague promises for protections for DACA recipients and those who receive TPS, or temporary protected status. We could end this shutdown, he said, and all U.S. taxpayers had to do was fund his wall—a wasteful monument to himself that he just wants the taxpayers to fund, even though he gave his word to all Americans, over and over, that Mexico would pay for it. He did not tell the truth then, and now he wants the American taxpayers to bail him out.

It was a transparent attempt to look reasonable on national television, while simultaneously holding the Federal Government and millions of Americans hostage to a shutdown that harms our economy and our communities every day. But as for offering temporary protections for vulnerable immigrants—protections that he unilaterally chose to strip, in the first place—in exchange for a permanent, ineffective wall, nobody can call that reasonable. It is hardly reasonable to hold the well-being of our Federal workforce or the services upon which many in America rely as hostages to fund a pet project. The President cannot bargain with something that he broke.

On Monday night, Senate Republicans unveiled the President's plan in more detail. It became clear that what seemed like a disingenuous ploy to seem reasonable to stop his slide in the polls was really a much more cynical attempt to implement his hard-lined, anti-immigration agenda, using the harm of the Trump shutdown as leverage.

The McConnell bill before us reads like an A-through-Z immigration wish list for President Trump and those in his anti-immigrant inner circle. First, the bill provides $5.7 billion for a wasteful monument to the President's ego—a wall that most experts say would do little to address the real problems on our southern border.

The bill, ultimately, dramatically increases the number of Immigration and Customs Enforcement, or so-called ICE, detention beds to 52,000 and ICE enforcement agents by 2,000. Even as I give these numbers, I think of walking through these rooms with cages that children are being kept in. Every one of us who has children or grandchildren and every one of us who has gone through a school yard and has seen young children has heard that the decibel level is outstanding. They are laughing. They are playing. They are talking with each other. When you go through these cages—these cages holding these young, innocent children—there is dead silence—no laughter, no talking with each other, no joking. There is dead silence.

This is America. What are we showing the rest of the world?

The Trump administration has repeatedly proven it does not know how to prioritize its immigration enforcement resources. In the first 14 months of the Trump administration, ICE's arrests of immigrants with no criminal convictions—no criminal convictions—spiked by 203 percent over the last 14 months of the previous administration. So it shows that President Trump has not deployed resources to round up, as he said, ''bad hombres'' or threats to our national security. He is deploying his enforcement resources to strike fear into the hearts of all undocumented immigrants.

This administration's enforcement policies are driven by the cruel desire to scare undocumented immigrants into believing that they or their disabled children or their elderly parents could be next. Until the Trump administration changes its dragnet approach to immigration enforcement, Congress should not fund an expansion of his detention and deportation force.

I would ask anybody to walk past those cages with the children in them. I never thought I would see this in America. I have seen it in war zones and other countries, but not America—not in the America I love.

The bill also contains provisions that serve as fig leaves to fix problems the Trump administration brought about in the first place. It would provide 3 years of temporary protection to 700,000 individuals currently involved in DACA—protections that are only required because of the President's own decision to terminate the DACA Program. It would not provide a path to citizenship for these Dreamers or any protections to the nearly 1 million more individuals who are eligible for DACA protections. Similarly, the bill would provide 3 years of temporary protection to TPS recipients from a few countries with TPS designation the Trump administration terminated in the first place.

If you provide permanent funding for a wall in exchange for provisions that temporarily clean up messes of the Trump administration's own making, that is not a compromise. It is taking hostages on top of hostages. That is a nonstarter. Stripping away protections from Dreamers and TPS recipients and then treating them like pawns by suddenly offering them temporary reprieve—this is not compassion. It is callous. It is wicked. It is evil.

Finally, the bill seeks to dismantle our humanitarian asylum system as we

know it. It contains provisions that would effectively bar any asylum applications from Honduran, Guatemalan, and Salvadoran minors that are not made from a designated processing center somewhere in Central America. In other words, thousands of vulnerable children fleeing the horrors of torture, murder, and rape in the Northern Triangle and arriving at our border would be categorically barred from applying for asylum and be subject to immediate removal proceedings.

The entire point of asylum is to provide an opportunity for those who have fled from persecution and violence to seek refuge in our country. Our asylum system would become distorted beyond recognition if, instead, we punish these desperate children—punish them for the very act of fleeing for their lives.

It is remarkable that the man whose name is on the book called ''The Art of the Deal'' would think that Democrats would accept what amounts to a deal breaker. This Democrat will not.

I welcome a debate on the need for immigration reform. I would remind Senators that in 2013, when I was chairman of the Senate Judiciary Committee, I issued a bipartisan bill to reform the immigration system and secure our border through the committee. We held dozens of hearings. We considered hundreds of amendments. We often met until late at night. Then, when we brought it before the Senate, it got 68 votes here on the Senate floor. Republicans and Democrats joined together to give it a supermajority. So it shows it can be done, but not while the President holds hostage all Americans, including hundreds of thousands of Federal workers and their families.

I remind the Senate that on December 19, when Republicans controlled the House and Republicans controlled the Senate, the Senate passed a bipartisan bill to fund the government by a voice vote. In other words, the Senate was for keeping the government open—until President Trump changed the mind of our Republican leader.

The President and Senate Republicans should reopen the government now, without any further foot-dragging. Congress and the Senate are a coequal and independent branch of government. We have bipartisan bills before Congress right now to do that. My friend the majority leader has refused to bring them up while the country pays the price. This has to end. I hope he will pull up the bipartisan bills. I hope he will let us vote.

Again, I would say that we are looking weak to the rest of the world. We are looking foolish to the rest of the world. But what hurts the most are the people—not only Federal employees but contractors, private industry, and everybody else in every one of our States—who are suffering and watching our economy sink further as a result.

I see the distinguished majority leader on the floor, so I yield the floor.

ANNIVERSARY OF MARSHALL COUNTY HIGH SCHOOL SHOOTING

Mr. MCCONNELL. Madam President, I would like to take a moment to mark the first anniversary of the tragic shooting at Marshall County High School, which took place 1 year ago today in Benton, KY.

Bailey Holt and Preston Cope, both 15, began that morning just like any other. Their parents and friends described Bailey and Preston as bright kids with promising futures ahead, but this peaceful community was shattered when a fellow student opened fire, taking Bailey and Preston's lives, and leaving nearly 20 additional students wounded.

Their families were left to grieve, and for the past year, the community has done its best to provide comfort and put the pieces back together.

This evening, the Marshall County community will join together once again to remember the victims and to continue the healing. As they do, my prayers and those of all their fellow Kentuckians will be with them.

ADDITIONAL STATEMENTS

TRIBUTE TO DR. STEVEN M. SOUTHWICK

• Mr. BLUMENTHAL. Madam President, today I wish to recognize Dr. Steven M. Southwick on the occasion of his retirement.

For over 30 years, Dr. Southwick has dedicated himself to researching combat-related PTSD. His impressive work has helped make great strides in the efforts to alleviate suffering and promote resilience for veterans. Much of the necessary progress in this field is thanks to Dr. Southwick's diligent studies.

A graduate of Yale College, the George Washington School of Medicine, and the Yale Psychiatry Residency, Dr. Southwick served in the U.S. Army before attending medical school. During his service, he was stationed in Germany. His time in the military would shape the path of his future research.

In 1985, Dr. Southwick joined the faculty of the VA Connecticut Healthcare System and the Yale Department of Psychiatry. Throughout his career, he has worked not only with combat veterans, but also with a range of trauma survivors, including athletes, astronauts, civilians with PTSD, and former prisoners of war.

Some of his many notable accomplishments include leading the first mechanistic neurobiology study of PTSD and, along with his colleagues at the National Center for PTSD, being among the first to study the biological and cognitive underpinnings of resilience among U.S. Special Forces trainees. Through such research, Dr. Southwick pioneered the study of human resilience and introduced a new perspective on trauma. I have been fortunate to learn firsthand during visits to the center about the progress he and his colleagues are making on this complex but extremely critical condition that affects many veterans and first responders, and I commend them on their vital work.

He now serves as the medical director of the clinical neuroscience division of the VA National Center for PTSD and the Glenn H. Greenberg Professor of Psychiatry, PTSD, and Resilience at the Yale University School of Medicine. In these positions, Dr. Southwick has mentored countless future leaders in the field of PTSD research.

Dr. Southwick is the recipient of numerous honors and takes part in a number of journals, committees, and seminars in his area of expertise. Though he is recognized for his immense contributions to the realm of PTSD research, he is also highly regarded and beloved by his colleagues, students, and patients.

I applaud his lifetime of service and hope my colleagues will join me in congratulating Dr. Southwick on his well-earned retirement.•

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Ridgway, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 11:03 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 31. An act to require certain additional actions in connection with the national emergency with respect to Syria, and for other purposes.

H.R. 328. An act to require the Secretary of State to design and establish a Vulnerability Disclosure Process (VDP) to improve Department of State cybersecurity and a bug bounty program to identify and report vulnerabilities of internet-facing information technology of the Department of State, and for other purposes.

H.R. 353. An act to direct the Secretary of State to develop a strategy to regain observer status for Taiwan in the World Health Organization, and for other purposes.

H.R. 439. An act to amend the charter of the Future Farmers of America, and for other purposes.

H.R. 498. An act to eliminate unused sections of the United States Code, and for other purposes.

H.R. 676. An act to reiterate the support of the Congress of the United States for the

North Atlantic Treaty Organization, and for other purposes.

ENROLLED BILLS SIGNED

At 12:30 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 259. An act to extend the Medicaid Money Follows the Person Rebalancing demonstration, to extend protection for Medicaid recipients of home and community-based services against spousal impoverishment, and for other purposes.

H.R. 430. An act to extend the program of block grants to States for temporary assistance for needy families and related programs through June 30, 2019.

The enrolled bills were subsequently signed by the Acting President pro tempore (Ms. MURKOWSKI).

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 31. An act to require certain additional actions in connection with the national emergency with respect to Syria, and for other purposes; to the Committee on Foreign Relations.

H.R. 328. An act to require the Secretary of State to design and establish a Vulnerability Disclosure Process (VDP) to improve Department of State cybersecurity and a bug bounty program to identify and report vulnerabilities of internet-facing information technology of the Department of State, and for other purposes; to the Committee on Foreign Relations.

H.R. 353. An act to direct the Secretary of State to develop a strategy to regain observer status for Taiwan in the World Health Organization, and for other purposes; to the Committee on Foreign Relations.

H.R. 439. An act to amend the charter of the Future Farmers of America, and for other purposes; to the Committee on the Judiciary.

H.R. 498. An act to eliminate unused sections of the United States Code, and for other purposes; to the Committee on the Judiciary.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–154. A communication from the Acting Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Stayce D. Harris, United States Air Force Reserve, and her advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–155. A communication from the Acting Secretary of Defense, transmitting the report of an officer authorized to wear the insignia of the grade of vice admiral in accordance with title 10, United States Code, section 777a, for a period not to exceed 14 days before assuming the duties of the position for which the higher grade is authorized, this will not cause the Department to exceed the number of frocked officers authorized; to the Committee on Armed Services.

EC–156. A communication from the Acting Secretary of Defense, transmitting the report of an officer authorized to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–157. A communication from the Assistant General Counsel, Export-Import Bank of the United States, transmitting, pursuant to law, three (3) reports relative to vacancies in the Export-Import Bank of the United States, received in the Office of the President of the Senate on January 18, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC–158. A communication from the Chairman and President (Acting) of the Export-Import Bank of the United States, transmitting, pursuant to law, the Bank's 2018 Annual Report; to the Committee on Banking, Housing, and Urban Affairs.

EC–159. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the Espanola Valley, Rio Grande Flood Risk Management and Ecosystem Restoration project, Espanola Valley, Rio Grande and Tributaries, New Mexico; to the Committee on Environment and Public Works.

EC–160. A communication from the Assistant Director of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Veterans' Group Life Insurance Increased Coverage'' ((RIN2900–AQ12) (38 CFR Part 9)) received in the Office of the President of the Senate on January 22, 2019; to the Committee on Veterans' Affairs.

EC–161. A communication from the Regulation Policy Development Coordinator, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''VA Claims and Appeals Modernization'' (RIN2900–AQ26) received in the Office of the President of the Senate on January 22, 2019; to the Committee on Veterans' Affairs.

ADDITIONAL COSPONSORS

S. 117

At the request of Mr. SCHUMER, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 117, a bill to prohibit discrimination against individuals with disabilities who need long-term services and supports, and for other purposes.

S. 165

At the request of Mr. BLUMENTHAL, the names of the Senator from Illinois (Ms. DUCKWORTH), the Senator from West Virginia (Mr. MANCHIN), the Senator from Virginia (Mr. KAINE), the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 165, a bill to amend chapter 85 of title 5, United States Code, to clarify that Federal employees excepted from a furlough are eligible for unemployment compensation.

S. 172

At the request of Mr. MCCONNELL, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 172, a bill to delay the reimposition of the annual fee on health insurance providers until after 2021.

S. 183

At the request of Mr. LANKFORD, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. 183, a bill to amend the Public Health Service Act to prohibit governmental discrimination against providers of health services that are not involved in abortion.

S. 184

At the request of Mr. MERKLEY, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 184, a bill to authorize the appropriation of funds to the Centers for Disease Control and Prevention for conducting or supporting research on firearms safety or gun violence prevention.

S. 190

At the request of Mr. LEE, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 190, a bill to amend the Foreign Assistance Act of 1961 to prohibit assistance to nonprofits, foreign nongovernmental organizations, and quasi-autonomous nongovernmental organizations that promote or perform abortions.

S.J. RES. 1

At the request of Mr. SCOTT of South Carolina, his name was added as a cosponsor of S.J. Res. 1, a joint resolution proposing an amendment to the Constitution of the United States relative to limiting the number of terms that a Member of Congress may serve.

S. RES. 20

At the request of Mr. LEE, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. Res. 20, a resolution expressing the sense of the Senate that the Protecting Life in Global Health Assistance policy should be permanently established.

AMENDMENTS SUBMITTED AND PROPOSED

SA 7. Mr. BURR submitted an amendment intended to be proposed by him to the bill H.R. 268, making supplemental appropriations for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table.

SA 8. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 268, supra; which was ordered to lie on the table.

SA 9. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 268, supra; which was ordered to lie on the table.

SA 10. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 268, supra; which was ordered to lie on the table.

SA 11. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 268, supra; which was ordered to lie on the table.

SA 12. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 268, supra; which was ordered to lie on the table.

SA 13. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 268, supra; which was ordered to lie on the table.

SA 14. Mr. SHELBY submitted an amendment intended to be proposed by him to the bill H.R. 268, supra; which was ordered to lie on the table.

SA 15. Mr. SHELBY submitted an amendment intended to be proposed by him to the

bill H.R. 268, supra; which was ordered to lie on the table.

SA 16. Mr. SHELBY submitted an amendment intended to be proposed by him to the bill H.R. 268, supra; which was ordered to lie on the table.

SA 17. Mr. SHELBY submitted an amendment intended to be proposed by him to the bill H.R. 268, supra; which was ordered to lie on the table.

SA 18. Mr. SHELBY submitted an amendment intended to be proposed by him to the bill H.R. 268, supra; which was ordered to lie on the table.

SA 19. Mr. SHELBY submitted an amendment intended to be proposed by him to the bill H.R. 268, supra; which was ordered to lie on the table.

SA 20. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill H.R. 268, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 7. Mr. BURR submitted an amendment intended to be proposed by him to the bill H.R. 268, making supplemental appropriations for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

DIVISION ____—INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEARS 2018 AND 2019

SEC. 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the ''Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018 and 2019''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.
Sec. 3. Explanatory statement.

TITLE I—INTELLIGENCE ACTIVITIES

Sec. 101. Authorization of appropriations.
Sec. 102. Classified Schedule of Authorizations.
Sec. 103. Intelligence Community Management Account.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Sec. 201. Authorization of appropriations.
Sec. 202. Computation of annuities for employees of the Central Intelligence Agency.

TITLE III—GENERAL INTELLIGENCE COMMUNITY MATTERS

Sec. 301. Restriction on conduct of intelligence activities.
Sec. 302. Increase in employee compensation and benefits authorized by law.
Sec. 303. Modification of special pay authority for science, technology, engineering, or mathematics positions and addition of special pay authority for cyber positions.
Sec. 304. Modification of appointment of Chief Information Officer of the Intelligence Community.
Sec. 305. Director of National Intelligence review of placement of positions within the intelligence community on the Executive Schedule.
Sec. 306. Supply Chain and Counterintelligence Risk Management Task Force.
Sec. 307. Consideration of adversarial telecommunications and cybersecurity infrastructure when sharing intelligence with foreign governments and entities.
Sec. 308. Cyber protection support for the personnel of the intelligence community in positions highly vulnerable to cyber attack.
Sec. 309. Modification of authority relating to management of supply-chain risk.
Sec. 310. Limitations on determinations regarding certain security classifications.
Sec. 311. Joint Intelligence Community Council.
Sec. 312. Intelligence community information technology environment.
Sec. 313. Report on development of secure mobile voice solution for intelligence community.
Sec. 314. Policy on minimum insider threat standards.
Sec. 315. Submission of intelligence community policies.
Sec. 316. Expansion of intelligence community recruitment efforts.

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

Subtitle A—Office of the Director of National Intelligence

Sec. 401. Authority for protection of current and former employees of the Office of the Director of National Intelligence.
Sec. 402. Designation of the program manager-information sharing environment.
Sec. 403. Technical modification to the executive schedule.
Sec. 404. Chief Financial Officer of the Intelligence Community.
Sec. 405. Chief Information Officer of the Intelligence Community.

Subtitle B—Central Intelligence Agency

Sec. 411. Central Intelligence Agency subsistence for personnel assigned to austere locations.
Sec. 412. Special rules for certain monthly workers' compensation payments and other payments for Central Intelligence Agency personnel.
Sec. 413. Expansion of security protective service jurisdiction of the Central Intelligence Agency.
Sec. 414. Repeal of foreign language proficiency requirement for certain senior level positions in the Central Intelligence Agency.

Subtitle C—Office of Intelligence and Counterintelligence of Department of Energy

Sec. 421. Consolidation of Department of Energy Offices of Intelligence and Counterintelligence.
Sec. 422. Establishment of Energy Infrastructure Security Center.
Sec. 423. Repeal of Department of Energy Intelligence Executive Committee and budget reporting requirement.

Subtitle D—Other Elements

Sec. 431. Plan for designation of counterintelligence component of Defense Security Service as an element of intelligence community.
Sec. 432. Notice not required for private entities.
Sec. 433. Framework for roles, missions, and functions of Defense Intelligence Agency.
Sec. 434. Establishment of advisory board for National Reconnaissance Office.
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Sec. 706. Report on outreach strategy addressing threats from United States adversaries to the United States technology sector.
Sec. 707. Report on Iranian support of proxy forces in Syria and Lebanon.
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Sec. 722. Inspectors General reports on classification.
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Sec. 724. Annual report on memoranda of understanding between elements of intelligence community and other entities of the United States Government regarding significant operational activities or policy.
Sec. 725. Study on the feasibility of encrypting unclassified wireline and wireless telephone calls.
Sec. 726. Modification of requirement for annual report on hiring and retention of minority employees.
Sec. 727. Reports on intelligence community loan repayment and related programs.
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Sec. 748. Sense of Congress on consideration of espionage activities when considering whether or not to provide visas to foreign individuals to be accredited to a United Nations mission in the United States.
Sec. 749. Sense of Congress on WikiLeaks.

SEC. 2. DEFINITIONS.

In this division:

(1) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term ''congressional intelligence committees'' has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(2) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given such term in such section.

SEC. 3. EXPLANATORY STATEMENT.

The explanatory statement regarding this division, printed in the Senate section of the Congressional Record, by the Chairman of the Select Committee on Intelligence of the Senate, shall have the same effect with respect to the implementation of this division as if it were a joint explanatory statement of a committee of conference.

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

(a) FISCAL YEAR 2019.—Funds are hereby authorized to be appropriated for fiscal year 2019 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

(1) The Office of the Director of National Intelligence.

(2) The Central Intelligence Agency.

(3) The Department of Defense.

(4) The Defense Intelligence Agency.

(5) The National Security Agency.

(6) The Department of the Army, the Department of the Navy, and the Department of the Air Force.

(7) The Coast Guard.

(8) The Department of State.

(9) The Department of the Treasury.

(10) The Department of Energy.

(11) The Department of Justice.

(12) The Federal Bureau of Investigation.

(13) The Drug Enforcement Administration.

(14) The National Reconnaissance Office.

(15) The National Geospatial-Intelligence Agency.

(16) The Department of Homeland Security.

(b) FISCAL YEAR 2018.—Funds that were appropriated for fiscal year 2018 for the conduct of the intelligence and intelligence-related activities of the elements of the United States set forth in subsection (a) are hereby authorized.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS.—The amounts authorized to be appropriated under section 101 for the conduct of the intelligence activities of the elements listed in paragraphs (1) through (16) of section 101, are those specified in the classified Schedule of Authorizations prepared to accompany this division.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—

(1) AVAILABILITY.—The classified Schedule of Authorizations referred to in subsection (a) shall be made available to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and to the President.

(2) DISTRIBUTION BY THE PRESIDENT.—Subject to paragraph (3), the President shall provide for suitable distribution of the classified Schedule of Authorizations referred to in subsection (a), or of appropriate portions of such Schedule, within the executive branch.

(3) LIMITS ON DISCLOSURE.—The President shall not publicly disclose the classified Schedule of Authorizations or any portion of such Schedule except—

(A) as provided in section 601(a) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (50 U.S.C. 3306(a));

(B) to the extent necessary to implement the budget; or

(C) as otherwise required by law.

SEC. 103. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of National Intelligence for fiscal year 2019 the sum of $522,424,000.

(b) CLASSIFIED AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are authorized to be appropriated for the Intelligence Community Management Account for fiscal year 2019 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a).

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund $514,000,000 for fiscal year 2019.

SEC. 202. COMPUTATION OF ANNUITIES FOR EMPLOYEES OF THE CENTRAL INTELLIGENCE AGENCY.

(a) COMPUTATION OF ANNUITIES.—

(1) IN GENERAL.—Section 221 of the Central Intelligence Agency Retirement Act (50 U.S.C. 2031) is amended—

(A) in subsection (a)(3)(B), by striking the period at the end and inserting '', as determined by using the annual rate of basic pay that would be payable for full-time service in that position.'';

(B) in subsection (b)(1)(C)(i), by striking ''12-month'' and inserting ''2-year'';

(C) in subsection (f)(2), by striking ''one year'' and inserting ''two years'';

(D) in subsection (g)(2), by striking ''one year'' each place such term appears and inserting ''two years'';

(E) by redesignating subsections (h), (i), (j), (k), and (l) as subsections (i), (j), (k), (l), and (m), respectively; and

(F) by inserting after subsection (g) the following:

''(h) CONDITIONAL ELECTION OF INSURABLE INTEREST SURVIVOR ANNUITY BY PARTICIPANTS MARRIED AT THE TIME OF RETIREMENT.—

''(1) AUTHORITY TO MAKE DESIGNATION.—Subject to the rights of former spouses under subsection (b) and section 222, at the time of

retirement a married participant found by the Director to be in good health may elect to receive an annuity reduced in accordance with subsection (f)(1)(B) and designate in writing an individual having an insurable interest in the participant to receive an annuity under the system after the participant's death, except that any such election to provide an insurable interest survivor annuity to the participant's spouse shall only be effective if the participant's spouse waives the spousal right to a survivor annuity under this Act. The amount of the annuity shall be equal to 55 percent of the participant's reduced annuity.

''(2) REDUCTION IN PARTICIPANT'S ANNUITY.—The annuity payable to the participant making such election shall be reduced by 10 percent of an annuity computed under subsection (a) and by an additional 5 percent for each full 5 years the designated individual is younger than the participant. The total reduction under this subparagraph may not exceed 40 percent.

''(3) COMMENCEMENT OF SURVIVOR ANNUITY.—The annuity payable to the designated individual shall begin on the day after the retired participant dies and terminate on the last day of the month before the designated individual dies.

''(4) RECOMPUTATION OF PARTICIPANT'S ANNUITY ON DEATH OF DESIGNATED INDIVIDUAL.—An annuity that is reduced under this subsection shall, effective the first day of the month following the death of the designated individual, be recomputed and paid as if the annuity had not been so reduced.''.

(2) CONFORMING AMENDMENTS.—

(A) CENTRAL INTELLIGENCE AGENCY RETIREMENT ACT.—The Central Intelligence Agency Retirement Act (50 U.S.C. 2001 et seq.) is amended—

(i) in section 232(b)(1) (50 U.S.C. 2052(b)(1)), by striking ''221(h),'' and inserting ''221(i),''; and

(ii) in section 252(h)(4) (50 U.S.C. 2082(h)(4)), by striking ''221(k)'' and inserting ''221(l)''.

(B) CENTRAL INTELLIGENCE AGENCY ACT OF 1949.—Subsection (a) of section 14 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3514(a)) is amended by striking ''221(h)(2), 221(i), 221(l),'' and inserting ''221(i)(2), 221(j), 221(m),''.

(b) ANNUITIES FOR FORMER SPOUSES.—Subparagraph (B) of section 222(b)(5) of the Central Intelligence Agency Retirement Act (50 U.S.C. 2032(b)(5)(B)) is amended by striking ''one year'' and inserting ''two years''.

(c) PRIOR SERVICE CREDIT.—Subparagraph (A) of section 252(b)(3) of the Central Intelligence Agency Retirement Act (50 U.S.C. 2082(b)(3)(A)) is amended by striking ''October 1, 1990'' both places that term appears and inserting ''March 31, 1991''.

(d) REEMPLOYMENT COMPENSATION.—Section 273 of the Central Intelligence Agency Retirement Act (50 U.S.C. 2113) is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) by inserting after subsection (a) the following:

''(b) PART-TIME REEMPLOYED ANNUITANTS.—The Director shall have the authority to reemploy an annuitant on a part-time basis in accordance with section 8344(l) of title 5, United States Code.''.

(e) EFFECTIVE DATE AND APPLICATION.—The amendments made by subsection (a)(1)(A) and subsection (c) shall take effect as if enacted on October 28, 2009, and shall apply to computations or participants, respectively, as of such date.

TITLE III—GENERAL INTELLIGENCE COMMUNITY MATTERS

SEC. 301. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

The authorization of appropriations by this division shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or the laws of the United States.

SEC. 302. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

Appropriations authorized by this division for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

SEC. 303. MODIFICATION OF SPECIAL PAY AUTHORITY FOR SCIENCE, TECHNOLOGY, ENGINEERING, OR MATHEMATICS POSITIONS AND ADDITION OF SPECIAL PAY AUTHORITY FOR CYBER POSITIONS.

Section 113B of the National Security Act of 1947 (50 U.S.C. 3049a) is amended—

(1) by amending subsection (a) to read as follows:

''(a) SPECIAL RATES OF PAY FOR POSITIONS REQUIRING EXPERTISE IN SCIENCE, TECHNOLOGY, ENGINEERING, OR MATHEMATICS.—

''(1) IN GENERAL.—Notwithstanding part III of title 5, United States Code, the head of each element of the intelligence community may, for 1 or more categories of positions in such element that require expertise in science, technology, engineering, or mathematics—

''(A) establish higher minimum rates of pay; and

''(B) make corresponding increases in all rates of pay of the pay range for each grade or level, subject to subsection (b) or (c), as applicable.

''(2) TREATMENT.—The special rate supplements resulting from the establishment of higher rates under paragraph (1) shall be basic pay for the same or similar purposes as those specified in section 5305(j) of title 5, United States Code.'';

(2) by redesignating subsections (b) through (f) as subsections (c) through (g), respectively;

(3) by inserting after subsection (a) the following:

''(b) SPECIAL RATES OF PAY FOR CYBER POSITIONS.—

''(1) IN GENERAL.—Notwithstanding subsection (c), the Director of the National Security Agency may establish a special rate of pay—

''(A) not to exceed the rate of basic pay payable for level II of the Executive Schedule under section 5313 of title 5, United States Code, if the Director certifies to the Under Secretary of Defense for Intelligence, in consultation with the Under Secretary of Defense for Personnel and Readiness, that the rate of pay is for positions that perform functions that execute the cyber mission of the Agency; or

''(B) not to exceed the rate of basic pay payable for the Vice President of the United States under section 104 of title 3, United States Code, if the Director certifies to the Secretary of Defense, by name, individuals that have advanced skills and competencies and that perform critical functions that execute the cyber mission of the Agency.

''(2) PAY LIMITATION.—Employees receiving a special rate under paragraph (1) shall be subject to an aggregate pay limitation that parallels the limitation established in section 5307 of title 5, United States Code, except that—

''(A) any allowance, differential, bonus, award, or other similar cash payment in addition to basic pay that is authorized under title 10, United States Code, (or any other applicable law in addition to title 5 of such Code, excluding the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.)) shall also be counted as part of aggregate compensation; and

''(B) aggregate compensation may not exceed the rate established for the Vice President of the United States under section 104 of title 3, United States Code.

''(3) LIMITATION ON NUMBER OF RECIPIENTS.—The number of individuals who receive basic pay established under paragraph (1)(B) may not exceed 100 at any time.

''(4) LIMITATION ON USE AS COMPARATIVE REFERENCE.—Notwithstanding any other provision of law, special rates of pay and the limitation established under paragraph (1)(B) may not be used as comparative references for the purpose of fixing the rates of basic pay or maximum pay limitations of qualified positions under section 1599f of title 10, United States Code, or section 226 of the Homeland Security Act of 2002 (6 U.S.C. 147).'';

(4) in subsection (c), as redesignated by paragraph (2), by striking ''A minimum'' and inserting ''Except as provided in subsection (b), a minimum'';

(5) in subsection (d), as redesignated by paragraph (2), by inserting ''or (b)'' after ''by subsection (a)''; and

(6) in subsection (g), as redesignated by paragraph (2)—

(A) in paragraph (1), by striking ''Not later than 90 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2017'' and inserting ''Not later than 90 days after the date of the enactment of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018 and 2019''; and

(B) in paragraph (2)(A), by inserting ''or (b)'' after ''subsection (a)''.

SEC. 304. MODIFICATION OF APPOINTMENT OF CHIEF INFORMATION OFFICER OF THE INTELLIGENCE COMMUNITY.

Section 103G(a) of the National Security Act of 1947 (50 U.S.C. 3032(a)) is amended by striking ''President'' and inserting ''Director''.

SEC. 305. DIRECTOR OF NATIONAL INTELLIGENCE REVIEW OF PLACEMENT OF POSITIONS WITHIN THE INTELLIGENCE COMMUNITY ON THE EXECUTIVE SCHEDULE.

(a) REVIEW.—The Director of National Intelligence, in coordination with the Director of the Office of Personnel Management, shall conduct a review of positions within the intelligence community regarding the placement of such positions on the Executive Schedule under subchapter II of chapter 53 of title 5, United States Code. In carrying out such review, the Director of National Intelligence, in coordination with the Director of the Office of Personnel Management, shall determine—

(1) the standards under which such review will be conducted;

(2) which positions should or should not be on the Executive Schedule; and

(3) for those positions that should be on the Executive Schedule, the level of the Executive Schedule at which such positions should be placed.

(b) REPORT.—Not later than 60 days after the date on which the review under subsection (a) is completed, the Director of National Intelligence shall submit to the congressional intelligence committees, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Oversight and Government Reform of the House of Representatives an unredacted report describing the standards by which the review was conducted and the outcome of the review.

SEC. 306. SUPPLY CHAIN AND COUNTERINTELLIGENCE RISK MANAGEMENT TASK FORCE.

(a) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional intelligence committees.

(2) The Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs of the Senate.

(3) The Committee on Armed Services, the Committee on Homeland Security, and the Committee on Oversight and Government Reform of the House of Representatives.

(b) REQUIREMENT TO ESTABLISH.—The Director of National Intelligence shall establish a Supply Chain and Counterintelligence Risk Management Task Force to standardize information sharing between the intelligence community and the acquisition community of the United States Government with respect to the supply chain and counterintelligence risks.

(c) MEMBERS.—The Supply Chain and Counterintelligence Risk Management Task Force established under subsection (b) shall be composed of—

(1) a representative of the Defense Security Service of the Department of Defense;

(2) a representative of the General Services Administration;

(3) a representative of the Office of Federal Procurement Policy of the Office of Management and Budget;

(4) a representative of the Department of Homeland Security;

(5) a representative of the Federal Bureau of Investigation;

(6) the Director of the National Counterintelligence and Security Center; and

(7) any other members the Director of National Intelligence determines appropriate.

(d) SECURITY CLEARANCES.—Each member of the Supply Chain and Counterintelligence Risk Management Task Force established under subsection (b) shall have a security clearance at the top secret level and be able to access sensitive compartmented information.

(e) ANNUAL REPORT.—The Supply Chain and Counterintelligence Risk Management Task Force established under subsection (b) shall submit to the appropriate congressional committees an annual report that describes the activities of the Task Force during the previous year, including identification of the supply chain and counterintelligence risks shared with the acquisition community of the United States Government by the intelligence community.

SEC. 307. CONSIDERATION OF ADVERSARIAL TELECOMMUNICATIONS AND CYBERSECURITY INFRASTRUCTURE WHEN SHARING INTELLIGENCE WITH FOREIGN GOVERNMENTS AND ENTITIES.

Whenever the head of an element of the intelligence community enters into an intelligence sharing agreement with a foreign government or any other foreign entity, the head of the element shall consider the pervasiveness of telecommunications and cybersecurity infrastructure, equipment, and services provided by adversaries of the United States, particularly China and Russia, or entities of such adversaries in the country or region of the foreign government or other foreign entity entering into the agreement.

SEC. 308. CYBER PROTECTION SUPPORT FOR THE PERSONNEL OF THE INTELLIGENCE COMMUNITY IN POSITIONS HIGHLY VULNERABLE TO CYBER ATTACK.

(a) DEFINITIONS.—In this section:

(1) PERSONAL ACCOUNTS.—The term ''personal accounts'' means accounts for online and telecommunications services, including telephone, residential Internet access, email, text and multimedia messaging, cloud computing, social media, health care, and financial services, used by personnel of the intelligence community outside of the scope of their employment with elements of the intelligence community.

(2) PERSONAL TECHNOLOGY DEVICES.—The term ''personal technology devices'' means technology devices used by personnel of the intelligence community outside of the scope of their employment with elements of the intelligence community, including networks to which such devices connect.

(b) AUTHORITY TO PROVIDE CYBER PROTECTION SUPPORT.—

(1) IN GENERAL.—Subject to a determination by the Director of National Intelligence, the Director may provide cyber protection support for the personal technology devices and personal accounts of the personnel described in paragraph (2).

(2) AT-RISK PERSONNEL.—The personnel described in this paragraph are personnel of the intelligence community—

(A) who the Director determines to be highly vulnerable to cyber attacks and hostile information collection activities because of the positions occupied by such personnel in the intelligence community; and

(B) whose personal technology devices or personal accounts are highly vulnerable to cyber attacks and hostile information collection activities.

(c) NATURE OF CYBER PROTECTION SUPPORT.—Subject to the availability of resources, the cyber protection support provided to personnel under subsection (b) may include training, advice, assistance, and other services relating to cyber attacks and hostile information collection activities.

(d) LIMITATION ON SUPPORT.—Nothing in this section shall be construed—

(1) to encourage personnel of the intelligence community to use personal technology devices for official business; or

(2) to authorize cyber protection support for senior intelligence community personnel using personal devices, networks, and personal accounts in an official capacity.

(e) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director shall submit to the congressional intelligence committees a report on the provision of cyber protection support under subsection (b). The report shall include—

(1) a description of the methodology used to make the determination under subsection (b)(2); and

(2) guidance for the use of cyber protection support and tracking of support requests for personnel receiving cyber protection support under subsection (b).

SEC. 309. MODIFICATION OF AUTHORITY RELATING TO MANAGEMENT OF SUPPLY-CHAIN RISK.

(a) MODIFICATION OF EFFECTIVE DATE.—Subsection (f) of section 309 of the Intelligence Authorization Act for Fiscal Year 2012 (Public Law 112–87; 50 U.S.C. 3329 note) is amended by striking ''the date that is 180 days after''.

(b) REPEAL OF SUNSET.—Such section is amended by striking subsection (g).

(c) REPORTS.—Such section, as amended by subsection (b), is further amended—

(1) by redesignating subsection (f), as amended by subsection (a), as subsection (g); and

(2) by inserting after subsection (e) the following:

''(f) ANNUAL REPORTS.—

''(1) IN GENERAL.—Except as provided in paragraph (2), not later than 180 days after the date of the enactment of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018 and 2019 and not less frequently than once each calendar year thereafter, the Director of National Intelligence shall, in consultation with each head of a covered agency, submit to the congressional intelligence committees (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)), a report that details the determinations and notifications made under subsection (c) during the most recently completed calendar year.

''(2) INITIAL REPORT.—The first report submitted under paragraph (1) shall detail all the determinations and notifications made under subsection (c) before the date of the submittal of the report.''.

SEC. 310. LIMITATIONS ON DETERMINATIONS REGARDING CERTAIN SECURITY CLASSIFICATIONS.

(a) PROHIBITION.—An officer of an element of the intelligence community who has been nominated by the President for a position that requires the advice and consent of the Senate may not make a classification decision with respect to information related to such officer's nomination.

(b) CLASSIFICATION DETERMINATIONS.—

(1) IN GENERAL.—Except as provided in paragraph (2), in a case in which an officer described in subsection (a) has been nominated as described in such subsection and classification authority rests with the officer or another officer who reports directly to such officer, a classification decision with respect to information relating to the officer shall be made by the Director of National Intelligence.

(2) NOMINATIONS OF DIRECTOR OF NATIONAL INTELLIGENCE.—In a case described in paragraph (1) in which the officer nominated is the Director of National Intelligence, the classification decision shall be made by the Principal Deputy Director of National Intelligence.

(c) REPORTS.—Whenever the Director or the Principal Deputy Director makes a decision under subsection (b), the Director or the Principal Deputy Director, as the case may be, shall submit to the congressional intelligence committees a report detailing the reasons for the decision.

SEC. 311. JOINT INTELLIGENCE COMMUNITY COUNCIL.

(a) MEETINGS.—Section 101A(d) of the National Security Act of 1947 (50 U.S.C. 3022(d)) is amended—

(1) by striking ''regular''; and

(2) by inserting ''as the Director considers appropriate'' after ''Council''.

(b) REPORT ON FUNCTION AND UTILITY OF THE JOINT INTELLIGENCE COMMUNITY COUNCIL.—

(1) IN GENERAL.—No later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the Executive Office of the President and members of the Joint Intelligence Community Council, shall submit to the congressional intelligence committees a report on the function and utility of the Joint Intelligence Community Council.

(2) CONTENTS.—The report required by paragraph (1) shall include the following:

(A) The number of physical or virtual meetings held by the Council per year since the Council's inception.

(B) A description of the effect and accomplishments of the Council.

(C) An explanation of the unique role of the Council relative to other entities, including with respect to the National Security Council and the Executive Committee of the intelligence community.

(D) Recommendations for the future role and operation of the Council.

(E) Such other matters relating to the function and utility of the Council as the Director considers appropriate.

(3) FORM.—The report submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

SEC. 312. INTELLIGENCE COMMUNITY INFORMATION TECHNOLOGY ENVIRONMENT.

(a) DEFINITIONS.—In this section:

(1) CORE SERVICE.—The term ''core service'' means a capability that is available to multiple elements of the intelligence community

and required for consistent operation of the intelligence community information technology environment.

(2) INTELLIGENCE COMMUNITY INFORMATION TECHNOLOGY ENVIRONMENT.—The term ''intelligence community information technology environment'' means all of the information technology services across the intelligence community, including the data sharing and protection environment across multiple classification domains.

(b) ROLES AND RESPONSIBILITIES.—

(1) DIRECTOR OF NATIONAL INTELLIGENCE.—The Director of National Intelligence shall be responsible for coordinating the performance by elements of the intelligence community of the intelligence community information technology environment, including each of the following:

(A) Ensuring compliance with all applicable environment rules and regulations of such environment.

(B) Ensuring measurable performance goals exist for such environment.

(C) Documenting standards and practices of such environment.

(D) Acting as an arbiter among elements of the intelligence community related to any disagreements arising out of the implementation of such environment.

(E) Delegating responsibilities to the elements of the intelligence community and carrying out such other responsibilities as are necessary for the effective implementation of such environment.

(2) CORE SERVICE PROVIDERS.—Providers of core services shall be responsible for—

(A) providing core services, in coordination with the Director of National Intelligence; and

(B) providing the Director with information requested and required to fulfill the responsibilities of the Director under paragraph (1).

(3) USE OF CORE SERVICES.—

(A) IN GENERAL.—Except as provided in subparagraph (B), each element of the intelligence community shall use core services when such services are available.

(B) EXCEPTION.—The Director of National Intelligence may provide for a written exception to the requirement under subparagraph (A) if the Director determines there is a compelling financial or mission need for such exception.

(c) MANAGEMENT ACCOUNTABILITY.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall designate and maintain one or more accountable executives of the intelligence community information technology environment to be responsible for—

(1) management, financial control, and integration of such environment;

(2) overseeing the performance of each core service, including establishing measurable service requirements and schedules;

(3) to the degree feasible, ensuring testing of each core service of such environment, including testing by the intended users, to evaluate performance against measurable service requirements and to ensure the capability meets user requirements; and

(4) coordinate transition or restructuring efforts of such environment, including phase-out of legacy systems.

(d) SECURITY PLAN.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall develop and maintain a security plan for the intelligence community information technology environment.

(e) LONG-TERM ROADMAP.—Not later than 180 days after the date of the enactment of this Act, and during each of the second and fourth fiscal quarters thereafter, the Director of National Intelligence shall submit to the congressional intelligence committees a long-term roadmap that shall include each of the following:

(1) A description of the minimum required and desired core service requirements, including—

(A) key performance parameters; and

(B) an assessment of current, measured performance.

(2) implementation milestones for the intelligence community information technology environment, including each of the following:

(A) A schedule for expected deliveries of core service capabilities during each of the following phases:

(i) Concept refinement and technology maturity demonstration.

(ii) Development, integration, and demonstration.

(iii) Production, deployment, and sustainment.

(iv) System retirement.

(B) Dependencies of such core service capabilities.

(C) Plans for the transition or restructuring necessary to incorporate core service capabilities.

(D) A description of any legacy systems and discontinued capabilities to be phased out.

(3) Such other matters as the Director determines appropriate.

(f) BUSINESS PLAN.—Not later than 180 days after the date of the enactment of this Act, and during each of the second and fourth fiscal quarters thereafter, the Director of National Intelligence shall submit to the congressional intelligence committees a business plan that includes each of the following:

(1) A systematic approach to identify core service funding requests for the intelligence community information technology environment within the proposed budget, including multiyear plans to implement the long-term roadmap required by subsection (e).

(2) A uniform approach by which each element of the intelligence community shall identify the cost of legacy information technology or alternative capabilities where services of the intelligence community information technology environment will also be available.

(3) A uniform effort by which each element of the intelligence community shall identify transition and restructuring costs for new, existing, and retiring services of the intelligence community information technology environment, as well as services of such environment that have changed designations as a core service.

(g) QUARTERLY PRESENTATIONS.—Beginning not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall provide to the congressional intelligence committees quarterly updates regarding ongoing implementation of the intelligence community information technology environment as compared to the requirements in the most recently submitted security plan required by subsection (d), long-term roadmap required by subsection (e), and business plan required by subsection (f).

(h) ADDITIONAL NOTIFICATIONS.—The Director of National Intelligence shall provide timely notification to the congressional intelligence committees regarding any policy changes related to or affecting the intelligence community information technology environment, new initiatives or strategies related to or impacting such environment, and changes or deficiencies in the execution of the security plan required by subsection (d), long-term roadmap required by subsection (e), and business plan required by subsection (f)

(i) SUNSET.—The section shall have no effect on or after September 30, 2024.

SEC. 313. REPORT ON DEVELOPMENT OF SECURE MOBILE VOICE SOLUTION FOR INTELLIGENCE COMMUNITY.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the Director of the Central Intelligence Agency and the Director of the National Security Agency, shall submit to the congressional intelligence committees a classified report on the feasibility, desirability, cost, and required schedule associated with the implementation of a secure mobile voice solution for the intelligence community.

(b) CONTENTS.—The report required by subsection (a) shall include, at a minimum, the following:

(1) The benefits and disadvantages of a secure mobile voice solution.

(2) Whether the intelligence community could leverage commercially available technology for classified voice communications that operates on commercial mobile networks in a secure manner and identifying the accompanying security risks to such networks.

(3) A description of any policies or community guidance that would be necessary to govern the potential solution, such as a process for determining the appropriate use of a secure mobile telephone and any limitations associated with such use.

SEC. 314. POLICY ON MINIMUM INSIDER THREAT STANDARDS.

(a) POLICY REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence shall establish a policy for minimum insider threat standards that is consistent with the National Insider Threat Policy and Minimum Standards for Executive Branch Insider Threat Programs.

(b) IMPLEMENTATION.—Not later than 180 days after the date of the enactment of this Act, the head of each element of the intelligence community shall implement the policy established under subsection (a).

SEC. 315. SUBMISSION OF INTELLIGENCE COMMUNITY POLICIES.

(a) DEFINITIONS.—In this section:

(1) ELECTRONIC REPOSITORY.—The term ''electronic repository'' means the electronic distribution mechanism, in use as of the date of the enactment of this Act, or any successor electronic distribution mechanism, by which the Director of National Intelligence submits to the congressional intelligence committees information.

(2) POLICY.—The term ''policy'', with respect to the intelligence community, includes unclassified or classified—

(A) directives, policy guidance, and policy memoranda of the intelligence community;

(B) executive correspondence of the Director of National Intelligence; and

(C) any equivalent successor policy instruments.

(b) SUBMISSION OF POLICIES.—

(1) CURRENT POLICY.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees using the electronic repository all nonpublicly available policies issued by the Director of National Intelligence for the intelligence community that are in effect as of the date of the submission.

(2) CONTINUOUS UPDATES.—Not later than 15 days after the date on which the Director of National Intelligence issues, modifies, or rescinds a policy of the intelligence community, the Director shall—

(A) notify the congressional intelligence committees of such addition, modification, or removal; and

(B) update the electronic repository with respect to such addition, modification, or removal.

SEC. 316. EXPANSION OF INTELLIGENCE COMMUNITY RECRUITMENT EFFORTS.

In order to further increase the diversity of the intelligence community workforce, not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with heads of elements of the Intelligence Community, shall create, implement, and submit to the congressional intelligence committees a written plan to ensure that rural and underrepresented regions are more fully and consistently represented in such elements' employment recruitment efforts. Upon receipt of the plan, the congressional committees shall have 60 days to submit comments to the Director of National Intelligence before such plan shall be implemented.

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

Subtitle A—Office of the Director of National Intelligence

SEC. 401. AUTHORITY FOR PROTECTION OF CURRENT AND FORMER EMPLOYEES OF THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

Section 5(a)(4) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3506(a)(4)) is amended by striking ''such personnel of the Office of the Director of National Intelligence as the Director of National Intelligence may designate;'' and inserting ''current and former personnel of the Office of the Director of National Intelligence and their immediate families as the Director of National Intelligence may designate;''.

SEC. 402. DESIGNATION OF THE PROGRAM MANAGER-INFORMATION SHARING ENVIRONMENT.

(a) INFORMATION SHARING ENVIRONMENT.—Section 1016(b) of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. 485(b)) is amended—

(1) in paragraph (1), by striking ''President'' and inserting ''Director of National Intelligence''; and

(2) in paragraph (2), by striking ''President'' both places that term appears and inserting ''Director of National Intelligence''.

(b) PROGRAM MANAGER.—Section 1016(f)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. 485(f)(1)) is amended by striking ''The individual designated as the program manager shall serve as program manager until removed from service or replaced by the President (at the President's sole discretion).'' and inserting ''Beginning on the date of the enactment of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018 and 2019, each individual designated as the program manager shall be appointed by the Director of National Intelligence.''.

SEC. 403. TECHNICAL MODIFICATION TO THE EXECUTIVE SCHEDULE.

Section 5315 of title 5, United States Code, is amended by adding at the end the following:

''Director of the National Counterintelligence and Security Center.''.

SEC. 404. CHIEF FINANCIAL OFFICER OF THE INTELLIGENCE COMMUNITY.

Section 103I(a) of the National Security Act of 1947 (50 U.S.C. 3034(a)) is amended by adding at the end the following new sentence: ''The Chief Financial Officer shall report directly to the Director of National Intelligence.''.

SEC. 405. CHIEF INFORMATION OFFICER OF THE INTELLIGENCE COMMUNITY.

Section 103G(a) of the National Security Act of 1947 (50 U.S.C. 3032(a)) is amended by adding at the end the following new sentence: ''The Chief Information Officer shall report directly to the Director of National Intelligence.''.

Subtitle B—Central Intelligence Agency

SEC. 411. CENTRAL INTELLIGENCE AGENCY SUBSISTENCE FOR PERSONNEL ASSIGNED TO AUSTERE LOCATIONS.

Subsection (a) of section 5 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3506) is amended—

(1) in paragraph (1), by striking ''(50 U.S.C. 403–4a).,'' and inserting ''(50 U.S.C. 403–4a),'';

(2) in paragraph (6), by striking ''and'' at the end;

(3) in paragraph (7), by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following new paragraph (8):

''(8) Upon the approval of the Director, provide, during any fiscal year, with or without reimbursement, subsistence to any personnel assigned to an overseas location designated by the Agency as an austere location.''.

SEC. 412. SPECIAL RULES FOR CERTAIN MONTHLY WORKERS' COMPENSATION PAYMENTS AND OTHER PAYMENTS FOR CENTRAL INTELLIGENCE AGENCY PERSONNEL.

(a) IN GENERAL.—The Central Intelligence Agency Act of 1949 (50 U.S.C. 3501 et seq.) is amended by inserting after section 19 the following new section:

''SEC. 19A. SPECIAL RULES FOR CERTAIN INDIVIDUALS INJURED BY REASON OF WAR, INSURGENCY, HOSTILE ACT, OR TERRORIST ACTIVITIES.

''(a) DEFINITIONS.—In this section:

''(1) COVERED DEPENDENT.—The term 'covered dependent' means a family member (as defined by the Director) of a covered employee who, on or after September 11, 2001—

''(A) accompanies the covered employee to an assigned duty station in a foreign country; and

''(B) becomes injured by reason of a qualifying injury.

''(2) COVERED EMPLOYEE.—The term 'covered employee' means an officer or employee of the Central Intelligence Agency who, on or after September 11, 2001, becomes injured by reason of a qualifying injury.

''(3) COVERED INDIVIDUAL.—The term 'covered individual' means an individual who—

''(A)(i) is detailed to the Central Intelligence Agency from other agencies of the United States Government or from the Armed Forces; or

''(ii) is affiliated with the Central Intelligence Agency, as determined by the Director; and

''(B) who, on or after September 11, 2001, becomes injured by reason of a qualifying injury.

''(4) QUALIFYING INJURY.—The term 'qualifying injury' means the following:

''(A) With respect to a covered dependent, an injury incurred—

''(i) during war, insurgency, hostile act, or terrorist activities occurring during a period in which the covered dependent is accompanying the covered employee to an assigned duty station in a foreign country; and

''(ii) that was not the result of the willful misconduct of the covered dependent.

''(B) With respect to a covered employee or a covered individual, an injury incurred—

''(i) during war, insurgency, hostile act, or terrorist activities occurring during a period of assignment to a duty station in a foreign country; and

''(ii) that was not the result of the willful misconduct of the covered employee or the covered individual.

''(b) ADJUSTMENT OF COMPENSATION FOR CERTAIN INJURIES.—

''(1) INCREASE.—The Director may increase the amount of monthly compensation paid to a covered employee under section 8105 of title 5, United States Code. Subject to paragraph (2), the Director may determine the amount of each such increase by taking into account—

''(A) the severity of the qualifying injury;

''(B) the circumstances by which the covered employee became injured; and

''(C) the seniority of the covered employee.

''(2) MAXIMUM.—Notwithstanding chapter 81 of title 5, United States Code, the total amount of monthly compensation increased under paragraph (1) may not exceed the monthly pay of the maximum rate of basic pay for GS–15 of the General Schedule under section 5332 of such title.

''(c) COSTS FOR TREATING QUALIFYING INJURIES.—The Director may pay the costs of treating a qualifying injury of a covered employee, a covered individual, or a covered dependent, or may reimburse a covered employee, a covered individual, or a covered dependent for such costs, that are not otherwise covered by chapter 81 of title 5, United States Code, or other provision of Federal law.

''(d) TREATMENT OF AMOUNTS.—For purposes of section 104 of the Internal Revenue Code of 1986, amounts paid pursuant to this section shall be treated as amounts paid under chapter 81 of title 5, United States Code.''.

(b) REGULATIONS.—Not later than 120 days after the date of the enactment of this Act, the Director of the Central Intelligence Agency shall—

(1) prescribe regulations ensuring the fair and equitable implementation of section 19A of the Central Intelligence Agency Act of 1949, as added by subsection (a); and

(2) submit to the congressional intelligence committees such regulations.

(c) APPLICATION.—Section 19A of the Central Intelligence Agency Act of 1949, as added by subsection (a), shall apply with respect to—

(1) payments made to covered employees (as defined in such section) under section 8105 of title 5, United States Code, beginning on or after the date of the enactment of this Act; and

(2) treatment described in subsection (b) of such section 19A occurring on or after the date of the enactment of this Act.

SEC. 413. EXPANSION OF SECURITY PROTECTIVE SERVICE JURISDICTION OF THE CENTRAL INTELLIGENCE AGENCY.

Subsection (a) of section 15 of the Central Intelligence Act of 1949 (50 U.S.C. 3515(a)) is amended—

(1) in the subsection heading, by striking ''POLICEMEN'' and inserting ''POLICE OFFICERS''; and

(2) in paragraph (1)—

(A) in subparagraph (B), by striking ''500 feet;'' and inserting ''500 yards;''; and

(B) in subparagraph (D), by striking ''500 feet.'' and inserting ''500 yards.''.

SEC. 414. REPEAL OF FOREIGN LANGUAGE PROFICIENCY REQUIREMENT FOR CERTAIN SENIOR LEVEL POSITIONS IN THE CENTRAL INTELLIGENCE AGENCY.

(a) REPEAL OF FOREIGN LANGUAGE PROFICIENCY REQUIREMENT.—Section 104A of the National Security Act of 1947 (50 U.S.C. 3036) is amended by striking subsection (g).

(b) CONFORMING REPEAL OF REPORT REQUIREMENT.—Section 611 of the Intelligence Authorization Act for Fiscal Year 2005 (Public Law 108–487) is amended by striking subsection (c).

Subtitle C—Office of Intelligence and Counterintelligence of Department of Energy

SEC. 421. CONSOLIDATION OF DEPARTMENT OF ENERGY OFFICES OF INTELLIGENCE AND COUNTERINTELLIGENCE.

(a) IN GENERAL.—Section 215 of the Department of Energy Organization Act (42 U.S.C. 7144b) is amended to read as follows:

''OFFICE OF INTELLIGENCE AND COUNTERINTELLIGENCE

''SEC. 215. (a) DEFINITIONS.—In this section, the terms 'intelligence community' and 'National Intelligence Program' have the meanings given such terms in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

''(b) IN GENERAL.—There is in the Department an Office of Intelligence and Counterintelligence. Such office shall be under the National Intelligence Program.

''(c) DIRECTOR.—(1) The head of the Office shall be the Director of the Office of Intelligence and Counterintelligence, who shall be an employee in the Senior Executive Service, the Senior Intelligence Service, the Senior National Intelligence Service, or any other Service that the Secretary, in coordination with the Director of National Intelligence, considers appropriate. The Director of the Office shall report directly to the Secretary.

''(2) The Secretary shall select an individual to serve as the Director from among individuals who have substantial expertise in matters relating to the intelligence community, including foreign intelligence and counterintelligence.

''(d) DUTIES.—(1) Subject to the authority, direction, and control of the Secretary, the Director shall perform such duties and exercise such powers as the Secretary may prescribe.

''(2) The Director shall be responsible for establishing policy for intelligence and counterintelligence programs and activities at the Department.''.

(b) CONFORMING REPEAL.—Section 216 of the Department of Energy Organization Act (42 U.S.C. 7144c) is hereby repealed.

(c) CLERICAL AMENDMENT.—The table of contents at the beginning of the Department of Energy Organization Act is amended by striking the items relating to sections 215 and 216 and inserting the following new item:

''215. Office of Intelligence and Counterintelligence.''.

SEC. 422. ESTABLISHMENT OF ENERGY INFRASTRUCTURE SECURITY CENTER.

Section 215 of the Department of Energy Organization Act (42 U.S.C. 7144b), as amended by section 421, is further amended by adding at the end the following:

''(e) ENERGY INFRASTRUCTURE SECURITY CENTER.—(1)(A) The President shall establish an Energy Infrastructure Security Center, taking into account all appropriate government tools to analyze and disseminate intelligence relating to the security of the energy infrastructure of the United States.

''(B) The Secretary shall appoint the head of the Energy Infrastructure Security Center.

''(C) The Energy Infrastructure Security Center shall be located within the Office of Intelligence and Counterintelligence.

''(2) In establishing the Energy Infrastructure Security Center, the Director of the Office of Intelligence and Counterintelligence shall address the following missions and objectives to coordinate and disseminate intelligence relating to the security of the energy infrastructure of the United States:

''(A) Establishing a primary organization within the United States Government for analyzing and integrating all intelligence possessed or acquired by the United States pertaining to the security of the energy infrastructure of the United States.

''(B) Ensuring that appropriate departments and agencies have full access to and receive intelligence support needed to execute the plans or activities of the agencies, and perform independent, alternative analyses.

''(C) Establishing a central repository on known and suspected foreign threats to the energy infrastructure of the United States, including with respect to any individuals, groups, or entities engaged in activities targeting such infrastructure, and the goals, strategies, capabilities, and networks of such individuals, groups, or entities.

''(D) Disseminating intelligence information relating to the security of the energy infrastructure of the United States, including threats and analyses, to the President, to the appropriate departments and agencies, and to the appropriate committees of Congress.

''(3) The President may waive the requirements of this subsection, and any parts thereof, if the President determines that such requirements do not materially improve the ability of the United States Government to prevent and halt attacks against the energy infrastructure of the United States. Such waiver shall be made in writing to Congress and shall include a description of how the missions and objectives in paragraph (2) are being met.

''(4) If the President decides not to exercise the waiver authority granted by paragraph (3), the President shall submit to Congress from time to time updates and plans regarding the establishment of an Energy Infrastructure Security Center.''.

SEC. 423. REPEAL OF DEPARTMENT OF ENERGY INTELLIGENCE EXECUTIVE COMMITTEE AND BUDGET REPORTING REQUIREMENT.

Section 214 of the Department of Energy Organization Act (42 U.S.C. 7144a) is amended—

(1) by striking ''(a) DUTY OF SECRETARY.—''; and

(2) by striking subsections (b) and (c).

Subtitle D—Other Elements

SEC. 431. PLAN FOR DESIGNATION OF COUNTERINTELLIGENCE COMPONENT OF DEFENSE SECURITY SERVICE AS AN ELEMENT OF INTELLIGENCE COMMUNITY.

Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence and Under Secretary of Defense for Intelligence, in coordination with the Director of the National Counterintelligence and Security Center, shall submit to the congressional intelligence committees, the Committee on Armed Services of the Senate, and the Committee on Armed Services of the House of Representatives a plan to designate the counterintelligence component of the Defense Security Service of the Department of Defense as an element of the intelligence community by not later than January 1, 2019. Such plan shall—

(1) address the implications of such designation on the authorities, governance, personnel, resources, information technology, collection, analytic products, information sharing, and business processes of the Defense Security Service and the intelligence community; and

(2) not address the personnel security functions of the Defense Security Service.

SEC. 432. NOTICE NOT REQUIRED FOR PRIVATE ENTITIES.

Section 3553 of title 44, United States Code, is amended—

(1) by redesignating subsection (j) as subsection (k); and

(2) by inserting after subsection (i) the following:

''(j) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require the Secretary to provide notice to any private entity before the Secretary issues a binding operational directive under subsection (b)(2).''.

SEC. 433. FRAMEWORK FOR ROLES, MISSIONS, AND FUNCTIONS OF DEFENSE INTELLIGENCE AGENCY.

(a) IN GENERAL.—The Director of National Intelligence and the Secretary of Defense shall jointly establish a framework to ensure the appropriate balance of resources for the roles, missions, and functions of the Defense Intelligence Agency in its capacity as an element of the intelligence community and as a combat support agency. The framework shall include supporting processes to provide for the consistent and regular reevaluation of the responsibilities and resources of the Defense Intelligence Agency to prevent imbalanced priorities, insufficient or misaligned resources, and the unauthorized expansion of mission parameters.

(b) MATTERS FOR INCLUSION.—The framework required under subsection (a) shall include each of the following:

(1) A lexicon providing for consistent definitions of relevant terms used by both the intelligence community and the Department of Defense, including each of the following:

(A) Defense intelligence enterprise.

(B) Enterprise manager.

(C) Executive agent.

(D) Function.

(E) Functional manager.

(F) Mission.

(G) Mission manager.

(H) Responsibility.

(I) Role.

(J) Service of common concern.

(2) An assessment of the necessity of maintaining separate designations for the intelligence community and the Department of Defense for intelligence functional or enterprise management constructs.

(3) A repeatable process for evaluating the addition, transfer, or elimination of defense intelligence missions, roles, and functions, currently performed or to be performed in the future by the Defense Intelligence Agency, which includes each of the following:

(A) A justification for the addition, transfer, or elimination of a mission, role, or function.

(B) The identification of which, if any, element of the Federal Government performs the considered mission, role, or function.

(C) In the case of any new mission, role, or function—

(i) an assessment of the most appropriate agency or element to perform such mission, role, or function, taking into account the resource profiles, scope of responsibilities, primary customers, and existing infrastructure necessary to support such mission, role, or function; and

(ii) a determination of the appropriate resource profile and an identification of the projected resources needed and the proposed source of such resources over the future-years defense program, to be provided in writing to any elements of the intelligence community or the Department of Defense affected by the assumption, transfer, or elimination of any mission, role, or function.

(D) In the case of any mission, role, or function proposed to be assumed, transferred, or eliminated, an assessment, which shall be completed jointly by the heads of each element affected by such assumption, transfer, or elimination, of the risks that would be assumed by the intelligence community and the Department if such mission, role, or function is assumed, transferred, or eliminated.

(E) A description of how determinations are made regarding the funding of programs and activities under the National Intelligence Program and the Military Intelligence Program, including—

(i) which programs or activities are funded under each such Program;

(ii) which programs or activities should be jointly funded under both such Programs and how determinations are made with respect to funding allocations for such programs and activities; and

(iii) the thresholds and process for changing a program or activity from being funded under one such Program to being funded under the other such Program.

SEC. 434. ESTABLISHMENT OF ADVISORY BOARD FOR NATIONAL RECONNAISSANCE OFFICE.

(a) ESTABLISHMENT.—Section 106A of the National Security Act of 1947 (50 U.S.C. 3041a) is amended by adding at the end the following new subsection:

''(d) ADVISORY BOARD.—

''(1) ESTABLISHMENT.—There is established in the National Reconnaissance Office an advisory board (in this section referred to as the 'Board').

''(2) DUTIES.—The Board shall—

''(A) study matters relating to the mission of the National Reconnaissance Office, including with respect to promoting innovation, competition, and resilience in space, overhead reconnaissance, acquisition, and other matters; and

''(B) advise and report directly to the Director with respect to such matters.

''(3) MEMBERS.—

''(A) NUMBER AND APPOINTMENT.—

''(i) IN GENERAL.—The Board shall be composed of 5 members appointed by the Director from among individuals with demonstrated academic, government, business, or other expertise relevant to the mission and functions of the National Reconnaissance Office.

''(ii) NOTIFICATION.—Not later than 30 days after the date on which the Director appoints a member to the Board, the Director shall notify the congressional intelligence committees and the congressional defense committees (as defined in section 101(a) of title 10, United States Code) of such appointment.

''(B) TERMS.—Each member shall be appointed for a term of 2 years. Except as provided by subparagraph (C), a member may not serve more than 3 terms.

''(C) VACANCY.—Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term. A member may serve after the expiration of that member's term until a successor has taken office.

''(D) CHAIR.—The Board shall have a Chair, who shall be appointed by the Director from among the members.

''(E) TRAVEL EXPENSES.—Each member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

''(F) EXECUTIVE SECRETARY.—The Director may appoint an executive secretary, who shall be an employee of the National Reconnaissance Office, to support the Board.

''(4) MEETINGS.—The Board shall meet not less than quarterly, but may meet more frequently at the call of the Director.

''(5) REPORTS.—Not later than March 31 of each year, the Board shall submit to the Director and to the congressional intelligence committees a report on the activities and significant findings of the Board during the preceding year.

''(6) NONAPPLICABILITY OF CERTAIN REQUIREMENTS.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Board.

''(7) TERMINATION.—The Board shall terminate on the date that is 3 years after the date of the first meeting of the Board.''.

(b) INITIAL APPOINTMENTS.—Not later than 180 days after the date of the enactment of this Act, the Director of the National Reconnaissance Office shall appoint the initial 5 members to the advisory board under subsection (d) of section 106A of the National Security Act of 1947 (50 U.S.C. 3041a), as added by subsection (a).

SEC. 435. COLLOCATION OF CERTAIN DEPARTMENT OF HOMELAND SECURITY PERSONNEL AT FIELD LOCATIONS.

(a) IDENTIFICATION OF OPPORTUNITIES FOR COLLOCATION.—Not later than 60 days after the date of the enactment of this Act, the Under Secretary of Homeland Security for Intelligence and Analysis shall identify, in consultation with the Commissioner of U.S. Customs and Border Protection, the Administrator of the Transportation Security Administration, the Director of U.S. Immigration and Customs Enforcement, and the heads of such other elements of the Department of Homeland Security as the Under Secretary considers appropriate, opportunities for collocation of officers of the Office of Intelligence and Analysis in the field outside of the greater Washington, District of Columbia, area in order to support operational units from U.S. Customs and Border Protection, the Transportation Security Administration, U.S. Immigration and Customs Enforcement, and other elements of the Department of Homeland Security.

(b) PLAN FOR COLLOCATION.—Not later than 120 days after the date of the enactment of this Act, the Under Secretary shall submit to the congressional intelligence committees a report that includes a plan for collocation as described in subsection (a).

TITLE V—ELECTION MATTERS

SEC. 501. REPORT ON CYBER ATTACKS BY FOREIGN GOVERNMENTS AGAINST UNITED STATES ELECTION INFRASTRUCTURE.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the congressional intelligence committees;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate;

(C) the Committee on Homeland Security of the House of Representatives;

(D) the Committee on Foreign Relations of the Senate; and

(E) the Committee on Foreign Affairs of the House of Representatives.

(2) CONGRESSIONAL LEADERSHIP.—The term ''congressional leadership'' includes the following:

(A) The majority leader of the Senate.

(B) The minority leader of the Senate.

(C) The Speaker of the House of Representatives.

(D) The minority leader of the House of Representatives.

(3) STATE.—The term ''State'' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

(b) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Under Secretary of Homeland Security for Intelligence and Analysis shall submit to congressional leadership and the appropriate congressional committees a report on cyber attacks and attempted cyber attacks by foreign governments on United States election infrastructure in States and localities in connection with the 2016 Presidential election in the United States and such cyber attacks or attempted cyber attacks as the Under Secretary anticipates against such infrastructure. Such report shall identify the States and localities affected and shall include cyber attacks and attempted cyber attacks against voter registration databases, voting machines, voting-related computer networks, and the networks of Secretaries of State and other election officials of the various States.

(c) FORM.—The report submitted under subsection (b) shall be submitted in unclassified form, but may include a classified annex.

SEC. 502. REVIEW OF INTELLIGENCE COMMUNITY'S POSTURE TO COLLECT AGAINST AND ANALYZE RUSSIAN EFFORTS TO INFLUENCE THE PRESIDENTIAL ELECTION.

(a) REVIEW REQUIRED.—Not later than 1 year after the date of the enactment of this Act, the Director of National Intelligence shall—

(1) complete an after action review of the posture of the intelligence community to collect against and analyze efforts of the Government of Russia to interfere in the 2016 Presidential election in the United States; and

(2) submit to the congressional intelligence committees a report on the findings of the Director with respect to such review.

(b) ELEMENTS.—The review required by subsection (a) shall include, with respect to the posture and efforts described in paragraph (1) of such subsection, the following:

(1) An assessment of whether the resources of the intelligence community were properly aligned to detect and respond to the efforts described in subsection (a)(1).

(2) An assessment of the information sharing that occurred within elements of the intelligence community.

(3) An assessment of the information sharing that occurred between elements of the intelligence community.

(4) An assessment of applicable authorities necessary to collect on any such efforts and any deficiencies in those authorities.

(5) A review of the use of open source material to inform analysis and warning of such efforts.

(6) A review of the use of alternative and predictive analysis.

(c) FORM OF REPORT.—The report required by subsection (a)(2) shall be submitted to the congressional intelligence committees in a classified form.

SEC. 503. ASSESSMENT OF FOREIGN INTELLIGENCE THREATS TO FEDERAL ELECTIONS.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the congressional intelligence committees;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(C) the Committee on Homeland Security of the House of Representatives.

(2) CONGRESSIONAL LEADERSHIP.—The term ''congressional leadership'' includes the following:

(A) The majority leader of the Senate.

(B) The minority leader of the Senate.

(C) The Speaker of the House of Representatives.

(D) The minority leader of the House of Representatives.

(3) SECURITY VULNERABILITY.—The term ''security vulnerability'' has the meaning given such term in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501).

(b) IN GENERAL.—The Director of National Intelligence, in coordination with the Director of the Central Intelligence Agency, the Director of the National Security Agency, the Director of the Federal Bureau of Investigation, the Secretary of Homeland Security, and the heads of other relevant elements of the intelligence community, shall—

(1) commence not later than 1 year before any regularly scheduled Federal election occurring after December 31, 2018, and complete not later than 180 days before such election, an assessment of security

vulnerabilities of State election systems; and

(2) not later than 180 days before any regularly scheduled Federal election occurring after December 31, 2018, submit a report on such security vulnerabilities and an assessment of foreign intelligence threats to the election to—

(A) congressional leadership; and

(B) the appropriate congressional committees.

(c) UPDATE.—Not later than 90 days before any regularly scheduled Federal election occurring after December 31, 2018, the Director of National Intelligence shall—

(1) update the assessment of foreign intelligence threats to that election; and

(2) submit the updated assessment to—

(A) congressional leadership; and

(B) the appropriate congressional committees.

SEC. 504. STRATEGY FOR COUNTERING RUSSIAN CYBER THREATS TO UNITED STATES ELECTIONS.

(a) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional intelligence committees.

(2) The Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs of the Senate.

(3) The Committee on Armed Services and the Committee on Homeland Security of the House of Representatives.

(4) The Committee on Foreign Relations of the Senate.

(5) The Committee on Foreign Affairs of the House of Representatives.

(b) REQUIREMENT FOR A STRATEGY.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the Secretary of Homeland Security, the Director of the Federal Bureau of Investigation, the Director of the Central Intelligence Agency, the Secretary of State, the Secretary of Defense, and the Secretary of the Treasury, shall develop a whole-of-government strategy for countering the threat of Russian cyber attacks and attempted cyber attacks against electoral systems and processes in the United States, including Federal, State, and local election systems, voter registration databases, voting tabulation equipment, and equipment and processes for the secure transmission of election results.

(c) ELEMENTS OF THE STRATEGY.—The strategy required by subsection (b) shall include the following elements:

(1) A whole-of-government approach to protecting United States electoral systems and processes that includes the agencies and departments indicated in subsection (b) as well as any other agencies and departments of the United States, as determined appropriate by the Director of National Intelligence and the Secretary of Homeland Security.

(2) Input solicited from Secretaries of State of the various States and the chief election officials of the States.

(3) Technical security measures, including auditable paper trails for voting machines, securing wireless and Internet connections, and other technical safeguards.

(4) Detection of cyber threats, including attacks and attempted attacks by Russian government or nongovernment cyber threat actors.

(5) Improvements in the identification and attribution of Russian government or nongovernment cyber threat actors.

(6) Deterrence, including actions and measures that could or should be undertaken against or communicated to the Government of Russia or other entities to deter attacks against, or interference with, United States election systems and processes.

(7) Improvements in Federal Government communications with State and local election officials.

(8) Public education and communication efforts.

(9) Benchmarks and milestones to enable the measurement of concrete steps taken and progress made in the implementation of the strategy.

(d) CONGRESSIONAL BRIEFING.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence and the Secretary of Homeland Security shall jointly brief the appropriate congressional committees on the strategy developed under subsection (b).

SEC. 505. ASSESSMENT OF SIGNIFICANT RUSSIAN INFLUENCE CAMPAIGNS DIRECTED AT FOREIGN ELECTIONS AND REFERENDA.

(a) RUSSIAN INFLUENCE CAMPAIGN DEFINED.—In this section, the term ''Russian influence campaign'' means any effort, covert or overt, and by any means, attributable to the Russian Federation directed at an election, referendum, or similar process in a country other than the Russian Federation or the United States.

(b) ASSESSMENT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report containing an analytical assessment of the most significant Russian influence campaigns, if any, conducted during the 3-year period preceding the date of the enactment of this Act, as well as the most significant current or planned such Russian influence campaigns, if any. Such assessment shall include—

(1) a summary of such significant Russian influence campaigns, including, at a minimum, the specific means by which such campaigns were conducted, are being conducted, or likely will be conducted, as appropriate, and the specific goal of each such campaign;

(2) a summary of any defenses against or responses to such Russian influence campaigns by the foreign state holding the elections or referenda;

(3) a summary of any relevant activities by elements of the intelligence community undertaken for the purpose of assisting the government of such foreign state in defending against or responding to such Russian influence campaigns; and

(4) an assessment of the effectiveness of such defenses and responses described in paragraphs (2) and (3).

(c) FORM.—The report required by subsection (b) may be submitted in classified form, but if so submitted, shall contain an unclassified summary.

SEC. 506. FOREIGN COUNTERINTELLIGENCE AND CYBERSECURITY THREATS TO FEDERAL ELECTION CAMPAIGNS.

(a) REPORTS REQUIRED.—

(1) IN GENERAL.—As provided in paragraph (2), for each Federal election, the Director of National Intelligence, in coordination with the Under Secretary of Homeland Security for Intelligence and Analysis and the Director of the Federal Bureau of Investigation, shall make publicly available on an Internet website an advisory report on foreign counterintelligence and cybersecurity threats to election campaigns for Federal offices. Each such report shall include, consistent with the protection of sources and methods, each of the following:

(A) A description of foreign counterintelligence and cybersecurity threats to election campaigns for Federal offices.

(B) A summary of best practices that election campaigns for Federal offices can employ in seeking to counter such threats.

(C) An identification of any publicly available resources, including United States Government resources, for countering such threats.

(2) SCHEDULE FOR SUBMITTAL.—A report under this subsection shall be made available as follows:

(A) In the case of a report regarding an election held for the office of Senator or Member of the House of Representatives during 2018, not later than the date that is 60 days after the date of the enactment of this Act.

(B) In the case of a report regarding an election for a Federal office during any subsequent year, not later than the date that is 1 year before the date of the election.

(3) INFORMATION TO BE INCLUDED.—A report under this subsection shall reflect the most current information available to the Director of National Intelligence regarding foreign counterintelligence and cybersecurity threats.

(b) TREATMENT OF CAMPAIGNS SUBJECT TO HEIGHTENED THREATS.—If the Director of the Federal Bureau of Investigation and the Under Secretary of Homeland Security for Intelligence and Analysis jointly determine that an election campaign for Federal office is subject to a heightened foreign counterintelligence or cybersecurity threat, the Director and the Under Secretary, consistent with the protection of sources and methods, may make available additional information to the appropriate representatives of such campaign.

SEC. 507. INFORMATION SHARING WITH STATE ELECTION OFFICIALS.

(a) STATE DEFINED.—In this section, the term ''State'' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

(b) SECURITY CLEARANCES.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Director of National Intelligence shall support the Under Secretary of Homeland Security for Intelligence and Analysis, and any other official of the Department of Homeland Security designated by the Secretary of Homeland Security, in sponsoring a security clearance up to the top secret level for each eligible chief election official of a State or the District of Columbia, and additional eligible designees of such election official as appropriate, at the time that such election official assumes such position.

(2) INTERIM CLEARANCES.—Consistent with applicable policies and directives, the Director of National Intelligence may issue interim clearances, for a period to be determined by the Director, to a chief election official as described in paragraph (1) and up to 1 designee of such official under such paragraph.

(c) INFORMATION SHARING.—

(1) IN GENERAL.—The Director of National Intelligence shall assist the Under Secretary of Homeland Security for Intelligence and Analysis and the Under Secretary responsible for overseeing critical infrastructure protection, cybersecurity, and other related programs of the Department (as specified in section 103(a)(1)(H) of the Homeland Security Act of 2002 (6 U.S.C. 113(a)(1)(H))) with sharing any appropriate classified information related to threats to election systems and to the integrity of the election process with chief election officials and such designees who have received a security clearance under subsection (b).

(2) COORDINATION.—The Under Secretary of Homeland Security for Intelligence and Analysis shall coordinate with the Director of National Intelligence and the Under Secretary responsible for overseeing critical infrastructure protection, cybersecurity, and other related programs of the Department (as specified in section 103(a)(1)(H) of the

Homeland Security Act of 2002 (6 U.S.C. 113(a)(1)(H))) to facilitate the sharing of information to the affected Secretaries of State or States.

SEC. 508. NOTIFICATION OF SIGNIFICANT FOREIGN CYBER INTRUSIONS AND ACTIVE MEASURES CAMPAIGNS DIRECTED AT ELECTIONS FOR FEDERAL OFFICES.

(a) DEFINITIONS.—In this section:

(1) ACTIVE MEASURES CAMPAIGN.—The term ''active measures campaign'' means a foreign semi-covert or covert intelligence operation.

(2) CANDIDATE, ELECTION, AND POLITICAL PARTY.—The terms ''candidate'', ''election'', and ''political party'' have the meanings given those terms in section 301 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101).

(3) CONGRESSIONAL LEADERSHIP.—The term ''congressional leadership'' includes the following:

(A) The majority leader of the Senate.

(B) The minority leader of the Senate.

(C) The Speaker of the House of Representatives.

(D) The minority leader of the House of Representatives.

(4) CYBER INTRUSION.—The term ''cyber intrusion'' means an electronic occurrence that actually or imminently jeopardizes, without lawful authority, electronic election infrastructure, or the integrity, confidentiality, or availability of information within such infrastructure.

(5) ELECTRONIC ELECTION INFRASTRUCTURE.—The term ''electronic election infrastructure'' means an electronic information system of any of the following that is related to an election for Federal office:

(A) The Federal Government.

(B) A State or local government.

(C) A political party.

(D) The election campaign of a candidate.

(6) FEDERAL OFFICE.—The term ''Federal office'' has the meaning given that term in section 301 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101).

(7) HIGH CONFIDENCE.—The term ''high confidence'', with respect to a determination, means that the determination is based on high-quality information from multiple sources.

(8) MODERATE CONFIDENCE.—The term ''moderate confidence'', with respect to a determination, means that a determination is credibly sourced and plausible but not of sufficient quality or corroborated sufficiently to warrant a higher level of confidence.

(9) OTHER APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''other appropriate congressional committees'' means—

(A) the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Homeland Security, and the Committee on Appropriations of the House of Representatives.

(b) DETERMINATIONS OF SIGNIFICANT FOREIGN CYBER INTRUSIONS AND ACTIVE MEASURES CAMPAIGNS.—The Director of National Intelligence, the Director of the Federal Bureau of Investigation, and the Secretary of Homeland Security shall jointly carry out subsection (c) if such Directors and the Secretary jointly determine—

(1) that on or after the date of the enactment of this Act, a significant foreign cyber intrusion or active measures campaign intended to influence an upcoming election for any Federal office has occurred or is occurring; and

(2) with moderate or high confidence, that such intrusion or campaign can be attributed to a foreign state or to a foreign nonstate person, group, or other entity.

(c) BRIEFING.—

(1) IN GENERAL.—Not later than 14 days after making a determination under subsection (b), the Director of National Intelligence, the Director of the Federal Bureau of Investigation, and the Secretary of Homeland Security shall jointly provide a briefing to the congressional leadership, the congressional intelligence committees and, consistent with the protection of sources and methods, the other appropriate congressional committees. The briefing shall be classified and address, at a minimum, the following:

(A) A description of the significant foreign cyber intrusion or active measures campaign, as the case may be, covered by the determination.

(B) An identification of the foreign state or foreign nonstate person, group, or other entity, to which such intrusion or campaign has been attributed.

(C) The desirability and feasibility of the public release of information about the cyber intrusion or active measures campaign.

(D) Any other information such Directors and the Secretary jointly determine appropriate.

(2) ELECTRONIC ELECTION INFRASTRUCTURE BRIEFINGS.—With respect to a significant foreign cyber intrusion covered by a determination under subsection (b), the Secretary of Homeland Security, in consultation with the Director of National Intelligence and the Director of the Federal Bureau of Investigation, shall offer to the owner or operator of any electronic election infrastructure directly affected by such intrusion, a briefing on such intrusion, including steps that may be taken to mitigate such intrusion. Such briefing may be classified and made available only to individuals with appropriate security clearances.

(3) PROTECTION OF SOURCES AND METHODS.—This subsection shall be carried out in a manner that is consistent with the protection of sources and methods.

SEC. 509. DESIGNATION OF COUNTERINTELLIGENCE OFFICER TO LEAD ELECTION SECURITY MATTERS.

(a) IN GENERAL.—The Director of National Intelligence shall designate a national counterintelligence officer within the National Counterintelligence and Security Center to lead, manage, and coordinate counterintelligence matters relating to election security.

(b) ADDITIONAL RESPONSIBILITIES.—The person designated under subsection (a) shall also lead, manage, and coordinate counterintelligence matters relating to risks posed by interference from foreign powers (as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801)) to the following:

(1) The Federal Government election security supply chain.

(2) Election voting systems and software.

(3) Voter registration databases.

(4) Critical infrastructure related to elections.

(5) Such other Government goods and services as the Director of National Intelligence considers appropriate.

TITLE VI—SECURITY CLEARANCES

SEC. 601. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the congressional intelligence committees;

(B) the Committee on Armed Services of the Senate;

(C) the Committee on Appropriations of the Senate;

(D) the Committee on Homeland Security and Governmental Affairs of the Senate;

(E) the Committee on Armed Services of the House of Representatives;

(F) the Committee on Appropriations of the House of Representatives;

(G) the Committee on Homeland Security of the House of Representatives; and

(H) the Committee on Oversight and Government Reform of the House of Representatives.

(2) APPROPRIATE INDUSTRY PARTNERS.—The term ''appropriate industry partner'' means a contractor, licensee, or grantee (as defined in section 101(a) of Executive Order 12829 (50 U.S.C. 3161 note; relating to National Industrial Security Program)) that is participating in the National Industrial Security Program established by such Executive Order.

(3) CONTINUOUS VETTING.—The term ''continuous vetting'' has the meaning given such term in Executive Order 13467 (50 U.S.C. 3161 note; relating to reforming processes related to suitability for government employment, fitness for contractor employees, and eligibility for access to classified national security information).

(4) COUNCIL.—The term ''Council'' means the Security, Suitability, and Credentialing Performance Accountability Council established pursuant to such Executive Order, or any successor entity.

(5) SECURITY EXECUTIVE AGENT.—The term ''Security Executive Agent'' means the officer serving as the Security Executive Agent pursuant to section 803 of the National Security Act of 1947, as added by section 605.

(6) SUITABILITY AND CREDENTIALING EXECUTIVE AGENT.—The term ''Suitability and Credentialing Executive Agent'' means the Director of the Office of Personnel Management acting as the Suitability and Credentialing Executive Agent in accordance with Executive Order 13467 (50 U.S.C. 3161 note; relating to reforming processes related to suitability for government employment, fitness for contractor employees, and eligibility for access to classified national security information), or any successor entity.

SEC. 602. REPORTS AND PLANS RELATING TO SECURITY CLEARANCES AND BACKGROUND INVESTIGATIONS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) ensuring the trustworthiness and security of the workforce, facilities, and information of the Federal Government is of the highest priority to national security and public safety;

(2) the President and Congress should prioritize the modernization of the personnel security framework to improve its efficiency, effectiveness, and accountability;

(3) the current system for security clearance, suitability and fitness for employment, and credentialing lacks efficiencies and capabilities to meet the current threat environment, recruit and retain a trusted workforce, and capitalize on modern technologies; and

(4) changes to policies or processes to improve this system should be vetted through the Council to ensure standardization, portability, and reciprocity in security clearances across the Federal Government.

(b) ACCOUNTABILITY PLANS AND REPORTS.—

(1) PLANS.—Not later than 90 days after the date of the enactment of this Act, the Council shall submit to the appropriate congressional committees and make available to appropriate industry partners the following:

(A) A plan, with milestones, to reduce the background investigation inventory to 200,000, or an otherwise sustainable steady-level, by the end of year 2020. Such plan shall include notes of any required changes in investigative and adjudicative standards or resources.

(B) A plan to consolidate the conduct of background investigations associated with the processing for security clearances in the most effective and efficient manner between the National Background Investigation Bureau and the Defense Security Service, or a successor organization. Such plan shall address required funding, personnel, contracts, information technology, field office structure, policy, governance, schedule, transition costs, and effects on stakeholders.

(2) REPORT ON THE FUTURE OF PERSONNEL SECURITY.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Chairman of the Council, in coordination with the members of the Council, shall submit to the appropriate congressional committees and make available to appropriate industry partners a report on the future of personnel security to reflect changes in threats, the workforce, and technology.

(B) CONTENTS.—The report submitted under subparagraph (A) shall include the following:

(i) A risk framework for granting and renewing access to classified information.

(ii) A discussion of the use of technologies to prevent, detect, and monitor threats.

(iii) A discussion of efforts to address reciprocity and portability.

(iv) A discussion of the characteristics of effective insider threat programs.

(v) An analysis of how to integrate data from continuous evaluation, insider threat programs, and human resources data.

(vi) Recommendations on interagency governance.

(3) PLAN FOR IMPLEMENTATION.—Not later than 180 days after the date of the enactment of this Act, the Chairman of the Council, in coordination with the members of the Council, shall submit to the appropriate congressional committees and make available to appropriate industry partners a plan to implement the report's framework and recommendations submitted under paragraph (2)(A).

(4) CONGRESSIONAL NOTIFICATIONS.—Not less frequently than quarterly, the Security Executive Agent shall make available to the public a report regarding the status of the disposition of requests received from departments and agencies of the Federal Government for a change to, or approval under, the Federal investigative standards, the national adjudicative guidelines, continuous evaluation, or other national policy regarding personnel security.

SEC. 603. IMPROVING THE PROCESS FOR SECURITY CLEARANCES.

(a) REVIEWS.—Not later than 180 days after the date of the enactment of this Act, the Security Executive Agent, in coordination with the members of the Council, shall submit to the appropriate congressional committees and make available to appropriate industry partners a report that includes the following:

(1) A review of whether the information requested on the Questionnaire for National Security Positions (Standard Form 86) and by the Federal Investigative Standards prescribed by the Office of Personnel Management and the Office of the Director of National Intelligence appropriately supports the adjudicative guidelines under Security Executive Agent Directive 4 (known as the ''National Security Adjudicative Guidelines''). Such review shall include identification of whether any such information currently collected is unnecessary to support the adjudicative guidelines.

(2) An assessment of whether such Questionnaire, Standards, and guidelines should be revised to account for the prospect of a holder of a security clearance becoming an insider threat.

(3) Recommendations to improve the background investigation process by—

(A) simplifying the Questionnaire for National Security Positions (Standard Form 86) and increasing customer support to applicants completing such Questionnaire;

(B) using remote techniques and centralized locations to support or replace field investigation work;

(C) using secure and reliable digitization of information obtained during the clearance process;

(D) building the capacity of the background investigation labor sector; and

(E) replacing periodic reinvestigations with continuous evaluation techniques in all appropriate circumstances.

(b) POLICY, STRATEGY, AND IMPLEMENTATION.—Not later than 180 days after the date of the enactment of this Act, the Security Executive Agent shall, in coordination with the members of the Council, establish the following:

(1) A policy and implementation plan for the issuance of interim security clearances.

(2) A policy and implementation plan to ensure contractors are treated consistently in the security clearance process across agencies and departments of the United States as compared to employees of such agencies and departments. Such policy shall address—

(A) prioritization of processing security clearances based on the mission the contractors will be performing;

(B) standardization in the forms that agencies issue to initiate the process for a security clearance;

(C) digitization of background investigation-related forms;

(D) use of the polygraph;

(E) the application of the adjudicative guidelines under Security Executive Agent Directive 4 (known as the ''National Security Adjudicative Guidelines'');

(F) reciprocal recognition of clearances across agencies and departments of the United States, regardless of status of periodic reinvestigation;

(G) tracking of clearance files as individuals move from employment with an agency or department of the United States to employment in the private sector;

(H) collection of timelines for movement of contractors across agencies and departments;

(I) reporting on security incidents and job performance, consistent with section 552a of title 5, United States Code (commonly known as the ''Privacy Act of 1974''), that may affect the ability to hold a security clearance;

(J) any recommended changes to the Federal Acquisition Regulations (FAR) necessary to ensure that information affecting contractor clearances or suitability is appropriately and expeditiously shared between and among agencies and contractors; and

(K) portability of contractor security clearances between or among contracts at the same agency and between or among contracts at different agencies that require the same level of clearance.

(3) A strategy and implementation plan that—

(A) provides for periodic reinvestigations as part of a security clearance determination only on an as-needed, risk-based basis;

(B) includes actions to assess the extent to which automated records checks and other continuous evaluation methods may be used to expedite or focus reinvestigations; and

(C) provides an exception for certain populations if the Security Executive Agent—

(i) determines such populations require reinvestigations at regular intervals; and

(ii) provides written justification to the appropriate congressional committees for any such determination.

(4) A policy and implementation plan for agencies and departments of the United States, as a part of the security clearance process, to accept automated records checks generated pursuant to a security clearance applicant's employment with a prior employer.

(5) A policy for the use of certain background materials on individuals collected by the private sector for background investigation purposes.

(6) Uniform standards for agency continuous evaluation programs to ensure quality and reciprocity in accepting enrollment in a continuous vetting program as a substitute for a periodic investigation for continued access to classified information.

SEC. 604. GOALS FOR PROMPTNESS OF DETERMINATIONS REGARDING SECURITY CLEARANCES.

(a) RECIPROCITY DEFINED.—In this section, the term ''reciprocity'' means reciprocal recognition by Federal departments and agencies of eligibility for access to classified information.

(b) IN GENERAL.—The Council shall reform the security clearance process with the objective that, by December 31, 2021, 90 percent of all determinations, other than determinations regarding populations identified under section 603(b)(3)(C), regarding—

(1) security clearances—

(A) at the secret level are issued in 30 days or fewer; and

(B) at the top secret level are issued in 90 days or fewer; and

(2) reciprocity of security clearances at the same level are recognized in 2 weeks or fewer.

(c) CERTAIN REINVESTIGATIONS.—The Council shall reform the security clearance process with the goal that by December 31, 2021, reinvestigation on a set periodicity is not required for more than 10 percent of the population that holds a security clearance.

(d) EQUIVALENT METRICS.—

(1) IN GENERAL.—If the Council develops a set of performance metrics that it certifies to the appropriate congressional committees should achieve substantially equivalent outcomes as those outlined in subsections (b) and (c), the Council may use those metrics for purposes of compliance within this provision.

(2) NOTICE.—If the Council uses the authority provided by paragraph (1) to use metrics as described in such paragraph, the Council shall, not later than 30 days after communicating such metrics to departments and agencies, notify the appropriate congressional committees that it is using such authority.

(e) PLAN.—Not later than 180 days after the date of the enactment of this Act, the Council shall submit to the appropriate congressional committees and make available to appropriate industry partners a plan to carry out this section. Such plan shall include recommended interim milestones for the goals set forth in subsections (b) and (c) for 2019, 2020, and 2021.

SEC. 605. SECURITY EXECUTIVE AGENT.

(a) IN GENERAL.—Title VIII of the National Security Act of 1947 (50 U.S.C. 3161 et seq.) is amended—

(1) by redesignating sections 803 and 804 as sections 804 and 805, respectively; and

(2) by inserting after section 802 the following:

''SEC. 803. SECURITY EXECUTIVE AGENT.

''(a) IN GENERAL.—The Director of National Intelligence, or such other officer of the United States as the President may designate, shall serve as the Security Executive

Agent for all departments and agencies of the United States.

''(b) DUTIES.—The duties of the Security Executive Agent are as follows:

''(1) To direct the oversight of investigations, reinvestigations, adjudications, and, as applicable, polygraphs for eligibility for access to classified information or eligibility to hold a sensitive position made by any Federal agency.

''(2) To review the national security background investigation and adjudication programs of Federal agencies to determine whether such programs are being implemented in accordance with this section.

''(3) To develop and issue uniform and consistent policies and procedures to ensure the effective, efficient, timely, and secure completion of investigations, polygraphs, and adjudications relating to determinations of eligibility for access to classified information or eligibility to hold a sensitive position.

''(4) Unless otherwise designated by law, to serve as the final authority to designate a Federal agency or agencies to conduct investigations of persons who are proposed for access to classified information or for eligibility to hold a sensitive position to ascertain whether such persons satisfy the criteria for obtaining and retaining access to classified information or eligibility to hold a sensitive position, as applicable.

''(5) Unless otherwise designated by law, to serve as the final authority to designate a Federal agency or agencies to determine eligibility for access to classified information or eligibility to hold a sensitive position in accordance with Executive Order 12968 (50 U.S.C. 3161 note; relating to access to classified information).

''(6) To ensure reciprocal recognition of eligibility for access to classified information or eligibility to hold a sensitive position among Federal agencies, including acting as the final authority to arbitrate and resolve disputes among such agencies involving the reciprocity of investigations and adjudications of eligibility.

''(7) To execute all other duties assigned to the Security Executive Agent by law.

''(c) AUTHORITIES.—The Security Executive Agent shall—

''(1) issue guidelines and instructions to the heads of Federal agencies to ensure appropriate uniformity, centralization, efficiency, effectiveness, timeliness, and security in processes relating to determinations by such agencies of eligibility for access to classified information or eligibility to hold a sensitive position, including such matters as investigations, polygraphs, adjudications, and reciprocity;

''(2) have the authority to grant exceptions to, or waivers of, national security investigative requirements, including issuing implementing or clarifying guidance, as necessary;

''(3) have the authority to assign, in whole or in part, to the head of any Federal agency (solely or jointly) any of the duties of the Security Executive Agent described in subsection (b) or the authorities described in paragraphs (1) and (2), provided that the exercise of such assigned duties or authorities is subject to the oversight of the Security Executive Agent, including such terms and conditions (including approval by the Security Executive Agent) as the Security Executive Agent determines appropriate; and

''(4) define and set standards for continuous evaluation for continued access to classified information and for eligibility to hold a sensitive position.''.

(b) REPORT ON RECOMMENDATIONS FOR REVISING AUTHORITIES.—Not later than 30 days after the date on which the Chairman of the Council submits to the appropriate congressional committees the report required by section 602(b)(2)(A), the Chairman shall submit to the appropriate congressional committees such recommendations as the Chairman may have for revising the authorities of the Security Executive Agent.

(c) CONFORMING AMENDMENT.—Section 103H(j)(4)(A) of such Act (50 U.S.C. 3033(j)(4)(A)) is amended by striking ''in section 804'' and inserting ''in section 805''.

(d) CLERICAL AMENDMENT.—The table of contents in the matter preceding section 2 of such Act (50 U.S.C. 3002) is amended by striking the items relating to sections 803 and 804 and inserting the following:

''Sec. 803. Security Executive Agent.

''Sec. 804. Exceptions.

''Sec. 805. Definitions.''.

SEC. 606. REPORT ON UNIFIED, SIMPLIFIED, GOVERNMENTWIDE STANDARDS FOR POSITIONS OF TRUST AND SECURITY CLEARANCES.

Not later than 90 days after the date of the enactment of this Act, the Security Executive Agent and the Suitability and Credentialing Executive Agent, in coordination with the other members of the Council, shall jointly submit to the appropriate congressional committees and make available to appropriate industry partners a report regarding the advisability and the risks, benefits, and costs to the Government and to industry of consolidating to not more than 3 tiers for positions of trust and security clearances.

SEC. 607. REPORT ON CLEARANCE IN PERSON CONCEPT.

(a) SENSE OF CONGRESS.—It is the sense of Congress that to reflect the greater mobility of the modern workforce, alternative methodologies merit analysis to allow greater flexibility for individuals moving in and out of positions that require access to classified information, while still preserving security.

(b) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Security Executive Agent shall submit to the appropriate congressional committees and make available to appropriate industry partners a report that describes the requirements, feasibility, and advisability of implementing a clearance in person concept described in subsection (c).

(c) CLEARANCE IN PERSON CONCEPT.—The clearance in person concept—

(1) permits an individual who once held a security clearance to maintain his or her eligibility for access to classified information, networks, and facilities for up to 3 years after the individual's eligibility for access to classified information would otherwise lapse; and

(2) recognizes, unless otherwise directed by the Security Executive Agent, an individual's security clearance and background investigation as current, regardless of employment status, contingent on enrollment in a continuous vetting program.

(d) CONTENTS.—The report required under subsection (b) shall address—

(1) requirements for an individual to voluntarily remain in a continuous evaluation program validated by the Security Executive Agent even if the individual is not in a position requiring access to classified information;

(2) appropriate safeguards for privacy;

(3) advantages to government and industry;

(4) the costs and savings associated with implementation;

(5) the risks of such implementation, including security and counterintelligence risks;

(6) an appropriate funding model; and

(7) fairness to small companies and independent contractors.

SEC. 608. BUDGET REQUEST DOCUMENTATION ON FUNDING FOR BACKGROUND INVESTIGATIONS.

(a) IN GENERAL.—As part of the fiscal year 2020 budget request submitted to Congress pursuant to section 1105(a) of title 31, United States Code, the President shall include exhibits that identify the resources expended by each agency during the prior fiscal year for processing background investigations and continuous evaluation programs, disaggregated by tier and whether the individual was a Government employee or contractor.

(b) CONTENTS.—Each exhibit submitted under subsection (a) shall include details on—

(1) the costs of background investigations or reinvestigations;

(2) the costs associated with background investigations for Government or contract personnel;

(3) costs associated with continuous evaluation initiatives monitoring for each person for whom a background investigation or reinvestigation was conducted, other than costs associated with adjudication;

(4) the average per person cost for each type of background investigation; and

(5) a summary of transfers and reprogrammings that were executed in the previous year to support the processing of security clearances.

SEC. 609. REPORTS ON RECIPROCITY FOR SECURITY CLEARANCES INSIDE OF DEPARTMENTS AND AGENCIES.

(a) RECIPROCALLY RECOGNIZED DEFINED.—In this section, the term ''reciprocally recognized'' means reciprocal recognition by Federal departments and agencies of eligibility for access to classified information.

(b) REPORTS TO SECURITY EXECUTIVE AGENT.—The head of each Federal department or agency shall submit an annual report to the Security Executive Agent that—

(1) identifies the number of individuals whose security clearances take more than 2 weeks to be reciprocally recognized after such individuals move to another part of such department or agency; and

(2) breaks out the information described in paragraph (1) by type of clearance and the reasons for any delays.

(c) ANNUAL REPORT.—Not less frequently than once each year, the Security Executive Agent shall submit to the appropriate congressional committees and make available to industry partners an annual report that summarizes the information received pursuant to subsection (b) during the period covered by such report.

SEC. 610. INTELLIGENCE COMMUNITY REPORTS ON SECURITY CLEARANCES.

Section 506H of the National Security Act of 1947 (50 U.S.C. 3104) is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (A)(ii), by adding ''and'' at the end;

(B) in subparagraph (B)(ii), by striking ''; and'' and inserting a period; and

(C) by striking subparagraph (C);

(2) by redesignating subsection (b) as subsection (c);

(3) by inserting after subsection (a) the following:

''(b) INTELLIGENCE COMMUNITY REPORTS.—(1)(A) Not later than March 1 of each year, the Director of National Intelligence shall submit a report to the congressional intelligence committees, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Homeland Security of the House of Representatives, and the Committee on Oversight and Government Reform of the House of Representatives regarding the security clearances processed by each element of the intelligence community during the preceding fiscal year.

''(B) The Director shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives such portions of the report submitted under subparagraph (A) as the Director determines address elements of the intelligence community that are within the Department of Defense.

''(C) Each report submitted under this paragraph shall separately identify security clearances processed for Federal employees and contractor employees sponsored by each such element.

''(2) Each report submitted under paragraph (1)(A) shall include, for each element of the intelligence community for the fiscal year covered by the report, the following:

''(A) The total number of initial security clearance background investigations sponsored for new applicants.

''(B) The total number of security clearance periodic reinvestigations sponsored for existing employees.

''(C) The total number of initial security clearance background investigations for new applicants that were adjudicated with notice of a determination provided to the prospective applicant, including—

''(i) the total number of such adjudications that were adjudicated favorably and granted access to classified information; and

''(ii) the total number of such adjudications that were adjudicated unfavorably and resulted in a denial or revocation of a security clearance.

''(D) The total number of security clearance periodic background investigations that were adjudicated with notice of a determination provided to the existing employee, including—

''(i) the total number of such adjudications that were adjudicated favorably; and

''(ii) the total number of such adjudications that were adjudicated unfavorably and resulted in a denial or revocation of a security clearance.

''(E) The total number of pending security clearance background investigations, including initial applicant investigations and periodic reinvestigations, that were not adjudicated as of the last day of such year and that remained pending, categorized as follows:

''(i) For 180 days or shorter.

''(ii) For longer than 180 days, but shorter than 12 months.

''(iii) For 12 months or longer, but shorter than 18 months.

''(iv) For 18 months or longer, but shorter than 24 months.

''(v) For 24 months or longer.

''(F) For any security clearance determinations completed or pending during the year preceding the year for which the report is submitted that have taken longer than 12 months to complete—

''(i) an explanation of the causes for the delays incurred during the period covered by the report; and

''(ii) the number of such delays involving a polygraph requirement.

''(G) The percentage of security clearance investigations, including initial and periodic reinvestigations, that resulted in a denial or revocation of a security clearance.

''(H) The percentage of security clearance investigations that resulted in incomplete information.

''(I) The percentage of security clearance investigations that did not result in enough information to make a decision on potentially adverse information.

''(3) The report required under this subsection shall be submitted in unclassified form, but may include a classified annex.''; and

(4) in subsection (c), as redesignated, by striking ''subsection (a)(1)'' and inserting ''subsections (a)(1) and (b)''.

SEC. 611. PERIODIC REPORT ON POSITIONS IN THE INTELLIGENCE COMMUNITY THAT CAN BE CONDUCTED WITHOUT ACCESS TO CLASSIFIED INFORMATION, NETWORKS, OR FACILITIES.

Not later than 180 days after the date of the enactment of this Act and not less frequently than once every 5 years thereafter, the Director of National Intelligence shall submit to the congressional intelligence committees a report that reviews the intelligence community for which positions can be conducted without access to classified information, networks, or facilities, or may only require a security clearance at the secret level.

SEC. 612. INFORMATION SHARING PROGRAM FOR POSITIONS OF TRUST AND SECURITY CLEARANCES.

(a) PROGRAM REQUIRED.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Security Executive Agent and the Suitability and Credentialing Executive Agent shall establish and implement a program to share between and among agencies of the Federal Government and industry partners of the Federal Government relevant background information regarding individuals applying for and currently occupying national security positions and positions of trust, in order to ensure the Federal Government maintains a trusted workforce.

(2) DESIGNATION.—The program established under paragraph (1) shall be known as the ''Trusted Information Provider Program'' (in this section referred to as the ''Program'').

(b) PRIVACY SAFEGUARDS.—The Security Executive Agent and the Suitability and Credentialing Executive Agent shall ensure that the Program includes such safeguards for privacy as the Security Executive Agent and the Suitability and Credentialing Executive Agent consider appropriate.

(c) PROVISION OF INFORMATION TO THE FEDERAL GOVERNMENT.—The Program shall include requirements that enable investigative service providers and agencies of the Federal Government to leverage certain pre-employment information gathered during the employment or military recruiting process, and other relevant security or human resources information obtained during employment with or for the Federal Government, that satisfy Federal investigative standards, while safeguarding personnel privacy.

(d) INFORMATION AND RECORDS.—The information and records considered under the Program shall include the following:

(1) Date and place of birth.

(2) Citizenship or immigration and naturalization information.

(3) Education records.

(4) Employment records.

(5) Employment or social references.

(6) Military service records.

(7) State and local law enforcement checks.

(8) Criminal history checks.

(9) Financial records or information.

(10) Foreign travel, relatives, or associations.

(11) Social media checks.

(12) Such other information or records as may be relevant to obtaining or maintaining national security, suitability, fitness, or credentialing eligibility.

(e) IMPLEMENTATION PLAN.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Security Executive Agent and the Suitability and Credentialing Executive Agent shall jointly submit to the appropriate congressional committees and make available to appropriate industry partners a plan for the implementation of the Program.

(2) ELEMENTS.—The plan required by paragraph (1) shall include the following:

(A) Mechanisms that address privacy, national security, suitability or fitness, credentialing, and human resources or military recruitment processes.

(B) Such recommendations for legislative or administrative action as the Security Executive Agent and the Suitability and Credentialing Executive Agent consider appropriate to carry out or improve the Program.

(f) PLAN FOR PILOT PROGRAM ON TWO-WAY INFORMATION SHARING.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Security Executive Agent and the Suitability and Credentialing Executive Agent shall jointly submit to the appropriate congressional committees and make available to appropriate industry partners a plan for the implementation of a pilot program to assess the feasibility and advisability of expanding the Program to include the sharing of information held by the Federal Government related to contract personnel with the security office of the employers of those contractor personnel.

(2) ELEMENTS.—The plan required by paragraph (1) shall include the following:

(A) Mechanisms that address privacy, national security, suitability or fitness, credentialing, and human resources or military recruitment processes.

(B) Such recommendations for legislative or administrative action as the Security Executive Agent and the Suitability and Credentialing Executive Agent consider appropriate to carry out or improve the pilot program.

(g) REVIEW.—Not later than 1 year after the date of the enactment of this Act, the Security Executive Agent and the Suitability and Credentialing Executive Agent shall jointly submit to the appropriate congressional committees and make available to appropriate industry partners a review of the plans submitted under subsections (e)(1) and (f)(1) and utility and effectiveness of the programs described in such plans.

SEC. 613. REPORT ON PROTECTIONS FOR CONFIDENTIALITY OF WHISTLEBLOWER-RELATED COMMUNICATIONS.

Not later than 180 days after the date of the enactment of this Act, the Security Executive Agent shall, in coordination with the Inspector General of the Intelligence Community, submit to the appropriate congressional committees a report detailing the controls employed by the intelligence community to ensure that continuous vetting programs, including those involving user activity monitoring, protect the confidentiality of whistleblower-related communications.

TITLE VII—REPORTS AND OTHER MATTERS

Subtitle A—Matters Relating to Russia and Other Foreign Powers

SEC. 701. LIMITATION RELATING TO ESTABLISHMENT OR SUPPORT OF CYBERSECURITY UNIT WITH THE RUSSIAN FEDERATION.

(a) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional intelligence committees;

(2) the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives; and

(3) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(b) LIMITATION.—

(1) IN GENERAL.—No amount may be expended by the Federal Government, other than the Department of Defense, to enter into or implement any bilateral agreement between the United States and the Russian Federation regarding cybersecurity, including the establishment or support of any cybersecurity unit, unless, at least 30 days prior to the conclusion of any such agreement, the Director of National Intelligence submits to the appropriate congressional committees a report on such agreement that includes the elements required by subsection (c).

(2) DEPARTMENT OF DEFENSE AGREEMENTS.—Any agreement between the Department of Defense and the Russian Federation regarding cybersecurity shall be conducted in accordance with section 1232 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328), as amended by section 1231 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91).

(c) ELEMENTS.—If the Director submits a report under subsection (b) with respect to an agreement, such report shall include a description of each of the following:

(1) The purpose of the agreement.

(2) The nature of any intelligence to be shared pursuant to the agreement.

(3) The expected value to national security resulting from the implementation of the agreement.

(4) Such counterintelligence concerns associated with the agreement as the Director may have and such measures as the Director expects to be taken to mitigate such concerns.

(d) RULE OF CONSTRUCTION.—This section shall not be construed to affect any existing authority of the Director of National Intelligence, the Director of the Central Intelligence Agency, or another head of an element of the intelligence community, to share or receive foreign intelligence on a case-by-case basis.

SEC. 702. REPORT ON RETURNING RUSSIAN COMPOUNDS.

(a) COVERED COMPOUNDS DEFINED.—In this section, the term ''covered compounds'' means the real property in New York, the real property in Maryland, and the real property in San Francisco, California, that were under the control of the Government of Russia in 2016 and were removed from such control in response to various transgressions by the Government of Russia, including the interference by the Government of Russia in the 2016 election in the United States.

(b) REQUIREMENT FOR REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees, and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives (only with respect to the unclassified report), a report on the intelligence risks of returning the covered compounds to Russian control.

(c) FORM OF REPORT.—The report required by this section shall be submitted in classified and unclassified forms.

SEC. 703. ASSESSMENT OF THREAT FINANCE RELATING TO RUSSIA.

(a) THREAT FINANCE DEFINED.—In this section, the term ''threat finance'' means—

(1) the financing of cyber operations, global influence campaigns, intelligence service activities, proliferation, terrorism, or transnational crime and drug organizations;

(2) the methods and entities used to spend, store, move, raise, conceal, or launder money or value, on behalf of threat actors;

(3) sanctions evasion; and

(4) other forms of threat finance activity domestically or internationally, as defined by the President.

(b) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the Assistant Secretary of the Treasury for Intelligence and Analysis, shall submit to the congressional intelligence committees a report containing an assessment of Russian threat finance. The assessment shall be based on intelligence from all sources, including from the Office of Terrorism and Financial Intelligence of the Department of the Treasury.

(c) ELEMENTS.—The report required by subsection (b) shall include each of the following:

(1) A summary of leading examples from the 3-year period preceding the date of the submittal of the report of threat finance activities conducted by, for the benefit of, or at the behest of—

(A) officials of the Government of Russia;

(B) persons subject to sanctions under any provision of law imposing sanctions with respect to Russia;

(C) Russian nationals subject to sanctions under any other provision of law; or

(D) Russian oligarchs or organized criminals.

(2) An assessment with respect to any trends or patterns in threat finance activities relating to Russia, including common methods of conducting such activities and global nodes of money laundering used by Russian threat actors described in paragraph (1) and associated entities.

(3) An assessment of any connections between Russian individuals involved in money laundering and the Government of Russia.

(4) A summary of engagement and coordination with international partners on threat finance relating to Russia, especially in Europe, including examples of such engagement and coordination.

(5) An identification of any resource and collection gaps.

(6) An identification of—

(A) entry points of money laundering by Russian and associated entities into the United States;

(B) any vulnerabilities within the United States legal and financial system, including specific sectors, which have been or could be exploited in connection with Russian threat finance activities; and

(C) the counterintelligence threat posed by Russian money laundering and other forms of threat finance, as well as the threat to the United States financial system and United States efforts to enforce sanctions and combat organized crime.

(7) Any other matters the Director determines appropriate.

(d) FORM OF REPORT.—The report required under subsection (b) may be submitted in classified form.

SEC. 704. NOTIFICATION OF AN ACTIVE MEASURES CAMPAIGN.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the congressional intelligence committees;

(B) the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives; and

(C) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(2) CONGRESSIONAL LEADERSHIP.—The term ''congressional leadership'' includes the following:

(A) The majority leader of the Senate.

(B) The minority leader of the Senate.

(C) The Speaker of the House of Representatives.

(D) The minority leader of the House of Representatives.

(b) REQUIREMENT FOR NOTIFICATION.—The Director of National Intelligence, in cooperation with the Director of the Federal Bureau of Investigation and the head of any other relevant agency, shall notify the congressional leadership and the Chairman and Vice Chairman or Ranking Member of each of the appropriate congressional committees, and of other relevant committees of jurisdiction, each time the Director of National Intelligence determines there is credible information that a foreign power has, is, or will attempt to employ a covert influence or active measures campaign with regard to the modernization, employment, doctrine, or force posture of the nuclear deterrent or missile defense.

(c) CONTENT OF NOTIFICATION.—Each notification required by subsection (b) shall include information concerning actions taken by the United States to expose or halt an attempt referred to in subsection (b).

SEC. 705. NOTIFICATION OF TRAVEL BY ACCREDITED DIPLOMATIC AND CONSULAR PERSONNEL OF THE RUSSIAN FEDERATION IN THE UNITED STATES.

In carrying out the advance notification requirements set out in section 502 of the Intelligence Authorization Act for Fiscal Year 2017 (division N of Public Law 115–31; 131 Stat. 825; 22 U.S.C. 254a note), the Secretary of State shall—

(1) ensure that the Russian Federation provides notification to the Secretary of State at least 2 business days in advance of all travel that is subject to such requirements by accredited diplomatic and consular personnel of the Russian Federation in the United States, and take necessary action to secure full compliance by Russian personnel and address any noncompliance; and

(2) provide notice of travel described in paragraph (1) to the Director of National Intelligence and the Director of the Federal Bureau of Investigation within 1 hour of receiving notice of such travel.

SEC. 706. REPORT ON OUTREACH STRATEGY ADDRESSING THREATS FROM UNITED STATES ADVERSARIES TO THE UNITED STATES TECHNOLOGY SECTOR.

(a) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the congressional intelligence committees;

(2) the Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(3) the Committee on Armed Services, Committee on Homeland Security, and the Committee on Oversight and Government Reform of the House of Representatives.

(b) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress a report detailing outreach by the intelligence community and the Defense Intelligence Enterprise to United States industrial, commercial, scientific, technical, and academic communities on matters relating to the efforts of adversaries of the United States to acquire critical United States technology, intellectual property, and research and development information.

(c) CONTENTS.—The report required by subsection (b) shall include the following:

(1) A review of the current outreach efforts of the intelligence community and the Defense Intelligence Enterprise described in subsection (b), including the type of information conveyed in the outreach.

(2) A determination of the appropriate element of the intelligence community to lead such outreach efforts.

(3) An assessment of potential methods for improving the effectiveness of such outreach, including an assessment of the following:

(A) Those critical technologies, infrastructure, or related supply chains that are at risk from the efforts of adversaries described in subsection (b).

(B) The necessity and advisability of granting security clearances to company or community leadership, when necessary and appropriate, to allow for tailored classified briefings on specific targeted threats.

(C) The advisability of partnering with entities of the Federal Government that are not elements of the intelligence community and relevant regulatory and industry groups described in subsection (b), to convey key messages across sectors targeted by United States adversaries.

(D) Strategies to assist affected elements of the communities described in subparagraph (C) in mitigating, deterring, and protecting against the broad range of threats from the efforts of adversaries described in subsection (b), with focus on producing information that enables private entities to justify business decisions related to national security concerns.

(E) The advisability of the establishment of a United States Government-wide task force to coordinate outreach and activities to combat the threats from efforts of adversaries described in subsection (b).

(F) Such other matters as the Director of National Intelligence may consider necessary.

(d) CONSULTATION ENCOURAGED.—In preparing the report required by subsection (b), the Director is encouraged to consult with other government agencies, think tanks, academia, representatives of the financial industry, or such other entities as the Director considers appropriate.

(e) FORM.—The report required by subsection (b) shall be submitted in unclassified form, but may include a classified annex as necessary.

SEC. 707. REPORT ON IRANIAN SUPPORT OF PROXY FORCES IN SYRIA AND LEBANON.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) ARMS OR RELATED MATERIAL.—The term ''arms or related material'' means—

(A) nuclear, biological, chemical, or radiological weapons or materials or components of such weapons;

(B) ballistic or cruise missile weapons or materials or components of such weapons;

(C) destabilizing numbers and types of advanced conventional weapons;

(D) defense articles or defense services, as those terms are defined in paragraphs (3) and (4), respectively, of section 47 of the Arms Export Control Act (22 U.S.C. 2794);

(E) defense information, as that term is defined in section 644 of the Foreign Assistance Act of 1961 (22 U.S.C. 2403); or

(F) items designated by the President for purposes of the United States Munitions List under section 38(a)(1) of the Arms Export Control Act (22 U.S.C. 2778(a)(1)).

(b) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress a report on Iranian support of proxy forces in Syria and Lebanon and the threat posed to Israel, other United States regional allies, and other specified interests of the United States as a result of such support.

(c) MATTERS FOR INCLUSION.—The report required under subsection (b) shall include information relating to the following matters with respect to both the strategic and tactical implications for the United States and its allies:

(1) A description of arms or related materiel transferred by Iran to Hizballah since March 2011, including the number of such arms or related materiel and whether such transfer was by land, sea, or air, as well as financial and additional technological capabilities transferred by Iran to Hizballah.

(2) A description of Iranian and Iranian-controlled personnel, including Hizballah, Shiite militias, and Iran's Revolutionary Guard Corps forces, operating within Syria, including the number and geographic distribution of such personnel operating within 30 kilometers of the Israeli borders with Syria and Lebanon.

(3) An assessment of Hizballah's operational lessons learned based on its recent experiences in Syria.

(4) A description of any rocket-producing facilities in Lebanon for nonstate actors, including whether such facilities were assessed to be built at the direction of Hizballah leadership, Iranian leadership, or in consultation between Iranian leadership and Hizballah leadership.

(5) An analysis of the foreign and domestic supply chains that significantly facilitate, support, or otherwise aid Hizballah's acquisition or development of missile production facilities, including the geographic distribution of such foreign and domestic supply chains.

(6) An assessment of the provision of goods, services, or technology transferred by Iran or its affiliates to Hizballah to indigenously manufacture or otherwise produce missiles.

(7) An identification of foreign persons that are based on credible information, facilitating the transfer of significant financial support or arms or related materiel to Hizballah.

(8) A description of the threat posed to Israel and other United States allies in the Middle East by the transfer of arms or related material or other support offered to Hizballah and other proxies from Iran.

(d) FORM OF REPORT.—The report required under subsection (b) shall be submitted in unclassified form, but may include a classified annex.

SEC. 708. ANNUAL REPORT ON IRANIAN EXPENDITURES SUPPORTING FOREIGN MILITARY AND TERRORIST ACTIVITIES.

(a) ANNUAL REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act and not less frequently than once each year thereafter, the Director of National Intelligence shall submit to Congress a report describing Iranian expenditures in the previous calendar year on military and terrorist activities outside the country, including each of the following:

(1) The amount spent in such calendar year on activities by the Islamic Revolutionary Guard Corps, including activities providing support for—

(A) Hizballah;

(B) Houthi rebels in Yemen;

(C) Hamas;

(D) proxy forces in Iraq and Syria; or

(E) any other entity or country the Director determines to be relevant.

(2) The amount spent in such calendar year for ballistic missile research and testing or other activities that the Director determines are destabilizing to the Middle East region.

(b) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 709. EXPANSION OF SCOPE OF COMMITTEE TO COUNTER ACTIVE MEASURES AND REPORT ON ESTABLISHMENT OF FOREIGN MALIGN INFLUENCE CENTER.

(a) SCOPE OF COMMITTEE TO COUNTER ACTIVE MEASURES.—

(1) IN GENERAL.—Section 501 of the Intelligence Authorization Act for Fiscal Year 2017 (Public Law 115–31; 50 U.S.C. 3001 note) is amended—

(A) in subsections (a) through (h)—

(i) by inserting '', the People's Republic of China, the Islamic Republic of Iran, the Democratic People's Republic of Korea, or other nation state'' after ''Russian Federation'' each place it appears; and

(ii) by inserting '', China, Iran, North Korea, or other nation state'' after ''Russia'' each place it appears; and

(B) in the section heading, by inserting ''**, THE PEOPLE'S REPUBLIC OF CHINA, THE ISLAMIC REPUBLIC OF IRAN, THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA, OR OTHER NATION STATE**'' after ''**RUSSIAN FEDERATION**''.

(2) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by striking the item relating to section 501 and inserting the following new item:

''Sec. 501. Committee to counter active measures by the Russian Federation, the People's Republic of China, the Islamic Republic of Iran, the Democratic People's Republic of Korea, and other nation states to exert covert influence over peoples and governments.''.

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with such elements of the intelligence community as the Director considers relevant, shall submit to the congressional intelligence committees a report on the feasibility and advisability of establishing a center, to be known as the ''Foreign Malign Influence Response Center'', that—

(A) is comprised of analysts from all appropriate elements of the intelligence community, including elements with related diplomatic and law enforcement functions;

(B) has access to all intelligence and other reporting acquired by the United States Government on foreign efforts to influence, through overt and covert malign activities, United States political processes and elections;

(C) provides comprehensive assessment, and indications and warning, of such activities; and

(D) provides for enhanced dissemination of such assessment to United States policy makers.

(2) CONTENTS.—The Report required by paragraph (1) shall include the following:

(A) A discussion of the desirability of the establishment of such center and any barriers to such establishment.

(B) Such recommendations and other matters as the Director considers appropriate.

Subtitle B—Reports

SEC. 711. TECHNICAL CORRECTION TO INSPECTOR GENERAL STUDY.

Section 11001(d) of title 5, United States Code, is amended—

(1) in the subsection heading, by striking ''AUDIT'' and inserting ''REVIEW'';

(2) in paragraph (1), by striking ''audit'' and inserting ''review''; and

(3) in paragraph (2), by striking ''audit'' and inserting ''review''.

SEC. 712. REPORTS ON AUTHORITIES OF THE CHIEF INTELLIGENCE OFFICER OF THE DEPARTMENT OF HOMELAND SECURITY.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the congressional intelligence committees;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(C) the Committee on Homeland Security of the House of Representatives.

(2) HOMELAND SECURITY INTELLIGENCE ENTERPRISE.—The term ''Homeland Security Intelligence Enterprise'' has the meaning given such term in Department of Homeland Security Instruction Number 264–01–001, or successor authority.

(b) REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Homeland Security, in consultation with the Under Secretary of Homeland Security for Intelligence and Analysis, shall submit to the appropriate committees of Congress a report on the authorities of the Under Secretary.

(c) ELEMENTS.—The report required by subsection (b) shall include each of the following:

(1) An analysis of whether the Under Secretary has the legal and policy authority necessary to organize and lead the Homeland Security Intelligence Enterprise, with respect to intelligence, and, if not, a description of—

(A) the obstacles to exercising the authorities of the Chief Intelligence Officer of the Department and the Homeland Security Intelligence Council, of which the Chief Intelligence Officer is the chair; and

(B) the legal and policy changes necessary to effectively coordinate, organize, and lead intelligence activities of the Department of Homeland Security.

(2) A description of the actions that the Secretary has taken to address the inability of the Under Secretary to require components of the Department, other than the Office of Intelligence and Analysis of the Department to—

(A) coordinate intelligence programs; and

(B) integrate and standardize intelligence products produced by such other components.

SEC. 713. REPORT ON CYBER EXCHANGE PROGRAM.

(a) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the potential establishment of a fully voluntary exchange program between elements of the intelligence community and private technology companies under which—

(1) an employee of an element of the intelligence community with demonstrated expertise and work experience in cybersecurity or related disciplines may elect to be temporarily detailed to a private technology company that has elected to receive the detailee; and

(2) an employee of a private technology company with demonstrated expertise and work experience in cybersecurity or related disciplines may elect to be temporarily detailed to an element of the intelligence community that has elected to receive the detailee.

(b) ELEMENTS.—The report under subsection (a) shall include the following:

(1) An assessment of the feasibility of establishing the exchange program described in such subsection.

(2) Identification of any challenges in establishing the exchange program.

(3) An evaluation of the benefits to the intelligence community that would result from the exchange program.

SEC. 714. REVIEW OF INTELLIGENCE COMMUNITY WHISTLEBLOWER MATTERS.

(a) REVIEW OF WHISTLEBLOWER MATTERS.—The Inspector General of the Intelligence Community, in consultation with the inspectors general for the Central Intelligence Agency, the National Security Agency, the National Geospatial-Intelligence Agency, the Defense Intelligence Agency, and the National Reconnaissance Office, shall conduct a review of the authorities, policies, investigatory standards, and other practices and procedures relating to intelligence community whistleblower matters, with respect to such inspectors general.

(b) OBJECTIVE OF REVIEW.—The objective of the review required under subsection (a) is to identify any discrepancies, inconsistencies, or other issues, which frustrate the timely and effective reporting of intelligence community whistleblower matters to appropriate inspectors general and to the congressional intelligence committees, and the fair and expeditious investigation and resolution of such matters.

(c) CONDUCT OF REVIEW.—The Inspector General of the Intelligence Community shall take such measures as the Inspector General determines necessary in order to ensure that the review required by subsection (a) is conducted in an independent and objective fashion.

(d) REPORT.—Not later than 270 days after the date of the enactment of this Act, the Inspector General of the Intelligence Community shall submit to the congressional intelligence committees a written report containing the results of the review required under subsection (a), along with recommendations to improve the timely and effective reporting of intelligence community whistleblower matters to inspectors general and to the congressional intelligence committees and the fair and expeditious investigation and resolution of such matters.

SEC. 715. REPORT ON ROLE OF DIRECTOR OF NATIONAL INTELLIGENCE WITH RESPECT TO CERTAIN FOREIGN INVESTMENTS.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the heads of the elements of the intelligence community determined appropriate by the Director, shall submit to the congressional intelligence committees a report on the role of the Director in preparing analytic materials in connection with the evaluation by the Federal Government of national security risks associated with potential foreign investments into the United States.

(b) ELEMENTS.—The report under subsection (a) shall include—

(1) a description of the current process for the provision of the analytic materials described in subsection (a);

(2) an identification of the most significant benefits and drawbacks of such process with respect to the role of the Director, including the sufficiency of resources and personnel to prepare such materials; and

(3) recommendations to improve such process.

SEC. 716. REPORT ON SURVEILLANCE BY FOREIGN GOVERNMENTS AGAINST UNITED STATES TELECOMMUNICATIONS NETWORKS.

(a) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional intelligence committees.

(2) The Committee on the Judiciary and the Committee on Homeland Security and Governmental Affairs of the Senate.

(3) The Committee on the Judiciary and the Committee on Homeland Security of the House of Representatives.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall, in coordination with the Director of the Central Intelligence Agency, the Director of the National Security Agency, the Director of the Federal Bureau of Investigation, and the Secretary of Homeland Security, submit to the appropriate congressional committees a report describing—

(1) any attempts known to the intelligence community by foreign governments to exploit cybersecurity vulnerabilities in United States telecommunications networks (including Signaling System No. 7) to target for surveillance United States persons, including employees of the Federal Government; and

(2) any actions, as of the date of the enactment of this Act, taken by the intelligence community to protect agencies and personnel of the United States Government from surveillance conducted by foreign governments.

SEC. 717. BIENNIAL REPORT ON FOREIGN INVESTMENT RISKS.

(a) INTELLIGENCE COMMUNITY INTERAGENCY WORKING GROUP.—

(1) REQUIREMENT TO ESTABLISH.—The Director of National Intelligence shall establish an intelligence community interagency working group to prepare the biennial reports required by subsection (b).

(2) CHAIRPERSON.—The Director of National Intelligence shall serve as the chairperson of such interagency working group.

(3) MEMBERSHIP.—Such interagency working group shall be composed of representatives of each element of the intelligence community that the Director of National Intelligence determines appropriate.

(b) BIENNIAL REPORT ON FOREIGN INVESTMENT RISKS.—

(1) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act and not less frequently than once every 2 years thereafter, the Director of National Intelligence shall submit to the congressional intelligence committees, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Homeland Security of the House of Representatives a report on foreign investment risks prepared by the interagency working group established under subsection (a).

(2) ELEMENTS.—Each report required by paragraph (1) shall include identification, analysis, and explanation of the following:

(A) Any current or projected major threats to the national security of the United States with respect to foreign investment.

(B) Any strategy used by a foreign country that such interagency working group has identified to be a country of special concern to use foreign investment to target the acquisition of critical technologies, critical materials, or critical infrastructure.

(C) Any economic espionage efforts directed at the United States by a foreign country, particularly such a country of special concern.

SEC. 718. MODIFICATION OF CERTAIN REPORTING REQUIREMENT ON TRAVEL OF FOREIGN DIPLOMATS.

Section 502(d)(2) of the Intelligence Authorization Act for Fiscal Year 2017 (Public Law 115–31) is amended by striking ''the number'' and inserting ''a best estimate''.

SEC. 719. SEMIANNUAL REPORTS ON INVESTIGATIONS OF UNAUTHORIZED DISCLOSURES OF CLASSIFIED INFORMATION.

(a) IN GENERAL.—Title XI of the National Security Act of 1947 (50 U.S.C. 3231 et seq.) is

amended by adding at the end the following new section:

"SEC. 1105. SEMIANNUAL REPORTS ON INVESTIGATIONS OF UNAUTHORIZED DISCLOSURES OF CLASSIFIED INFORMATION.

''(a) DEFINITIONS.—In this section:

''(1) COVERED OFFICIAL.—The term 'covered official' means—

''(A) the heads of each element of the intelligence community; and

''(B) the inspectors general with oversight responsibility for an element of the intelligence community.

''(2) INVESTIGATION.—The term 'investigation' means any inquiry, whether formal or informal, into the existence of an unauthorized public disclosure of classified information.

''(3) UNAUTHORIZED DISCLOSURE OF CLASSIFIED INFORMATION.—The term 'unauthorized disclosure of classified information' means any unauthorized disclosure of classified information to any recipient.

''(4) UNAUTHORIZED PUBLIC DISCLOSURE OF CLASSIFIED INFORMATION.—The term 'unauthorized public disclosure of classified information' means the unauthorized disclosure of classified information to a journalist or media organization.

''(b) INTELLIGENCE COMMUNITY REPORTING.—

''(1) IN GENERAL.—Not less frequently than once every 6 months, each covered official shall submit to the congressional intelligence committees a report on investigations of unauthorized public disclosures of classified information.

''(2) ELEMENTS.—Each report submitted under paragraph (1) shall include, with respect to the preceding 6-month period, the following:

''(A) The number of investigations opened by the covered official regarding an unauthorized public disclosure of classified information.

''(B) The number of investigations completed by the covered official regarding an unauthorized public disclosure of classified information.

''(C) Of the number of such completed investigations identified under subparagraph (B), the number referred to the Attorney General for criminal investigation.

''(c) DEPARTMENT OF JUSTICE REPORTING.—

''(1) IN GENERAL.—Not less frequently than once every 6 months, the Assistant Attorney General for National Security of the Department of Justice, in consultation with the Director of the Federal Bureau of Investigation, shall submit to the congressional intelligence committees, the Committee on the Judiciary of the Senate, and the Committee on the Judiciary of the House of Representatives a report on the status of each referral made to the Department of Justice from any element of the intelligence community regarding an unauthorized disclosure of classified information made during the most recent 365-day period or any referral that has not yet been closed, regardless of the date the referral was made.

''(2) CONTENTS.—Each report submitted under paragraph (1) shall include, for each referral covered by the report, at a minimum, the following:

''(A) The date the referral was received.

''(B) A statement indicating whether the alleged unauthorized disclosure described in the referral was substantiated by the Department of Justice.

''(C) A statement indicating the highest level of classification of the information that was revealed in the unauthorized disclosure.

''(D) A statement indicating whether an open criminal investigation related to the referral is active.

''(E) A statement indicating whether any criminal charges have been filed related to the referral.

''(F) A statement indicating whether the Department of Justice has been able to attribute the unauthorized disclosure to a particular entity or individual.

''(d) FORM OF REPORTS.—Each report submitted under this section shall be submitted in unclassified form, but may have a classified annex.''.

(b) CLERICAL AMENDMENT.—The table of contents in the first section of the National Security Act of 1947 is amended by inserting after the item relating to section 1104 the following new item:

''Sec. 1105. Semiannual reports on investigations of unauthorized disclosures of classified information.''.

SEC. 720. CONGRESSIONAL NOTIFICATION OF DESIGNATION OF COVERED INTELLIGENCE OFFICER AS PERSONA NON GRATA.

(a) COVERED INTELLIGENCE OFFICER DEFINED.—In this section, the term ''covered intelligence officer'' means—

(1) a United States intelligence officer serving in a post in a foreign country; or

(2) a known or suspected foreign intelligence officer serving in a United States post.

(b) REQUIREMENT FOR REPORTS.—Not later than 72 hours after a covered intelligence officer is designated as a persona non grata, the Director of National Intelligence, in consultation with the Secretary of State, shall submit to the congressional intelligence committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a notification of that designation. Each such notification shall include—

(1) the date of the designation;

(2) the basis for the designation; and

(3) a justification for the expulsion.

SEC. 721. REPORTS ON INTELLIGENCE COMMUNITY PARTICIPATION IN VULNERABILITIES EQUITIES PROCESS OF FEDERAL GOVERNMENT.

(a) DEFINITIONS.—In this section:

(1) VULNERABILITIES EQUITIES POLICY AND PROCESS DOCUMENT.—The term ''Vulnerabilities Equities Policy and Process document'' means the executive branch document entitled ''Vulnerabilities Equities Policy and Process'' dated November 15, 2017.

(2) VULNERABILITIES EQUITIES PROCESS.—The term ''Vulnerabilities Equities Process'' means the interagency review of vulnerabilities, pursuant to the Vulnerabilities Equities Policy and Process document or any successor document.

(3) VULNERABILITY.—The term ''vulnerability'' means a weakness in an information system or its components (for example, system security procedures, hardware design, and internal controls) that could be exploited or could affect confidentiality, integrity, or availability of information.

(b) REPORTS ON PROCESS AND CRITERIA UNDER VULNERABILITIES EQUITIES POLICY AND PROCESS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a written report describing—

(A) with respect to each element of the intelligence community—

(i) the title of the official or officials responsible for determining whether, pursuant to criteria contained in the Vulnerabilities Equities Policy and Process document or any successor document, a vulnerability must be submitted for review under the Vulnerabilities Equities Process; and

(ii) the process used by such element to make such determination; and

(B) the roles or responsibilities of that element during a review of a vulnerability submitted to the Vulnerabilities Equities Process.

(2) CHANGES TO PROCESS OR CRITERIA.—Not later than 30 days after any significant change is made to the process and criteria used by any element of the intelligence community for determining whether to submit a vulnerability for review under the Vulnerabilities Equities Process, such element shall submit to the congressional intelligence committees a report describing such change.

(3) FORM OF REPORTS.—Each report submitted under this subsection shall be submitted in unclassified form, but may include a classified annex.

(c) ANNUAL REPORTS.—

(1) IN GENERAL.—Not less frequently than once each calendar year, the Director of National Intelligence shall submit to the congressional intelligence committees a classified report containing, with respect to the previous year—

(A) the number of vulnerabilities submitted for review under the Vulnerabilities Equities Process;

(B) the number of vulnerabilities described in subparagraph (A) disclosed to each vendor responsible for correcting the vulnerability, or to the public, pursuant to the Vulnerabilities Equities Process; and

(C) the aggregate number, by category, of the vulnerabilities excluded from review under the Vulnerabilities Equities Process, as described in paragraph 5.4 of the Vulnerabilities Equities Policy and Process document.

(2) UNCLASSIFIED INFORMATION.—Each report submitted under paragraph (1) shall include an unclassified appendix that contains—

(A) the aggregate number of vulnerabilities disclosed to vendors or the public pursuant to the Vulnerabilities Equities Process; and

(B) the aggregate number of vulnerabilities disclosed to vendors or the public pursuant to the Vulnerabilities Equities Process known to have been patched.

(3) NON-DUPLICATION.—The Director of National Intelligence may forgo submission of an annual report required under this subsection for a calendar year, if the Director notifies the intelligence committees in writing that, with respect to the same calendar year, an annual report required by paragraph 4.3 of the Vulnerabilities Equities Policy and Process document already has been submitted to Congress, and such annual report contains the information that would otherwise be required to be included in an annual report under this subsection.

SEC. 722. INSPECTORS GENERAL REPORTS ON CLASSIFICATION.

(a) REPORTS REQUIRED.—Not later than October 1, 2019, each Inspector General listed in subsection (b) shall submit to the congressional intelligence committees a report that includes, with respect to the department or agency of the Inspector General, analyses of the following:

(1) The accuracy of the application of classification and handling markers on a representative sample of finished reports, including such reports that are compartmented.

(2) Compliance with declassification procedures.

(3) The effectiveness of processes for identifying topics of public or historical importance that merit prioritization for a declassification review.

(b) INSPECTORS GENERAL LISTED.—The Inspectors General listed in this subsection are as follows:

(1) The Inspector General of the Intelligence Community.

(2) The Inspector General of the Central Intelligence Agency.

(3) The Inspector General of the National Security Agency.

(4) The Inspector General of the Defense Intelligence Agency.

(5) The Inspector General of the National Reconnaissance Office.

(6) The Inspector General of the National Geospatial-Intelligence Agency.

SEC. 723. REPORTS ON GLOBAL WATER INSECURITY AND NATIONAL SECURITY IMPLICATIONS AND BRIEFING ON EMERGING INFECTIOUS DISEASE AND PANDEMICS.

(a) REPORTS ON GLOBAL WATER INSECURITY AND NATIONAL SECURITY IMPLICATIONS.—

(1) REPORTS REQUIRED.—Not later than 180 days after the date of the enactment of this Act and not less frequently than once every 5 years thereafter, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the implications of water insecurity on the national security interest of the United States, including consideration of social, economic, agricultural, and environmental factors.

(2) ASSESSMENT SCOPE AND FOCUS.—Each report submitted under paragraph (1) shall include an assessment of water insecurity described in such subsection with a global scope, but focus on areas of the world—

(A) of strategic, economic, or humanitarian interest to the United States—

(i) that are, as of the date of the report, at the greatest risk of instability, conflict, human insecurity, or mass displacement; or

(ii) where challenges relating to water insecurity are likely to emerge and become significant during the 5-year or the 20-year period beginning on the date of the report; and

(B) where challenges relating to water insecurity are likely to imperil the national security interests of the United States or allies of the United States.

(3) CONSULTATION.—In researching a report required by paragraph (1), the Director shall consult with—

(A) such stakeholders within the intelligence community, the Department of Defense, and the Department of State as the Director considers appropriate; and

(B) such additional Federal agencies and persons in the private sector as the Director considers appropriate.

(4) FORM.—Each report submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(b) BRIEFING ON EMERGING INFECTIOUS DISEASE AND PANDEMICS.—

(1) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the congressional intelligence committees;

(B) the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives; and

(C) the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate.

(2) BRIEFING.—Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence shall provide to the appropriate congressional committees a briefing on the anticipated geopolitical effects of emerging infectious disease (including deliberate, accidental, and naturally occurring infectious disease threats) and pandemics, and their implications on the national security of the United States.

(3) CONTENT.—The briefing under paragraph (2) shall include an assessment of—

(A) the economic, social, political, and security risks, costs, and impacts of emerging infectious diseases on the United States and the international political and economic system;

(B) the economic, social, political, and security risks, costs, and impacts of a major transnational pandemic on the United States and the international political and economic system; and

(C) contributing trends and factors to the matters assessed under subparagraphs (A) and (B).

(4) EXAMINATION OF RESPONSE CAPACITY.—In examining the risks, costs, and impacts of emerging infectious disease and a possible transnational pandemic under paragraph (3), the Director of National Intelligence shall also examine in the briefing under paragraph (2) the response capacity within affected countries and the international system. In considering response capacity, the Director shall include—

(A) the ability of affected nations to effectively detect and manage emerging infectious diseases and a possible transnational pandemic;

(B) the role and capacity of international organizations and nongovernmental organizations to respond to emerging infectious disease and a possible pandemic, and their ability to coordinate with affected and donor nations; and

(C) the effectiveness of current international frameworks, agreements, and health systems to respond to emerging infectious diseases and a possible transnational pandemic.

(5) FORM.—The briefing under paragraph (2) may be classified.

SEC. 724. ANNUAL REPORT ON MEMORANDA OF UNDERSTANDING BETWEEN ELEMENTS OF INTELLIGENCE COMMUNITY AND OTHER ENTITIES OF THE UNITED STATES GOVERNMENT REGARDING SIGNIFICANT OPERATIONAL ACTIVITIES OR POLICY.

Section 311 of the Intelligence Authorization Act for Fiscal Year 2017 (50 U.S.C. 3313) is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—Each year, concurrent with the annual budget request submitted by the President to Congress under section 1105 of title 31, United States Code, each head of an element of the intelligence community shall submit to the congressional intelligence committees a report that lists each memorandum of understanding or other agreement regarding significant operational activities or policy entered into during the most recently completed fiscal year between or among such element and any other entity of the United States Government.

''(b) PROVISION OF DOCUMENTS.—Each head of an element of an intelligence community who receives a request from the Select Committee on Intelligence of the Senate or the Permanent Select Committee on Intelligence of the House of Representatives for a copy of a memorandum of understanding or other document listed in a report submitted by the head under subsection (a) shall submit to such committee the requested copy as soon as practicable after receiving such request.''.

SEC. 725. STUDY ON THE FEASIBILITY OF ENCRYPTING UNCLASSIFIED WIRELINE AND WIRELESS TELEPHONE CALLS.

(a) STUDY REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall complete a study on the feasibility of encrypting unclassified wireline and wireless telephone calls between personnel in the intelligence community.

(b) REPORT.—Not later than 90 days after the date on which the Director completes the study required by subsection (a), the Director shall submit to the congressional intelligence committees a report on the Director's findings with respect to such study.

SEC. 726. MODIFICATION OF REQUIREMENT FOR ANNUAL REPORT ON HIRING AND RETENTION OF MINORITY EMPLOYEES.

(a) EXPANSION OF PERIOD OF REPORT.—Subsection (a) of section 114 of the National Security Act of 1947 (50 U.S.C. 3050) is amended by inserting ''and the preceding 5 fiscal years'' after ''fiscal year''.

(b) CLARIFICATION ON DISAGGREGATION OF DATA.—Subsection (b) of such section is amended, in the matter before paragraph (1), by striking ''disaggregated data by category of covered person from each element of the intelligence community'' and inserting ''data, disaggregated by category of covered person and by element of the intelligence community,''.

SEC. 727. REPORTS ON INTELLIGENCE COMMUNITY LOAN REPAYMENT AND RELATED PROGRAMS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) there should be established, through the issuing of an Intelligence Community Directive or otherwise, an intelligence community-wide program for student loan repayment, student loan forgiveness, financial counseling, and related matters, for employees of the intelligence community;

(2) creating such a program would enhance the ability of the elements of the intelligence community to recruit, hire, and retain highly qualified personnel, including with respect to mission-critical and hard-to-fill positions;

(3) such a program, including with respect to eligibility requirements, should be designed so as to maximize the ability of the elements of the intelligence community to recruit, hire, and retain highly qualified personnel, including with respect to mission-critical and hard-to-fill positions; and

(4) to the extent possible, such a program should be uniform throughout the intelligence community and publicly promoted by each element of the intelligence community to both current employees of the element as well as to prospective employees of the element.

(b) REPORT ON POTENTIAL INTELLIGENCE COMMUNITY-WIDE PROGRAM.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in cooperation with the heads of the elements of the intelligence community and the heads of any other appropriate department or agency of the Federal Government, shall submit to the congressional intelligence committees a report on potentially establishing and carrying out an intelligence community-wide program for student loan repayment, student loan forgiveness, financial counseling, and related matters, as described in subsection (a).

(2) MATTERS INCLUDED.—The report under paragraph (1) shall include, at a minimum, the following:

(A) A description of the financial resources that the elements of the intelligence community would require to establish and initially carry out the program specified in paragraph (1).

(B) A description of the practical steps to establish and carry out such a program.

(C) The identification of any legislative action the Director determines necessary to establish and carry out such a program.

(c) ANNUAL REPORTS ON ESTABLISHED PROGRAMS.—

(1) COVERED PROGRAMS DEFINED.—In this subsection, the term ''covered programs'' means any loan repayment program, loan forgiveness program, financial counseling program, or similar program, established pursuant to title X of the National Security Act of 1947 (50 U.S.C. 3191 et seq.) or any other provision of law that may be administered or used by an element of the intelligence community.

(2) ANNUAL REPORTS REQUIRED.—Not less frequently than once each year, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the covered programs. Each such report shall include, with respect to the period covered by the report, the following:

(A) The number of personnel from each element of the intelligence community who used each covered program.

(B) The total amount of funds each element expended for each such program.

(C) A description of the efforts made by each element to promote each covered program pursuant to both the personnel of the element of the intelligence community and to prospective personnel.

SEC. 728. REPEAL OF CERTAIN REPORTING REQUIREMENTS.

(a) CORRECTING LONG-STANDING MATERIAL WEAKNESSES.—Section 368 of the Intelligence Authorization Act for Fiscal Year 2010 (Public Law 110–259; 50 U.S.C. 3051 note) is hereby repealed.

(b) INTERAGENCY THREAT ASSESSMENT AND COORDINATION GROUP.—Section 210D of the Homeland Security Act of 2002 (6 U.S.C. 124k) is amended—

(1) by striking subsection (c); and

(2) by redesignating subsections (d) through (i) as subsections (c) through (h), respectively; and

(3) in subsection (c), as so redesignated—

(A) in paragraph (8), by striking ''; and'' and inserting a period; and

(B) by striking paragraph (9).

(c) INSPECTOR GENERAL REPORT.—Section 8H of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) by striking subsection (g); and

(2) by redesignating subsections (h) and (i) as subsections (g) and (h), respectively.

SEC. 729. INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY REPORT ON SENIOR EXECUTIVES OF THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

(a) SENIOR EXECUTIVE SERVICE POSITION DEFINED.—In this section, the term ''Senior Executive Service position'' has the meaning given that term in section 3132(a)(2) of title 5, United States Code, and includes any position above the GS–15, step 10, level of the General Schedule under section 5332 of such title.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Inspector General of the Intelligence Community shall submit to the congressional intelligence committees a report on the number of Senior Executive Service positions in the Office of the Director of National Intelligence.

(c) MATTERS INCLUDED.—The report under subsection (b) shall include the following:

(1) The number of required Senior Executive Service positions for the Office of the Director of National Intelligence.

(2) Whether such requirements are reasonably based on the mission of the Office.

(3) A discussion of how the number of the Senior Executive Service positions in the Office compare to the number of senior positions at comparable organizations.

(d) COOPERATION.—The Director of National Intelligence shall provide to the Inspector General of the Intelligence Community any information requested by the Inspector General of the Intelligence Community that is necessary to carry out this section by not later than 14 calendar days after the date on which the Inspector General of the Intelligence Community makes such request.

SEC. 730. BRIEFING ON FEDERAL BUREAU OF INVESTIGATION OFFERING PERMANENT RESIDENCE TO SOURCES AND COOPERATORS.

Not later than 30 days after the date of the enactment of this Act, the Director of the Federal Bureau of Investigation shall provide to the congressional intelligence committees a briefing on the ability of the Federal Bureau of Investigation to offer, as an inducement to assisting the Bureau, permanent residence within the United States to foreign individuals who are sources or cooperators in counterintelligence or other national security-related investigations. The briefing shall address the following:

(1) The extent to which the Bureau may make such offers, whether independently or in conjunction with other agencies and departments of the United States Government, including a discussion of the authorities provided by section 101(a)(15)(S) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(S)), section 7 of the Central Intelligence Agency Act (50 U.S.C. 3508), and any other provision of law under which the Bureau may make such offers.

(2) An overview of the policies and operational practices of the Bureau with respect to making such offers.

(3) The sufficiency of such policies and practices with respect to inducing individuals to cooperate with, serve as sources for such investigations, or both.

(4) Whether the Director recommends any legislative actions to improve such policies and practices, particularly with respect to the counterintelligence efforts of the Bureau.

SEC. 731. INTELLIGENCE ASSESSMENT OF NORTH KOREA REVENUE SOURCES.

(a) ASSESSMENT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the Assistant Secretary of State for Intelligence and Research and the Assistant Secretary of the Treasury for Intelligence and Analysis, shall produce an intelligence assessment of the revenue sources of the North Korean regime. Such assessment shall include revenue from the following sources:

(1) Trade in coal, iron, and iron ore.

(2) The provision of fishing rights to North Korean territorial waters.

(3) Trade in gold, titanium ore, vanadium ore, copper, silver, nickel, zinc, or rare earth minerals, and other stores of value.

(4) Trade in textiles.

(5) Sales of conventional defense articles and services.

(6) Sales of controlled goods, ballistic missiles, and other associated items.

(7) Other types of manufacturing for export, as the Director of National Intelligence considers appropriate.

(8) The exportation of workers from North Korea in a manner intended to generate significant revenue, directly or indirectly, for use by the government of North Korea.

(9) The provision of nonhumanitarian goods (such as food, medicine, and medical devices) and services by other countries.

(10) The provision of services, including banking and other support, including by entities located in the Russian Federation, China, and Iran.

(11) Online commercial activities of the Government of North Korea, including online gambling.

(12) Criminal activities, including cyber-enabled crime and counterfeit goods.

(b) ELEMENTS.—The assessment required under subsection (a) shall include an identification of each of the following:

(1) The sources of North Korea's funding.

(2) Financial and non-financial networks, including supply chain management, transportation, and facilitation, through which North Korea accesses the United States and international financial systems and repatriates and exports capital, goods, and services; and

(3) the global financial institutions, money services business, and payment systems that assist North Korea with financial transactions.

(c) SUBMITTAL TO CONGRESS.—Upon completion of the assessment required under subsection (a), the Director of National Intelligence shall submit to the congressional intelligence committees a copy of such assessment.

SEC. 732. REPORT ON POSSIBLE EXPLOITATION OF VIRTUAL CURRENCIES BY TERRORIST ACTORS.

(a) SHORT TITLE.—This section may be cited as the ''Stop Terrorist Use of Virtual Currencies Act''.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the Secretary of the Treasury, shall submit to Congress a report on the possible exploitation of virtual currencies by terrorist actors. Such report shall include the following elements:

(1) An assessment of the means and methods by which international terrorist organizations and State sponsors of terrorism use virtual currencies.

(2) An assessment of the use by terrorist organizations and State sponsors of terrorism of virtual currencies compared to the use by such organizations and States of other forms of financing to support operations, including an assessment of the collection posture of the intelligence community on the use of virtual currencies by such organizations and States.

(3) A description of any existing legal impediments that inhibit or prevent the intelligence community from collecting information on or helping prevent the use of virtual currencies by international terrorist organizations and State sponsors of terrorism and an identification of any gaps in existing law that could be exploited for illicit funding by such organizations and States.

(c) FORM OF REPORT.—The report required by subsection (b) shall be submitted in unclassified form, but may include a classified annex.

SEC. 733. INCLUSION OF DISCIPLINARY ACTIONS IN ANNUAL REPORT RELATING TO SECTION 702 OF THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.

Section 707(b)(1)(G)(ii) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881f(b)(1)(G)(ii)) is amended by inserting before the semicolon the following: '', including whether disciplinary actions were taken as a result of such an incident of noncompliance and the extent of such disciplinary actions''.

Subtitle C—Other Matters

SEC. 741. PUBLIC INTEREST DECLASSIFICATION BOARD.

Section 710(b) of the Public Interest Declassification Act of 2000 (Public Law 106–567; 50 U.S.C. 3161 note) is amended by striking ''December 31, 2018'' and inserting ''December 31, 2028''.

SEC. 742. SECURING ENERGY INFRASTRUCTURE.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the congressional intelligence committees;

(B) the Committee on Homeland Security and Governmental Affairs and the Committee on Energy and Natural Resources of the Senate; and

(C) the Committee on Homeland Security and the Committee on Energy and Commerce of the House of Representatives.

(2) COVERED ENTITY.—The term ''covered entity'' means an entity identified pursuant to section 9(a) of Executive Order 13636 of February 12, 2013 (78 Fed. Reg. 11742), relating to identification of critical infrastructure where a cybersecurity incident could reasonably result in catastrophic regional or national effects on public health or safety, economic security, or national security.

(3) EXPLOIT.—The term ''exploit'' means a software tool designed to take advantage of a security vulnerability.

(4) INDUSTRIAL CONTROL SYSTEM.—The term ''industrial control system'' means an operational technology used to measure, control, or manage industrial functions, and includes supervisory control and data acquisition systems, distributed control systems, and programmable logic or embedded controllers.

(5) NATIONAL LABORATORY.—The term ''National Laboratory'' has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(6) PROGRAM.—The term ''Program'' means the pilot program established under subsection (b).

(7) SECRETARY.—Except as otherwise specifically provided, the term ''Secretary'' means the Secretary of Energy.

(8) SECURITY VULNERABILITY.—The term ''security vulnerability'' means any attribute of hardware, software, process, or procedure that could enable or facilitate the defeat of a security control.

(b) PILOT PROGRAM FOR SECURING ENERGY INFRASTRUCTURE.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish a 2-year control systems implementation pilot program within the National Laboratories for the purposes of—

(1) partnering with covered entities in the energy sector (including critical component manufacturers in the supply chain) that voluntarily participate in the Program to identify new classes of security vulnerabilities of the covered entities; and

(2) evaluating technology and standards, in partnership with covered entities, to isolate and defend industrial control systems of covered entities from security vulnerabilities and exploits in the most critical systems of the covered entities, including—

(A) analog and nondigital control systems;

(B) purpose-built control systems; and

(C) physical controls.

(c) WORKING GROUP TO EVALUATE PROGRAM STANDARDS AND DEVELOP STRATEGY.—

(1) ESTABLISHMENT.—The Secretary shall establish a working group—

(A) to evaluate the technology and standards used in the Program under subsection (b)(2); and

(B) to develop a national cyber-informed engineering strategy to isolate and defend covered entities from security vulnerabilities and exploits in the most critical systems of the covered entities.

(2) MEMBERSHIP.—The working group established under paragraph (1) shall be composed of not fewer than 10 members, to be appointed by the Secretary, at least 1 member of which shall represent each of the following:

(A) The Department of Energy.

(B) The energy industry, including electric utilities and manufacturers recommended by the Energy Sector coordinating councils.

(C)(i) The Department of Homeland Security; or

(ii) the Industrial Control Systems Cyber Emergency Response Team.

(D) The North American Electric Reliability Corporation.

(E) The Nuclear Regulatory Commission.

(F)(i) The Office of the Director of National Intelligence; or

(ii) the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)).

(G)(i) The Department of Defense; or

(ii) the Assistant Secretary of Defense for Homeland Security and America's Security Affairs.

(H) A State or regional energy agency.

(I) A national research body or academic institution.

(J) The National Laboratories.

(d) REPORTS ON THE PROGRAM.—

(1) INTERIM REPORT.—Not later than 180 days after the date on which funds are first disbursed under the Program, the Secretary shall submit to the appropriate congressional committees an interim report that—

(A) describes the results of the Program;

(B) includes an analysis of the feasibility of each method studied under the Program; and

(C) describes the results of the evaluations conducted by the working group established under subsection (c)(1).

(2) FINAL REPORT.—Not later than 2 years after the date on which funds are first disbursed under the Program, the Secretary shall submit to the appropriate congressional committees a final report that—

(A) describes the results of the Program;

(B) includes an analysis of the feasibility of each method studied under the Program; and

(C) describes the results of the evaluations conducted by the working group established under subsection (c)(1).

(e) EXEMPTION FROM DISCLOSURE.—Information shared by or with the Federal Government or a State, Tribal, or local government under this section—

(1) shall be deemed to be voluntarily shared information;

(2) shall be exempt from disclosure under section 552 of title 5, United States Code, or any provision of any State, Tribal, or local freedom of information law, open government law, open meetings law, open records law, sunshine law, or similar law requiring the disclosure of information or records; and

(3) shall be withheld from the public, without discretion, under section 552(b)(3) of title 5, United States Code, and any provision of any State, Tribal, or local law requiring the disclosure of information or records.

(f) PROTECTION FROM LIABILITY.—

(1) IN GENERAL.—A cause of action against a covered entity for engaging in the voluntary activities authorized under subsection (b)—

(A) shall not lie or be maintained in any court; and

(B) shall be promptly dismissed by the applicable court.

(2) VOLUNTARY ACTIVITIES.—Nothing in this section subjects any covered entity to liability for not engaging in the voluntary activities authorized under subsection (b).

(g) NO NEW REGULATORY AUTHORITY FOR FEDERAL AGENCIES.—Nothing in this section authorizes the Secretary or the head of any other department or agency of the Federal Government to issue new regulations.

(h) AUTHORIZATION OF APPROPRIATIONS.—

(1) PILOT PROGRAM.—There is authorized to be appropriated $10,000,000 to carry out subsection (b).

(2) WORKING GROUP AND REPORT.—There is authorized to be appropriated $1,500,000 to carry out subsections (c) and (d).

(3) AVAILABILITY.—Amounts made available under paragraphs (1) and (2) shall remain available until expended.

SEC. 743. BUG BOUNTY PROGRAMS.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the congressional intelligence committees;

(B) the Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(C) the Committee on Armed Services and the Committee on Homeland Security of the House of Representatives.

(2) BUG BOUNTY PROGRAM.—The term ''bug bounty program'' means a program under which an approved computer security specialist or security researcher is temporarily authorized to identify and report vulnerabilities within the information system of an agency or department of the United States in exchange for compensation.

(3) INFORMATION SYSTEM.—The term ''information system'' has the meaning given that term in section 3502 of title 44, United States Code.

(b) BUG BOUNTY PROGRAM PLAN.—

(1) REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security, in consultation with the Secretary of Defense, shall submit to appropriate committees of Congress a strategic plan for appropriate agencies and departments of the United States to implement bug bounty programs.

(2) CONTENTS.—The plan required by paragraph (1) shall include—

(A) an assessment of—

(i) the ''Hack the Pentagon'' pilot program carried out by the Department of Defense in 2016 and subsequent bug bounty programs in identifying and reporting vulnerabilities within the information systems of the Department of Defense; and

(ii) private sector bug bounty programs, including such programs implemented by leading technology companies in the United States; and

(B) recommendations on the feasibility of initiating bug bounty programs at appropriate agencies and departments of the United States.

SEC. 744. MODIFICATION OF AUTHORITIES RELATING TO THE NATIONAL INTELLIGENCE UNIVERSITY.

(a) CIVILIAN FACULTY MEMBERS; EMPLOYMENT AND COMPENSATION.—

(1) IN GENERAL.—Section 1595(c) of title 10, United States Code, is amended by adding at the end the following:

''(5) The National Intelligence University.''.

(2) COMPENSATION PLAN.—The Secretary of Defense shall provide each person employed as a full-time professor, instructor, or lecturer at the National Intelligence University on the date of the enactment of this Act an opportunity to elect to be paid under the compensation plan in effect on the day before the date of the enactment of this Act (with no reduction in pay) or under the authority of section 1595 of title 10, United States Code, as amended by paragraph (1).

(b) ACCEPTANCE OF FACULTY RESEARCH GRANTS.—Section 2161 of such title is amended by adding at the end the following:

''(d) ACCEPTANCE OF FACULTY RESEARCH GRANTS.—The Secretary of Defense may authorize the President of the National Intelligence University to accept qualifying research grants in the same manner and to the same degree as the President of the National Defense University under section 2165(e) of this title.''.

(c) PILOT PROGRAM ON ADMISSION OF PRIVATE SECTOR CIVILIANS TO RECEIVE INSTRUCTION.—

(1) PILOT PROGRAM REQUIRED.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall commence carrying out a pilot program to assess the feasability and advisability of permitting eligible private sector employees who work in organizations relevant to national security to receive instruction at the National Intelligence University.

(B) DURATION.—The Secretary shall carry out the pilot program during the 3-year period beginning on the date of the commencement of the pilot program.

(C) EXISTING PROGRAM.—The Secretary shall carry out the pilot program in a manner that is consistent with section 2167 of title 10, United States Code.

(D) NUMBER OF PARTICIPANTS.—No more than the equivalent of 35 full-time student positions may be filled at any one time by private sector employees enrolled under the pilot program.

(E) DIPLOMAS AND DEGREES.—Upon successful completion of the course of instruction in which enrolled, any such private sector employee may be awarded an appropriate diploma or degree under section 2161 of title 10, United States Code.

(2) ELIGIBLE PRIVATE SECTOR EMPLOYEES.—

(A) IN GENERAL.—For purposes of this subsection, an eligible private sector employee is an individual employed by a private firm that is engaged in providing to the Department of Defense, the intelligence community, or other Government departments or agencies significant and substantial intelligence or defense-related systems, products, or services or whose work product is relevant to national security policy or strategy.

(B) LIMITATION.—Under this subsection, a private sector employee admitted for instruction at the National Intelligence University remains eligible for such instruction only so long as that person remains employed by the same firm, holds appropriate security clearances, and complies with any other applicable security protocols.

(3) ANNUAL CERTIFICATION BY SECRETARY OF DEFENSE.—Under the pilot program, private sector employees may receive instruction at the National Intelligence University during any academic year only if, before the start of that academic year, the Secretary of Defense determines, and certifies to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives, that providing instruction to private sector employees under this section during that year will further the national security interests of the United States.

(4) PILOT PROGRAM REQUIREMENTS.—The Secretary of Defense shall ensure that—

(A) the curriculum in which private sector employees may be enrolled under the pilot program is not readily available through other schools and concentrates on national security-relevant issues; and

(B) the course offerings at the National Intelligence University are determined by the needs of the Department of Defense and the intelligence community.

(5) TUITION.—The President of the National Intelligence University shall charge students enrolled under the pilot program a rate that—

(A) is at least the rate charged for employees of the United States outside the Department of Defense, less infrastructure costs; and

(B) considers the value to the school and course of the private sector student.

(6) STANDARDS OF CONDUCT.—While receiving instruction at the National Intelligence University, students enrolled under the pilot program, to the extent practicable, are subject to the same regulations governing academic performance, attendance, norms of behavior, and enrollment as apply to Government civilian employees receiving instruction at the university.

(7) USE OF FUNDS.—

(A) IN GENERAL.—Amounts received by the National Intelligence University for instruction of students enrolled under the pilot program shall be retained by the university to defray the costs of such instruction.

(B) RECORDS.—The source, and the disposition, of such funds shall be specifically identified in records of the university.

(8) REPORTS.—

(A) ANNUAL REPORTS.—Each academic year in which the pilot program is carried out, the Secretary shall submit to the congressional intelligence committees, the Committee on Armed Services of the Senate, and the Committee on Armed Services of the House of Representatives a report on the number of eligible private sector employees participating in the pilot program.

(B) FINAL REPORT.—Not later than 90 days after the date of the conclusion of the pilot program, the Secretary shall submit to the congressional intelligence committees, the Committee on Armed Services of the Senate, and the Committee on Armed Services of the House of Representatives a report on the findings of the Secretary with respect to the pilot program. Such report shall include—

(i) the findings of the Secretary with respect to the feasability and advisability of permitting eligible private sector employees who work in organizations relevant to national security to receive instruction at the National Intelligence University; and

(ii) a recommendation as to whether the pilot program should be extended.

SEC. 745. TECHNICAL AND CLERICAL AMENDMENTS TO THE NATIONAL SECURITY ACT OF 1947.

(a) TABLE OF CONTENTS.—The table of contents at the beginning of the National Security Act of 1947 (50 U.S.C. 3001 et seq.) is amended—

(1) by inserting after the item relating to section 2 the following new item:

''Sec. 3. Definitions.'';

(2) by striking the item relating to section 107;

(3) by striking the item relating to section 113B and inserting the following new item:

''Sec. 113B. Special pay authority for science, technology, engineering, or mathematics positions.'';

(4) by striking the items relating to sections 202, 203, 204, 208, 209, 210, 211, 212, 213, and 214; and

(5) by inserting after the item relating to section 311 the following new item:

''Sec. 312. Repealing and saving provisions.''.

(b) OTHER TECHNICAL CORRECTIONS.—Such Act is further amended—

(1) in section 102A—

(A) in subparagraph (G) of paragraph (1) of subsection (g), by moving the margins of such subparagraph 2 ems to the left; and

(B) in paragraph (3) of subsection (v), by moving the margins of such paragraph 2 ems to the left;

(2) in section 106—

(A) by inserting ''SEC. 106'' before ''(a)''; and

(B) in subparagraph (I) of paragraph (2) of subsection (b), by moving the margins of such subparagraph 2 ems to the left;

(3) by striking section 107;

(4) in section 108(c), by striking ''in both a classified and an unclassified form'' and inserting ''to Congress in classified form, but may include an unclassified summary'';

(5) in section 112(c)(1), by striking ''section 103(c)(7)'' and inserting ''section 102A(i)'';

(6) by amending section 201 to read as follows:

''SEC. 201. DEPARTMENT OF DEFENSE.

''Except to the extent inconsistent with the provisions of this Act or other provisions of law, the provisions of title 5, United States Code, shall be applicable to the Department of Defense.'';

(7) in section 205, by redesignating subsections (b) and (c) as subsections (a) and (b), respectively;

(8) in section 206, by striking ''(a)'';

(9) in section 207, by striking ''(c)'';

(10) in section 308(a), by striking ''this Act'' and inserting ''sections 2, 101, 102, 103, and 303 of this Act'';

(11) by redesignating section 411 as section 312;

(12) in section 503—

(A) in paragraph (5) of subsection (c)—

(i) by moving the margins of such paragraph 2 ems to the left; and

(ii) by moving the margins of subparagraph (B) of such paragraph 2 ems to the left; and

(B) in paragraph (2) of subsection (d), by moving the margins of such paragraph 2 ems to the left; and

(13) in subparagraph (B) of paragraph (3) of subsection (a) of section 504, by moving the margins of such subparagraph 2 ems to the right.

SEC. 746. TECHNICAL AMENDMENTS RELATED TO THE DEPARTMENT OF ENERGY.

(a) NATIONAL NUCLEAR SECURITY ADMINISTRATION ACT.—

(1) CLARIFICATION OF FUNCTIONS OF THE ADMINISTRATOR FOR NUCLEAR SECURITY.—Subsection (b) of section 3212 of the National Nuclear Security Administration Act (50 U.S.C. 2402(b)) is amended—

(A) by striking paragraphs (11) and (12); and

(B) by redesignating paragraphs (13) through (19) as paragraphs (11) through (17), respectively.

(2) COUNTERINTELLIGENCE PROGRAMS.—Section 3233(b) of the National Nuclear Security Administration Act (50 U.S.C. 2423(b)) is amended—

(A) by striking ''Administration'' and inserting ''Department''; and

(B) by inserting ''Intelligence and'' after ''the Office of''.

(b) ATOMIC ENERGY DEFENSE ACT.—Section 4524(b)(2) of the Atomic Energy Defense Act (50 U.S.C. 2674(b)(2)) is amended by inserting ''Intelligence and'' after ''The Director of''.

(c) NATIONAL SECURITY ACT OF 1947.—Paragraph (2) of section 106(b) of the National Security Act of 1947 (50 U.S.C. 3041(b)(2)) is amended—

(1) in subparagraph (E), by inserting ''and Counterintelligence'' after ''Office of Intelligence'';

(2) by striking subparagraph (F);

(3) by redesignating subparagraphs (G), (H), and (I) as subparagraphs (F), (G), and (H), respectively; and

(4) in subparagraph (H), as so redesignated, by realigning the margin of such subparagraph 2 ems to the left.

SEC. 747. SENSE OF CONGRESS ON NOTIFICATION OF CERTAIN DISCLOSURES OF CLASSIFIED INFORMATION.

(a) DEFINITIONS.—In this section:

(1) ADVERSARY FOREIGN GOVERNMENT.—The term ''adversary foreign government'' means

the government of any of the following foreign countries:

(A) North Korea.

(B) Iran.

(C) China.

(D) Russia.

(E) Cuba.

(2) COVERED CLASSIFIED INFORMATION.—The term ''covered classified information'' means classified information that was—

(A) collected by an element of the intelligence community; or

(B) provided by the intelligence service or military of a foreign country to an element of the intelligence community.

(3) ESTABLISHED INTELLIGENCE CHANNELS.—The term ''established intelligence channels'' means methods to exchange intelligence to coordinate foreign intelligence relationships, as established pursuant to law by the Director of National Intelligence, the Director of the Central Intelligence Agency, the Director of the National Security Agency, or other head of an element of the intelligence community.

(4) INDIVIDUAL IN THE EXECUTIVE BRANCH.—The term ''individual in the executive branch'' means any officer or employee of the executive branch, including individuals—

(A) occupying a position specified in article II of the Constitution;

(B) appointed to a position by an individual described in subparagraph (A); or

(C) serving in the civil service or the Senior Executive Service (or similar service for senior executives of particular departments or agencies).

(b) FINDINGS.—Congress finds that section 502 of the National Security Act of 1947 (50 U.S.C. 3092) requires elements of the intelligence community to keep the congressional intelligence committees ''fully and currently informed'' about all ''intelligence activities'' of the United States, and to ''furnish to the congressional intelligence committees any information or material concerning intelligence activities * * * which is requested by either of the congressional intelligence committees in order to carry out its authorized responsibilities.''.

(c) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) section 502 of the National Security Act of 1947 (50 U.S.C. 3092), together with other intelligence community authorities, obligates an element of the intelligence community to submit to the congressional intelligence committees written notification, by not later than 7 days after becoming aware, that an individual in the executive branch has disclosed covered classified information to an official of an adversary foreign government using methods other than established intelligence channels; and

(2) each such notification should include—

(A) the date and place of the disclosure of classified information covered by the notification;

(B) a description of such classified information;

(C) identification of the individual who made such disclosure and the individual to whom such disclosure was made; and

(D) a summary of the circumstances of such disclosure.

SEC. 748. SENSE OF CONGRESS ON CONSIDERATION OF ESPIONAGE ACTIVITIES WHEN CONSIDERING WHETHER OR NOT TO PROVIDE VISAS TO FOREIGN INDIVIDUALS TO BE ACCREDITED TO A UNITED NATIONS MISSION IN THE UNITED STATES.

It is the sense of the Congress that the Secretary of State, in considering whether or not to provide a visa to a foreign individual to be accredited to a United Nations mission in the United States, should consider—

(1) known and suspected intelligence activities, espionage activities, including activities constituting precursors to espionage, carried out by the individual against the United States, foreign allies of the United States, or foreign partners of the United States; and

(2) the status of an individual as a known or suspected intelligence officer for a foreign adversary.

SEC. 749. SENSE OF CONGRESS ON WIKILEAKS.

It is the sense of Congress that WikiLeaks and the senior leadership of WikiLeaks resemble a nonstate hostile intelligence service often abetted by state actors and should be treated as such a service by the United States.

SA 8. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 268, making supplemental appropriations for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

The provisions in this Act shall go into effect 1 day after enactment.

SA 9. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 268, making supplemental appropriations for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 1, strike ''1 day'' and insert ''2 days''.

SA 10. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 268, making supplemental appropriations for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

The provisions in this Act shall go into effect 3 days after enactment.

SA 11. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 268, making supplemental appropriations for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 1, strike ''3'' and insert ''4''.

SA 12. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 268, making supplemental appropriations for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

The provisions in this Act shall go into effect 5 days after enactment.

SA 13. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 268, making supplemental appropriations for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 1, strike ''5'' and insert ''6''.

SA 14. Mr. SHELBY submitted an amendment intended to be proposed by him to the bill H.R. 268, making supplemental appropriations for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SEC. 101. The Continuing Appropriations Act, 2019 (division C of Public Law 115–245) is further amended—

(1) by striking the date specified in section 105(3) and inserting ''February 8, 2019''; and

(2) by adding after section 136 the following:

''SEC. 137. Notwithstanding any other provision of this Act, there is appropriated for fiscal year 2019 for 'U.S. Customs and Border Protection—Operations and Support' for necessary expenses of U.S. Customs and Border Protection for operations and support, including the transportation of unaccompanied minor aliens; the provision of air and marine support to Federal, State, and local agencies in the enforcement or administration of laws enforced by the Department of Homeland Security; at the discretion of the Secretary of Homeland Security, the provision of such support to Federal, State, and local agencies in other law enforcement and emergency humanitarian efforts; the purchase and lease of up to 7,500 (6,500 for replacement only) police-type vehicles; the purchase, maintenance, or operation of marine vessels, aircraft, and unmanned aerial systems; and contracting with individuals for personal services abroad; $12,289,046,000; of which $3,274,000 shall be derived from the Harbor Maintenance Trust Fund for administrative expenses related to the collection of the Harbor Maintenance Fee pursuant to section 9505(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 9505(c)(3)) and notwithstanding section 1511(e)(1) of the Homeland Security Act of 2002 (6 U.S.C. 551(e)(1)); of which $1,555,887,000 shall be available until September 30, 2020; and of which such sums as become available in the Customs User Fee Account, except sums subject to section 13031(f)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)(3)), shall be derived from that account: *Provided*, That not to exceed $34,425 shall be for official reception and representation expenses: *Provided further*, That not to exceed $150,000 shall be available for payment for rental space in connection with preclearance operations: *Provided further*, That not to exceed $1,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security: *Provided further*, That of the amount provided in this section, $325,465,000 is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

''SEC. 138. Notwithstanding any other provision of this Act, there is appropriated for fiscal year 2019 for 'U.S. Customs and Border Protection—Procurement, Construction, and Improvements' for necessary expenses of U.S. Customs and Border Protection for procurement, construction, and improvements, including procurements to buy marine vessels, aircraft, and unmanned aerial systems, $7,334,672,000, of which $193,326,000 shall remain available until September 30, 2021, and of which $7,141,346,000 shall remain available until September 30, 2023, of which $5,700,000,000 shall be available for purposes authorized by section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Public Law 104–208) as amended by section 564 of the Consolidated Appropriations Act, 2008 (Public Law 110–161), to include activities authorized under section 1103(b) of title 8, United States Code: *Provided*, That the conditions set forth in subsections (b) and (c) of section 230 of division F of the Consolidated Appropriations

Act, 2018 (Public Law 115–141) shall apply during fiscal year 2019 to the amounts made available in the clause preceding this proviso: *Provided further*, That not later than 180 days after the date of the enactment of the Further Additional Continuing Appropriations Act, 2019, the Secretary of Homeland Security shall submit to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and the Comptroller General of the United States an updated risk-based plan for improving security along the borders of the United States that includes the elements required under subsection (a) of section 231 of division F of the Consolidated Appropriations Act, 2018 (Public Law 115–141), which shall be evaluated in accordance with subsection (b) of such section: *Provided further*, That funds provided in this section may be used for roads, lighting, cameras, and sensors: *Provided further*, That of the amount provided in this section, $4,332,374,000 is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

''SEC. 139. Notwithstanding any other provision of this Act, there is appropriated for fiscal year 2019 for 'U.S. Immigration and Customs Enforcement—Operations and Support' for necessary expenses of U.S. Immigration and Customs Enforcement for operations and support, including the purchase and lease of up to 3,790 (2,350 for replacement only) police-type vehicles; overseas vetted units; and maintenance, minor construction, and minor leasehold improvements at owned and leased facilities; $8,447,855,000; of which $6,000,000 shall remain available until expended to enforce laws against forced child labor; of which $13,700,000 shall remain available until September 30, 2020; of which not less than $15,000,000 shall be available for investigation of intellectual property rights violations, including operation of the National Intellectual Property Rights Coordination Center; of which not less than $9,000,000 shall be available for facilities repair and maintenance projects; of which not less than $84,000,000 shall be available for vehicle fleet recapitalization; and of which not less than $4,989,158,000 shall be for enforcement, detention, and removal operations, including transportation of unaccompanied minor aliens: *Provided*, That not to exceed $11,475 shall be for official reception and representation expenses: *Provided further*, That not to exceed $10,000,000 shall be available until expended for conducting special operations under section 3131 of the Customs Enforcement Act of 1986 (19 U.S.C. 2081): *Provided further*, That not to exceed $2,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security: *Provided further*, That not to exceed $11,216,000 shall be available to fund or reimburse other Federal agencies for the costs associated with the care, maintenance, and repatriation of smuggled aliens unlawfully present in the United States: *Provided further*, That of the amount provided in this section, $902,936,000 is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

''SEC. 140. Each amount designated in sections 137, 138, and 139 of this Act by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded or transferred, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

''SEC. 141. Amounts made available in this Act for personnel pay, allowances, and benefits in each department and agency shall be available for obligations incurred pursuant to 31 U.S.C. 1341.

''SEC. 142. All obligations incurred and in anticipation of the appropriations made and authority granted by this Act for the purposes of maintaining the essential level of activity to protect life and property and bringing about orderly termination of Government function, and for purposes as otherwise authorized by law, are hereby ratified and approved if otherwise in accord with the provisions of this Act.

''SEC. 143. (a) If a State (or another Federal grantee) used State funds (or the grantee's non-Federal funds) to continue carrying out a Federal program or furloughed State employees (or the grantee's employees) whose compensation is advanced or reimbursed in whole or in part by the Federal Government—

''(1) such furloughed employees shall be compensated at their standard rate of compensation for such period;

''(2) the State (or such other grantee) shall be reimbursed for expenses that would have been paid by the Federal Government during such period had appropriations been available, including the cost of compensating such furloughed employees, together with interest thereon calculated under section 6503(d) of title 31, United States Code; and

''(3) the State (or such other grantee) may use funds available to the State (or the grantee) under such Federal program to reimburse such State (or the grantee), together with interest thereon calculated under section 6503(d) of title 31, United States Code.

''(b) For purposes of this section, the term 'State' and the term 'grantee' shall have the meaning as such term is defined under the applicable Federal program under subsection (a). In addition, 'to continue carrying out a Federal program' means the continued performance by a State or other Federal grantee, during the period of a lapse in appropriations, of a Federal program that the State or such other grantee had been carrying out prior to the period of the lapse in appropriations.

''(c) The authority under this section applies with respect to any period in fiscal year 2019 (not limited to periods beginning or ending after the date of the enactment of this Act) during which there occurs a lapse in appropriations with respect to any department or agency of the Federal Government which, but for such lapse in appropriations, would have paid, or made reimbursement relating to, any of the expenses referred to in this section with respect to the program involved. Payments and reimbursements under this authority shall be made only to the extent and in amounts provided in advance in appropriations Acts.''.

SEC. 102. For the purposes of division C of Public Law 115–245, the time covered by such division shall be considered to include the period which began on or about December 22, 2018, during which there occurred a lapse in appropriations.

This Act may be cited as the ''Further Additional Continuing Appropriations Act, 2019''.

SA 15. Mr. SHELBY submitted an amendment intended to be proposed by him to the bill H.R. 268, making supplemental appropriations for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

DIVISION A—FURTHER ADDITIONAL CONTINUING APPROPRIATIONS ACT, 2019

SEC. 101. The Continuing Appropriations Act, 2019 (division C of Public Law 115–245) is further amended—

(1) by striking the date specified in section 105(3) and inserting ''February 8, 2019''; and

(2) by adding after section 136 the following:

''SEC. 137. Notwithstanding any other provision of this Act, there is appropriated for fiscal year 2019 for 'U.S. Customs and Border Protection—Operations and Support' for necessary expenses of U.S. Customs and Border Protection for operations and support, including the transportation of unaccompanied minor aliens; the provision of air and marine support to Federal, State, and local agencies in the enforcement or administration of laws enforced by the Department of Homeland Security; at the discretion of the Secretary of Homeland Security, the provision of such support to Federal, State, and local agencies in other law enforcement and emergency humanitarian efforts; the purchase and lease of up to 7,500 (6,500 for replacement only) police-type vehicles; the purchase, maintenance, or operation of marine vessels, aircraft, and unmanned aerial systems; and contracting with individuals for personal services abroad; $12,289,046,000; of which $3,274,000 shall be derived from the Harbor Maintenance Trust Fund for administrative expenses related to the collection of the Harbor Maintenance Fee pursuant to section 9505(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 9505(c)(3)) and notwithstanding section 1511(e)(1) of the Homeland Security Act of 2002 (6 U.S.C. 551(e)(1)); of which $1,555,887,000 shall be available until September 30, 2020; and of which such sums as become available in the Customs User Fee Account, except sums subject to section 13031(f)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)(3)), shall be derived from that account: *Provided*, That not to exceed $34,425 shall be for official reception and representation expenses: *Provided further*, That not to exceed $150,000 shall be available for payment for rental space in connection with preclearance operations: *Provided further*, That not to exceed $1,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security: *Provided further*, That of the amount provided in this section, $325,465,000 is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

''SEC. 138. Notwithstanding any other provision of this Act, there is appropriated for fiscal year 2019 for 'U.S. Customs and Border Protection—Procurement, Construction, and Improvements' for necessary expenses of U.S. Customs and Border Protection for procurement, construction, and improvements, including procurements to buy marine vessels, aircraft, and unmanned aerial systems, $7,334,672,000, of which $193,326,000 shall remain available until September 30, 2021, and of which $7,141,346,000 shall remain available until September 30, 2023, of which $5,700,000,000 shall be available for purposes authorized by section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Public Law 104–208) as amended by section 564 of the Consolidated Appropriations Act, 2008 (Public Law 110–161), to include activities authorized under section 1103(b) of title 8, United States Code: *Provided*, That the conditions set forth in subsections (b) and (c) of section 230 of division F of the Consolidated Appropriations Act, 2018 (Public Law 115–141) shall apply during fiscal year 2019 to the amounts made

available in the clause preceding this proviso: *Provided further*, That not later than 180 days after the date of the enactment of the Further Additional Continuing Appropriations Act, 2019, the Secretary of Homeland Security shall submit to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and the Comptroller General of the United States an updated risk-based plan for improving security along the borders of the United States that includes the elements required under subsection (a) of section 231 of division F of the Consolidated Appropriations Act, 2018 (Public Law 115–141), which shall be evaluated in accordance with subsection (b) of such section: *Provided further*, That funds provided in this section may be used for roads, lighting, cameras, and sensors: *Provided further*, That of the amount provided in this section, $4,332,374,000 is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

''SEC. 139. Notwithstanding any other provision of this Act, there is appropriated for fiscal year 2019 for 'U.S. Immigration and Customs Enforcement—Operations and Support' for necessary expenses of U.S. Immigration and Customs Enforcement for operations and support, including the purchase and lease of up to 3,790 (2,350 for replacement only) police-type vehicles; overseas vetted units; and maintenance, minor construction, and minor leasehold improvements at owned and leased facilities; $8,447,855,000; of which $6,000,000 shall remain available until expended to enforce laws against forced child labor; of which $13,700,000 shall remain available until September 30, 2020; of which not less than $15,000,000 shall be available for investigation of intellectual property rights violations, including operation of the National Intellectual Property Rights Coordination Center; of which not less than $9,000,000 shall be available for facilities repair and maintenance projects; of which not less than $84,000,000 shall be available for vehicle fleet recapitalization; and of which not less than $4,989,158,000 shall be for enforcement, detention, and removal operations, including transportation of unaccompanied minor aliens: *Provided*, That not to exceed $11,475 shall be for official reception and representation expenses: *Provided further*, That not to exceed $10,000,000 shall be available until expended for conducting special operations under section 3131 of the Customs Enforcement Act of 1986 (19 U.S.C. 2081): *Provided further*, That not to exceed $2,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security: *Provided further*, That not to exceed $11,216,000 shall be available to fund or reimburse other Federal agencies for the costs associated with the care, maintenance, and repatriation of smuggled aliens unlawfully present in the United States: *Provided further*, That of the amount provided in this section, $902,936,000 is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

''SEC. 140. Each amount designated in sections 137, 138, and 139 of this Act by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded or transferred, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

''SEC. 141. Amounts made available in this Act for personnel pay, allowances, and benefits in each department and agency shall be available for obligations incurred pursuant to 31 U.S.C. 1341.

''SEC. 142. All obligations incurred and in anticipation of the appropriations made and authority granted by this Act for the purposes of maintaining the essential level of activity to protect life and property and bringing about orderly termination of Government function, and for purposes as otherwise authorized by law, are hereby ratified and approved if otherwise in accord with the provisions of this Act.

''SEC. 143. (a) If a State (or another Federal grantee) used State funds (or the grantee's non-Federal funds) to continue carrying out a Federal program or furloughed State employees (or the grantee's employees) whose compensation is advanced or reimbursed in whole or in part by the Federal Government—

''(1) such furloughed employees shall be compensated at their standard rate of compensation for such period;

''(2) the State (or such other grantee) shall be reimbursed for expenses that would have been paid by the Federal Government during such period had appropriations been available, including the cost of compensating such furloughed employees, together with interest thereon calculated under section 6503(d) of title 31, United States Code; and

''(3) the State (or such other grantee) may use funds available to the State (or the grantee) under such Federal program to reimburse such State (or the grantee), together with interest thereon calculated under section 6503(d) of title 31, United States Code.

''(b) For purposes of this section, the term 'State' and the term 'grantee' shall have the meaning as such term is defined under the applicable Federal program under subsection (a). In addition, 'to continue carrying out a Federal program' means the continued performance by a State or other Federal grantee, during the period of a lapse in appropriations, of a Federal program that the State or such other grantee had been carrying out prior to the period of the lapse in appropriations.

''(c) The authority under this section applies with respect to any period in fiscal year 2019 (not limited to periods beginning or ending after the date of the enactment of this Act) during which there occurs a lapse in appropriations with respect to any department or agency of the Federal Government which, but for such lapse in appropriations, would have paid, or made reimbursement relating to, any of the expenses referred to in this section with respect to the program involved. Payments and reimbursements under this authority shall be made only to the extent and in amounts provided in advance in appropriations Acts.''.

SEC. 102. For the purposes of division C of Public Law 115–245, the time covered by such division shall be considered to include the period which began on or about December 22, 2018, during which there occurred a lapse in appropriations.

This division may be cited as the ''Further Additional Continuing Appropriations Act, 2019''.

DIVISION B—ADDITIONAL SUPPLEMENTAL APPROPRIATIONS FOR DISASTER RELIEF, 2019

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

TITLE I

DEPARTMENT OF AGRICULTURE

AGRICULTURAL PROGRAMS

PROCESSING, RESEARCH AND MARKETING

OFFICE OF THE SECRETARY

For an additional amount for the ''Office of the Secretary'', $3,005,442,000, which shall remain available until December 31, 2020, for necessary expenses related to losses of crops (including milk and harvested adulterated wine grapes), trees, bushes, and vines, as a consequence of Hurricanes Michael or Florence, other hurricanes, typhoons, volcanic activity, or wildfires occurring in calendar year 2018 under such terms and conditions as determined by the Secretary: *Provided*, That the Secretary may provide assistance for such losses in the form of block grants to eligible states and territories and such assistance may include compensation to producers, as determined by the Secretary, for past or future crop insurance premiums, forest restoration, and poultry and livestock losses: *Provided further*, That of the amounts provided under this heading, tree assistance payments may be made under section 1501(e) of the Agricultural Act of 2014 (7 U.S.C. 9081(e)) to eligible orchardists or nursery tree growers (as defined in such section) of pecan trees with a tree mortality rate that exceeds 7.5 percent (adjusted for normal mortality) and is less than 15 percent (adjusted for normal mortality), to be available until expended, for losses incurred during the period beginning January 1, 2018, and ending December 31, 2018: *Provided further*, That in the case of producers impacted by volcanic activity that resulted in the loss of crop land, or access to crop land, the Secretary shall consider all measures available, as appropriate, to bring replacement land into production: *Provided further*, That the total amount of payments received under this heading and applicable policies of crop insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) or the Noninsured Crop Disaster Assistance Program (NAP) under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333) shall not exceed 90 percent of the loss as determined by the Secretary: *Provided further*, That the total amount of payments received under this heading for producers who did not obtain a policy or plan of insurance for an insurable commodity for the applicable crop year under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) for the crop incurring the losses or did not file the required paperwork and pay the service fee by the applicable State filing deadline for a noninsurable commodity for the applicable crop year under NAP for the crop incurring the losses shall not exceed 70 percent of the loss as determined by the Secretary: *Provided further*, That producers receiving payments under this heading, as determined by the Secretary, shall be required to purchase crop insurance where crop insurance is available for the next two available crop years, excluding tree insurance policies, and producers receiving payments under this heading shall be required to purchase coverage under NAP where crop insurance is not available in the next two available crop years, as determined by the Secretary: *Provided further*, That, not later than 120 days after the end of fiscal year 2019, the Secretary shall submit a report to the Congress specifying the type, amount, and method of such assistance by state and territory: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FARM SERVICE AGENCY

EMERGENCY FOREST RESTORATION PROGRAM

For an additional amount for the ''Emergency Forest Restoration Program'', for necessary expenses related to the consequences of Hurricanes Michael and Florence and wildfires occurring in calendar year 2018, and other natural disasters, $480,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATURAL RESOURCES CONSERVATION SERVICE

WATERSHED AND FLOOD PREVENTION OPERATIONS

For an additional amount for ''Watershed and Flood Prevention Operations'', for necessary expenses for the Emergency Watershed Protection Program related to the consequences of Hurricanes Michael and Florence and wildfires occurring in calendar year 2018, and other natural disasters, $125,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RURAL DEVELOPMENT

RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT

For an additional amount for the cost of grants for rural community facilities programs as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, for necessary expenses related to the consequences of Hurricanes Michael and Florence and wildfires occurring in calendar year 2018, and other natural disasters, $150,000,000, to remain available until expended: *Provided*, That sections 381E-H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE

SEC. 101. In addition to amounts otherwise made available, out of the funds made available under section 18 of Food and Nutrition Act of 2008, $25,200,000 shall be available for the Secretary to provide a grant to the Commonwealth of the Northern Mariana Islands for disaster nutrition assistance in response to the Presidentially declared major disasters and emergencies: *Provided*, That funds made available to the Commonwealth of the Northern Mariana Islands under this section shall remain available for obligation by the Commonwealth until September 30, 2020: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 102. For purposes of administering title I of subdivision 1 of division B of the Bipartisan Budget Act of 2018 (Public Law 115–123), losses to agricultural producers resulting from hurricanes shall also include losses incurred from Tropical Storm Cindy and losses of peach and blueberry crops in calendar year 2017 due to extreme cold: *Provided*, That the amounts provided by this section are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That amounts repurposed under this heading that were previously designated by the Congress as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985 are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 103. (a)(1) Except as provided in paragraph (2), a person or legal entity is not eligible to receive a payment under the Market Facilitation Program established pursuant to the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.) if the average adjusted gross income of such person or legal entity is greater than $900,000.

(2) Paragraph (1) shall not apply to a person or legal entity if at least 75 percent of the adjusted gross income of such person or legal entity is derived from farming, ranching, or forestry related activities.

(b) A person or legal entity may not receive a payment under the Market Facilitation Program described in subsection (a)(1), directly or indirectly, of more than $125,000.

(c) In this section, the term ''average adjusted gross income'' has the meaning given the term defined in section 760.1502 of title 7 Code of Federal Regulations (as in effect July 18, 2018).

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

TITLE II

DEPARTMENT OF COMMERCE

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

Pursuant to section 703 of the Public Works and Economic Development Act (42 U.S.C. 3233), for an additional amount for ''Economic Development Assistance Programs'' for necessary expenses related to flood mitigation, disaster relief, long-term recovery, and restoration of infrastructure in areas that received a major disaster designation as a result of Hurricanes Florence, Michael, and Lane, Typhoons Yutu and Mangkhut, and of wildfires, volcanic eruptions, earthquakes, and other natural disasters occurring in calendar year 2018 under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), $600,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That within the amount appropriated, up to 2 percent of funds may be transferred to the ''Salaries and Expenses'' account for administration and oversight activities: *Provided further*, That within the amount appropriated, $1,000,000 shall be transferred to the ''Office of Inspector General'' account for carrying out investigations and audits related to the funding provided under this heading.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

For an additional amount for ''Operations, Research, and Facilities'' for necessary expenses related to the consequences of Hurricanes Florence and Michael, Typhoon Yutu, and of wildfires, $120,570,000, to remain available until September 30, 2020, as follows:

(1) $3,000,000 for repair and replacement of observing assets, real property, and equipment;

(2) $11,000,000 for marine debris assessment and removal;

(3) $31,570,000 for mapping, charting, and geodesy services;

(4) $25,000,000 to improve: (a) hurricane intensity forecasting, including through deployment of unmanned ocean observing platforms and enhanced data assimilation; (b) flood prediction, forecasting, and mitigation capabilities; and (c) wildfire prediction, detection, and forecasting; and

(5) $50,000,000 for Title IX Fund grants as authorized under section 906(c) of division O of Public Law 114–113:

Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the National Oceanic and Atmospheric Administration shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate for funding provided under subsection (4) of this heading within 45 days after the date of enactment of this division.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

For an additional amount for ''Procurement, Acquisition and Construction'', $25,000,000, to remain available until September 30, 2021, for improvements to operational and research weather supercomputing infrastructure and satellite ground services used for hurricane intensity and track prediction; flood prediction, forecasting, and mitigation; and wildfire prediction, detection, and forecasting: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the National Oceanic and Atmospheric Administration shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate within 45 days after the date of enactment of this division.

FISHERIES DISASTER ASSISTANCE

For an additional amount for ''Fisheries Disaster Assistance'' for necessary expenses associated with the mitigation of fishery disasters, $150,000,000, to remain available until expended: *Provided*, That funds shall be used for mitigating the effects of commercial fishery failures and fishery resource disasters declared by the Secretary of Commerce, including those declared by the Secretary to be a direct result of Hurricanes Florence and Michael and Typhoons Yutu and Mangkhut: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF JUSTICE

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'' for necessary expenses related to the consequences of Hurricanes Florence and Michael and Typhoon Yutu, $1,336,000: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FEDERAL PRISON SYSTEM

BUILDINGS AND FACILITIES

For an additional amount for ''Buildings and Facilities'' for necessary expenses related to the consequences of Hurricanes Florence and Michael and Typhoon Yutu, $28,400,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section

251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RELATED AGENCIES

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For an additional amount for ''Payment to the Legal Services Corporation'' to carry out the purposes of the Legal Services Corporation Act by providing for necessary expenses related to the consequences of Hurricanes Florence, Michael, and Lane, Typhoons Yutu and Mangkhut, and calendar year 2018 wildfires, volcanic eruptions, and earthquakes, $15,000,000: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That none of the funds appropriated in this division to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501, 502, 503, 504, 505, and 506 of Public Law 105–119, and all funds appropriated in this division to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 502 and 503 to 1997 and 1998 shall be deemed to refer instead to 2018 and 2019, respectively, and except that sections 501 and 503 of Public Law 104–134 (referenced by Public Law 105–119) shall not apply to the amount made available under this heading: *Provided further*, That, for the purposes of this division, the Legal Services Corporation shall be considered an agency of the United States Government.

TITLE III

DEPARTMENT OF DEFENSE

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for ''Operation and Maintenance, Marine Corps'', $200,000,000, for necessary expenses related to the consequences of Hurricanes Michael and Florence: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for ''Operation and Maintenance, Air Force'', $400,000,000, for necessary expenses related to the consequences of Hurricanes Michael and Florence: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE IV

CORPS OF ENGINEERS—CIVIL

DEPARTMENT OF THE ARMY

INVESTIGATIONS

For an additional amount for ''Investigations'' for necessary expenses related to the completion, or initiation and completion, of flood and storm damage reduction, including shore protection, studies which are currently authorized or which are authorized after the date of enactment of this division, to reduce risk from future floods and hurricanes, at full Federal expense, $35,000,000, to remain available until expended, for high priority studies of projects in States and insular areas that were impacted by Hurricanes Florence and Michael, Typhoon Mangkhut, Super Typhoon Yutu, and Tropical Storm Gita: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report directly to the Committees on Appropriations of the House and the Senate detailing the allocation and obligation of these funds, including new studies selected to be initiated using funds provided under this heading, beginning not later than 60 days after the date of enactment of this division.

CONSTRUCTION

For an additional amount for ''Construction'' for necessary expenses, $740,000,000, to remain available until expended, to construct flood and storm damage reduction, including shore protection, projects which are currently authorized or which are authorized after the date of enactment of this division, and flood and storm damage reduction, including shore protection, projects which have signed Chief's Reports as of the date of enactment of this division or which are studied using funds provided under the heading ''Investigations'' if the Secretary determines such projects to be technically feasible, economically justified, and environmentally acceptable, in States and insular areas that were impacted by Hurricanes Florence and Michael, Typhoon Mangkhut, Super Typhoon Yutu, and Tropical Storm Gita: *Provided*, That projects receiving funds provided under the first proviso in ''Title IV—Corps of Engineers—Civil—Department of the Army—Construction'' in Public Law 115–123 shall not be eligible for funding provided under this heading: *Provided further*, That for projects receiving funds provided under this heading, the provisions of Section 902 of the Water Resources Act of 1986 shall not apply to these funds: *Provided further*, That the completion of ongoing construction projects receiving funds provided under this heading shall be at full Federal expense with respect to such funds: *Provided further*, That using funds provided under this heading, the non-Federal cash contribution for projects other than ongoing construction projects shall be financed in accordance with the provisions of section 103(k) of Public Law 99–662 over a period of 30 years from the date of completion of the project or separable element: *Provided further*, That up to $25,000,000 of the funds made available under this heading shall be used for continuing authorities projects to reduce the risk of flooding and storm damage: *Provided further*, That any projects using funds appropriated under this heading shall be initiated only after non-Federal interests have entered into binding agreements with the Secretary requiring, where applicable, the non-Federal interests to pay 100 percent of the operation, maintenance, repair, replacement, and rehabilitation costs of the project and to hold and save the United States free from damages due to the construction or operation and maintenance of the project, except for damages due to the fault or negligence of the United States or its contractors: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report directly to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after the date of enactment of this division.

MISSISSIPPI RIVER AND TRIBUTARIES

For an additional amount for ''Mississippi River and Tributaries'' for necessary expenses to address emergency situations at Corps of Engineers projects and rehabilitate and repair damages to Corps of Engineers projects, caused by natural disasters, $225,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report directly to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after the date of enactment of this division.

OPERATION AND MAINTENANCE

For an additional amount for ''Operation and Maintenance'' for necessary expenses to dredge Federal navigation projects in response to, and repair damages to Corps of Engineers Federal projects caused by, natural disasters, $245,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for coastal harbors and channels, and for inland harbors shall be derived from the Harbor Maintenance Trust Fund: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report directly to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after the date of enactment of this division.

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For an additional amount for ''Central Utah Project Completion Account'', $350,000, to be deposited into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission, to remain available until expended, for expenses necessary in carrying out fire remediation activities related to wildfires in 2018: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

BUREAU OF RECLAMATION

WATER AND RELATED RESOURCES

For an additional amount for ''Water and Related Resources'', $15,500,000, to remain available until expended, for fire remediation and suppression emergency assistance related to wildfires in 2017 and 2018: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE V

DEPARTMENT OF HOMELAND SECURITY

SECURITY, ENFORCEMENT, AND INVESTIGATIONS

COAST GUARD

OPERATIONS AND SUPPORT

For an additional amount for ''Operations and Support'' for necessary expenses related to the consequences of Hurricanes Michael, Florence, and Lane, Tropical Storm Gordon, and Typhoon Mangkhut, $46,977,000, to remain available until September 30, 2020: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of

the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For an additional amount for ''Procurement, Construction, and Improvements'' for necessary expenses related to the consequences of Hurricanes Michael, Florence, and Lane, Tropical Storm Gordon, and Typhoon Mangkhut, $476,755,000, to remain available until September 30, 2023: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

For an additional amount for ''Environmental Compliance and Restoration'' for necessary expenses related to the consequences of Hurricanes Michael and Florence, $2,000,000, to remain available until September 30, 2023: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE VI

DEPARTMENT OF THE INTERIOR

UNITED STATES FISH AND WILDLIFE SERVICE

CONSTRUCTION

For an additional amount for ''Construction'' for necessary expenses related to the consequences of Hurricanes Florence, Lane, and Michael, and flooding associated with major declared disaster DR–4365, and calendar year 2018 earthquakes, $82,400,000, to remain available until expended: *Provided*, That of this amount $50,000,000 shall be used to restore and rebuild national wildlife refuges and increase the resiliency and capacity of coastal habitat and infrastructure to withstand storms and reduce the amount of damage caused by such storms: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL PARK SERVICE

HISTORIC PRESERVATION FUND

For an additional amount for the ''Historic Preservation Fund'' for necessary expenses related to the consequences of Hurricanes Florence and Michael, and Typhoon Yutu, $50,000,000, to remain available until September 30, 2022, including costs to States and territories necessary to complete compliance activities required by section 306108 of title 54, United States Code (formerly section 106 of the National Historic Preservation Act) and costs needed to administer the program: *Provided*, That grants shall only be available for areas that have received a major disaster declaration pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Provided further*, That individual grants shall not be subject to a non-Federal matching requirement: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CONSTRUCTION

For an additional amount for ''Construction'' for necessary expenses related to the consequences of Hurricanes Florence and Michael, Typhoons Yutu and Mangkhut, and calendar year 2018 wildfires, earthquakes, and volcanic eruptions, $78,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For an additional amount for ''Surveys, Investigations, and Research'' for necessary expenses related to the consequences of Hurricanes Florence and Michael, and calendar year 2018 wildfires, earthquake damage associated with emergency declaration EM–3410, and in those areas impacted by a major disaster declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) with respect to calendar year 2018 wildfires or volcanic eruptions, $98,500,000, to remain available until expended: *Provided*, That of this amount, $72,310,000 is for costs related to the repair and replacement of equipment and facilities damaged by disasters in 2018: *Provided further*, That, not later than 90 days after enactment of this division, the Survey shall submit a report to the Committees on Appropriations that describes the potential options to replace the facility damaged by the 2018 volcano disaster along with cost estimates and a description of how the Survey will provide direct access for monitoring volcanic activity and the potential threat to at-risk communities: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENTAL OFFICES

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

For an additional amount for ''Technical Assistance'' for financial management expenses related to the consequences of Typhoon Yutu, $2,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'' for necessary expenses related to the consequences of major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in 2018, $1,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

For an additional amount for ''Science and Technology'' for necessary expenses related to improving preparedness of the water sector, $600,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

LEAKING UNDERGROUND STORAGE TANK TRUST FUND PROGRAM

For an additional amount for ''Leaking Underground Storage Tank Fund'' for necessary expenses related to the consequences of Hurricanes Florence and Michael, calendar year 2018 earthquakes, and Typhoon Yutu, $1,500,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

STATE AND TRIBAL ASSISTANCE GRANTS

For additional amounts for ''State and Tribal Assistance Grants'' for necessary expenses related to the consequences of Hurricanes Florence and Michael and calendar year 2018 earthquakes for the hazardous waste financial assistance grants program, $1,500,000, to remain available until expended; for necessary expenses related to the consequences of Typhoon Yutu for the hazardous waste financial assistance grants program and for other solid waste management activities, $56,000,000, to remain available until expended, provided that none of these funds shall be subject to section 3011(b) of the Solid Waste Disposal Act; and for grants under section 106 of the Federal Water Pollution Control Act, $5,000,000, to remain available until expended, to address impacts of Hurricane Florence, Hurricane Michael, Typhoon Yutu, and calendar year 2018 wildfires, notwithstanding subsections (b), (e), and (f), of such section: *Provided*, That such amounts are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

For an additional amount for ''State and Tribal Assistance Grants'', $349,400,000 to remain available until expended, of which $53,300,000 shall be for capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act, and of which $296,100,000 shall be for capitalization grants under section 1452 of the Safe Drinking Water Act: *Provided*, That notwithstanding section 604(a) of the Federal Water Pollution Control Act and section 1452(a)(1)(D) of the Safe Drinking Water Act, funds appropriated herein shall be provided to States in EPA Regions 4, 9, and 10 in amounts determined by the Administrator for wastewater treatment works and drinking water facilities impacted by Hurricanes Florence and Michael, Typhoon Yutu, and calendar year 2018 wildfires and earthquakes: *Provided further*, That notwithstanding the requirements of section 603(i) of the Federal Water Pollution Control Act and section 1452(d) of the Safe Drinking Water Act, for the funds appropriated herein, each State shall use not less than 20 percent but not more than 30 percent amount of its capitalization grants to provide additional subsidization to eligible recipients in the form of forgiveness of principal, negative interest loans or grants or any combination of these: *Provided further*, That the Administrator shall retain $10,400,000 of the funds appropriated herein for grants for drinking water facilities and waste water treatment plants impacted by Typhoon Yutu: *Provided further*, That the funds appropriated herein shall be used for eligible projects whose purpose is to reduce flood or fire damage risk and vulnerability or to enhance resiliency to rapid hydrologic change or natural disaster at treatment works as defined by section 212 of the Federal Water Pollution Control Act or any eligible facilities under section 1452 of the Safe Drinking Water Act, and for other eligible tasks at such treatment works or facilities necessary to further such purposes: *Provided further*, That the Administrator of the Environmental Protection Agency may retain up to $1,000,000 of the funds appropriated herein for management and oversight: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

FOREST AND RANGELAND RESEARCH

For an additional amount for ''Forest and Rangeland Research'' for necessary expenses related to the consequences of Hurricanes Florence and Michael, and the calendar year 2018 wildfires, $1,000,000, to remain available until expended for the forest inventory and analysis program: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

STATE AND PRIVATE FORESTRY

For an additional amount for ''State and Private Forestry'' for necessary expenses related to the consequences of Hurricanes Florence and Michael, and the calendar year 2018 wildfires, $12,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL FOREST SYSTEM

For an additional amount for ''National Forest System'' for necessary expenses related to the consequences of Hurricanes Florence and Michael, and the calendar year 2018 wildfires, $84,960,000, to remain available until expended: *Provided*, That of this amount $21,000,000 shall be used for hazardous fuels management activities: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CAPITAL IMPROVEMENT AND MAINTENANCE

For an additional amount for ''Capital Improvement and Maintenance'' for necessary expenses related to the consequences of Hurricanes Florence and Michael, and the calendar year 2018 wildfires, $36,040,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Wildland Fire Management'', $720,271,000, to remain available through September 30, 2022, for urgent wildland fire suppression operations: *Provided*, That such funds shall be solely available to be transferred to and merged with other appropriations accounts from which funds were previously transferred for wildland fire suppression in fiscal year 2018 to fully repay those amounts: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For an additional amount for ''National Institute of Environmental Health Sciences'' for necessary expenses in carrying out activities set forth in section 311(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9660(a)) and section 126(g) of the Superfund Amendments and Reauthorization Act of 1986 related to the consequences of major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in 2018, $1,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISION—THIS TITLE

SEC. 601. Not later than 45 days after the date of enactment of this division, the agencies receiving funds appropriated by this title shall provide a detailed operating plan of anticipated uses of funds made available in this title by State and Territory, and by program, project, and activity, to the Committees on Appropriations: *Provided*, That no such funds shall be obligated before the operating plans are provided to the Committees: *Provided further*, That such plans shall be updated, including obligations to date, and submitted to the Committees on Appropriations every 60 days until all such funds are expended.

TITLE VII

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Training and Employment Services'', $50,000,000, for the dislocated workers assistance national reserve for necessary expenses directly related to the consequences of Hurricanes Florence and Michael, Typhoon Mangkhut, Super Typhoon Yutu, and wildfires or earthquakes occurring in 2018 (referred to under this heading as ''covered disaster or emergency''), to remain available through September 30, 2020: *Provided*, That the Secretary of Labor may transfer up to $1,000,000 of such funds to any other Department of Labor account for reconstruction and recovery needs, including worker protection activities: *Provided further*, That these sums may be used to replace grant funds previously obligated to the impacted areas: *Provided further*, That of the amount provided, up to $500,000, to remain available until expended, shall be transferred to ''Office of Inspector General'' for oversight of activities responding to such covered disaster or emergency: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

ADMINISTRATION FOR CHILDREN AND FAMILIES

CHILDREN AND FAMILIES SERVICES PROGRAMS

For an additional amount for ''Children and Families Services Programs'', $80,000,000, to remain available through September 30, 2021, for Head Start programs, for necessary expenses directly related to the consequences of Hurricanes Florence and Michael, Typhoon Mangkhut and Super Typhoon Yutu, and wildfires or earthquakes occurring in 2018 in those areas for which a major disaster or emergency has been declared under section 401 or 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 and 5191), including making payments under the Head Start Act: *Provided*, That none of the funds appropriated in this paragraph shall be included in the calculation of the ''base grant'' in subsequent fiscal years, as such term is defined in sections 640(a)(7)(A), 641A(h)(1)(B), or 645(d)(3) of the Head Start Act: *Provided further*, That funds appropriated in this paragraph are not subject to the allocation requirements of section 640(a) of the Head Start Act: *Provided further*, That funds appropriated in this paragraph shall not be available for costs that are reimbursed by the Federal Emergency Management Agency, under a contract for insurance, or by self-insurance: *Provided further*, That up to $2,000,000 shall be available for Federal administrative expenses: *Provided further*, That obligations incurred for the purposes provided herein prior to the date of enactment of this division may be charged to funds appropriated under this heading: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for the ''Public Health and Social Services Emergency Fund'', $166,000,000, to remain available through September 30, 2020, for necessary expenses directly related to the consequences of Hurricanes Florence and Michael, Typhoon Mangkhut and Super Typhoon Yutu, and wildfires or earthquakes occurring in 2018 in those areas for which a major disaster or emergency has been declared under sections 401 or 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 and 5191) (referred to under this heading as ''covered disaster or emergency''), including activities authorized under section 319(a) of the Public Health Service Act (referred to in this division as the ''PHS Act''): *Provided*, That of the amount provided, $45,000,000 shall be transferred to ''Health Resources and Services Administration—Primary Health Care'' for expenses directly related to a covered disaster or emergency for disaster response and recovery, for the Health Centers Program under section 330 of the PHS Act, including alteration, renovation, construction, equipment, and other capital improvement costs as necessary to meet the needs of areas affected by a covered disaster or emergency: *Provided further*, That the time limitation in section 330(e)(3) of the PHS Act shall not apply to funds made available under the preceding proviso: *Provided further*, That of the amount provided, not less than $20,000,000 shall be transferred to ''Centers for Disease Control and Prevention—CDC-Wide Activities and Program Support'' for response, recovery, mitigation, and other expenses directly related to a covered disaster or emergency: *Provided further*, That of the amount provided, not less than $100,000,000 shall be transferred to ''Substance Abuse and Mental Health Services Administration—Health Surveillance and Program Support'' for grants, contracts, and cooperative agreements for behavioral health treatment, crisis counseling, treatment of substance use disorders, and other related helplines, and for other similar programs to provide support to individuals impacted by a covered disaster or emergency: *Provided further*, That of the amount provided, up to $1,000,000, to remain available until expended, shall be transferred to ''Office of the Secretary—Office of Inspector General'' for oversight of activities responding to such hurricanes, typhoons, and wildfires: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF EDUCATION

HURRICANE EDUCATION RECOVERY

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Hurricane Education Recovery'' for necessary expenses

directly related to the consequences of Hurricanes Florence and Michael, Typhoon Mangkhut, Super Typhoon Yutu, and wildfires, earthquakes, or volcanic eruptions in 2018 in those areas for which a major disaster or emergency has been declared under section 401 or 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 and 5191) (referred to under this heading as a ''covered disaster or emergency''), $165,000,000, to remain available through September 30, 2021: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That such assistance may be provided through any of the programs authorized under this heading in division B of title VIII of Public Law 115–123 (as amended by Public Law 115–141), as determined by the Secretary of Education, and subject to the terms and conditions that applied to those programs, except that references to dates and school years in Public Law 115–123 shall be deemed to be the corresponding dates and school years for the covered disaster or emergency: *Provided further*, That the Secretary of Education may determine the amounts to be used for each such program and shall notify the Committees on Appropriations of the House of Representatives and the Senate of these amounts not later than 7 days prior to obligation: *Provided further*, That $2,000,000 of the funds made available under this heading, to remain available until expended, shall be transferred to the Office of the Inspector General of the Department of Education for oversight of activities supported with funds appropriated under this heading, and up to $1,000,000 of the funds made available under this heading shall be for program administration.

GENERAL PROVISIONS—THIS TITLE

SEC. 701. Not later than 30 days after the date of enactment of this division, the Secretaries of Labor, Health and Human Services, and Education shall provide a detailed spend plan of anticipated uses of funds made available in this title, including estimated personnel and administrative costs, to the Committees on Appropriations: *Provided*, That such plans shall be updated and submitted to the Committees on Appropriations every 60 days until all funds are expended or expire.

SEC. 702. Unless otherwise provided for by this title, the additional amounts appropriated by this title to appropriations accounts shall be available under the authorities and conditions applicable to such appropriations accounts for fiscal year 2019.

TITLE VIII

LEGISLATIVE BRANCH

GOVERNMENT ACCOUNTABILITY OFFICE

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $10,000,000, to remain available until expended, for audits and investigations related to Hurricanes Florence, Lane, and Michael, Typhoons Yutu and Mangkhut, the calendar year 2018 wildfires, earthquakes, and volcano eruptions, and other disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Provided*, That, not later than 90 days after the date of enactment of this division, the Government Accountability Office shall submit to the Committees on Appropriations of the House of Representatives and the Senate a spend plan specifying funding estimates for audits and investigations of any such declared disasters occurring in 2018 and identifying funding estimates or carryover balances, if any, that may be available for audits and investigations of any other such declared disasters: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE IX

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for ''Military Construction, Navy and Marine Corps'', $115,000,000, to remain available until September 30, 2023, for planning and design related to the consequences of Hurricanes Florence and Michael on Navy and Marine Corps installations: *Provided*, That none of the funds shall be available for obligation until the Committees on Appropriations of the House of Representatives and the Senate receive a master plan for the installations and a form 1391 for each specific project: *Provided further*, That, not later than 60 days after enactment of this division, the Secretary of the Navy, or his designee, shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed expenditure plan for funds provided under this heading: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for ''Military Construction, Air Force'', $700,000,000, to remain available until September 30, 2023, for planning and design, and construction expenses related to the consequences of Hurricane Michael: *Provided*, That none of the funds shall be available for obligation until the Committees on Appropriations of the House of Representatives and the Senate receive a basing plan and future mission requirements for installations significantly damaged by Hurricane Michael: *Provided further*, That, not later than 60 days after enactment of this division, the Secretary of the Air Force, or his designee, shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed expenditure plan for funds provided under this heading: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For an additional amount for ''Military Construction, Army National Guard'', $42,400,000, to remain available until September 30, 2023, for necessary expenses related to the consequences of Hurricanes Florence and Michael: *Provided*, That none of the funds shall be available for obligation until the Committees on Appropriations of the House of Representatives and the Senate receive form 1391 for each specific request: *Provided further*, That, not later than 60 days after enactment of this division, the Director of the Army National Guard, or his designee, shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed expenditure plan for funds provided under this heading: *Provided further*, That such funds may be obligated or expended for planning and design and military construction projects not otherwise authorized by law: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF VETERANS AFFAIRS

VETERANS HEALTH ADMINISTRATION

MEDICAL FACILITIES

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Medical Facilities'', $3,000,000, to remain available until September 30, 2023, for necessary expenses related to the consequences of Hurricanes Florence and Michael and Typhoons Mangkhut and Yutu: *Provided*, That the Secretary of Veterans Affairs, upon determination that such action is necessary to address needs as a result of the consequences of Hurricanes Florence and Michael and Typhoons Mangkhut and Yutu, may transfer such funds to any discretionary account of the Department of Veterans Affairs: *Provided further*, That before a transfer may take place, the Secretary of Veterans Affairs shall submit notice thereof to the Committee on Appropriations of the House of Representatives and the Senate: *Provided further*, That none of these funds shall be available for obligation until the Secretary of Veterans Affairs submits to the Committees on Appropriations of the House of Representatives and the Senate a detailed expenditure plan for funds provided under this heading: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE X

DEPARTMENT OF TRANSPORTATION

FEDERAL TRANSIT ADMINISTRATION

PUBLIC TRANSPORTATION EMERGENCY RELIEF PROGRAM

For an additional amount for the ''Public Transportation Emergency Relief Program'' as authorized under section 5324 of title 49, United States Code, $10,542,000 to remain available until expended, for transit systems affected by major declared disasters occurring in calendar year 2018: *Provided*, That not more than three-quarters of 1 percent of the funds for public transportation emergency relief shall be available for administrative expenses and ongoing program management oversight as authorized under sections 5334 and 5338(f)(2) of such title and shall be in addition to any other appropriations for such purpose: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

(AIRPORT AND AIRWAY TRUST FUND)

Of the amounts made available for ''Federal Aviation Administration—Operations'' in division B of the Bipartisan Budget Act of 2018 (Public Law 115–123), up to $18,000,000 shall also be available for necessary expenses related to the consequences of major declared disasters occurring in calendar year 2018: *Provided*, That amounts repurposed under this heading that were previously designated by the Congress as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985 are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FEDERAL HIGHWAY ADMINISTRATION

EMERGENCY RELIEF PROGRAM

For an additional amount for the Emergency Relief Program as authorized under section 125 of title 23, United States Code, $1,650,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an

emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

COMMUNITY PLANNING AND DEVELOPMENT

COMMUNITY DEVELOPMENT FUND

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for ''Community Development Fund'', $1,060,000,000, to remain available until expended, for necessary expenses for activities authorized under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) related to disaster relief, long-term recovery, restoration of infrastructure and housing, economic revitalization, and mitigation in the most impacted and distressed areas resulting from a major disaster that occurred in 2018 pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Provided*, That funds shall be awarded directly to the State, unit of general local government, or Indian tribe (as such term is defined in section 102 of the Housing and Community Development Act of 1974) at the discretion of the Secretary: *Provided further*, That any funds made available under this heading and under the same heading in Public Law 115–254 that remain available, after the funds under such headings have been allocated for necessary expenses for activities authorized under such headings, shall be allocated to grantees, for mitigation activities in the most impacted and distressed areas resulting from a major disaster that occurred in 2018: *Provided further*, That such allocations shall be made in the same proportion that the amount of funds each grantee received under this division and the same heading in division I of Public Law 115–254 bears to the amount of all funds provided to all grantees that received allocations for disasters that occurred in 2018: *Provided further*, That of the amounts made available under the text preceding the first proviso under this heading and under the same heading in Public Law 115–254, the Secretary shall allocate to all such grantees an aggregate amount not less than 33 percent of the sum of such amounts of funds within 120 days after the enactment of this division based on the best available data, and shall allocate no less than 100 percent of such funds by no later than 180 days after the enactment of this division: *Provided further*, That the Secretary shall not prohibit the use of funds made available under this heading and the same heading in Public Law 115–254 for non-Federal share as authorized by section 105(a)(9) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)(9)): *Provided further*, That of the amounts made available under this heading, grantees may establish grant programs to assist small businesses for working capital purposes to aid in recovery: *Provided further*, That as a condition of making any grant, the Secretary shall certify in advance that such grantee has in place proficient financial controls and procurement processes and has established adequate procedures to prevent any duplication of benefits as defined by section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5155), to ensure timely expenditure of funds, to maintain comprehensive websites regarding all disaster recovery activities assisted with these funds, and to detect and prevent waste, fraud, and abuse of funds: *Provided further*, That with respect to any such duplication of benefits, the Secretary shall act in accordance with section 1210 of Public Law 115–254 (132 Stat. 3442) and section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5155): *Provided further*, That the Secretary shall require grantees to maintain on a public website information containing common reporting criteria established by the Department that permits individuals and entities awaiting assistance and the general public to see how all grant funds are used, including copies of all relevant procurement documents, grantee administrative contracts and details of ongoing procurement processes, as determined by the Secretary: *Provided further*, That prior to the obligation of funds a grantee shall submit a plan to the Secretary for approval detailing the proposed use of all funds, including criteria for eligibility and how the use of these funds will address long-term recovery and restoration of infrastructure and housing, economic revitalization, and mitigation in the most impacted and distressed areas: *Provided further*, That such funds may not be used for activities reimbursed by, or for which funds have been made available by, the Federal Emergency Management Agency or the Army Corps of Engineers, in excess of the authorized amount of the project or its components: *Provided further*, That funds allocated under this heading shall not be considered relevant to the non-disaster formula allocations made pursuant to section 106 of the Housing and Community Development Act of 1974 (42 U.S.C. 5306): *Provided further*, That a State, unit of general local government, or Indian tribe may use up to 5 percent of its allocation for administrative costs: *Provided further*, That the first proviso under this heading in the Supplemental Appropriations for Disaster Relief Requirements Act, 2018 (division I of Public Law 115–254) is amended by striking ''State or unit of general local government'' and inserting ''State, unit of general local government, or Indian tribe (as such term is defined in section 102 of the Housing and Community Development Act of 1974 (42 U.S.C. 5302))'': *Provided further*, That the sixth proviso under this heading in the Supplemental Appropriations for Disaster Relief Requirements Act, 2018 (division I of Public Law 115–254) is amended by striking ''State or subdivision thereof'' and inserting ''State, unit of general local government, or Indian tribe (as such term is defined in section 102 of the Housing and Community Development Act of 1974 (42 U.S.C. 5302))'': *Provided further*, That in administering the funds under this heading, the Secretary of Housing and Urban Development may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary or the use by the recipient of these funds (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), if the Secretary finds that good cause exists for the waiver or alternative requirement and such waiver or alternative requirement would not be inconsistent with the overall purpose of title I of the Housing and Community Development Act of 1974: *Provided further*, That, notwithstanding the preceding proviso, recipients of funds provided under this heading that use such funds to supplement Federal assistance provided under section 402, 403, 404, 406, 407, 408 (c)(4), or 502 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) may adopt, without review or public comment, any environmental review, approval, or permit performed by a Federal agency, and such adoption shall satisfy the responsibilities of the recipient with respect to such environmental review, approval or permit: *Provided further*, That, notwithstanding section 104(g)(2) of the Housing and Community Development Act of 1974 (42 U.S.C. 5304(g)(2)), the Secretary may, upon receipt of a request for release of funds and certification, immediately approve the release of funds for an activity or project assisted under this heading if the recipient has adopted an environmental review, approval or permit under the preceding proviso or the activity or project is categorically excluded from review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.): *Provided further*, That the Secretary shall publish via notice in the Federal Register any waiver, or alternative requirement, to any statute or regulation that the Secretary administers pursuant to title I of the Housing and Community Development Act of 1974 no later than 5 days before the effective date of such waiver or alternative requirement: *Provided further*, That of the amounts made available under this heading, up to $5,000,000 shall be made available for capacity building and technical assistance, including assistance on contracting and procurement processes, to support States, units of general local government, or Indian tribes (and their subrecipients) that receive allocations pursuant to this heading, received disaster recovery allocations under the same heading in Public Law 115–254, or may receive similar allocations for disaster recovery in future appropriations Acts: *Provided further*, That of the amounts made available under this heading and under the same heading in Public Law 115–254, up to $2,500,000 shall be transferred, in aggregate, to ''Department of Housing and Urban Development—Program Office Salaries and Expenses—Community Planning and Development'' for necessary costs, including information technology costs, of administering and overseeing the obligation and expenditure of amounts under this heading: *Provided further*, That the amount specified in the preceding proviso shall be combined with funds appropriated under the same heading and for the same purpose in Public Law 115–254 and the aggregate of such amounts shall be available for any of the same such purposes specified under this heading or the same heading in Public Law 115–254 without limitation: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISION—THIS TITLE

SEC. 1001. (a) Amounts previously made available for activities authorized under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) related to disaster relief, long-term recovery, restoration of infrastructure and housing, economic revitalization, and mitigation in the most impacted and distressed areas resulting from a major disaster, including funds provided under section 145 of division C of Public Law 114–223, section 192 of division C of Public Law 114–223 (as added by section 101(3) of division A of Public Law 114–254), section 421 of division K of Public Law 115–31, and any mitigation funding provided under the heading ''Department of Housing and Urban Development—Community Planning and Development—Community Development Fund'' of Public Law 115–123, that were allocated in response to Hurricane Matthew, may be used interchangeably and without limitation for the same activities in the most impacted and distressed areas related to Hurricane Florence. In addition, any funds provided under the heading ''Department of Housing and Urban Development—Community Planning and Development—Community Development Fund'' in this division or in division I of Public Law 115–254 that are allocated in response to Hurricane Florence may be used interchangeably and without limitation for the same activities in the most impacted and distressed areas related to Hurricane Matthew. Until HUD publishes the Federal Register Notice implementing this provision, grantees may submit

for HUD approval revised plans for the use of funds related to Hurricane Matthew that expand the eligible beneficiaries of existing programs contained in such previously approved plans to include those impacted by Hurricane Florence. Approval of any such revised plans shall include the execution of revised grant terms and conditions as necessary. Once the implementing Notice is published, any additional action plan revisions shall follow the requirements contained therein.

(b) Amounts made available for administrative costs for activities authorized under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) related to disaster relief, long-term recovery, restoration of infrastructure and housing, economic revitalization, and mitigation in the most impacted and distressed areas under this division or any future Act, and amounts previously provided under section 420 of division L of Public Law 114–113, section 145 of division C of Public Law 114–223, section 192 of division C of Public Law 114–223 (as added by section 101(3) of division A of Public Law 114–254), section 421 of division K of Public Law 115–31, and under the heading ''Department of Housing and Urban Development—Community Planning and Development—Community Development Fund'' of division B of Public Law 115–56, Public Law 115–123, and Public Law 115–254, shall be available for eligible administrative costs of the grantee related to any disaster relief funding identified in this subsection without regard to the particular disaster appropriation from which such funds originated.

(c) The additional uses pursuant to this section for amounts that were previously designated by the Congress, respectively, as an emergency requirement or as being for disaster relief pursuant to the Balanced Budget and Emergency Deficit Control Act are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 or as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE XI

GENERAL PROVISIONS—THIS DIVISION

SEC. 1101. Each amount appropriated or made available by this division is in addition to amounts otherwise appropriated for the fiscal year involved.

SEC. 1102. No part of any appropriation contained in this division shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 1103. Unless otherwise provided for by this division, the additional amounts appropriated by this division to appropriations accounts shall be available under the authorities and conditions applicable to such appropriations accounts for fiscal year 2019.

SEC. 1104. Each amount designated in this division by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded or transferred, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

SEC. 1105. For purposes of this division, the consequences or impacts of any hurricane shall include damages caused by the storm at any time during the entirety of its duration as a cyclone, as defined by the National Hurricane Center.

SEC. 1106. Any amount appropriated by this division, designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 and subsequently so designated by the President, and transferred pursuant to transfer authorities provided by this division shall retain such designation.

This division may be cited as the ''Additional Supplemental Appropriations for Disaster Relief, 2019''.

SA 16. Mr. SHELBY submitted an amendment intended to be proposed by him to the bill H.R. 268, making supplemental appropriations for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after section 1101 and insert the following:

TITLE XII—FURTHER CONTINUING APPROPRIATIONS

SEC. 1201. The Continuing Appropriations Act, 2019 (division C of Public Law 115–245) is further amended—

(1) by striking the date specified in section 105(3) and inserting ''February 8, 2019''; and

(2) by adding after section 136 the following:

''SEC. 137. Notwithstanding any other provision of this Act, there is appropriated for fiscal year 2019 for 'U.S. Customs and Border Protection—Operations and Support' for necessary expenses of U.S. Customs and Border Protection for operations and support, including the transportation of unaccompanied minor aliens; the provision of air and marine support to Federal, State, and local agencies in the enforcement or administration of laws enforced by the Department of Homeland Security; at the discretion of the Secretary of Homeland Security, the provision of such support to Federal, State, and local agencies in other law enforcement and emergency humanitarian efforts; the purchase and lease of up to 7,500 (6,500 for replacement only) police-type vehicles; the purchase, maintenance, or operation of marine vessels, aircraft, and unmanned aerial systems; and contracting with individuals for personal services abroad; $12,289,046,000; of which $3,274,000 shall be derived from the Harbor Maintenance Trust Fund for administrative expenses related to the collection of the Harbor Maintenance Fee pursuant to section 9505(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 9505(c)(3)) and notwithstanding section 1511(e)(1) of the Homeland Security Act of 2002 (6 U.S.C. 551(e)(1)); of which $1,555,887,000 shall be available until September 30, 2020; and of which such sums as become available in the Customs User Fee Account, except sums subject to section 13031(f)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)(3)), shall be derived from that account: *Provided*, That not to exceed $34,425 shall be for official reception and representation expenses: *Provided further*, That not to exceed $150,000 shall be available for payment for rental space in connection with preclearance operations: *Provided further*, That not to exceed $1,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security: *Provided further*, That of the amount provided in this section, $325,465,000 is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

''SEC. 138. Notwithstanding any other provision of this Act, there is appropriated for fiscal year 2019 for 'U.S. Customs and Border Protection—Procurement, Construction, and Improvements' for necessary expenses of U.S. Customs and Border Protection for procurement, construction, and improvements, including procurements to buy marine vessels, aircraft, and unmanned aerial systems, $7,334,672,000, of which $193,326,000 shall remain available until September 30, 2021, and of which $7,141,346,000 shall remain available until September 30, 2023, of which $5,700,000,000 shall be available for purposes authorized by section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Public Law 104–208) as amended by section 564 of the Consolidated Appropriations Act, 2008 (Public Law 110–161), to include activities authorized under section 1103(b) of title 8, United States Code: *Provided*, That the conditions set forth in subsections (b) and (c) of section 230 of division F of the Consolidated Appropriations Act, 2018 (Public Law 115–141) shall apply during fiscal year 2019 to the amounts made available in the clause preceding this proviso: *Provided further*, That not later than 180 days after the date of the enactment of the Further Additional Continuing Appropriations Act, 2019, the Secretary of Homeland Security shall submit to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and the Comptroller General of the United States an updated risk-based plan for improving security along the borders of the United States that includes the elements required under subsection (a) of section 231 of division F of the Consolidated Appropriations Act, 2018 (Public Law 115–141), which shall be evaluated in accordance with subsection (b) of such section: *Provided further*, That funds provided in this section may be used for roads, lighting, cameras, and sensors: *Provided further*, That of the amount provided in this section, $4,332,374,000 is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

''SEC. 139. Notwithstanding any other provision of this Act, there is appropriated for fiscal year 2019 for 'U.S. Immigration and Customs Enforcement—Operations and Support' for necessary expenses of U.S. Immigration and Customs Enforcement for operations and support, including the purchase and lease of up to 3,790 (2,350 for replacement only) police-type vehicles; overseas vetted units; and maintenance, minor construction, and minor leasehold improvements at owned and leased facilities; $8,447,855,000; of which $6,000,000 shall remain available until expended to enforce laws against forced child labor; of which $13,700,000 shall remain available until September 30, 2020; of which not less than $15,000,000 shall be available for investigation of intellectual property rights violations, including operation of the National Intellectual Property Rights Coordination Center; of which not less than $9,000,000 shall be available for facilities repair and maintenance projects; of which not less than $84,000,000 shall be available for vehicle fleet recapitalization; and of which not less than $4,989,158,000 shall be for enforcement, detention, and removal operations, including transportation of unaccompanied minor aliens: *Provided*, That not to exceed $11,475 shall be for official reception and representation expenses: *Provided further*, That not to exceed $10,000,000 shall be available until expended for conducting special operations under section 3131 of the Customs Enforcement Act of 1986 (19 U.S.C. 2081): *Provided further*, That not to exceed $2,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security: *Provided further*, That not to exceed $11,216,000 shall be available to fund or reimburse other Federal agencies for the costs associated with the care, maintenance, and repatriation of smuggled aliens unlawfully present in the United States: *Provided*

further, That of the amount provided in this section, $902,936,000 is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

''SEC. 140. Each amount designated in sections 137, 138, and 139 of this Act by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded or transferred, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

''SEC. 141. Amounts made available in this Act for personnel pay, allowances, and benefits in each department and agency shall be available for obligations incurred pursuant to 31 U.S.C. 1341.

''SEC. 142. All obligations incurred and in anticipation of the appropriations made and authority granted by this Act for the purposes of maintaining the essential level of activity to protect life and property and bringing about orderly termination of Government function, and for purposes as otherwise authorized by law, are hereby ratified and approved if otherwise in accord with the provisions of this Act.

''SEC. 143. (a) If a State (or another Federal grantee) used State funds (or the grantee's non-Federal funds) to continue carrying out a Federal program or furloughed State employees (or the grantee's employees) whose compensation is advanced or reimbursed in whole or in part by the Federal Government—

''(1) such furloughed employees shall be compensated at their standard rate of compensation for such period;

''(2) the State (or such other grantee) shall be reimbursed for expenses that would have been paid by the Federal Government during such period had appropriations been available, including the cost of compensating such furloughed employees, together with interest thereon calculated under section 6503(d) of title 31, United States Code; and

''(3) the State (or such other grantee) may use funds available to the State (or the grantee) under such Federal program to reimburse such State (or the grantee), together with interest thereon calculated under section 6503(d) of title 31, United States Code.

''(b) For purposes of this section, the term 'State' and the term 'grantee' shall have the meaning as such term is defined under the applicable Federal program under subsection (a). In addition, 'to continue carrying out a Federal program' means the continued performance by a State or other Federal grantee, during the period of a lapse in appropriations, of a Federal program that the State or such other grantee had been carrying out prior to the period of the lapse in appropriations.

''(c) The authority under this section applies with respect to any period in fiscal year 2019 (not limited to periods beginning or ending after the date of the enactment of this Act) during which there occurs a lapse in appropriations with respect to any department or agency of the Federal Government which, but for such lapse in appropriations, would have paid, or made reimbursement relating to, any of the expenses referred to in this section with respect to the program involved. Payments and reimbursements under this authority shall be made only to the extent and in amounts provided in advance in appropriations Acts.''.

SEC. 1202. For the purposes of division C of Public Law 115–245, the time covered by such division shall be considered to include the period which began on or about December 22, 2018, during which there occurred a lapse in appropriations.

This Act may be cited as the ''Supplemental Appropriations Act, 2019''.

SA 17. Mr. SHELBY submitted an amendment intended to be proposed by him to the bill H.R. 268, making supplemental appropriations for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SEC. 101. The Continuing Appropriations Act, 2019 (division C of Public Law 115–245) is further amended—

(1) by striking the date specified in section 105(3) and inserting ''February 8, 2019''; and

(2) by adding after section 136 the following:

''SEC. 137. Notwithstanding any other provision of this Act, there is appropriated for fiscal year 2019 for 'U.S. Customs and Border Protection—Operations and Support' for necessary expenses of U.S. Customs and Border Protection for operations and support, including the transportation of unaccompanied minor aliens; the provision of air and marine support to Federal, State, and local agencies in the enforcement or administration of laws enforced by the Department of Homeland Security; at the discretion of the Secretary of Homeland Security, the provision of such support to Federal, State, and local agencies in other law enforcement and emergency humanitarian efforts; the purchase and lease of up to 7,500 (6,500 for replacement only) police-type vehicles; the purchase, maintenance, or operation of marine vessels, aircraft, and unmanned aerial systems; and contracting with individuals for personal services abroad; $12,289,046,000; of which $3,274,000 shall be derived from the Harbor Maintenance Trust Fund for administrative expenses related to the collection of the Harbor Maintenance Fee pursuant to section 9505(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 9505(c)(3)) and notwithstanding section 1511(e)(1) of the Homeland Security Act of 2002 (6 U.S.C. 551(e)(1)); of which $1,555,887,000 shall be available until September 30, 2020; and of which such sums as become available in the Customs User Fee Account, except sums subject to section 13031(f)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)(3)), shall be derived from that account: *Provided*, That not to exceed $34,425 shall be for official reception and representation expenses: *Provided further*, That not to exceed $150,000 shall be available for payment for rental space in connection with preclearance operations: *Provided further*, That not to exceed $1,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security.

''SEC. 138. Notwithstanding any other provision of this Act, there is appropriated for fiscal year 2019 for 'U.S. Customs and Border Protection—Procurement, Construction, and Improvements' for necessary expenses of U.S. Customs and Border Protection for procurement, construction, and improvements, including procurements to buy marine vessels, aircraft, and unmanned aerial systems, $7,334,672,000, of which $193,326,000 shall remain available until September 30, 2021, and of which $7,141,346,000 shall remain available until September 30, 2023, of which $5,700,000,000 shall be available for purposes authorized by section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Public Law 104–208) as amended by section 564 of the Consolidated Appropriations Act, 2008 (Public Law 110–161), to include activities authorized under section 1103(b) of title 8, United States Code: *Provided*, That the conditions set forth in subsections (b) and (c) of section 230 of division F of the Consolidated Appropriations Act, 2018 (Public Law 115–141) shall apply during fiscal year 2019 to the amounts made available in the clause preceding this proviso: *Provided further*, That not later than 180 days after the date of the enactment of the Further Additional Continuing Appropriations Act, 2019, the Secretary of Homeland Security shall submit to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and the Comptroller General of the United States an updated risk-based plan for improving security along the borders of the United States that includes the elements required under subsection (a) of section 231 of division F of the Consolidated Appropriations Act, 2018 (Public Law 115–141), which shall be evaluated in accordance with subsection (b) of such section: *Provided further*, That funds provided in this section may be used for roads, lighting, cameras, and sensors.

''SEC. 139. Notwithstanding any other provision of this Act, there is appropriated for fiscal year 2019 for 'U.S. Immigration and Customs Enforcement—Operations and Support' for necessary expenses of U.S. Immigration and Customs Enforcement for operations and support, including the purchase and lease of up to 3,790 (2,350 for replacement only) police-type vehicles; overseas vetted units; and maintenance, minor construction, and minor leasehold improvements at owned and leased facilities; $8,447,855,000; of which $6,000,000 shall remain available until expended to enforce laws against forced child labor; of which $13,700,000 shall remain available until September 30, 2020; of which not less than $15,000,000 shall be available for investigation of intellectual property rights violations, including operation of the National Intellectual Property Rights Coordination Center; of which not less than $9,000,000 shall be available for facilities repair and maintenance projects; of which not less than $84,000,000 shall be available for vehicle fleet recapitalization; and of which not less than $4,989,158,000 shall be for enforcement, detention, and removal operations, including transportation of unaccompanied minor aliens: *Provided*, That not to exceed $11,475 shall be for official reception and representation expenses: *Provided further*, That not to exceed $10,000,000 shall be available until expended for conducting special operations under section 3131 of the Customs Enforcement Act of 1986 (19 U.S.C. 2081): *Provided further*, That not to exceed $2,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security: *Provided further*, That not to exceed $11,216,000 shall be available to fund or reimburse other Federal agencies for the costs associated with the care, maintenance, and repatriation of smuggled aliens unlawfully present in the United States.

''SEC. 140. Amounts made available in this Act for personnel pay, allowances, and benefits in each department and agency shall be available for obligations incurred pursuant to 31 U.S.C. 1341.

''SEC. 141. All obligations incurred and in anticipation of the appropriations made and authority granted by this Act for the purposes of maintaining the essential level of activity to protect life and property and bringing about orderly termination of Government function, and for purposes as otherwise authorized by law, are hereby ratified and approved if otherwise in accord with the provisions of this Act.

''SEC. 142. (a) If a State (or another Federal grantee) used State funds (or the grantee's

non-Federal funds) to continue carrying out a Federal program or furloughed State employees (or the grantee's employees) whose compensation is advanced or reimbursed in whole or in part by the Federal Government—

''(1) such furloughed employees shall be compensated at their standard rate of compensation for such period;

''(2) the State (or such other grantee) shall be reimbursed for expenses that would have been paid by the Federal Government during such period had appropriations been available, including the cost of compensating such furloughed employees, together with interest thereon calculated under section 6503(d) of title 31, United States Code; and

''(3) the State (or such other grantee) may use funds available to the State (or the grantee) under such Federal program to reimburse such State (or the grantee), together with interest thereon calculated under section 6503(d) of title 31, United States Code.

''(b) For purposes of this section, the term 'State' and the term 'grantee' shall have the meaning as such term is defined under the applicable Federal program under subsection (a). In addition, 'to continue carrying out a Federal program' means the continued performance by a State or other Federal grantee, during the period of a lapse in appropriations, of a Federal program that the State or such other grantee had been carrying out prior to the period of the lapse in appropriations.

''(c) The authority under this section applies with respect to any period in fiscal year 2019 (not limited to periods beginning or ending after the date of the enactment of this Act) during which there occurs a lapse in appropriations with respect to any department or agency of the Federal Government which, but for such lapse in appropriations, would have paid, or made reimbursement relating to, any of the expenses referred to in this section with respect to the program involved. Payments and reimbursements under this authority shall be made only to the extent and in amounts provided in advance in appropriations Acts.''.

SEC. 102. For the purposes of division C of Public Law 115–245, the time covered by such division shall be considered to include the period which began on or about December 22, 2018, during which there occurred a lapse in appropriations.

This Act may be cited as the ''Further Additional Continuing Appropriations Act, 2019''.

SA 18. Mr. SHELBY submitted an amendment intended to be proposed by him to the bill H.R. 268, making supplemental appropriations for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after section 1101 and insert the following:

TITLE XII—FURTHER CONTINUING APPROPRIATIONS

SEC. 1201. The Continuing Appropriations Act, 2019 (division C of Public Law 115–245) is further amended—

(1) by striking the date specified in section 105(3) and inserting ''February 8, 2019''; and

(2) by adding after section 136 the following:

''SEC. 137. Notwithstanding any other provision of this Act, there is appropriated for fiscal year 2019 for 'U.S. Customs and Border Protection—Operations and Support' for necessary expenses of U.S. Customs and Border Protection for operations and support, including the transportation of unaccompanied minor aliens; the provision of air and marine support to Federal, State, and local agencies in the enforcement or administration of laws enforced by the Department of Homeland Security; at the discretion of the Secretary of Homeland Security, the provision of such support to Federal, State, and local agencies in other law enforcement and emergency humanitarian efforts; the purchase and lease of up to 7,500 (6,500 for replacement only) police-type vehicles; the purchase, maintenance, or operation of marine vessels, aircraft, and unmanned aerial systems; and contracting with individuals for personal services abroad; $12,289,046,000; of which $3,274,000 shall be derived from the Harbor Maintenance Trust Fund for administrative expenses related to the collection of the Harbor Maintenance Fee pursuant to section 9505(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 9505(c)(3)) and notwithstanding section 1511(e)(1) of the Homeland Security Act of 2002 (6 U.S.C. 551(e)(1)); of which $1,555,887,000 shall be available until September 30, 2020; and of which such sums as become available in the Customs User Fee Account, except sums subject to section 13031(f)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)(3)), shall be derived from that account: *Provided*, That not to exceed $34,425 shall be for official reception and representation expenses: *Provided further*, That not to exceed $150,000 shall be available for payment for rental space in connection with preclearance operations: *Provided further*, That not to exceed $1,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security.

''SEC. 138. Notwithstanding any other provision of this Act, there is appropriated for fiscal year 2019 for 'U.S. Customs and Border Protection—Procurement, Construction, and Improvements' for necessary expenses of U.S. Customs and Border Protection for procurement, construction, and improvements, including procurements to buy marine vessels, aircraft, and unmanned aerial systems, $7,334,672,000, of which $193,326,000 shall remain available until September 30, 2021, and of which $7,141,346,000 shall remain available until September 30, 2023, of which $5,700,000,000 shall be available for purposes authorized by section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Public Law 104–208) as amended by section 564 of the Consolidated Appropriations Act, 2008 (Public Law 110–161), to include activities authorized under section 1103(b) of title 8, United States Code: *Provided*, That the conditions set forth in subsections (b) and (c) of section 230 of division F of the Consolidated Appropriations Act, 2018 (Public Law 115–141) shall apply during fiscal year 2019 to the amounts made available in the clause preceding this proviso: *Provided further*, That not later than 180 days after the date of the enactment of the Further Additional Continuing Appropriations Act, 2019, the Secretary of Homeland Security shall submit to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and the Comptroller General of the United States an updated risk-based plan for improving security along the borders of the United States that includes the elements required under subsection (a) of section 231 of division F of the Consolidated Appropriations Act, 2018 (Public Law 115–141), which shall be evaluated in accordance with subsection (b) of such section: *Provided further*, That funds provided in this section may be used for roads, lighting, cameras, and sensors.

''SEC. 139. Notwithstanding any other provision of this Act, there is appropriated for fiscal year 2019 for 'U.S. Immigration and Customs Enforcement—Operations and Support' for necessary expenses of U.S. Immigration and Customs Enforcement for operations and support, including the purchase and lease of up to 3,790 (2,350 for replacement only) police-type vehicles; overseas vetted units; and maintenance, minor construction, and minor leasehold improvements at owned and leased facilities; $8,447,855,000; of which $6,000,000 shall remain available until expended to enforce laws against forced child labor; of which $13,700,000 shall remain available until September 30, 2020; of which not less than $15,000,000 shall be available for investigation of intellectual property rights violations, including operation of the National Intellectual Property Rights Coordination Center; of which not less than $9,000,000 shall be available for facilities repair and maintenance projects; of which not less than $84,000,000 shall be available for vehicle fleet recapitalization; and of which not less than $4,989,158,000 shall be for enforcement, detention, and removal operations, including transportation of unaccompanied minor aliens: *Provided*, That not to exceed $11,475 shall be for official reception and representation expenses: *Provided further*, That not to exceed $10,000,000 shall be available until expended for conducting special operations under section 3131 of the Customs Enforcement Act of 1986 (19 U.S.C. 2081): *Provided further*, That not to exceed $2,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security: *Provided further*, That not to exceed $11,216,000 shall be available to fund or reimburse other Federal agencies for the costs associated with the care, maintenance, and repatriation of smuggled aliens unlawfully present in the United States.

''SEC. 140. Amounts made available in this Act for personnel pay, allowances, and benefits in each department and agency shall be available for obligations incurred pursuant to 31 U.S.C. 1341.

''SEC. 141. All obligations incurred and in anticipation of the appropriations made and authority granted by this Act for the purposes of maintaining the essential level of activity to protect life and property and bringing about orderly termination of Government function, and for purposes as otherwise authorized by law, are hereby ratified and approved if otherwise in accord with the provisions of this Act.

''SEC. 142. (a) If a State (or another Federal grantee) used State funds (or the grantee's non-Federal funds) to continue carrying out a Federal program or furloughed State employees (or the grantee's employees) whose compensation is advanced or reimbursed in whole or in part by the Federal Government—

''(1) such furloughed employees shall be compensated at their standard rate of compensation for such period;

''(2) the State (or such other grantee) shall be reimbursed for expenses that would have been paid by the Federal Government during such period had appropriations been available, including the cost of compensating such furloughed employees, together with interest thereon calculated under section 6503(d) of title 31, United States Code; and

''(3) the State (or such other grantee) may use funds available to the State (or the grantee) under such Federal program to reimburse such State (or the grantee), together with interest thereon calculated under section 6503(d) of title 31, United States Code.

''(b) For purposes of this section, the term 'State' and the term 'grantee' shall have the meaning as such term is defined under the applicable Federal program under subsection

(a). In addition, 'to continue carrying out a Federal program' means the continued performance by a State or other Federal grantee, during the period of a lapse in appropriations, of a Federal program that the State or such other grantee had been carrying out prior to the period of the lapse in appropriations.

''(c) The authority under this section applies with respect to any period in fiscal year 2019 (not limited to periods beginning or ending after the date of the enactment of this Act) during which there occurs a lapse in appropriations with respect to any department or agency of the Federal Government which, but for such lapse in appropriations, would have paid, or made reimbursement relating to, any of the expenses referred to in this section with respect to the program involved. Payments and reimbursements under this authority shall be made only to the extent and in amounts provided in advance in appropriations Acts.''.

SEC. 1202. For the purposes of division C of Public Law 115–245, the time covered by such division shall be considered to include the period which began on or about December 22, 2018, during which there occurred a lapse in appropriations.

This Act may be cited as the ''Supplemental Appropriations Act, 2019''.

SA 19. Mr. SHELBY submitted an amendment intended to be proposed by him to the bill H.R. 268, making supplemental appropriations for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

DIVISION A—FURTHER ADDITIONAL CONTINUING APPROPRIATIONS ACT, 2019

SEC. 101. The Continuing Appropriations Act, 2019 (division C of Public Law 115–245) is further amended—

(1) by striking the date specified in section 105(3) and inserting ''February 8, 2019''; and

(2) by adding after section 136 the following:

''SEC. 137. Notwithstanding any other provision of this Act, there is appropriated for fiscal year 2019 for 'U.S. Customs and Border Protection—Operations and Support' for necessary expenses of U.S. Customs and Border Protection for operations and support, including the transportation of unaccompanied minor aliens; the provision of air and marine support to Federal, State, and local agencies in the enforcement or administration of laws enforced by the Department of Homeland Security; at the discretion of the Secretary of Homeland Security, the provision of such support to Federal, State, and local agencies in other law enforcement and emergency humanitarian efforts; the purchase and lease of up to 7,500 (6,500 for replacement only) police-type vehicles; the purchase, maintenance, or operation of marine vessels, aircraft, and unmanned aerial systems; and contracting with individuals for personal services abroad; $12,289,046,000; of which $3,274,000 shall be derived from the Harbor Maintenance Trust Fund for administrative expenses related to the collection of the Harbor Maintenance Fee pursuant to section 9505(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 9505(c)(3)) and notwithstanding section 1511(e)(1) of the Homeland Security Act of 2002 (6 U.S.C. 551(e)(1)); of which $1,555,887,000 shall be available until September 30, 2020; and of which such sums as become available in the Customs User Fee Account, except sums subject to section 13031(f)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)(3)), shall be derived from that account: *Provided*, That not to exceed $34,425 shall be for official reception and representation expenses: *Provided further*, That not to exceed $150,000 shall be available for payment for rental space in connection with preclearance operations: *Provided further*, That not to exceed $1,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security.

''SEC. 138. Notwithstanding any other provision of this Act, there is appropriated for fiscal year 2019 for 'U.S. Customs and Border Protection—Procurement, Construction, and Improvements' for necessary expenses of U.S. Customs and Border Protection for procurement, construction, and improvements, including procurements to buy marine vessels, aircraft, and unmanned aerial systems, $7,334,672,000, of which $193,326,000 shall remain available until September 30, 2021, and of which $7,141,346,000 shall remain available until September 30, 2023, of which $5,700,000,000 shall be available for purposes authorized by section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Public Law 104–208) as amended by section 564 of the Consolidated Appropriations Act, 2008 (Public Law 110–161), to include activities authorized under section 1103(b) of title 8, United States Code: *Provided*, That the conditions set forth in subsections (b) and (c) of section 230 of division F of the Consolidated Appropriations Act, 2018 (Public Law 115–141) shall apply during fiscal year 2019 to the amounts made available in the clause preceding this proviso: *Provided further*, That not later than 180 days after the date of the enactment of the Further Additional Continuing Appropriations Act, 2019, the Secretary of Homeland Security shall submit to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and the Comptroller General of the United States an updated risk-based plan for improving security along the borders of the United States that includes the elements required under subsection (a) of section 231 of division F of the Consolidated Appropriations Act, 2018 (Public Law 115–141), which shall be evaluated in accordance with subsection (b) of such section: *Provided further*, That funds provided in this section may be used for roads, lighting, cameras, and sensors.

''SEC. 139. Notwithstanding any other provision of this Act, there is appropriated for fiscal year 2019 for 'U.S. Immigration and Customs Enforcement—Operations and Support' for necessary expenses of U.S. Immigration and Customs Enforcement for operations and support, including the purchase and lease of up to 3,790 (2,350 for replacement only) police-type vehicles; overseas vetted units; and maintenance, minor construction, and minor leasehold improvements at owned and leased facilities; $8,447,855,000; of which $6,000,000 shall remain available until expended to enforce laws against forced child labor; of which $13,700,000 shall remain available until September 30, 2020; of which not less than $15,000,000 shall be available for investigation of intellectual property rights violations, including operation of the National Intellectual Property Rights Coordination Center; of which not less than $9,000,000 shall be available for facilities repair and maintenance projects; of which not less than $84,000,000 shall be available for vehicle fleet recapitalization; and of which not less than $4,989,158,000 shall be for enforcement, detention, and removal operations, including transportation of unaccompanied minor aliens: *Provided*, That not to exceed $11,475 shall be for official reception and representation expenses: *Provided further*, That not to exceed $10,000,000 shall be available until expended for conducting special operations under section 3131 of the Customs Enforcement Act of 1986 (19 U.S.C. 2081): *Provided further*, That not to exceed $2,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security: *Provided further*, That not to exceed $11,216,000 shall be available to fund or reimburse other Federal agencies for the costs associated with the care, maintenance, and repatriation of smuggled aliens unlawfully present in the United States.

''SEC. 140. Amounts made available in this Act for personnel pay, allowances, and benefits in each department and agency shall be available for obligations incurred pursuant to 31 U.S.C. 1341.

''SEC. 141. All obligations incurred and in anticipation of the appropriations made and authority granted by this Act for the purposes of maintaining the essential level of activity to protect life and property and bringing about orderly termination of Government function, and for purposes as otherwise authorized by law, are hereby ratified and approved if otherwise in accord with the provisions of this Act.

''SEC. 142. (a) If a State (or another Federal grantee) used State funds (or the grantee's non-Federal funds) to continue carrying out a Federal program or furloughed State employees (or the grantee's employees) whose compensation is advanced or reimbursed in whole or in part by the Federal Government—

''(1) such furloughed employees shall be compensated at their standard rate of compensation for such period;

''(2) the State (or such other grantee) shall be reimbursed for expenses that would have been paid by the Federal Government during such period had appropriations been available, including the cost of compensating such furloughed employees, together with interest thereon calculated under section 6503(d) of title 31, United States Code; and

''(3) the State (or such other grantee) may use funds available to the State (or the grantee) under such Federal program to reimburse such State (or the grantee), together with interest thereon calculated under section 6503(d) of title 31, United States Code.

''(b) For purposes of this section, the term 'State' and the term 'grantee' shall have the meaning as such term is defined under the applicable Federal program under subsection (a). In addition, 'to continue carrying out a Federal program' means the continued performance by a State or other Federal grantee, during the period of a lapse in appropriations, of a Federal program that the State or such other grantee had been carrying out prior to the period of the lapse in appropriations.

''(c) The authority under this section applies with respect to any period in fiscal year 2019 (not limited to periods beginning or ending after the date of the enactment of this Act) during which there occurs a lapse in appropriations with respect to any department or agency of the Federal Government which, but for such lapse in appropriations, would have paid, or made reimbursement relating to, any of the expenses referred to in this section with respect to the program involved. Payments and reimbursements under this authority shall be made only to the extent and in amounts provided in advance in appropriations Acts.''.

SEC. 102. For the purposes of division C of Public Law 115–245, the time covered by such division shall be considered to include the period which began on or about December 22, 2018, during which there occurred a lapse in appropriations.

This division may be cited as the ''Further Additional Continuing Appropriations Act, 2019''.

DIVISION B—ADDITIONAL SUPPLEMENTAL APPROPRIATIONS FOR DISASTER RELIEF, 2019

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

TITLE I

DEPARTMENT OF AGRICULTURE

AGRICULTURAL PROGRAMS

PROCESSING, RESEARCH AND MARKETING

OFFICE OF THE SECRETARY

For an additional amount for the ''Office of the Secretary'', $3,005,442,000, which shall remain available until December 31, 2020, for necessary expenses related to losses of crops (including milk and harvested adulterated wine grapes), trees, bushes, and vines, as a consequence of Hurricanes Michael or Florence, other hurricanes, typhoons, volcanic activity, or wildfires occurring in calendar year 2018 under such terms and conditions as determined by the Secretary: *Provided*, That the Secretary may provide assistance for such losses in the form of block grants to eligible states and territories and such assistance may include compensation to producers, as determined by the Secretary, for past or future crop insurance premiums, forest restoration, and poultry and livestock losses: *Provided further*, That of the amounts provided under this heading, tree assistance payments may be made under section 1501(e) of the Agricultural Act of 2014 (7 U.S.C. 9081(e)) to eligible orchardists or nursery tree growers (as defined in such section) of pecan trees with a tree mortality rate that exceeds 7.5 percent (adjusted for normal mortality) and is less than 15 percent (adjusted for normal mortality), to be available until expended, for losses incurred during the period beginning January 1, 2018, and ending December 31, 2018: *Provided further*, That in the case of producers impacted by volcanic activity that resulted in the loss of crop land, or access to crop land, the Secretary shall consider all measures available, as appropriate, to bring replacement land into production: *Provided further*, That the total amount of payments received under this heading and applicable policies of crop insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) or the Noninsured Crop Disaster Assistance Program (NAP) under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333) shall not exceed 90 percent of the loss as determined by the Secretary: *Provided further*, That the total amount of payments received under this heading for producers who did not obtain a policy or plan of insurance for an insurable commodity for the applicable crop year under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) for the crop incurring the losses or did not file the required paperwork and pay the service fee by the applicable State filing deadline for a noninsurable commodity for the applicable crop year under NAP for the crop incurring the losses shall not exceed 70 percent of the loss as determined by the Secretary: *Provided further*, That producers receiving payments under this heading, as determined by the Secretary, shall be required to purchase crop insurance where crop insurance is available for the next two available crop years, excluding tree insurance policies, and producers receiving payments under this heading shall be required to purchase coverage under NAP where crop insurance is not available in the next two available crop years, as determined by the Secretary: *Provided further*, That, not later than 120 days after the end of fiscal year 2019, the Secretary shall submit a report to the Congress specifying the type, amount, and method of such assistance by state and territory: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FARM SERVICE AGENCY

EMERGENCY FOREST RESTORATION PROGRAM

For an additional amount for the ''Emergency Forest Restoration Program'', for necessary expenses related to the consequences of Hurricanes Michael and Florence and wildfires occurring in calendar year 2018, and other natural disasters, $480,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATURAL RESOURCES CONSERVATION SERVICE

WATERSHED AND FLOOD PREVENTION OPERATIONS

For an additional amount for ''Watershed and Flood Prevention Operations'', for necessary expenses for the Emergency Watershed Protection Program related to the consequences of Hurricanes Michael and Florence and wildfires occurring in calendar year 2018, and other natural disasters, $125,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RURAL DEVELOPMENT

RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT

For an additional amount for the cost of grants for rural community facilities programs as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, for necessary expenses related to the consequences of Hurricanes Michael and Florence and wildfires occurring in calendar year 2018, and other natural disasters, $150,000,000, to remain available until expended: *Provided*, That sections 381E-H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE

SEC. 101. In addition to amounts otherwise made available, out of the funds made available under section 18 of Food and Nutrition Act of 2008, $25,200,000 shall be available for the Secretary to provide a grant to the Commonwealth of the Northern Mariana Islands for disaster nutrition assistance in response to the Presidentially declared major disasters and emergencies: *Provided*, That funds made available to the Commonwealth of the Northern Mariana Islands under this section shall remain available for obligation by the Commonwealth until September 30, 2020: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 102. For purposes of administering title I of subdivision 1 of division B of the Bipartisan Budget Act of 2018 (Public Law 115–123), losses to agricultural producers resulting from hurricanes shall also include losses incurred from Tropical Storm Cindy and losses of peach and blueberry crops in calendar year 2017 due to extreme cold: *Provided*, That the amounts provided by this section are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That amounts repurposed under this heading that were previously designated by the Congress as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985 are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 103. (a)(1) Except as provided in paragraph (2), a person or legal entity is not eligible to receive a payment under the Market Facilitation Program established pursuant to the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.) if the average adjusted gross income of such person or legal entity is greater than $900,000.

(2) Paragraph (1) shall not apply to a person or legal entity if at least 75 percent of the adjusted gross income of such person or legal entity is derived from farming, ranching, or forestry related activities.

(b) A person or legal entity may not receive a payment under the Market Facilitation Program described in subsection (a)(1), directly or indirectly, of more than $125,000.

(c) In this section, the term ''average adjusted gross income'' has the meaning given the term defined in section 760.1502 of title 7 Code of Federal Regulations (as in effect July 18, 2018).

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

TITLE II

DEPARTMENT OF COMMERCE

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

Pursuant to section 703 of the Public Works and Economic Development Act (42 U.S.C. 3233), for an additional amount for ''Economic Development Assistance Programs'' for necessary expenses related to flood mitigation, disaster relief, long-term recovery, and restoration of infrastructure in areas that received a major disaster designation as a result of Hurricanes Florence, Michael, and Lane, Typhoons Yutu and Mangkhut, and of wildfires, volcanic eruptions, earthquakes, and other natural disasters occurring in calendar year 2018 under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), $600,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That within the amount appropriated, up to 2 percent of funds may be transferred to the ''Salaries and Expenses'' account for administration and oversight activities: *Provided further*, That within the amount appropriated, $1,000,000 shall be transferred to the ''Office of Inspector General'' account for carrying out investigations and audits related to the funding provided under this heading.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

For an additional amount for ''Operations, Research, and Facilities'' for necessary expenses related to the consequences of Hurricanes Florence and Michael, Typhoon Yutu, and of wildfires, $120,570,000, to remain available until September 30, 2020, as follows:

(1) $3,000,000 for repair and replacement of observing assets, real property, and equipment;

(2) $11,000,000 for marine debris assessment and removal;

(3) $31,570,000 for mapping, charting, and geodesy services;

(4) $25,000,000 to improve: (a) hurricane intensity forecasting, including through deployment of unmanned ocean observing platforms and enhanced data assimilation; (b) flood prediction, forecasting, and mitigation capabilities; and (c) wildfire prediction, detection, and forecasting; and

(5) $50,000,000 for Title IX Fund grants as authorized under section 906(c) of division O of Public Law 114–113:

Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the National Oceanic and Atmospheric Administration shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate for funding provided under subsection (4) of this heading within 45 days after the date of enactment of this division.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

For an additional amount for ''Procurement, Acquisition and Construction'', $25,000,000, to remain available until September 30, 2021, for improvements to operational and research weather supercomputing infrastructure and satellite ground services used for hurricane intensity and track prediction; flood prediction, forecasting, and mitigation; and wildfire prediction, detection, and forecasting: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the National Oceanic and Atmospheric Administration shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate within 45 days after the date of enactment of this division.

FISHERIES DISASTER ASSISTANCE

For an additional amount for ''Fisheries Disaster Assistance'' for necessary expenses associated with the mitigation of fishery disasters, $150,000,000, to remain available until expended: *Provided*, That funds shall be used for mitigating the effects of commercial fishery failures and fishery resource disasters declared by the Secretary of Commerce, including those declared by the Secretary to be a direct result of Hurricanes Florence and Michael and Typhoons Yutu and Mangkhut: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF JUSTICE

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'' for necessary expenses related to the consequences of Hurricanes Florence and Michael and Typhoon Yutu, $1,336,000: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FEDERAL PRISON SYSTEM

BUILDINGS AND FACILITIES

For an additional amount for ''Buildings and Facilities'' for necessary expenses related to the consequences of Hurricanes Florence and Michael and Typhoon Yutu, $28,400,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RELATED AGENCIES

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For an additional amount for ''Payment to the Legal Services Corporation'' to carry out the purposes of the Legal Services Corporation Act by providing for necessary expenses related to the consequences of Hurricanes Florence, Michael, and Lane, Typhoons Yutu and Mangkhut, and calendar year 2018 wildfires, volcanic eruptions, and earthquakes, $15,000,000: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That none of the funds appropriated in this division to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501, 502, 503, 504, 505, and 506 of Public Law 105–119, and all funds appropriated in this division to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 502 and 503 to 1997 and 1998 shall be deemed to refer instead to 2018 and 2019, respectively, and except that sections 501 and 503 of Public Law 104–134 (referenced by Public Law 105–119) shall not apply to the amount made available under this heading: *Provided further*, That, for the purposes of this division, the Legal Services Corporation shall be considered an agency of the United States Government.

TITLE III

DEPARTMENT OF DEFENSE

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for ''Operation and Maintenance, Marine Corps'', $200,000,000, for necessary expenses related to the consequences of Hurricanes Michael and Florence: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for ''Operation and Maintenance, Air Force'', $400,000,000, for necessary expenses related to the consequences of Hurricanes Michael and Florence: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE IV

CORPS OF ENGINEERS—CIVIL

DEPARTMENT OF THE ARMY

INVESTIGATIONS

For an additional amount for ''Investigations'' for necessary expenses related to the completion, or initiation and completion, of flood and storm damage reduction, including shore protection, studies which are currently authorized or which are authorized after the date of enactment of this division, to reduce risk from future floods and hurricanes, at full Federal expense, $35,000,000, to remain available until expended, for high priority studies of projects in States and insular areas that were impacted by Hurricanes Florence and Michael, Typhoon Mangkhut, Super Typhoon Yutu, and Tropical Storm Gita: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report directly to the Committees on Appropriations of the House and the Senate detailing the allocation and obligation of these funds, including new studies selected to be initiated using funds provided under this heading, beginning not later than 60 days after the date of enactment of this division.

CONSTRUCTION

For an additional amount for ''Construction'' for necessary expenses, $740,000,000, to remain available until expended, to construct flood and storm damage reduction, including shore protection, projects which are currently authorized or which are authorized after the date of enactment of this division, and flood and storm damage reduction, including shore protection, projects which have signed Chief's Reports as of the date of enactment of this division or which are studied using funds provided under the heading ''Investigations'' if the Secretary determines such projects to be technically feasible, economically justified, and environmentally acceptable, in States and insular areas that were impacted by Hurricanes Florence and Michael, Typhoon Mangkhut, Super Typhoon Yutu, and Tropical Storm Gita: *Provided*, That projects receiving funds provided under the first proviso in ''Title IV—Corps of Engineers—Civil—Department of the Army—Construction'' in Public Law 115–123 shall not be eligible for funding provided under this heading: *Provided further*, That for projects receiving funds provided under this heading, the provisions of Section 902 of the Water Resources Act of 1986 shall not apply to these funds: *Provided further*, That the completion of ongoing construction projects receiving funds provided under this heading shall be at full Federal expense with respect to such funds: *Provided further*, That using funds provided under this heading, the non-Federal cash contribution for projects other than ongoing construction projects shall be financed in accordance with the provisions of section 103(k) of Public Law 99–662 over a period of 30 years from the date of completion of the project or separable element: *Provided further*, That up to $25,000,000 of the funds made available under this heading shall be used for continuing authorities projects to reduce the risk of flooding and storm damage: *Provided further*, That any projects using funds appropriated under this heading shall be initiated only after non-Federal interests have entered into binding agreements with the Secretary requiring, where applicable, the non-Federal interests to pay 100 percent of the operation, maintenance, repair, replacement, and rehabilitation costs of the project and to hold and save the United States free from damages due to the construction or operation and maintenance of the project, except for damages due to the fault or negligence of the United States or its contractors: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and

Emergency Deficit Control Act of 1985: *Provided further*, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report directly to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after the date of enactment of this division.

MISSISSIPPI RIVER AND TRIBUTARIES

For an additional amount for ''Mississippi River and Tributaries'' for necessary expenses to address emergency situations at Corps of Engineers projects and rehabilitate and repair damages to Corps of Engineers projects, caused by natural disasters, $225,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report directly to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after the date of enactment of this division.

OPERATION AND MAINTENANCE

For an additional amount for ''Operation and Maintenance'' for necessary expenses to dredge Federal navigation projects in response to, and repair damages to Corps of Engineers Federal projects caused by, natural disasters, $245,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for coastal harbors and channels, and for inland harbors shall be derived from the Harbor Maintenance Trust Fund: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report directly to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after the date of enactment of this division.

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For an additional amount for ''Central Utah Project Completion Account'', $350,000, to be deposited into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission, to remain available until expended, for expenses necessary in carrying out fire remediation activities related to wildfires in 2018: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

BUREAU OF RECLAMATION

WATER AND RELATED RESOURCES

For an additional amount for ''Water and Related Resources'', $15,500,000, to remain available until expended, for fire remediation and suppression emergency assistance related to wildfires in 2017 and 2018: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE V

DEPARTMENT OF HOMELAND SECURITY

SECURITY, ENFORCEMENT, AND INVESTIGATIONS

COAST GUARD

OPERATIONS AND SUPPORT

For an additional amount for ''Operations and Support'' for necessary expenses related to the consequences of Hurricanes Michael, Florence, and Lane, Tropical Storm Gordon, and Typhoon Mangkhut, $46,977,000, to remain available until September 30, 2020: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For an additional amount for ''Procurement, Construction, and Improvements'' for necessary expenses related to the consequences of Hurricanes Michael, Florence, and Lane, Tropical Storm Gordon, and Typhoon Mangkhut, $476,755,000, to remain available until September 30, 2023: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

For an additional amount for ''Environmental Compliance and Restoration'' for necessary expenses related to the consequences of Hurricanes Michael and Florence, $2,000,000, to remain available until September 30, 2023: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE VI

DEPARTMENT OF THE INTERIOR

UNITED STATES FISH AND WILDLIFE SERVICE

CONSTRUCTION

For an additional amount for ''Construction'' for necessary expenses related to the consequences of Hurricanes Florence, Lane, and Michael, and flooding associated with major declared disaster DR–4365, and calendar year 2018 earthquakes, $82,400,000, to remain available until expended: *Provided*, That of this amount $50,000,000 shall be used to restore and rebuild national wildlife refuges and increase the resiliency and capacity of coastal habitat and infrastructure to withstand storms and reduce the amount of damage caused by such storms: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL PARK SERVICE

HISTORIC PRESERVATION FUND

For an additional amount for the ''Historic Preservation Fund'' for necessary expenses related to the consequences of Hurricanes Florence and Michael, and Typhoon Yutu, $50,000,000, to remain available until September 30, 2022, including costs to States and territories necessary to complete compliance activities required by section 306108 of title 54, United States Code (formerly section 106 of the National Historic Preservation Act) and costs needed to administer the program: *Provided*, That grants shall only be available for areas that have received a major disaster declaration pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Provided further*, That individual grants shall not be subject to a non-Federal matching requirement: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CONSTRUCTION

For an additional amount for ''Construction'' for necessary expenses related to the consequences of Hurricanes Florence and Michael, Typhoons Yutu and Mangkhut, and calendar year 2018 wildfires, earthquakes, and volcanic eruptions, $78,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For an additional amount for ''Surveys, Investigations, and Research'' for necessary expenses related to the consequences of Hurricanes Florence and Michael, and calendar year 2018 wildfires, earthquake damage associated with emergency declaration EM–3410, and in those areas impacted by a major disaster declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) with respect to calendar year 2018 wildfires or volcanic eruptions, $98,500,000, to remain available until expended: *Provided*, That of this amount, $72,310,000 is for costs related to the repair and replacement of equipment and facilities damaged by disasters in 2018: *Provided further*, That, not later than 90 days after enactment of this division, the Survey shall submit a report to the Committees on Appropriations that describes the potential options to replace the facility damaged by the 2018 volcano disaster along with cost estimates and a description of how the Survey will provide direct access for monitoring volcanic activity and the potential threat to at-risk communities: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENTAL OFFICES

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

For an additional amount for ''Technical Assistance'' for financial management expenses related to the consequences of Typhoon Yutu, $2,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'' for necessary expenses related to the consequences of major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in 2018, $1,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

For an additional amount for ''Science and Technology'' for necessary expenses related

to improving preparedness of the water sector, $600,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

LEAKING UNDERGROUND STORAGE TANK TRUST FUND PROGRAM

For an additional amount for ''Leaking Underground Storage Tank Fund'' for necessary expenses related to the consequences of Hurricanes Florence and Michael, calendar year 2018 earthquakes, and Typhoon Yutu, $1,500,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

STATE AND TRIBAL ASSISTANCE GRANTS

For additional amounts for ''State and Tribal Assistance Grants'' for necessary expenses related to the consequences of Hurricanes Florence and Michael and calendar year 2018 earthquakes for the hazardous waste financial assistance grants program, $1,500,000, to remain available until expended; for necessary expenses related to the consequences of Typhoon Yutu for the hazardous waste financial assistance grants program and for other solid waste management activities, $56,000,000, to remain available until expended, provided that none of these funds shall be subject to section 3011(b) of the Solid Waste Disposal Act; and for grants under section 106 of the Federal Water Pollution Control Act, $5,000,000, to remain available until expended, to address impacts of Hurricane Florence, Hurricane Michael, Typhoon Yutu, and calendar year 2018 wildfires, notwithstanding subsections (b), (e), and (f), of such section: *Provided*, That such amounts are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

For an additional amount for ''State and Tribal Assistance Grants'', $349,400,000 to remain available until expended, of which $53,300,000 shall be for capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act, and of which $296,100,000 shall be for capitalization grants under section 1452 of the Safe Drinking Water Act: *Provided*, That notwithstanding section 604(a) of the Federal Water Pollution Control Act and section 1452(a)(1)(D) of the Safe Drinking Water Act, funds appropriated herein shall be provided to States in EPA Regions 4, 9, and 10 in amounts determined by the Administrator for wastewater treatment works and drinking water facilities impacted by Hurricanes Florence and Michael, Typhoon Yutu, and calendar year 2018 wildfires and earthquakes: *Provided further*, That notwithstanding the requirements of section 603(i) of the Federal Water Pollution Control Act and section 1452(d) of the Safe Drinking Water Act, for the funds appropriated herein, each State shall use not less than 20 percent but not more than 30 percent amount of its capitalization grants to provide additional subsidization to eligible recipients in the form of forgiveness of principal, negative interest loans or grants or any combination of these: *Provided further*, That the Administrator shall retain $10,400,000 of the funds appropriated herein for grants for drinking water facilities and waste water treatment plants impacted by Typhoon Yutu: *Provided further*, That the funds appropriated herein shall be used for eligible projects whose purpose is to reduce flood or fire damage risk and vulnerability or to enhance resiliency to rapid hydrologic change or natural disaster at treatment works as defined by section 212 of the Federal Water Pollution Control Act or any eligible facilities under section 1452 of the Safe Drinking Water Act, and for other eligible tasks at such treatment works or facilities necessary to further such purposes: *Provided further*, That the Administrator of the Environmental Protection Agency may retain up to $1,000,000 of the funds appropriated herein for management and oversight: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

FOREST AND RANGELAND RESEARCH

For an additional amount for ''Forest and Rangeland Research'' for necessary expenses related to the consequences of Hurricanes Florence and Michael, and the calendar year 2018 wildfires, $1,000,000, to remain available until expended for the forest inventory and analysis program: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

STATE AND PRIVATE FORESTRY

For an additional amount for ''State and Private Forestry'' for necessary expenses related to the consequences of Hurricanes Florence and Michael, and the calendar year 2018 wildfires, $12,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL FOREST SYSTEM

For an additional amount for ''National Forest System'' for necessary expenses related to the consequences of Hurricanes Florence and Michael, and the calendar year 2018 wildfires, $84,960,000, to remain available until expended: *Provided*, That of this amount $21,000,000 shall be used for hazardous fuels management activities: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CAPITAL IMPROVEMENT AND MAINTENANCE

For an additional amount for ''Capital Improvement and Maintenance'' for necessary expenses related to the consequences of Hurricanes Florence and Michael, and the calendar year 2018 wildfires, $36,040,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Wildland Fire Management'', $720,271,000, to remain available through September 30, 2022, for urgent wildland fire suppression operations: *Provided*, That such funds shall be solely available to be transferred to and merged with other appropriations accounts from which funds were previously transferred for wildland fire suppression in fiscal year 2018 to fully repay those amounts: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For an additional amount for ''National Institute of Environmental Health Sciences'' for necessary expenses in carrying out activities set forth in section 311(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9660(a)) and section 126(g) of the Superfund Amendments and Reauthorization Act of 1986 related to the consequences of major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in 2018, $1,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISION—THIS TITLE

SEC. 601. Not later than 45 days after the date of enactment of this division, the agencies receiving funds appropriated by this title shall provide a detailed operating plan of anticipated uses of funds made available in this title by State and Territory, and by program, project, and activity, to the Committees on Appropriations: *Provided*, That no such funds shall be obligated before the operating plans are provided to the Committees: *Provided further*, That such plans shall be updated, including obligations to date, and submitted to the Committees on Appropriations every 60 days until all such funds are expended.

TITLE VII

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Training and Employment Services'', $50,000,000, for the dislocated workers assistance national reserve for necessary expenses directly related to the consequences of Hurricanes Florence and Michael, Typhoon Mangkhut, Super Typhoon Yutu, and wildfires or earthquakes occurring in 2018 (referred to under this heading as ''covered disaster or emergency''), to remain available through September 30, 2020: *Provided*, That the Secretary of Labor may transfer up to $1,000,000 of such funds to any other Department of Labor account for reconstruction and recovery needs, including worker protection activities: *Provided further*, That these sums may be used to replace grant funds previously obligated to the impacted areas: *Provided further*, That of the amount provided, up to $500,000, to remain available until expended, shall be transferred to ''Office of Inspector General'' for oversight of activities responding to such covered disaster or emergency: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

ADMINISTRATION FOR CHILDREN AND FAMILIES

CHILDREN AND FAMILIES SERVICES PROGRAMS

For an additional amount for ''Children and Families Services Programs'', $80,000,000, to remain available through September 30, 2021, for Head Start programs, for necessary expenses directly related to the consequences of Hurricanes Florence and Michael, Typhoon Mangkhut and Super Typhoon Yutu, and wildfires or earthquakes occurring in 2018 in those areas for which a

major disaster or emergency has been declared under section 401 or 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 and 5191), including making payments under the Head Start Act: *Provided*, That none of the funds appropriated in this paragraph shall be included in the calculation of the ''base grant'' in subsequent fiscal years, as such term is defined in sections 640(a)(7)(A), 641A(h)(1)(B), or 645(d)(3) of the Head Start Act: *Provided further*, That funds appropriated in this paragraph are not subject to the allocation requirements of section 640(a) of the Head Start Act: *Provided further*, That funds appropriated in this paragraph shall not be available for costs that are reimbursed by the Federal Emergency Management Agency, under a contract for insurance, or by self-insurance: *Provided further*, That up to $2,000,000 shall be available for Federal administrative expenses: *Provided further*, That obligations incurred for the purposes provided herein prior to the date of enactment of this division may be charged to funds appropriated under this heading: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for the ''Public Health and Social Services Emergency Fund'', $166,000,000, to remain available through September 30, 2020, for necessary expenses directly related to the consequences of Hurricanes Florence and Michael, Typhoon Mangkhut and Super Typhoon Yutu, and wildfires or earthquakes occurring in 2018 in those areas for which a major disaster or emergency has been declared under sections 401 or 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 and 5191) (referred to under this heading as ''covered disaster or emergency''), including activities authorized under section 319(a) of the Public Health Service Act (referred to in this division as the ''PHS Act''): *Provided*, That of the amount provided, $45,000,000 shall be transferred to ''Health Resources and Services Administration—Primary Health Care'' for expenses directly related to a covered disaster or emergency for disaster response and recovery, for the Health Centers Program under section 330 of the PHS Act, including alteration, renovation, construction, equipment, and other capital improvement costs as necessary to meet the needs of areas affected by a covered disaster or emergency: *Provided further*, That the time limitation in section 330(e)(3) of the PHS Act shall not apply to funds made available under the preceding proviso: *Provided further*, That of the amount provided, not less than $20,000,000 shall be transferred to ''Centers for Disease Control and Prevention—CDC-Wide Activities and Program Support'' for response, recovery, mitigation, and other expenses directly related to a covered disaster or emergency: *Provided further*, That of the amount provided, not less than $100,000,000 shall be transferred to ''Substance Abuse and Mental Health Services Administration—Health Surveillance and Program Support'' for grants, contracts, and cooperative agreements for behavioral health treatment, crisis counseling, treatment of substance use disorders, and other related helplines, and for other similar programs to provide support to individuals impacted by a covered disaster or emergency: *Provided further*, That of the amount provided, up to $1,000,000, to remain available until expended, shall be transferred to ''Office of the Secretary—Office of Inspector General'' for oversight of activities responding to such hurricanes, typhoons, and wildfires: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF EDUCATION

HURRICANE EDUCATION RECOVERY

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Hurricane Education Recovery'' for necessary expenses directly related to the consequences of Hurricanes Florence and Michael, Typhoon Mangkhut, Super Typhoon Yutu, and wildfires, earthquakes, or volcanic eruptions in 2018 in those areas for which a major disaster or emergency has been declared under section 401 or 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 and 5191) (referred to under this heading as a ''covered disaster or emergency''), $165,000,000, to remain available through September 30, 2021: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That such assistance may be provided through any of the programs authorized under this heading in division B of title VIII of Public Law 115–123 (as amended by Public Law 115–141), as determined by the Secretary of Education, and subject to the terms and conditions that applied to those programs, except that references to dates and school years in Public Law 115–123 shall be deemed to be the corresponding dates and school years for the covered disaster or emergency: *Provided further*, That the Secretary of Education may determine the amounts to be used for each such program and shall notify the Committees on Appropriations of the House of Representatives and the Senate of these amounts not later than 7 days prior to obligation: *Provided further*, That $2,000,000 of the funds made available under this heading, to remain available until expended, shall be transferred to the Office of the Inspector General of the Department of Education for oversight of activities supported with funds appropriated under this heading, and up to $1,000,000 of the funds made available under this heading shall be for program administration.

GENERAL PROVISIONS—THIS TITLE

SEC. 701. Not later than 30 days after the date of enactment of this division, the Secretaries of Labor, Health and Human Services, and Education shall provide a detailed spend plan of anticipated uses of funds made available in this title, including estimated personnel and administrative costs, to the Committees on Appropriations: *Provided*, That such plans shall be updated and submitted to the Committees on Appropriations every 60 days until all funds are expended or expire.

SEC. 702. Unless otherwise provided for by this title, the additional amounts appropriated by this title to appropriations accounts shall be available under the authorities and conditions applicable to such appropriations accounts for fiscal year 2019.

TITLE VIII

LEGISLATIVE BRANCH

GOVERNMENT ACCOUNTABILITY OFFICE

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $10,000,000, to remain available until expended, for audits and investigations related to Hurricanes Florence, Lane, and Michael, Typhoons Yutu and Mangkhut, the calendar year 2018 wildfires, earthquakes, and volcano eruptions, and other disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Provided*, That, not later than 90 days after the date of enactment of this division, the Government Accountability Office shall submit to the Committees on Appropriations of the House of Representatives and the Senate a spend plan specifying funding estimates for audits and investigations of any such declared disasters occurring in 2018 and identifying funding estimates or carryover balances, if any, that may be available for audits and investigations of any other such declared disasters: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE IX

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for ''Military Construction, Navy and Marine Corps'', $115,000,000, to remain available until September 30, 2023, for planning and design related to the consequences of Hurricanes Florence and Michael on Navy and Marine Corps installations: *Provided*, That none of the funds shall be available for obligation until the Committees on Appropriations of the House of Representatives and the Senate receive a master plan for the installations and a form 1391 for each specific project: *Provided further*, That, not later than 60 days after enactment of this division, the Secretary of the Navy, or his designee, shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed expenditure plan for funds provided under this heading: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for ''Military Construction, Air Force'', $700,000,000, to remain available until September 30, 2023, for planning and design, and construction expenses related to the consequences of Hurricane Michael: *Provided*, That none of the funds shall be available for obligation until the Committees on Appropriations of the House of Representatives and the Senate receive a basing plan and future mission requirements for installations significantly damaged by Hurricane Michael: *Provided further*, That, not later than 60 days after enactment of this division, the Secretary of the Air Force, or his designee, shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed expenditure plan for funds provided under this heading: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For an additional amount for ''Military Construction, Army National Guard'', $42,400,000, to remain available until September 30, 2023, for necessary expenses related to the consequences of Hurricanes Florence and Michael: *Provided*, That none of the funds shall be available for obligation until the Committees on Appropriations of the House of Representatives and the Senate receive form 1391 for each specific request:

Provided further, That, not later than 60 days after enactment of this division, the Director of the Army National Guard, or his designee, shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed expenditure plan for funds provided under this heading: *Provided further*, That such funds may be obligated or expended for planning and design and military construction projects not otherwise authorized by law: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF VETERANS AFFAIRS

VETERANS HEALTH ADMINISTRATION

MEDICAL FACILITIES

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Medical Facilities'', $3,000,000, to remain available until September 30, 2023, for necessary expenses related to the consequences of Hurricanes Florence and Michael and Typhoons Mangkhut and Yutu: *Provided*, That the Secretary of Veterans Affairs, upon determination that such action is necessary to address needs as a result of the consequences of Hurricanes Florence and Michael and Typhoons Mangkhut and Yutu, may transfer such funds to any discretionary account of the Department of Veterans Affairs: *Provided further*, That before a transfer may take place, the Secretary of Veterans Affairs shall submit notice thereof to the Committee on Appropriations of the House of Representatives and the Senate: *Provided further*, That none of these funds shall be available for obligation until the Secretary of Veterans Affairs submits to the Committees on Appropriations of the House of Representatives and the Senate a detailed expenditure plan for funds provided under this heading: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE X

DEPARTMENT OF TRANSPORTATION

FEDERAL TRANSIT ADMINISTRATION

PUBLIC TRANSPORTATION EMERGENCY RELIEF PROGRAM

For an additional amount for the ''Public Transportation Emergency Relief Program'' as authorized under section 5324 of title 49, United States Code, $10,542,000 to remain available until expended, for transit systems affected by major declared disasters occurring in calendar year 2018: *Provided*, That not more than three-quarters of 1 percent of the funds for public transportation emergency relief shall be available for administrative expenses and ongoing program management oversight as authorized under sections 5334 and 5338(f)(2) of such title and shall be in addition to any other appropriations for such purpose: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

(AIRPORT AND AIRWAY TRUST FUND)

Of the amounts made available for ''Federal Aviation Administration—Operations'' in division B of the Bipartisan Budget Act of 2018 (Public Law 115–123), up to $18,000,000 shall also be available for necessary expenses related to the consequences of major declared disasters occurring in calendar year 2018: *Provided*, That amounts repurposed under this heading that were previously designated by the Congress as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985 are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FEDERAL HIGHWAY ADMINISTRATION

EMERGENCY RELIEF PROGRAM

For an additional amount for the Emergency Relief Program as authorized under section 125 of title 23, United States Code, $1,650,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

COMMUNITY PLANNING AND DEVELOPMENT

COMMUNITY DEVELOPMENT FUND

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for ''Community Development Fund'', $1,060,000,000, to remain available until expended, for necessary expenses for activities authorized under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) related to disaster relief, long-term recovery, restoration of infrastructure and housing, economic revitalization, and mitigation in the most impacted and distressed areas resulting from a major disaster that occurred in 2018 pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Provided*, That funds shall be awarded directly to the State, unit of general local government, or Indian tribe (as such term is defined in section 102 of the Housing and Community Development Act of 1974) at the discretion of the Secretary: *Provided further*, That any funds made available under this heading and under the same heading in Public Law 115–254 that remain available, after the funds under such headings have been allocated for necessary expenses for activities authorized under such headings, shall be allocated to grantees, for mitigation activities in the most impacted and distressed areas resulting from a major disaster that occurred in 2018: *Provided further*, That such allocations shall be made in the same proportion that the amount of funds each grantee received under this division and the same heading in division I of Public Law 115–254 bears to the amount of all funds provided to all grantees that received allocations for disasters that occurred in 2018: *Provided further*, That of the amounts made available under the text preceding the first proviso under this heading and under the same heading in Public Law 115–254, the Secretary shall allocate to all such grantees an aggregate amount not less than 33 percent of the sum of such amounts of funds within 120 days after the enactment of this division based on the best available data, and shall allocate no less than 100 percent of such funds by no later than 180 days after the enactment of this division: *Provided further*, That the Secretary shall not prohibit the use of funds made available under this heading and the same heading in Public Law 115–254 for non-Federal share as authorized by section 105(a)(9) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)(9)): *Provided further*, That of the amounts made available under this heading, grantees may establish grant programs to assist small businesses for working capital purposes to aid in recovery: *Provided further*, That as a condition of making any grant, the Secretary shall certify in advance that such grantee has in place proficient financial controls and procurement processes and has established adequate procedures to prevent any duplication of benefits as defined by section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5155), to ensure timely expenditure of funds, to maintain comprehensive websites regarding all disaster recovery activities assisted with these funds, and to detect and prevent waste, fraud, and abuse of funds: *Provided further*, That with respect to any such duplication of benefits, the Secretary shall act in accordance with section 1210 of Public Law 115–254 (132 Stat. 3442) and section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5155): *Provided further*, That the Secretary shall require grantees to maintain on a public website information containing common reporting criteria established by the Department that permits individuals and entities awaiting assistance and the general public to see how all grant funds are used, including copies of all relevant procurement documents, grantee administrative contracts and details of ongoing procurement processes, as determined by the Secretary: *Provided further*, That prior to the obligation of funds a grantee shall submit a plan to the Secretary for approval detailing the proposed use of all funds, including criteria for eligibility and how the use of these funds will address long-term recovery and restoration of infrastructure and housing, economic revitalization, and mitigation in the most impacted and distressed areas: *Provided further*, That such funds may not be used for activities reimbursed by, or for which funds have been made available by, the Federal Emergency Management Agency or the Army Corps of Engineers, in excess of the authorized amount of the project or its components: *Provided further*, That funds allocated under this heading shall not be considered relevant to the non-disaster formula allocations made pursuant to section 106 of the Housing and Community Development Act of 1974 (42 U.S.C. 5306): *Provided further*, That a State, unit of general local government, or Indian tribe may use up to 5 percent of its allocation for administrative costs: *Provided further*, That the first proviso under this heading in the Supplemental Appropriations for Disaster Relief Requirements Act, 2018 (division I of Public Law 115–254) is amended by striking ''State or unit of general local government'' and inserting ''State, unit of general local government, or Indian tribe (as such term is defined in section 102 of the Housing and Community Development Act of 1974 (42 U.S.C. 5302))'': *Provided further*, That the sixth proviso under this heading in the Supplemental Appropriations for Disaster Relief Requirements Act, 2018 (division I of Public Law 115–254) is amended by striking ''State or subdivision thereof'' and inserting ''State, unit of general local government, or Indian tribe (as such term is defined in section 102 of the Housing and Community Development Act of 1974 (42 U.S.C. 5302))'': *Provided further*, That in administering the funds under this heading, the Secretary of Housing and Urban Development may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary or the use by the recipient of these funds (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), if the Secretary finds that good cause exists for the waiver or alternative requirement and such waiver or alternative requirement would not be inconsistent with the overall purpose of title I of the Housing and Community Development Act of 1974: *Provided further*, That, notwithstanding the preceding proviso, recipients of funds provided under this heading

that use such funds to supplement Federal assistance provided under section 402, 403, 404, 406, 407, 408 (c)(4), or 502 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) may adopt, without review or public comment, any environmental review, approval, or permit performed by a Federal agency, and such adoption shall satisfy the responsibilities of the recipient with respect to such environmental review, approval or permit: *Provided further*, That, notwithstanding section 104(g)(2) of the Housing and Community Development Act of 1974 (42 U.S.C. 5304(g)(2)), the Secretary may, upon receipt of a request for release of funds and certification, immediately approve the release of funds for an activity or project assisted under this heading if the recipient has adopted an environmental review, approval or permit under the preceding proviso or the activity or project is categorically excluded from review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.): *Provided further*, That the Secretary shall publish via notice in the Federal Register any waiver, or alternative requirement, to any statute or regulation that the Secretary administers pursuant to title I of the Housing and Community Development Act of 1974 no later than 5 days before the effective date of such waiver or alternative requirement: *Provided further*, That of the amounts made available under this heading, up to $5,000,000 shall be made available for capacity building and technical assistance, including assistance on contracting and procurement processes, to support States, units of general local government, or Indian tribes (and their subrecipients) that receive allocations pursuant to this heading, received disaster recovery allocations under the same heading in Public Law 115–254, or may receive similar allocations for disaster recovery in future appropriations Acts: *Provided further*, That of the amounts made available under this heading and under the same heading in Public Law 115–254, up to $2,500,000 shall be transferred, in aggregate, to ''Department of Housing and Urban Development—Program Office Salaries and Expenses—Community Planning and Development'' for necessary costs, including information technology costs, of administering and overseeing the obligation and expenditure of amounts under this heading: *Provided further*, That the amount specified in the preceding proviso shall be combined with funds appropriated under the same heading and for the same purpose in Public Law 115–254 and the aggregate of such amounts shall be available for any of the same such purposes specified under this heading or the same heading in Public Law 115–254 without limitation: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISION—THIS TITLE

SEC. 1001. (a) Amounts previously made available for activities authorized under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) related to disaster relief, long-term recovery, restoration of infrastructure and housing, economic revitalization, and mitigation in the most impacted and distressed areas resulting from a major disaster, including funds provided under section 145 of division C of Public Law 114–223, section 192 of division C of Public Law 114–223 (as added by section 101(3) of division A of Public Law 114–254), section 421 of division K of Public Law 115–31, and any mitigation funding provided under the heading ''Department of Housing and Urban Development—Community Planning and Development—Community Development Fund'' of Public Law 115–123, that were allocated in response to Hurricane Matthew, may be used interchangeably and without limitation for the same activities in the most impacted and distressed areas related to Hurricane Florence. In addition, any funds provided under the heading ''Department of Housing and Urban Development—Community Planning and Development—Community Development Fund'' in this division or in division I of Public Law 115–254 that are allocated in response to Hurricane Florence may be used interchangeably and without limitation for the same activities in the most impacted and distressed areas related to Hurricane Matthew. Until HUD publishes the Federal Register Notice implementing this provision, grantees may submit for HUD approval revised plans for the use of funds related to Hurricane Matthew that expand the eligible beneficiaries of existing programs contained in such previously approved plans to include those impacted by Hurricane Florence. Approval of any such revised plans shall include the execution of revised grant terms and conditions as necessary. Once the implementing Notice is published, any additional action plan revisions shall follow the requirements contained therein.

(b) Amounts made available for administrative costs for activities authorized under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) related to disaster relief, long-term recovery, restoration of infrastructure and housing, economic revitalization, and mitigation in the most impacted and distressed areas under this division or any future Act, and amounts previously provided under section 420 of division L of Public Law 114–113, section 145 of division C of Public Law 114–223, section 192 of division C of Public Law 114–223 (as added by section 101(3) of division A of Public Law 114–254), section 421 of division K of Public Law 115–31, and under the heading ''Department of Housing and Urban Development—Community Planning and Development—Community Development Fund'' of division B of Public Law 115–56, Public Law 115–123, and Public Law 115–254, shall be available for eligible administrative costs of the grantee related to any disaster relief funding identified in this subsection without regard to the particular disaster appropriation from which such funds originated.

(c) The additional uses pursuant to this section for amounts that were previously designated by the Congress, respectively, as an emergency requirement or as being for disaster relief pursuant to the Balanced Budget and Emergency Deficit Control Act are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 or as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE XI

GENERAL PROVISIONS—THIS DIVISION

SEC. 1101. Each amount appropriated or made available by this division is in addition to amounts otherwise appropriated for the fiscal year involved.

SEC. 1102. No part of any appropriation contained in this division shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 1103. Unless otherwise provided for by this division, the additional amounts appropriated by this division to appropriations accounts shall be available under the authorities and conditions applicable to such appropriations accounts for fiscal year 2019.

SEC. 1104. Each amount designated in this division by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded or transferred, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

SEC. 1105. For purposes of this division, the consequences or impacts of any hurricane shall include damages caused by the storm at any time during the entirety of its duration as a cyclone, as defined by the National Hurricane Center.

SEC. 1106. Any amount appropriated by this division, designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 and subsequently so designated by the President, and transferred pursuant to transfer authorities provided by this division shall retain such designation.

This division may be cited as the ''Additional Supplemental Appropriations for Disaster Relief, 2019''.

SA 20. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill H.R. 268, making supplemental appropriations for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1, line, 3, strike ''the following sums'' and all that follows through page 66, line 17, and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Shutdown Fairness Act''.

SEC. 2. DEFINITIONS.

In this Act—

(1) the term ''agency''—

(A) means each authority of the legislative and judicial branch of the Government of the United States; and

(B) with respect to the executive branch of the Government of the United States, has the meaning given the term ''Executive agency'' in section 105 of title 5, United States Code, except that the term shall include the United States Postal Service and the Postal Regulatory Commission;

(2) the term ''covered individual'' means—

(A) an excepted employee; and

(B) a qualified contract employee;

(3) the term ''excepted employee'' means an employee, as that term is defined in section 2105 of title 5, United States Code, who, during a specified period of time, the head of the agency that employs the employee determines to be performing work as an excepted employee or an employee performing emergency work, as those terms are defined by the Office of Personnel Management; and

(4) the term ''qualified contract employee'' means an individual performing work under a contract who—

(A) provides support to an excepted employee; and

(B) is required to perform work during a lapse in appropriations, as determined by the head of the agency with respect to which the contractor provides support.

SEC. 3. APPROPRIATIONS.

(a) IN GENERAL.—There are appropriated for the fiscal year ending September 30, 2019, out of any money in the Treasury not otherwise appropriated, for any period during which interim or full-year appropriations for that fiscal year are not in effect, such sums as are necessary to provide pay, allowances, and benefits for which a covered individual is otherwise eligible.

(b) APPLICABILITY.—Paragraphs (2) and (3) of section 1341(c) of title 31, United States Code, shall not apply with respect to a covered individual that is covered under subsection (a).

(c) PARTIAL HOURS.—If a covered individual performs work covered under subsection (a) for some, but not all, hours in the established work schedule of the covered individual in a pay period, the covered individual shall be placed in a furlough status or other appropriate nonpay status for all hours in that schedule that are not covered under that subsection.

(d) RULE OF CONSTRUCTION.—Nothing in subsection (a) may be construed to permit a covered individual to which that subsection applies to be placed in paid leave or other paid time off status during an applicable lapse in appropriations.

SEC. 4. RETROACTIVITY AND TERMINATION.

(a) IN GENERAL.—Subject to subsection (b), appropriations and funds made available and authority granted under this Act shall be available until whichever of the following first occurs:

(1) The enactment into law of an appropriation (including a continuing appropriation) for any purpose for which amounts are made available under section 3.

(2) The enactment into law of the applicable regular or continuing appropriations resolution or other Act without any appropriation for such purpose.

(3) September 30, 2019.

(b) SUBSEQUENT LAPSES.—Appropriations made available under section 3 may not be obligated during any period during which continuing appropriations for any purpose for which amounts are made available under section 3 are in effect.

SEC. 5. APPLICABILITY TO APPROPRIATION ACTS.

Appropriations made available under section 3 shall be available to the extent and in the manner that would be provided by the pertinent appropriations Act.

SEC. 6. CHARGE TO FUTURE APPROPRIATIONS.

Expenditures made pursuant to this Act shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

The PRESIDING OFFICER. The majority leader is recognized.

ORDERS FOR THURSDAY, JANUARY 24, 2019

Mr. MCCONNELL. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 11 a.m., Thursday, January 24; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; finally, that following leader remarks, the time until 12:30 p.m. be equally divided between the two leaders or their designees.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. MCCONNELL. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 2:05 p.m., adjourned until Thursday, January 24, 2019, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF DEFENSE

LISA M. SCHENCK, OF VIRGINIA, TO BE A JUDGE OF THE UNITED STATES COURT OF MILITARY COMMISSION REVIEW. (NEW POSITION)

THE JUDICIARY

ROSSIE DAVID ALSTON, JR., OF VIRGINIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF VIRGINIA, VICE GERALD BRUCE LEE, RETIRED.

ROY KALMAN ALTMAN, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF FLORIDA, VICE JOAN A. LENARD, RETIRED.

RAUL M. ARIAS–MARXUACH, OF PUERTO RICO, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF PUERTO RICO, VICE JOSE ANTONIO FUSTE, RETIRED.

BRIDGET S. BADE, OF ARIZONA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT, VICE BARRY G. SILVERMAN, RETIRED.

M. MILLER BAKER, OF LOUISIANA, TO BE A JUDGE OF THE UNITED STATES COURT OF INTERNATIONAL TRADE, VICE DONALD C. POGUE, RETIRED.

THOMAS P. BARBER, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF FLORIDA, VICE JAMES D. WHITTEMORE, RETIRED.

PAMELA A. BARKER, OF OHIO, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF OHIO, VICE DONALD C. NUGENT, RETIRED.

J. CAMPBELL BARKER, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF TEXAS, VICE LEONARD E. DAVIS, RETIRED.

KENNETH D. BELL, OF NORTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF NORTH CAROLINA, VICE RICHARD L. VOORHEES, RETIRED.

WENDY WILLIAMS BERGER, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF FLORIDA, VICE JOHN E. STEELE, RETIRED.

JOSEPH F. BIANCO, OF NEW YORK, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SECOND CIRCUIT, VICE REENA RAGGI, RETIRED.

JEAN–PAUL BOULEE, OF GEORGIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF GEORGIA, VICE WILLIAM S. DUFFEY, JR., RETIRED.

HOLLY A. BRADY, OF INDIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF INDIANA, VICE JOSEPH S. VAN BOKKELEN, RETIRED.

ANDREW LYNN BRASHER, OF ALABAMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF ALABAMA, VICE MARK E. FULLER, RESIGNED.

BRIAN C. BUESCHER, OF NEBRASKA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEBRASKA, VICE LAURIE SMITH CAMP, RETIRED.

JAMES DAVID CAIN, JR., OF LOUISIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF LOUISIANA, VICE PATRICIA HEAD MINALDI, RETIRED.

STEPHEN R. CLARK, SR., OF MISSOURI, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MISSOURI, VICE CAROL E. JACKSON, RETIRED.

CLIFTON L. CORKER, OF TENNESSEE, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF TENNESSEE, VICE J. RONNIE GREER, RETIRED.

DANIEL DESMOND DOMENICO, OF COLORADO, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLORADO, VICE ROBERT E. BLACKBURN, RETIRED.

PHILIP M. HALPERN, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK, VICE P. KEVIN CASTEL, RETIRED.

RICHARD A. HERTLING, OF MARYLAND, TO BE A JUDGE OF THE UNITED STATES COURT OF FEDERAL CLAIMS FOR A TERM OF FIFTEEN YEARS, VICE GEORGE W. MILLER, DECEASED.

RYAN T. HOLTE, OF OHIO, TO BE A JUDGE OF THE UNITED STATES COURT OF FEDERAL CLAIMS FOR A TERM OF FIFTEEN YEARS, VICE NANCY B. FIRESTONE, TERM EXPIRED.

KARIN J. IMMERGUT, OF OREGON, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF OREGON, VICE ANNA J. BROWN, RETIRED.

MATTHEW J. KACSMARYK, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF TEXAS, VICE MARY LOU ROBINSON, RETIRED.

DAMON RAY LEICHTY, OF INDIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF INDIANA, VICE ROBERT L. MILLER, JR., RETIRED.

THOMAS MARCELLE, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF NEW YORK, VICE GARY L. SHARPE, RETIRED.

PAUL B. MATEY, OF NEW JERSEY, TO BE UNITED STATES CIRCUIT JUDGE FOR THE THIRD CIRCUIT, VICE JULIO M. FUENTES, RETIRED.

COREY LANDON MAZE, OF ALABAMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ALABAMA, VICE VIRGINIA EMERSON HOPKINS, RETIRED.

MATTHEW WALDEN MCFARLAND, OF OHIO, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF OHIO, VICE THOMAS M. ROSE, RETIRED.

ERIC D. MILLER, OF WASHINGTON, TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT, VICE RICHARD C. TALLMAN, RETIRED.

DAVID STEVEN MORALES, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF TEXAS, VICE JANIS GRAHAM JACK, RETIRED.

SARAH DAGGETT MORRISON, OF OHIO, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF OHIO, VICE GREGORY L. FROST, RETIRED.

ERIC E. MURPHY, OF OHIO, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SIXTH CIRCUIT, VICE ALICE M. BATCHELDER, RETIRED.

CARL J. NICHOLS, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLUMBIA, VICE RICHARD W. ROBERTS, RETIRED.

HOWARD C. NIELSON, JR., OF UTAH, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF UTAH, VICE BRIAN THEADORE STEWART, RETIRED.

MICHAEL H. PARK, OF NEW YORK, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SECOND CIRCUIT, VICE GERARD E. LYNCH, RETIRED.

J. NICHOLAS RANJAN, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF PENNSYLVANIA, VICE KIM R. GIBSON, RETIRED.

NEOMI J. RAO, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT, VICE BRETT M. KAVANAUGH, ELEVATED.

CHAD A. READLER, OF OHIO, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SIXTH CIRCUIT, VICE DEBORAH L. COOK, RETIRING.

TIMOTHY M. REIF, OF THE DISTRICT OF COLUMBIA, TO BE A JUDGE OF THE UNITED STATES COURT OF INTERNATIONAL TRADE, VICE RICHARD K. EATON, RETIRED.

RODOLFO ARMANDO RUIZ II, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF FLORIDA, VICE WILLIAM J. ZLOCH, RETIRED.

ALLISON JONES RUSHING, OF NORTH CAROLINA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FOURTH CIRCUIT, VICE ALLYSON K. DUNCAN, RETIRING.

RODNEY SMITH, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF FLORIDA, VICE ROBIN S. ROSENBAUM, ELEVATED.

MICHAEL J. TRUNCALE, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF TEXAS, VICE RONALD H. CLARK, RETIRED.

WENDY VITTER, OF LOUISIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF LOUISIANA, VICE HELEN G. BERRIGAN, RETIRED.

T. KENT WETHERELL II, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF FLORIDA, VICE JOHN RICHARD SMOAK, RETIRED.

ALLEN COTHREL WINSOR, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF FLORIDA, VICE ROBERT L. HINKLE, RETIRED.

JOSHUA WOLSON, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA, VICE JAMES KNOLL GARDNER, RETIRED.

PATRICK R. WYRICK, OF OKLAHOMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF OKLAHOMA, VICE DAVID L. RUSSELL, RETIRED.

JOHN MILTON YOUNGE, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA, VICE MARY A. MCLAUGHLIN, RETIRED.

EXTENSIONS OF REMARKS

MARKING THE PASSING OF THOMAS DUNCAN

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2019

Ms. PELOSI. Madam Speaker, I rise to recognize and honor the life of a dedicated former House employee, Thomas G. Duncan, who passed away on January 16, 2019 in Fairfax, Virginia.

Tom was born June 10, 1952, in Long Beach, California, to Thomas Owen Duncan and Keith Anne Gamble Duncan and grew up in Dallas, Texas and Birmingham, Michigan. He graduated from the College of William and Mary in 1974 and the University of Virginia School of Law in 1978. Following his graduation from law school, Tom began a distinguished thirty-year career in public service in the House of Representatives. He began his work in the House in 1979 as an Assistant Parliamentarian and rose to serve as a Deputy Parliamentarian for ten years. He went on to serve with distinction as a staff member on the House Committee on Financial Services, serving as general counsel to chairman from both parties, where he consistently demonstrated his deep commitment to upholding the integrity of our institution, and advancing progress for the American people.

In his more than three decades of nonpartisan service to the House, Tom always brought the highest level of professionalism and dedication to the table. He earned the respect of Members and staff alike for his encyclopedic memory of facts and dates, and his great intellect and critical willingness to hear arguments from all sides. His unflappable demeanor delivered calm to many hard-fought battles waged by the House's most energetic and colorful Members.

Tom's many friends will always remember his great love of sports, especially his fondness for the Tigers, the Wahoos and the Washington Nationals. One never wanted to be on the opposite side of a sports trivia contest with Tom, but all will remember him as a gentleman who allowed his opponents to lose with grace. Tom could reveal a mischievous streak when it was needed most by his colleagues, best and most memorably displayed in his creation of the Hershberger Award during his days at the College of William and Mary.

Tom is survived by his beloved wife of 37 years, Alison, his two daughters, Katharine Duncan (Brent DePuy) and Taylor Duncan, and his granddaughter, Elizabeth DePuy.

The House is grateful for Tom's contributions over his thirty-year career in our institution. May it be a comfort to Tom's loved ones that so many grieve with and pray for them at this sad time.

HONORING THE LIFE OF DIONNE BAGSBY

HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2019

Ms. GRANGER. Madam Speaker, I would like to honor the life of a dear friend and true role model, Dionne Bagsby. Her advocacy and public service to Fort Worth pioneered the growth and development that we see in the community today.

Dionne was a trailblazer for minorities and women in the city of Fort Worth. With her dynamic personality and straight talk, she was able to break unprecedented racial and gender barriers throughout her life and career.

Dionne was the first woman and African-American to be elected to the Tarrant County Commissioners Court. During her tenure on the court, she hired the first Tarrant County African-American precinct administrator and greatly enhanced minority employment and participation at the county level. When she retired from the commissioner's court in 2005, the Texas Legislature honored her community service in a resolution stating, ''a distinguished 16-year tenure that has been characterized by integrity and excellence.''

Even after her retirement, she refused to stand on the sidelines. She always encouraged young women to speak with confidence and helped them aspire to careers that challenged the norm. Dionne served with a purpose, making it her mission to leave Fort Worth a better place than she found it.

Dionne Bagsby leaves behind a legacy that will impact and empower not only the Fort Worth community but the state of Texas for generations to come. I am lucky to have known someone as inspirational and dynamic as Dionne.

My thoughts are with her family during this difficult time.

COMMEMORATING ''BLACK JANUARY''

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2019

Mr. COHEN. Madam Speaker, I rise today to commemorate the 29th anniversary of the ''Black January'' killings which is one of the most tragic events in Azerbaijan's history.

On the night of January 20, 1990, approximately 26,000 Soviet troops stormed Azerbaijan's capital city of Baku in tanks and armored vehicles. That night, the Soviet military bulldozed innocent Azerbaijanis and opened indiscriminate fire on peaceful demonstrators, including women and children. As a result of these merciless acts 147 people were killed, around 800 were injured, 841 were arrested, and 5 went missing.

The Human Rights Watch report ''Black January in Azerbaijan'' states that ''among the most heinous violations of human rights during the Baku incursion were the numerous attacks on medical personnel, ambulances, and even hospitals.'' The report concludes that the violence used by the Soviet Army constituted an exercise in collective punishment and that the punishment inflicted on Baku by Soviet soldiers may have been intended as a warning to nationalists, not only in Azerbaijan, but in other Republics of the Soviet Union. I offer my thoughts and prayers to the families of those who gave their lives for the independence of Azerbaijan.

The United States and Azerbaijan are strategic allies and share common interests in the region and globally. I commend Azerbaijan's contributions to the security of the United States.

As the co-chairman of the Congressional Azerbaijan Caucus, I urge my colleagues to recognize the sacrifices of the Azerbaijani people in their steps toward a free market economy and encourage a recommitment to the democratic values for which many Azerbaijanis sacrificed their lives.

HONORING THE 50TH ANNIVERSARY OF THE MERAMEC REGIONAL PLANNING COMMISSION

HON. JASON SMITH

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2019

Mr. SMITH of Missouri. Madam Speaker, I rise today to honor the 50th Anniversary of the Meramec Regional Planning Commission (MRPC), officially established on January 23, 1969, by Governor Warren E. Hearnes. The first Board of Directors elected by MRPC were Salem Mayor Jack Masters as chairman; Leon Camillo, representative from Potosi, as vice chairman; Cuba Mayor John Brummet as secretary; and Vienna Mayor Travis John as treasurer. The scope of work has changed over the years, but the overall mission remains the same: To enhance the quality of life for the Meramec Region.

The MRPC, currently serving the counties of Crawford, Dent, Gasconade, Maries, Osage, Phelps and Pulaski, built a strong reputation throughout the area for its work in grant writing, economic development, community and emergency planning, small business loan assistance, housing rental assistance, and legislative advocacy on behalf of the region. These services are especially vital to small communities that often do not have the resources to compete with larger cities for grant funding.

I congratulate MRPC on this milestone anniversary and appreciate the vital role they play in the quality of life in the Meramec Region. Today, it is my great privilege to recognize the Meramec Regional Planning Commission before the United States House of Representatives.

IN HONOR OF MS. FRANCES TANKERSLEY

HON. LANCE GOODEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2019

Mr. GOODEN. Madam Speaker, I rise today to honor Frances Tankersley as the oldest active member of First United Methodist Church of Terrell, Texas celebrating her seventy-second year at the age of 97.

Born to Charles and Leah Deen of Emory, Texas on November 22, 1921, Frances was raised in Sweetwater and received a bachelor's degree from Texas Tech University. She met her future husband Dennis Tankersley at the United Service Organization in Lubbock. Dennis was stationed at the South Plains Army Airfield and had been a pilot in the Second World War. Upon their marriage, they moved to Terrell and began a life together raising two sons, Jim and Greg.

Her tenure at the Terrell Independent School District left all members of the community with a strong appreciation of her selflessness. Ms. Tankersley was a home economics teacher and a special education department supervisor. Additionally, she taught Sunday school at the kindergarten level at First United Methodist for many years and fostered the development of generations in our community. To this day Ms. Tankersley is involved in Relay for Life and volunteers for Meals on Wheels delivering hot lunches to those in need. She is known throughout Terrell for her kindred spirit and affectionate curiosity, as well as her love of golf and her weekly bridge matches.

Ms. Tankersley still resides in Terrell where she has been an active member of her community for decades and drives herself to her beloved church each Sunday. May her commitment to service, faith and community be an example for all of us.

PERSONAL EXPLANATION

HON. RON ESTES

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2019

Mr. ESTES. Madam Speaker, I was not present for Roll Call vote No. 44 on H.R. 676. Had I been present, I would have voted ''yea.''

PERSONAL EXPLANATION

HON. MIKE JOHNSON

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2019

Mr. JOHNSON of Louisiana. Madam Speaker, I was unavoidably detained. Had I been present, I would have voted YEA on Roll Call No. 43, MTR for H.J. Res. 28.

PERSONAL EXPLANATION

HON. DAVID LOEBSACK

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2019

Mr. LOEBSACK. Madam Speaker, I was unable to vote on January 22, 2019 due to weather, but I strongly support the NATO Support Act. Had I been present, I would have voted YEA on Roll Call No. 44, and YEA on Roll Call No. 45.

HONORING MR. ALBERT BURSTEIN

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2019

Mr. PASCRELL. Madam Speaker, I would like to call to your attention the many outstanding achievements of Mr. Albert Burstein. I recognize the many contributions he has made to the people of the Ninth Congressional District and the State of New Jersey.

Expressing the influence of Mr. Albert Burstein to our community and country is an honor. A Columbia graduate, lawyer, political reformer, state legislator and World War II veteran, Mr. Burstein stands as an example to us all. As a member of our Greatest Generation, Albert was present for many of our country's greatest challenges. It gives me great pleasure to add my personal appreciation and commendation for all that he has done.

Born on November 22, 1922, to Julius and Hannah Burstein, Albert's story begins with his family in Jersey City, New Jersey. Julius and Hannah were immigrants from Poland and Albert spoke highly of their willingness and bravery to start a new life here in the United States. I know Albert was a source of great pride flourishing in the new country they called home. Let his experience be another success story to others in pursuit of the American Dream.

On December 7, 1941, the attack on Pearl Harbor would change the lives of many Americans, Albert Burstein included. A student in his junior year at Columbia University, Albert was cognizant of the looming threat in Europe. However, the attack on Pearl Harbor would postpone his studies at Columbia University and on May 8, 1943 Albert would be dispatched to Wheeler, Georgia for basic training.

While a recruit, Albert was enrolled in the Army Specialized Training Program (ASTP). Assigned to study German history and language, Mr. Burstein was temporarily transferred to the University of Nebraska to complete his training. This endeavor would be short lived since the growing demand in Europe would abruptly end many of the U.S. Army's training programs. Moved between Louisiana and Mississippi for advanced infantry training, in the period of a month Albert was in Cherbourg, France.

Enduring the rigors of war, Albert served our country for thirty-three months in active duty. For Albert's valiant efforts in WWII, he was honored with the Bronze Star and named to the French Legion of Honor for his service in France. Albert Burstein answered the call and came home safely. WWII is one of the greatest challenges our nation has ever faced, and Albert Burstein stands as a great American who answered the call to duty.

Returning to civilian life, Albert reenrolled in Columbia University where he would meet his wife Ruth and complete his education with a law degree. Albert and Ruth would marry in December of 1950 and have three beautiful children together, Jeffrey, Diane and Laura. Living in Jersey City, Mr. Burstein established Wolf Baumann and Burstein, a place where he would work for thirty years. While living in Jersey City, Albert would get his first taste for politics starting an independent committee aimed at addressing the needs of the city and its people. Nevertheless, Albert and Ruth would move to Tenafly, New Jersey after determining they wanted to move to a quiet town.

Living in Bergen County, Albert would establish himself as a political authority. Holding office in the New Jersey State Legislature for ten years, Mr. Burstein would represent the 37th legislative district. As an Assemblyman, Mr. Burstein would serve as the Assembly Majority leader and advance many important causes during his time as a public servant. Presiding on the New Jersey Election Law Revision Committee and the Law Revision Commission, Assemblyman Burstein championed efforts to reform New Jersey's election and public financing laws.

The job of a United States Congressman involves much that is rewarding, yet nothing compares to working with and recognizing the efforts of dedicated individuals like Mr. Albert Burstein.

Madam Speaker, I ask that you join our colleagues, family, friends and the residents of the Ninth Congressional District in recognizing, Mr. Albert Burstein and his outstanding character and service to his country and community.

CELEBRATING THE LIFE OF ELIZABETH ''BETSY'' S. LUCIDO

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2019

Mr. COSTA. Madam Speaker, I rise today to celebrate the life of Mrs. Elizabeth ''Betsy'' S. Lucido, who passed away on January 12, 2019 at the age of 75. Betsy will be remembered as a loving wife, mother and for her devotion to God. Betsy cared for many families in need and was a pillar in our community. Her dedication to our Valley will be remembered for years to come.

Betsy was born on August 8, 1943 in Cleveland, Ohio to Howard & Irene Tripp. Her family later relocated to Fresno, California, where she attended St. Therese Elementary School and the Convent of the Sacred Heart of Menlo Park High School as a resident student. After high school, she attended the University of San Diego, where she met the love of her life William ''Bill'' Lucido. Betsy and Bill married in Fresno on June 6, 1964. They were blessed with four daughters, Maribeth, Anne, Kate and Monica.

Betsy radiated a ''motherly charm'' and was known for her generosity, family values and caring personality. Betsy served her community in a number of ways. She was a board member of the Central California Adoption

Services—Infant of Prague, Right to Life of Central California and the Ministers of Presence Guild of Catholic Charities. One accomplishment she was particularly proud of was her role in the founding of Catholic Charities, an organization which serves the needs of those in crisis by providing food for the hungry and hope for the weary. Betsy saw her work as an extension of one's home and love for God. She was always willing to give a helping hand and recognized everyone as a unique child of God.

Betsy's active work in the Fresno community has not gone unnoticed. She was honored by the Fresno County Women's Chamber of Commerce as the "Fresno County Mother of the Year" in 1998. In 2012, Betsy and Bill were the 2012 honorees at the Right to Life of Central California annual celebration dinner.

Betsy is survived by her husband Bill and daughters, Maribeth, Anne, Katie and Monica. She leaves behind her grandchildren Maxwell, Hemy, Logan, Paige, Lindsey, Grace and Corbin, and many close friends.

Madam Speaker, I ask my colleagues to join me in honoring the life of Elizabeth "Betsy" S. Lucido. Betsy leaves behind a remarkable legacy of love and selflessness, which helped change the lives of countless men and women in our community. It is my honor to stand with Betsy's family in celebration of her great life.

HONORING GIRLS SCOUTS OF CONNECTICUT

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2019

Ms. DeLAURO. Madam Speaker, I rise today to honor the Girl Scouts of Connecticut, and everyone who supports the Girl Scouts of the United States of America. Participating in Girl Scouts helps prepare young women to lead.

I Include in the RECORD this letter, written by Girl Scouts Connecticut CEO Ms. Mary Barneby and originally published in the New Haven Register:

GIRL SCOUTS LEADER EXPRESSES THANKS

(By Ms. Mary Barneby, Girl Scouts of Connecticut CEO)

The recently ended holiday season is a time for giving, reflection, and expressing gratitude for all we have been given. I know that I am thankful for everyone who has supported our Mission at Girl Scouts of Connecticut. Because of you, over 26,000 Girl Scouts in our state are thriving and building the skills they need to change the world.

At Girl Scouts, we put every ounce of passion and energy into ensuring a bright and equitable future for girls. It's important now more than ever that we support and pave the way for girls and women. We've definitely seen some progress: this past election season, more women ran for public office and more women went to the polls top share their voice and vote.

Girl Scouts prepares girls for life, and recent stats rom the election prove that fact. In the 116th Congress, 17 out of the 23 women in the U.S. Senate are Girl Scouts alum, and 57 percent of women representatives in the House of Representatives are Girl Scouts alums, including our own Jahana Hayes, the first African American woman from Connecticut elected to Congress!

At Girl Scouts, you become part of a global sisterhood for girls to take action, lead the way, explore the unknown, and change the world. We offer each girl unique and unparalleled opportunities to pursue what she care about, whether its technology, sports, the arts, environmentalism, and more. No matter her passion, Girl Scouts helps her live it out.

Again, thank you to everyone who helped support girls and women this year. I wish you and yours happy holidays, and look forward to having more join us in the New Year.

SHUTDOWN IMPACTS ON AN IL–09 CONSTITUENT

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2019

Ms. SCHAKOWSKY. Madam Speaker, I rise today to include in the RECORD a letter from Antonio, a constituent of mine affected by this showdown:

"I am an air traffic controller at O'Hare. This is already a stressful job, but a job that I love. This shutdown is adding an extra layer of stress to all of the controllers across the country. Our day off are the time that we have to decompress from work and focus on mitigating stress. With the shutdown going past a month, we are stressing about bills, how to put food on the table, how to pay for childcare, etc. We don't have the luxury of escaping from the stress of the job, because we come to the stress of worrying.

Finding out that our vision and dental benefits would be billed to us, with the expectation that we pay out of pocket, despite not having a paycheck for over a month, has only added to that stress. This shutdown is going to be a massive safety risk for the flying public if it doesn't end soon.

Controllers will retire or quit to find another source of income. It would be heartbreaking to have to leave this job, that I love so much, because I had to find a way to feed my family. It would mean a lot to me if there was any way this could be distributed to the other members of Congress. I feel it is a very important message for them all to see."

Everyday this week, I will be coming to the House floor to tell stories of everyday people who are affected by this Trump I Shutdown. It is time for President Trump to re-open the government and pay the hard-working Americans serving their country through public service.

PERSONAL EXPLANATION

HON. RON ESTES

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2019

Mr. ESTES. Madam Speaker, I was not present for Roll Call vote No. 45 on H.R. 328. Had I been present, I would have voted "yea."

TRIBUTE TO CRAIG W. FLOYD

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2019

Mr. HOYER. Madam Speaker, I rise to congratulate my good friend Craig W. Floyd on his retirement after thirty-four years of service as the founding Chief Executive Officer of the National Law Enforcement Officers Memorial Fund. Craig retired at the end of 2018 and leaves behind a powerful legacy of service to the men and women of law enforcement across our nation. I have been proud to work closely with Craig over the years on a cause about which we both care very deeply: honoring those who have fallen while protecting our communities.

Craig helped launch the National Law Enforcement Officers Memorial Fund in 1984, partnering with his former boss—and my friend—former Rep. Mario Biaggi of New York and others to establish a permanent memorial in Washington. In 1991, the National Law Enforcement Officers Memorial was unveiled, and it now preserves the names of 21,541 law enforcement officers who gave their lives in the line of duty. It stands as a powerful reminder to the millions of visitors to the nation's capital of the service and sacrifices of those keeping them safe back home and in every community. In 2018, the National Law Enforcement Museum was opened near the memorial to tell the stories of the men and women whose names are borne upon its walls.

Craig was instrumental in bringing this vision to completion and establishing the National Law Enforcement Officers Memorial and the National Law Enforcement Museum. Under his guidance, the National Law Enforcement Officers Memorial Fund launched the world's most comprehensive database of law enforcement officers killed in the line of duty; published To Serve and Protect—a Tribute to American Law Enforcement; built partnerships with the Department of Justice and Department of Transportation to promote officers' safety and wellbeing; and inaugurated the tradition of holding annual candlelight vigils during National Police Week in May. In many ways, these all stand not only to pay homage to the men and women of law enforcement but also as a lasting tribute to citizens like Craig W. Floyd who dedicated their careers to honoring and aiding these heroes.

I hope my colleagues will join me in thanking Craig for his service and wishing him well in his retirement. I encourage everyone to visit the National Law Enforcement Officers Memorial and the National Law Enforcement Museum in our nation's capital to learn about the service of those who put their lives on the line to protect our communities every day.

HONORING THE LIFE OF DR. RONALD WAYNE MERTHIE

HON. STEPHANIE N. MURPHY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2019

Mrs. MURPHY. Madam Speaker, I rise to honor the life and legacy of a spiritual leader in my central Florida community, Dr. Ronald Merthie, who recently passed away.

A proud son of Seminole County, Dr. Merthie attended Crooms High School, where he was elected class president. He went to Texas Southern University on an athletic scholarship and, upon graduation, returned home to become a teacher, assistant principal, and coach.

Dr. Merthie struggled with substance abuse for a period of time. But he found strength and redemption through faith, overcoming personal hardship, serving as a role model to others, and becoming a pillar of his community.

Dr. Merthie's life was filled with action and achievement. He established the New Life Word Center Church, offered spiritual guidance on a weekly broadcast, and empowered the next generation by founding a K-through-12 school.

It was Dr. King who said that ''Life's most persistent and urgent question is, 'What are you doing for others?' ''

Dr. Merthie devoted his life to serving others. He lead a good life in the most meaningful sense of the term. He will be deeply missed.

I ask my colleagues to join me in honoring this exceptional man and offering our condolences to his family and all those whose lives he touched.

INTRODUCTION OF THE VA MEDICINAL CANNABIS RESEARCH ACT

HON. J. LUIS CORREA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2019

Mr. CORREA. Madam Speaker, I have met with multiple veterans in my congressional district who attest to the therapeutic benefits of medical cannabis in managing their pain.

According to the American Legion, a significant number of veterans across the country—not just in my district—are currently using medical cannabis as an alternative treatment. With so many veterans using cannabis for therapeutic purposes, it is important that physicians have the information and research necessary to fully advice on the potential impacts of medical cannabis usage on post-traumatic stress and chronic pain. The U.S. Department of Veterans Affairs is uniquely positioned to pursue that vital research.

To that end, I am introducing the bipartisan VA Medicinal Cannabis Research Act, which requires VA to conduct clinical research on the safety and effectiveness of medical cannabis, in varying forms and delivery methods, for treating veterans diagnosed with post-traumatic stress disorder (PTSD) and veterans with chronic pain. The legislation requires VA to submit annual reports to Congress on the implementation of this bill for five years. The VA Medicinal Cannabis Research Act is a pragmatic and sensible approach to the need for additional research and could potentially save veterans' lives.

CONGRATULATING MR. JOHN ELLIOTT

HON. JIM BANKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2019

Mr. BANKS. Madam Speaker, I rise today to congratulate Mr. John Elliott on retiring from his position as Vice President and Senior Trust Officer of 1st Source Bank in Warsaw, Indiana. For nearly fifty years, John has served the northeast Indiana community with distinction as an engaged citizen, cherished friend, and valued trust officer.

John graduated with a business degree from The Ohio State University in 1966, and immediately began his storied career as a trust officer at First National Bank of Warsaw. To further his education, John enrolled at the ABA Graduate School of Banking at the University of Wisconsin, as well as the National Graduate Trust School at Northwestern University. John also spent countless hours consuming information at the Warsaw Public Library, with the ultimate goal of providing the best customer service possible.

Using his foundation in academia, John Elliott devoted himself to his clients, ensuring they made sound decisions that would provide future financial security. John built a reputation for honesty, integrity and service. He was known as someone who could be counted on, day or night, to provide exceptional support. When First National Bank was purchased by National City Bank, John partnered with Steve Wessell to open a 1st Source Personal Trust Office where he continued to serve clients with honesty and integrity.

John has held numerous board positions and is a longtime member of the Warsaw Educational Foundation, Right to Life Advisory Board, and the Warsaw Plan Commission. In 2008, John Elliott was awarded the Earnestine M. Raclin Lifetime Achievement Award, and the Warsaw/Kosciusko County Man of the Year for his service to the community. In 2018, he was awarded Optimist of the Year by the Warsaw Optimist Club.

I wish John, his wife Elaine, and their family all the best in this new chapter of life. Warsaw, Indiana thanks him for over 50 years of dedication and service.

INTRODUCTION OF THE ENDING CORPORAL PUNISHMENT IN SCHOOLS ACT OF 2019

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2019

Mr. HASTINGS. Madam Speaker, I rise today to introduce the Ending Corporal Punishment in Schools Act of 2019.

This bill would prohibit any educational institution from receiving federal funding that allows school personnel to inflict corporal punishment on students and creates grants to encourage improvements in schools, which promote positive behaviors.

Madam Speaker, corporal punishment is a form of physical punishment where someone deliberately inflicts pain on another individual in order to punish them. In schools, it includes the spanking or paddling of children by school officials.

Although corporal punishment in schools has certainly been part of this country's history, it has been a blemish on that history and must end immediately. In addition to the fact that there is no conclusive evidence that corporal punishment mollifies disruptive behavior, it is disproportionately used against African American students and children with disabilities. These punishments can result in physical as well as emotional harm to children.

Schools must be a safe place where students are protected from harm, so that they are able to thrive, grow, and learn. Sadly, 19 states still allow corporal punishments in school. Last year, more than 100,000 students were physically punished by being hit, slapped, and spanked. This is completely unacceptable.

Madam Speaker, schools must be a safe space for our children to learn. I urge my colleagues to join me in supporting this critically important bill, and hope to see its swift passage very soon.

CONGRATULATING GREG POHLMAN ON HIS INDUCTION INTO THE ILLINOIS HIGH SCHOOL BASEBALL COACHES ASSOCIATION

HON. CHERI BUSTOS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2019

Mrs. BUSTOS. Madam Speaker, I rise today to recognize Greg Pohlman, who is being inducted into the Illinois High School Baseball Coaches Association Hall of Fame. Mr. Pohlman served Carrollton Community High School for 40 years as a coach, teacher and athletic director.

Mr. Pohlman retired from his post as the baseball coach at Carrollton in 2016 after a long, successful career where he tallied up over 500 career wins. Under his leadership, the Carrollton Hawks went on to win the 2011 Illinois High School Association Class 1A State Championship following a 31 win season. This championship season gave Mr. Pohlman the record for most wins in a single season and is an outstanding coaching achievement. Mr. Pohlman's accomplishments demonstrate not only his extensive knowledge of the game, but also his commitment to the students he coached. Throughout his tenure, Mr. Pohlman rightfully earned a reputation of being a great role model to young student athletes and someone who truly gave his all to allow students to compete and learn to the best of their abilities. However, his impact went beyond the sports he coached—throughout all of his years as a teacher and coach, he tried to instill in his students and athletes the importance of being productive members of our society. Mr. Pohlman is an exceptional leader in our community and it is fitting that his years of service are being recognized in this way.

It is because of dedicated leaders such as Greg Pohlman that I am especially proud to serve Illinois' 17th Congressional District. Madam Speaker, I would like to again formally congratulate Greg Pohlman on his well-earned induction into the Baseball Coaches' Hall of Fame and thank him for all of his service to the community.

HONORING GLEN WOOD

HON. H. MORGAN GRIFFITH

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2019

Mr. GRIFFITH. Madam Speaker, I offer these remarks in honor of Glen Wood, a founder of the legendary Wood Brothers

NASCAR racing team, who died on January 18, 2019 at the age of 93. Glen Wood was a giant of auto racing, an owner and driver on the longest-running team in NASCAR history.

Stock car racing has a long and storied heritage in Southwest and Southside Virginia, and Glen Wood, a native of Stuart in Patrick County, made notable contributions of his own to the sport. A trip to Daytona Beach in 1947 fired Mr. Wood's passion for racing, but he earned his place in racing history three years later when he founded Wood Brothers Racing with his brother Leonard. As he recalled to the Associated Press, ''We started racing in 1950 with a car we bought for $50. We put No. 50 on the side of the car because it just seemed like the right thing to do.''

Wood Brothers Racing eventually changed the number to 21, and they became a powerhouse, winning 99 victories in over 1,500 starts in NASCAR's top division. Glen Wood earned four of them himself as a driver. Many of the others were won by some of the sport's greatest competitors, including Cale Yarborough, Curtis Turner, A.J. Foyt, and David Pearson, driving for the Wood Brothers team. The Wood Brothers also brought innovation to the pit stop, drastically reducing its average length. These accomplishments garnered Glen Wood many accolades, including a place in the NASCAR Hall of Fame and recognition as one of NASCAR's 50 Greatest Drivers.

Glen Wood was known for his success on the race track and for his gentlemanly demeanor off it. In his later years, he could be found at the Wood Brothers Racing Museum in Stuart greeting fans with his wife Bernece. Wood Brothers Racing remains a family business to this day, with Glen's oldest son Eddie now its president. Glen Wood was a towering figure in auto racing, and his legacy still endures. I offer my condolences to Mr. Wood's family on their loss.

IN MEMORY OF REDD REYNOLDS

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2019

Mr. WILSON of South Carolina. Madam Speaker, last week South Carolina paid deserved tribute to the late Redd Reynolds who was appreciated as the ''South Carolina Bob Hope'' of the National Guard. I include in the RECORD his thoughtful obituary, which was published January 15th in The State newspaper.

LEXINGTON.—Clarence T. ''Redd'' Reynolds, 91, went home to be with the Lord on Sunday January 13, 2019. The son of the late Henry and Lottie Reynolds, Redd was born Jan. 17, 1927 and grew up in Lexington, South Carolina, where he attended Lexington schools. He honorably served in the 78th Division of the United States Army in World War II and with the Armed Forces Radio Network. Following World War II, Redd attended Newberry College and, most importantly, married the beautiful Doris Rawl on Aug. 26, 1950.

Redd became a prominent radio personality and broadcaster at WBLR 1430 AM in Batesburg. As a result of his ties in the broadcasting industry and his patriotism, he and Doris created Caravan of Stars, a traveling music and dance group that entertained troops at military bases in Georgia, Virginia and Mississippi. Redd was considered the Bob Hope of the National Guard, producing and directing shows for more than 30 years. In 1987 he was honored with the Order of the Palmetto by Gov. Carroll Campbell.

Redd was a committed member of American Legion Post 7 for more than five decades, dedicating his time and talents to the cultivation of his beloved community. He made significant contributions to the Palmetto Boys and Girls State programs, as well as American Legion Post 7 baseball. He also served on Lexington Medical Center's board of trustees from 1978 to 1987.

In 2012, Redd was thrilled to be selected for the Honor Flight program, joining other South Carolina World War II veterans on a trip to visit war memorials in Washington, D.C.

Redd was a vibrant member of St. John's Lutheran Church in Lexington, serving with Lutheran Men in Mission and as a Sunday School teacher, Young at Heart member and church council member. He and Doris also teamed tirelessly to care for the grounds of St. John's. If it was happening in God's house, Redd participated.

Surviving Redd are his wife of 68 years, Doris; children Terry (Anne) Reynolds, Phil (Janice) Reynolds, Jandell (Richard) Morrison and Barry (Jeanne) Reynolds; grandchildren Clay (Lindsey) Reynolds, Justin (Rachel) Reynolds, David (Ann Marie) Reynolds, Macaulay Morrison and Caroline Morrison; and great-grandchildren Cale, Jack Wyatt and Amelia Reynolds. Redd was predeceased by his two sisters, Betty Hutto and Pauline Salter.

The family will receive friends and the community at Barr-Price Funeral Home and Crematorium, Lexington Chapel from 5:00 p.m. to 7:00 p.m. Tuesday, January 15, 2019. A celebration of life and interment will be held at St. John's Lutheran Church 3:00 p.m. Wednesday January 16, 2019. In lieu of flowers, the family requests donations be made to St. John's Lutheran Church or to the Redd and Doris Family ROTC Grant-in-Aid at Clemson University. (Mail to Deborah Towery, Clemson University Foundation, P.O. Box. 1889, Clemson, SC. 29633.)

HONORING RABBI EPHRAIM SIMON OF TEANECK

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2019

Mr. PASCRELL. Madam Speaker, I rise today to acknowledge the outstanding and selfless achievements of Rabbi Ephraim Simon.

Rabbi Simon is the director of Chabad of Teaneck, New Jersey. As a rabbi, he has focused his studies on the three intellectual divisions of wisdom, comprehension, and knowledge but also a great focus on responsibility and love. For some, these may just seem like religious principles, but to Rabbi Simon they are more than that: they are guiding outlines for how to live one's life that he emphasizes every day in service to his community.

Rabbi Simon's commitment to community and charity was evident in 2009 when the rabbi selflessly donated one of his kidneys to a total stranger. This noble act saved the life of a father of 10. Because of Rabbi Simon's generosity, he inspired others in the Teaneck community to follow in his footsteps and register as organ donors.

Rabbi Simon could have stopped there, but he did not. Nearly a decade later he saved yet another stranger's life. Enduring a difficult surgery, on December 20, 2018 Rabbi Simon donated a third of his liver to Adam Levitz, a father of three suffering from critical liver failure. This act of goodness has given Mr. Levitz a new chance at life.

To give a kidney or a liver is an act very few can say they have done, to have given both to complete strangers is an act of generosity unknown to nearly all of us. The rarity of these procedures is not only due to a requirement of great courage and selflessness, but also due to the great physical risks they carry for the health of the donor. Donating part of one's liver, when one also only has one kidney, has such risks of complications that Rabbi Simon and Mr. Levitz could only find one clinic in the country who would perform the procedure.

Rabbi Simon's inspiring acts are done not for publicity, but out of a desire to inspire others to have a positive impact on those around them. In the words of Rabbi Simon, ''a rabbi's greatest lesson is how he lives his life.''

Madam Speaker, Rabbi Simon's selfless acts serve as an inspiration not just to his wife and nine children, but also to the community in Northern New Jersey and across our country. Rabbi Simon deserves great respect for his deeds.

To honor Rabbi Simon and his acts, I wish to recognize his commitments to saving lives and improving the world around him.

PERSONAL EXPLANATION

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2019

Mr. HUDSON. Madam Speaker, I was unavoidably detained.

Had I been present, I would have voted YEA on Roll Call No. 44, and YEA on Roll Call No. 45.

PERSONAL EXPLANATION

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2019

Ms. SCHAKOWSKY. Madam Speaker, on January 22, 2019, I missed recorded votes No. 44 and No. 45 due to travel delays.

Had I been present, on Roll Call No. 44, I would have voted YEA (Passage of H.R. 328); and on Roll Call No. 45, I would have voted YEA (Passage of H.R. 676).

PERSONAL EXPLANATION

HON. VICENTE GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2019

Mr. GONZALEZ of Texas. Madam Speaker, I was unable to cast my vote on January 22, 2019 for Roll Call Vote 44 and Roll Call Vote 45. Had I been present, my vote would have been the following: ''yea'' on Roll Call Vote 44 and ''yea'' on 45.

TRIBUTE TO THE STAFF OF THE CAPITAL GAZETTE, RECOGNIZED AMONG TIME MAGAZINE'S PERSON OF THE YEAR HONOREES

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2019

Mr. HOYER. Madam Speaker, I rise to pay a heartfelt tribute to the men and women of the Capital Gazette. The staff at the daily paper, based in Annapolis and covering news across Anne Arundel County and the surrounding area, were recognized last month by TIME as one of its 'Person of the Year' honorees. They joined murdered Saudi journalist Jamal Khashoggi; Maria Ressa, a reporter in the Philippines working to expose corruption amid the country's drug war; and Burmese journalists Kyaw Soe Oo and Wa Lone, imprisoned for covering the plight of Rohingya refuges. TIME's award focused on the dangers facing journalists as they seek to fulfill their role as 'guardians' of truth. At the Capital Gazette, that danger took the form of a deadly mass shooting on June 28, 2018, which killed five employees and injured several others.

On that tragic day, a gunman entered the Capital Gazette offices in Annapolis and took the lives of Gerald Fischman, Rob Hiaasen, John McNamara, Wendi Winters, and Rebecca Smith. It was a targeted attack by a mentally disturbed individual who should never have been able to acquire dangerous firearms. The attack came after months of vitriol leveled at the press, where reporters were called 'enemy of the people' and lambasted as purveyors of 'fake news.' To their credit, even after this deadly shooting took the lives of their friends and colleagues and after having to endure threats targeted at them and other journalists, the staff of the Capital Gazette continued their important work of reporting the news to the people of Maryland and released an edition of the paper the very next day. They would not be deterred from their mission, so critical to our open and deliberative democracy.

Madam Speaker, I hope all of the Members of this House will join me in congratulating the Capital Gazette and thanking its staff for the hard work they do every day—as well as all the members of the press who are risking danger to report the news. We must continue to stand up for the freedom of the press, which is critical to the liberty of our people and to all nations around the world.

PERSONAL EXPLANATION

HON. JOSH HARDER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2019

Mr. HARDER. Madam Speaker, I missed these votes because of travel delay.

Had I been present, I would have voted YEA on Roll Call No. 44, and YEA on Roll Call No. 45.

CONGRATULATING THE SAUK VALLEY AREA OF COMMERCE ON RECEIVING A FIVE-STAR ACCREDITATION FROM THE UNITED STATES CHAMBER OF COMMERCE

HON. CHERI BUSTOS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2019

Mrs. BUSTOS. Madam Speaker, I rise today to congratulate the Sauk Valley Area Chamber of Commerce on receiving a Five-Star Accreditation from the United States Chamber of Commerce. The Sauk Valley Area Chamber of Commerce was one of 120 chambers across the nation to receive this accreditation this past year.

Founded in 1912, the Sauk Valley Area Chamber of Commerce has gone on to develop their organization's abilities into one of the finest in the nation. The Sauk Valley Area Chamber of Commerce represents many communities across both Illinois and Iowa, where they work to expand economic opportunities in the region. With this accreditation, it is clear the Sauk Valley Area will continue to benefit from the efforts of this organization as we begin the new year. I am impressed by the work they have done to improve the well-being of local businesses across our region and congratulate them on a job well done. As we look to the future, I am eager to see how the Sauk Valley Area Chamber of Commerce builds upon this distinction and uses it to expand upon their successes and continue to improve the local business community. A strong workforce is key to a strong community, and this five-star recognition speaks volumes to that commitment.

It is because of groups such as the Sauk Valley Area Chamber of Commerce that I am especially proud to serve Illinois' 17th Congressional District. Madam Speaker, I would like to again formally congratulate the Sauk Valley Area Chamber of Commerce on its five-star accreditation and thank them for their service to our community.

CONGRATULATING TONY ANDERSON FOR RECEIVING THE 2018 DISTINGUISHED SERVICE AWARD

HON. JACK BERGMAN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2019

Mr. BERGMAN. Madam Speaker, it's my honor to recognize Tony Anderson for receiving the 2018 Distinguished Service Award from the Traverse City Area Chamber of Commerce. Through his exceptional leadership and steadfast devotion to his community, Tony has become an indispensable part of Northern Michigan.

Since 1929, the Distinguished Service Award has been given to leaders who have had a tremendously positive impact on the Traverse City area. Through his decades of service to his community, Tony has shown himself to be more than deserving of this honor. Through his Marathon4Kids organization, Tony has completed 43 marathons in 43 states and raised more than $400,000 for Big Brothers Big Sisters of Northwest Michigan. This year, he plans on running in Mississippi, Idaho, Kansas, and New Mexico as a part of his mission to complete marathons in all 50 states and the District of Columbia.

Tony's determination has been previously recognized on multiple occasions, including being named "Volunteer of the Year" at the 2012 Michigan Governor's Service Awards. In addition to his work with Marathon4Kids, Tony has served as a volunteer firefighter, an emergency medical technician, and as a key member of the Traverse City Area Chamber of Commerce. Additionally, he is the former president of the Freedom Builders—a faith-based organization that provides housing assistance to the local community. The impact of his work in Traverse City and across Michigan cannot be understated.

Madam Speaker, it's my honor to congratulate Tony Anderson for receiving the 2018 Distinguished Service Award. Michiganders can take great pride in knowing the First District is home to such a selfless leader. On behalf of my constituents, I wish Tony all the best in his future endeavors.

DIRECTING SECRETARY OF STATE TO DEVELOP STRATEGY TO REGAIN OBSERVER STATUS FOR TAIWAN IN WORLD HEALTH ORGANIZATION

SPEECH OF

HON. TED S. YOHO

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 2019

Mr. YOHO. Mr. Speaker, I rise in support of H.R. 353, my bill that directs the Secretary of State to develop a strategy to regain observer status for Taiwan in the World Health Organization.

I would first like to thank Chairman ENGEL and Ranking Member MCCAUL for working with my team to bring this great legislation to the floor. From 2009 to 2016, Taiwan attended the World Health Assembly, the World Health Organization's annual summit, under the status of an observer. However, following the election of Taiwan's current President Tsai Ing-wen, the People's Republic of China has stepped up its campaign to marginalize Taiwan's participation in the international community. In 2017 and 2018, due to increased political pressure from the People's Republic of China, Taiwan did not receive an invitation to the World Health Assembly.

Taiwan's exclusion from the World Health Assembly, serves no purpose other than to placate Beijing's insecurity. The World Health Organization exists to address shared transnational health challenges, and Taiwan has proven time and again that it is a model contributor to world health. Since 1996, Taiwan has invested over $6 billion in international medical and humanitarian aid efforts impacting over 80 countries.

The United States and the U.S. Congress have long supported Taiwan's participation in international organizations, and this legislation will continue this important work. My bill will help ensure that the U.S. diplomatic strategy to advocate for Taiwan's presence at the World Health Assembly adapts to Beijing's increased efforts to box out Taiwan. A similar

bill, which I introduced in the 115th Congress, passed the House with unanimous support.

Taiwan is a benevolent actor on the international stage, and it deserves to keep the place it has earned. The next World Health Assembly will take place in May of this year. Passage of my bill will be a timely opportunity for the House to recommit to longstanding U.S. policy, and take a firm stand in the face of Beijing's increasingly oppressive tactics. I urge my colleagues to support Taiwan's participation in the World Health Organization as an observer by supporting this legislation.

SENIOR BISHOP McKINLEY YOUNG

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2019

Mr. LEWIS. Madam Speaker, I am saddened to share that my friend passed away last week. I rise today with a heavy heart to recognize Senior Bishop McKinley Young, who served as the 109th Bishop from Big Bethel AME Church in Atlanta since 1992.

One of the beloved sons of Atlanta, he was a man of the people and for the people. After completing his studies in Atlanta's public schools, Bishop Young continued his education by earning degrees from Morris Brown College, Andover Newton Theological School, and the University of Chicago Divinity School. An additional six institutions of higher education recognized him with honorary doctorate degrees.

Over the years, the Bishop pastored in Providence, Rhode Island, Chicago and Evanston, Illinois, but Atlanta was always home. In our community, he was committed to the souls of his congregants and service to our society.

Throughout Metro Atlanta, Bishop Young initiated voter registration, education, mobilization, which led to a day of action at the Georgia State Capitol. He was an active supporter of the African Methodist Episcopal Church Service and Development Agency (AME–SADA) for over 20 years and most recently served as chair of the board. Bishop Young also served as the president of the Council of Bishops and the General Board and chaired the Commissions on Women in Ministry, Global Witness and Ministry, Annuity Investments and Insurance, and the Commission on Church Growth and Development.

This great man spoke up and spoke out on behalf of those who had no one to speak for them. Bishop Young worked tirelessly to give hope and opportunity to those, who were left out and left behind. He ministered to those who were lost in the wilderness of despair. In my heart of hearts I know that the impact of his prophetic leadership will be felt by generations yet unborn.

Madam Speaker, today, I offer my deepest condolences to his loving wife, Dorothy Jackson Young; children, Karyn (Ron) Young-Lowe, Deana (Julius) McAllister, Andrea (Roderick) Jones and Stephanie Lynn Young; grandchildren, Jennifer Renee and Jessica Christina Lowe, Julius III, Colin and Dylan McAllister, Peyton, Noah and Miles Jones. I thank them for sharing this ''faithful giant'' with us.

INTRODUCTION OF THE DISTRICT OF COLUMBIA PAPERWORK REDUCTION ACT

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2019

Ms. NORTON. Madam Speaker, today, I introduce the District of Columbia Paperwork Reduction Act to eliminate the wasteful congressional review process for legislation passed by the District of Columbia Council and to align longtime congressional practice and the law. The congressional review process for D.C. bills is almost entirely ignored by Congress, providing it no benefit, but imposes substantial costs (in time and money) on the District. Congress has almost always used the appropriations process, rather than the disapproval process, to block or nullify D.C. bills and entirely abandoned the congressional review process as its mechanism for nullifying D.C. bills 24 years ago, having only used it three times before then. Yet Congress still requires the D.C. Council to use Kafkaesque make-work procedures to comply with the abandoned congressional review process established by the D.C. Home Rule Act.

Our bill would eliminate the congressional review process for bills passed by the D.C. Council. However, Congress would lose no authority it currently exercises because, even upon enactment of this bill, Congress would retain its authority under Clause 17 of Section 8 of Article I of the U.S. Constitution to amend or overturn any D.C. laws at any time.

The congressional review process (30 days for civil bills and 60 days for criminal bills) includes those days when either house of Congress is in session, delaying D.C. bills from becoming law, often for many months. The delay forces the D.C. Council to pass most bills several times, using a cumbersome and complicated process to ensure that the operations of this large and rapidly changing city continue uninterrupted, avoiding a lapse of a bill before it becomes final. The congressional calendar means that a 30-day period usually lasts a couple of months and often much longer because of congressional recesses. For example, the congressional review period for a bill that changed the word ''handicap'' to ''disability'' lasted nine months. The Council estimates that 50 to 65 percent of the bills it passes could be eliminated if the review process did not exist. To ensure that a bill does not lapse, the Council often must pass the same bill in three forms: emergency (in effect for 90 days), temporary (in effect for 225 days) and permanent. Moreover, the Council has to carefully track the days the House and Senate are in session for each D.C. bill it passes to avoid gaps and to determine when the bills have taken effect. The Council estimates that it could save 5,000 employee hours and 160,000 sheets of paper per two-year Council period if the review process were eliminated. House Minority Leader Kevin McCarthy addressed the issue of saving such resources by eliminating the amount of paperwork sent to Congress when he proposed a cut in the number of reports that federal agencies are required to submit to Congress. Our bill is a perfect candidate because it eliminates a paperwork process that repeats itself without interruption.

My bill would do no more than align the Home Rule Act with congressional practice over the last 24 years. Of the more than 5,000 legislative acts transmitted to Congress since the Home Rule Act was passed in 1973, only three resolutions disapproving D.C. bills have been enacted (in 1979, 1981, and 1991) and two of those mistakenly involved federal interests—one in the Height Act and the other in the location of chanceries. Placing a congressional hold on more than 5,000 D.C. bills has not only proven unnecessary, but has imposed costs on the D.C. government, residents and businesses. District residents and businesses are also placed on hold because they have no certainty when D.C. bills, from taxes to regulations, will take effect, making it difficult to plan. It is particularly unfair to require the D.C. Council to engage in this unnecessary, labor-intensive and costly process. My bill would only eliminate the automatic hold placed on D.C. bills and the need for the D.C. Council to comply with a process initially created for the convenience of Congress, but that is now almost never used. This bill would promote efficiency and cost savings for Congress, the District and D.C. residents and businesses without reducing congressional oversight, and would carry out the policy stressed by Congress of eliminating needless paperwork and make-work redundancy.

I urge my colleagues to support this good-government measure.

PERSONAL EXPLANATION

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2019

Mr. McGOVERN. Madam Speaker, I was unavoidably absent on Tuesday, January 22, 2019.

On Roll Vote No. 44, on passage of H.R. 676—NATO Support Act, if I had been present I would have voted YES.

On Roll Call Vote No. 45, on passage of H.R. 328—Hack Your State Department Act, if I had been present, I would have voted YES.

OBSERVING THE 29TH ANNIVERSARY OF BLACK JANUARY

HON. STEVE CHABOT

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 23, 2019

Mr. CHABOT. Madam Speaker, I rise today in observance of the 29th anniversary of Black January, January 20, a historic and tragic day in the history of the country of Azerbaijan and to remember the lives lost at the hands of Soviet brutality 29 years ago.

On the night of January 20, 1990, 26,000 Soviet troops invaded the capital city of Baku and surrounding areas. As a result of this violent crackdown on the Azerbaijani people, more than 147 innocent civilians died, around 800 people were injured, and hundreds were arrested. This event has remained embedded in Azerbaijan's national history and in the minds of its citizens as ''Black January.'' This tragic event is seen as the rebirth of the Azerbaijan Republic.

This attack was a desperate attempt to squelch the independence movement that was gaining momentum in Azerbaijan and to rescue the totalitarian regime, the rule of Communist Party, and the whole Soviet Union. This attack, however, produced opposite results, further inflaming the independence movement in Azerbaijan as well as those in other Republics of the former Soviet Union.

Popular pressure led the country to break away from Soviet rule and declare its independence. On August 30, 1991, Azerbaijan's Parliament adopted the Declaration on the Restoration of the State Independence of the Republic of Azerbaijan, and on October 18, 1991, the Constitutional Act on the State Independence of the Republic of Azerbaijan was approved.

November 1991 marked the beginning of international recognition of Azerbaijan's independence. The United States was among the first nations to recognize the young country's independence when we established diplomatic relations on February 28, 1992 and opened an embassy in Baku in March.

Today, the U.S. and Azerbaijan share many interests and objectives for the region as we cooperate on a broad range of issues, especially energy development and security concerns.

I encourage my colleagues to join with me and the Azerbaijani people as they remember this tragedy.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, January 24, 2019 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JANUARY 29

9:30 a.m.
Select Committee on Intelligence
To hold hearings to examine worldwide threats.
SH–216

10 a.m.
Committee on Armed Services
To hold hearings to examine China and Russia.
SD–G50

Committee on Environment and Public Works
To hold hearings to examine the nomination of Nicole R. Nason, of New York, to be Administrator of the Federal Highway Administration, Department of Transportation.
SD–406

Committee on Health, Education, Labor, and Pensions
To hold hearings to examine access to care, focusing on health centers and providers in underserved communities.
SD–430

Committee on Homeland Security and Governmental Affairs
Organizational business meeting to consider committee rules and an original resolution authorizing expenditures by the committee during the 116th Congress.
SD–342

10:15 a.m.
Committee on Finance
To hold hearings to examine drug pricing in America.
SD–215

12:15 p.m.
Committee on Rules and Administration
Business meeting to consider committee rules and an original resolution authorizing expenditures by the Committee during the 116th Congress.
S–219

1 p.m.
Select Committee on Intelligence
To hold closed hearings to examine worldwide threats.
SH–219

2:30 p.m.
Committee on Armed Services
Subcommittee on Cybersecurity
To hold hearings to examine Department of Defense enterprise-wide cybersecurity policies and architecture.
SR–222

Committee on the Budget
To hold hearings to examine the Congressional Budget Office's budget and economic outlook, focusing on fiscal years 2019–2029.
SD–608

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S483–S540

Measures Considered:

Strengthening America's Security in the Middle East Act: Senate began consideration of the motion to proceed to consideration of S. 1, to make improvements to certain defense and security assistance provisions and to authorize the appropriation of funds to Israel, to reauthorize the United States-Jordan Defense Cooperation Act of 2015, and to halt the wholesale slaughter of the Syrian people.

Pages S483–97

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that Senator Murkowski be authorized to sign duly enrolled bills or joint resolutions, Wednesday, January 23, 2019. **Page S490**

Nominations Received: Senate received the following nominations:

Lisa M. Schenck, of Virginia, to be a Judge of the United States Court of Military Commission Review.

Rossie David Alston, Jr., of Virginia, to be United States District Judge for the Eastern District of Virginia.

Roy Kalman Altman, of Florida, to be United States District Judge for the Southern District of Florida.

Raul M. Arias-Marxuach, of Puerto Rico, to be United States District Judge for the District of Puerto Rico.

Bridget S. Bade, of Arizona, to be United States Circuit Judge for the Ninth Circuit.

M. Miller Baker, of Louisiana, to be a Judge of the United States Court of International Trade.

Thomas P. Barber, of Florida, to be United States District Judge for the Middle District of Florida.

Pamela A. Barker, of Ohio, to be United States District Judge for the Northern District of Ohio.

J. Campbell Barker, of Texas, to be United States District Judge for the Eastern District of Texas.

Kenneth D. Bell, of North Carolina, to be United States District Judge for the Western District of North Carolina.

Wendy Williams Berger, of Florida, to be United States District Judge for the Middle District of Florida.

Joseph F. Bianco, of New York, to be United States Circuit Judge for the Second Circuit.

Jean-Paul Boulee, of Georgia, to be United States District Judge for the Northern District of Georgia.

Holly A. Brady, of Indiana, to be United States District Judge for the Northern District of Indiana.

Andrew Lynn Brasher, of Alabama, to be United States District Judge for the Middle District of Alabama.

Brian C. Buescher, of Nebraska, to be United States District Judge for the District of Nebraska.

James David Cain, Jr., of Louisiana, to be United States District Judge for the Western District of Louisiana.

Stephen R. Clark, Sr., of Missouri, to be United States District Judge for the Eastern District of Missouri.

Clifton L. Corker, of Tennessee, to be United States District Judge for the Eastern District of Tennessee.

Daniel Desmond Domenico, of Colorado, to be United States District Judge for the District of Colorado.

Philip M. Halpern, of New York, to be United States District Judge for the Southern District of New York.

Richard A. Hertling, of Maryland, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

Ryan T. Holte, of Ohio, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

Karin J. Immergut, of Oregon, to be United States District Judge for the District of Oregon.

Matthew J. Kacsmaryk, of Texas, to be United States District Judge for the Northern District of Texas.

Damon Ray Leichty, of Indiana, to be United States District Judge for the Northern District of Indiana.

Thomas Marcelle, of New York, to be United States District Judge for the Northern District of New York.

Paul B. Matey, of New Jersey, to be United States Circuit Judge for the Third Circuit.

Corey Landon Maze, of Alabama, to be United States District Judge for the Northern District of Alabama.

Matthew Walden McFarland, of Ohio, to be United States District Judge for the Southern District of Ohio.

Eric D. Miller, of Washington, to be United States Circuit Judge for the Ninth Circuit.

David Steven Morales, of Texas, to be United States District Judge for the Southern District of Texas.

Sarah Daggett Morrison, of Ohio, to be United States District Judge for the Southern District of Ohio.

Eric E. Murphy, of Ohio, to be United States Circuit Judge for the Sixth Circuit.

Carl J. Nichols, of the District of Columbia, to be United States District Judge for the District of Columbia.

Howard C. Nielson, Jr., of Utah, to be United States District Judge for the District of Utah.

Michael H. Park, of New York, to be United States Circuit Judge for the Second Circuit.

J. Nicholas Ranjan, of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania.

Neomi J. Rao, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit.

Chad A. Readler, of Ohio, to be United States Circuit Judge for the Sixth Circuit.

Timothy M. Reif, of the District of Columbia, to be a Judge of the United States Court of International Trade.

Rodolfo Armando Ruiz II, of Florida, to be United States District Judge for the Southern District of Florida.

Allison Jones Rushing, of North Carolina, to be United States Circuit Judge for the Fourth Circuit.

Rodney Smith, of Florida, to be United States District Judge for the Southern District of Florida.

Michael J. Truncale, of Texas, to be United States District Judge for the Eastern District of Texas.

Wendy Vitter, of Louisiana, to be United States District Judge for the Eastern District of Louisiana.

T. Kent Wetherell II, of Florida, to be United States District Judge for the Northern District of Florida.

Allen Cothrel Winsor, of Florida, to be United States District Judge for the Northern District of Florida.

Joshua Wolson, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

Patrick R. Wyrick, of Oklahoma, to be United States District Judge for the Western District of Oklahoma.

John Milton Younge, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania. **Page S540**

Messages from the House: **Pages S497–98**

Measures Referred: **Page S498**

Executive Communications: **Page S498**

Additional Cosponsors: **Page S498**

Additional Statements: **Page S497**

Amendments Submitted: **Pages S498–S540**

Adjournment: Senate convened at 11 a.m. and adjourned at 2:05 p.m., until 11 a.m. on Thursday, January 24, 2019. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S540.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 27 public bills, H.R. 712–738; and 7 resolutions, H. Con. Res. 6; and H. Res. 67–72 were introduced. **Pages H1170–71**

Additional Cosponsors: **Pages H1172–73**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein she appointed Representative DelBene to act as Speaker pro tempore for today. **Page H1001**

Recess: The House recessed at 11:16 a.m. and reconvened at 12 noon. **Page H1009**

Journal: The House agreed to the Speaker's approval of the Journal by voice vote. **Pages H1010, H1024**

Whole Number of the House: The Speaker announced to the House that, in light of the resignation of the gentleman from Pennsylvania, Mr. Marino, the whole number of the House is 433.

Page H1010

Further Additional Continuing Appropriations Act, 2019: Pursuant to the order of the House of January 17, 2019, the House resumed consideration and passed H.J. Res. 28, making further continuing appropriations for fiscal year 2019, by a yea-and-nay vote of 229 yeas to 184 nays, Roll No. 46.

Pages H1022–23

Committee Elections: The House agreed to H. Res. 67, electing Members to certain standing committees of the House of Representatives. **Page H1024**

Consolidated Appropriations Act, 2019: The House passed H.R. 648, making appropriations for the fiscal year ending September 30, 2019, by a yea-and-nay vote of 234 yeas to 180 nays, Roll No. 49.

Pages H1024–H1159

Rejected the Granger motion to recommit the bill to the Committee on Appropriations with instructions to report the same back to the House forthwith with an amendment, by a yea-and-nay vote of 200 yeas to 215 nays, Roll No. 48. **Pages H1158–59**

H. Res. 61, the rule providing for consideration of the bill (H.R. 648) and the joint resolution (H.J. Res. 31) was agreed to by a yea-and-nay vote of 223 yeas to 190 nays, Roll No. 47, after the previous question was ordered without objection.

Pages H1012–22, H1023–24

Committee Elections: The House agreed to H. Res. 68, electing Members to certain standing committees of the House of Representatives. **Pages H1159–60**

Meeting Hour: Agreed by unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow, January 24th. **Page H1160**

Quorum Calls—Votes: Four yea-and-nay votes developed during the proceedings of today and appear on pages H1022–23, H1023–24, H1158–59, and H1159. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 5:31 p.m.

Committee Meetings

No hearings were held.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR THURSDAY, JANUARY 24, 2019

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Energy and Natural Resources: to hold hearings to examine the United States' overall role in the Arctic from a domestic and international perspective, including natural resource development and environmental stewardship, 10 a.m., SD–366.

House

Committee on Armed Services, Full Committee, organizational meeting, 10 a.m., 2118 Rayburn.

Committee on Energy and Commerce, Full Committee, organizational meeting, 10 a.m., 2123 Rayburn.

Committee on the Judiciary, Full Committee, organizational meeting, 10 a.m., 2141 Rayburn.

Committee on Ways and Means, Full Committee, organizational meeting, 10 a.m., 1100 Longworth.

Full Committee, hearing entitled ''The Shutdown's Impact on the Department of Treasury and American Taxpayers'', 10:30 a.m., 1100 Longworth.

Next Meeting of the SENATE

11 a.m., Thursday, January 24

Senate Chamber

Program for Thursday: Senate will vote on the motions to invoke cloture on McConnell (for Shelby) Amendment No. 5, and Schumer Amendment No. 6, both to H.R. 268, Supplemental Appropriations Act, at 2:30 p.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Thursday, January 24

House Chamber

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