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No. 103

## House of Representatives

The House met at 10 a.m. and was called to order by the Speaker.

### MORNING-HOUR DEBATE

The SPEAKER. 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.

### THE PRESIDENT IS NOT ABOVE THE LAW

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

Mr. GREEN of Texas. Madam Speaker, and still I rise. I rise because I love my country, and I rise today because we are celebrating and commemorating, to a certain extent, Juneteenth, when General Gordon Granger arrived in Galveston, Texas, to alert, announce to the slaves, if you will, that they had been freed pursuant to the Emancipation Proclamation.

I am pleased that General Granger did this. I am pleased because liberation is a wonderful thing. Nobody should be enslaved. But I am also concerned that that liberation has not completely obliterated the bigotry that ensued after the liberation.

In this country, we still suffer from bigotry, hatred, racism, homophobia, xenophobia, Islamophobia, all of the various ugliness that can cause some people to receive less than the American Dream that others receive.

And here in this country today, we, in the House of Representatives, have a

unique opportunity to do something about bigotry in our country. We have an opportunity to do something about a President who has now been above the law for some 63 days, 63 days since the Mueller report was presented to the public, 63 days above the law since the Mueller report.

My contention is he has been above the law since he fired Mr. Comey some 2 years plus ago. But the President being above the law is something that can be remedied.

Babies shouldn't be separated from their parents. I read a story just yesterday about the youngest person to be separated, a 4-month-old baby, separated from parents for approximately 6 months. The baby was separated for such a prolonged period of time that the baby did not recognize the parents when the unity took place with the parents, the reuniting took place.

I am so saddened by these kinds of incidents, but the truth is, the House of Representatives can do something about bigotry emanating from the Presidency. The House of Representatives can impeach a President for bigotry emanating from his Presidency.

And I believe that this House should do this, but I am also saddened by the fact that we appear to be a House that is driven by polls.

Polls direct us, snapshots in time, about the opinions of the public. I am saddened by the fact that we seem to be driven by polls because I can only imagine what would have happened had they taken a poll before crossing the Edmund Pettus Bridge on Bloody Sunday.

I can only imagine what the poll would have said if Rosa Parks had taken one before she took that seat in a racist southern town on that bus.

I can only imagine what the polls would have said if Lincoln had decided to poll the country before moving forward with the Emancipation Proclamation or the 13th Amendment.

Polls should not drive a righteous cause; a righteous cause should drive the polls.

It is time for this Congress that has the authority to move forward with impeachment to do so. We have not served our country well by relying on polls. Polls are wonderful, but not for righteous causes.

With a righteous cause, you take a stand, and you move forward. When you don't take that cause, you are not serving a righteous cause well.

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

### INTRODUCING THE FEED EMERGENCY ENHANCEMENT DURING DISASTERS ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from South Dakota (Mr. JOHNSON) for 5 minutes.

Mr. JOHNSON of South Dakota. Mr. Speaker, it is wet in farm country. In fact, our corn planting is so far behind that many South Dakota producers aren't quite sure how they are going to feed the 5 million cattle that are in our State.

Now, these producers don't want a new government program. They cannot feed their cattle dollar bills. What they want, what they need, is the flexibility to help themselves.

That is why Congresswoman ANGIE CRAIG and I introduced the FEEDD Act. It would provide the USDA the flexibility needed so that producers can go in and hay, graze, or chop cover crops that are on prevent plant acres and do that before November 1. Moving that date from November 1 to September 1 could make a real impact. The forage we need will come from those acres. It will come from that flexibility.

Already this bill has received 27 co-sponsors and has been endorsed by 17

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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national ag groups. I look forward to working with them, to working with the Agriculture Committee, to working with House leadership to move this concept forward.

We also have another option. USDA could do this administratively, and we continue to discuss with them the opportunity to get this success in that way.

#### INVESTING IN GUN VIOLENCE RESEARCH

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

Mrs. MCBATH. Mr. Speaker, I rise today to urge action to end the public health crisis of gun violence.

Every day, nearly 100 people are killed in suicides, homicides, and accidents involving guns, but we have not invested nearly enough in preventing these deaths. Of the top 30 causes of death, 29 received more research funding than guns. But today, this body will vote to invest in gun violence research at the Centers for Disease Control and the National Institutes of Health.

I recently visited the Centers for Disease Control Injury Center which is in my district. With this critical funding, they will learn how we can prevent gun tragedies. This investment is long overdue, and I was proud to lead my colleagues in asking for this funding.

We have the responsibility to pursue life-saving research, and today we vote to end gun violence.

As a survivor of gun violence, I could not be more proud of the measures that we have taken to save the countless numbers of lives that may be affected by gun violence in the future. The time has passed for my son. The time has passed for others like my son who was killed unnecessarily due to gun violence, but I am so grateful for this day.

I am so grateful for the funding for the research that will save many, many lives for generations to come.

#### RECOGNIZING HONDA MANUFACTURING

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

Mr. PENCE. Mr. Speaker, I rise today to recognize Honda Manufacturing of Indiana for reaching the milestone of 2 million vehicles built in Indiana. This accomplishment is a testament to Honda's commitment to Indiana, the Sixth District, and to Greensburg. It is also a testament to the strength and capabilities of our workforce in the Sixth District and across Indiana.

With employment of more than 2,500 Hoosiers and investment exceeding \$1 billion, Honda Manufacturing of Indiana now has the capacity to produce 250,000 vehicles a year. In 2018 alone, Honda purchased more than \$2.2 billion in parts from 51 suppliers located in Indiana.

On behalf of the people of Indiana's Sixth Congressional District, I want to congratulate Honda in Greensburg on achieving this incredible milestone.

#### RECOGNIZING HOOSIERS ATTENDING MILITARY SERVICE ACADEMIES

Mr. PENCE. Mr. Speaker, I want to recognize Hoosiers who are answering the call to serve. The Sixth District of Indiana has an outstanding history in our Nation's Armed Forces.

Today, we take a minute to recognize a few young men and women from the Sixth District who are continuing that tradition of service.

This year, the Sixth District of Indiana will be sending 10 students to the military academies across the country.

Noah Algee of Columbus, Christian Hunt of Yorktown, Zachary Kuhn of Shelbyville, and Caroline Swenson of Columbus will be attending West Point Military Academy.

Finn Anderson of Columbus, Nathan Dickman of Richmond, and Sam Russell of Columbus will be attending the Naval Academy.

Sam Horak of Columbus, Michael McGaha of Hope, and Emma Smith of Columbus will be attending the Air Force Academy.

Congratulations to these 10 young Hoosiers who make all of us proud. I thank them for choosing a path of service to our country.

#### BIODIESEL TAX CREDIT HELPS HOOSIERS

Mr. PENCE. Mr. Speaker, I urge my colleagues to pass the Biodiesel Tax Credit Extension Act of 2019 so that Hoosier biodiesel producers and farmers can operate with some certainty.

Biodiesel is a big market for soybeans in my district. Biodiesel companies and their employees are facing an uncertain future because the biodiesel tax incentive has been expired for 15 months.

The economic pressure is threatening the future of the industry, putting good-paying jobs and production of domestic fuel at stake. It is adding economic pressure to farmers, especially in our home State of Indiana, who are already being hit hard by unfavorable weather conditions.

If enacted, this bill will provide agriculture economy certainty and relief for 2018 and 2019. The fact that it has expired has put the brakes on the development of new biodiesel plants, and it has curtailed biodiesel production.

The biodiesel tax incentive helps Hoosier producers and farmers continue to invest in our future for growth, creating jobs and economic opportunity.

#### REINVESTING IN INFRASTRUCTURE

Mr. PENCE. Mr. Speaker, I want to reiterate my commitment to reinvesting in our infrastructure. As a businessman with experience in transporting goods, I understand the critical role of infrastructure in our economy.

We must put our partisan differences aside and explore every avenue to upgrade America's infrastructure. Of course, we must be transparent and de-

liberate. The plan must be cost effective with tangible returns on our investment.

In Indiana, we have a website where you can see the dollars being dedicated to infrastructure, and you can track each taxpayer-funded project, its progress towards completion, and we need to do this at the Federal level.

As the crossroads of America, the rest of the Nation can look to Indiana for guidance on how to get something done to upgrade America's crumbling infrastructure.

#### SUPPORTING PROUD VENEZUELAN PATRIOTS

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

Mrs. MURPHY. Mr. Speaker, yesterday the House approved an amendment I offered to the State-Foreign Operations Appropriations bill for fiscal year 2020, and I wanted to take this opportunity to explain the amendment.

There is a humanitarian crisis in Venezuela, and it is man-made. In my view, the people of Venezuela will not prosper as long as the regime of Nicolas Maduro remains in power. The regime has proven itself to be cruel, incompetent, and anti-democratic. It is driving what was one of Latin America's most vibrant nations into the ground.

The United States cannot be passive. We must stand behind the proud Venezuelan patriots who are struggling to reclaim their country from the regime that is destroying it.

Like last year's bill, this year's State-Foreign Operations bill provides \$17.5 million for USAID and State Department programs to promote democracy and the rule of law in Venezuela. This funding is drawn from the nearly \$2.2 billion in economic support funds that the bill provides for countries around the world. That is good, but we can and we should do better.

Because the situation in Venezuela has significantly worsened in recent months, our amendment would increase the \$17.5 million for Venezuela by \$3 million for a total of \$20.5 million. This enhanced funding will be used for five main purposes in Venezuela: to defend human rights, strengthen civil society, improve governance, support independent media, and promote fair and transparent elections.

Currently, USAID programs in Venezuela are being conducted through several U.S.-based implementing partners who, in turn, work with over 35 Venezuelan subpartners. The respected organization, Freedom House, ranks Venezuela as not free. According to Freedom House, conditions have grown sharply worse in recent years due to the continued concentration of power in executive and harsher crackdowns on the opposition.

As a result, USAID programs to support human rights defenders in civil society groups are critical. U.S. support

enables these groups to document abuses by the regime and to keep the hope of democracy alive in an increasingly authoritarian country.

Venezuela is one of the most dangerous places in Latin America and the Caribbean to be a human rights defender. The Maduro regime is currently being investigated for crimes against humanity by the U.N. Office of the High Commissioner for Human Rights. The Organization of American States has similarly denounced the regime's abuses. These men and women on the ground in Venezuela put their lives on the line to expose the regime's failings, and they need our support.

On the media front, the regime has arrested and abused journalists, both Venezuelan journalists and foreign journalists, operating in the country, including a prominent American journalist. Harassment from the government has led most independent radio, TV, and print outlets to close. Social media has, at times, been blocked, including during the recent uprisings against Maduro. USAID programs are critical to overcome government censorship and propaganda.

On the democracy front, Maduro was reelected in May of 2018 in a snap election that failed to meet minimum international standards and was widely condemned as illegitimate. The sooner that civil society and international actors can weigh in on how to improve the National Electoral Council and reform the electoral system more broadly, the sooner free and fair Presidential elections can be held.

This is the goal of the Guaido government. It is also the goal of the Lima Group which is composed of Latin American countries and Canada and which is seeking a just solution to the crisis in Venezuela. It is a goal that merits continued American support.

I am proud that my colleagues voted for this amendment. It is a vote for the people of Venezuela who have suffered so much under this terrible regime.

#### HONORING THE LIFE OF PATRICIA FINDER-STONE

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

Mr. GALLAGHER. Mr. Speaker, I rise today to honor the life of a remarkable woman and a remarkable Wisconsinite, Patricia Finder-Stone. She was simply incredible: a wife, a mother, a grandmother, an educator, a veteran, and a community activist. Her life serves as an example of what it really means to be passionately involved in a community and committed to giving back.

During the Korean war, she left her nursing job in Chicago to serve her country in the Air Force where she proudly served at the Northeast Air Command in Greenland, and upon leaving the military, she married her husband, Mark, and raised their four children in northeast Wisconsin.

Pat then returned to school and received her bachelor's degree from the University of Wisconsin Green Bay and her master's from UW-Madison, graduating both times with honors.

She practiced nursing throughout her life and spread her passion for nursing to others by teaching at schools around Wisconsin including Bellin College of Nursing and Northeast Wisconsin Technical College. She was well known and incredibly involved in the healthcare community and was a proud recipient of both the American Cancer Society's St. George National Award and the NWTC Teacher of the Year Award.

Beyond her nursing career, Pat was an active community volunteer, sharing her time and talents to serve on the boards of multiple health advocacy groups in northeast Wisconsin.

She worked with both Democrat and Republican leadership in Wisconsin on a number of health policy issues, including educating the public on the negative effects of tobacco and improving care for the aging population.

She served as the president of the League of Women Voters of Greater Green Bay and sat on the state board of the League of Women Voters.

Pat's extraordinary life of service to her family, community, and country reminds us all of the importance of community engagement and civic responsibility. Pat's passing will be mourned for many across northeast Wisconsin, and her impact on our community will not soon be forgotten. But my hope is her life stands as a reminder of how important it is to be involved and how lucky we all are to be Americans.

There are a lot of people when you are a Member of Congress who come into your office. Some are angry with you, some are happy with you, but some really find a way past the political moment and find a way to touch your heart, and Pat was one of those people. My prayers and condolences go out to her family and to all the lives she has touched.

#### RECOGNIZING GUN VIOLENCE AWARENESS MONTH

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

Mr. FOSTER. Mr. Speaker, I rise today to recognize Gun Violence Awareness Month and call upon the Senate to protect the lives of innocent Americans by passing commonsense gun reform measures that have already passed the House.

This past February, in my district in Aurora, Illinois, five innocent people were killed and six police officers injured when a person who shouldn't legally have had a gun opened fire in a workplace, trying to kill as many people as he could. And earlier this month, we witnessed another horrific shooting in Virginia Beach where 12 more innocent lives were taken.

These tragedies have become too common in America. The victims are

our family members, our friends, and our neighbors.

The House has already passed legislation that would, in fact, cure a fraction of this epidemic of gun violence, but the Senate refuses to act.

Commonsense gun reform is supported by an overwhelming majority of Americans, and Congress has a responsibility to protect innocent lives. Every American deserves the right to live their lives free from the fear of violence and without worry that their next trip to work, to school, or their place of worship may be their last.

Thoughts and prayers are not enough. We cannot wait for the next tragedy. The Senate must act now.

#### FUNDING FOR WAR AND THE WAR POWERS ACT

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

Mr. SHERMAN. Mr. Speaker, we spent many hours in this Chamber talking about the amendments to the appropriations bill, this combination of several appropriations bills, that we will pass later this week.

What I would like to take a minute to talk about is an amendment I didn't offer because we got the material in the base text.

Our Constitution creates a tension between Article I and Article II when it comes to the power to wage war: the Commander in Chief on the one hand versus the authority of Congress to declare war on the other.

Thomas Jefferson determined that it was necessary to get the approval of Congress before he deployed Marines to the shores of Tripoli, our first non-declared war, our first intervention in the Middle East, and a precedent that should have been followed by subsequent Presidents.

But in fact, since the days of Jefferson, on many occasions, Presidents just sent our troops in without seeking authority from Congress. That is why in 1973, in the wake of the Vietnam war, this Congress passed the War Powers Act, also known as the War Powers Resolution. It provides that the President cannot deploy for more than 60 or 90 days without an authorization to use military force.

Now, that act of 1973 is not everything it should be because it did not encompass the idea of bombing without deploying troops for periods of 60 or 90 days. It is unclear, perhaps. It is in need of revision, perhaps, but it is the only legal restraint on a President committing us to war without any approval from this Congress.

But every Attorney General since the 1970s has advised Presidents that the War Powers Act isn't actually binding on them, that a President can send unlimited troops into battle for an unlimited period for any purpose. This is not what should be, and yet many constitutional scholars agree with these provisions, with this interpretation. That is

why the provision that we have in this appropriations bill is so important.

I want to commend the subcommittee and the full committee for including in the base text the provision that says no funds shall be used in contravention of the War Powers Act. This is a provision I originally proposed as an amendment on this floor in 2011. We lost the first time, but we ultimately prevailed, and now it is part of the base text. This adds the power of the purse to enforce the War Powers Act.

I am pleased to report that Attorney General Mukasey, a Republican Attorney General, a strong advocate for Presidential power, testified before the Foreign Affairs Committee that he believes and would advise the President that they need not follow the War Powers Act but that they dare not spend a penny in contravention of the War Powers Act if this provision is included in the relevant appropriations bill. So I commend the committee for including this and assuring that any reasonable Attorney General will tell any President they must adhere to that critical 1973 act.

#### CRYPTOCURRENCY

Mr. SHERMAN. Mr. Speaker, in the remaining few seconds, let me deal with another subject. Mark Zuckerberg has announced that he's going to introduce a cryptocurrency, or his plans to do so.

The effect would be to undermine our economy by reducing the importance of the U.S. dollar in international transactions and to undermine our national security by making it easier for drug dealers, terrorists, and sanctions evaders to do businesses without using the U.S. dollar.

I look forward to addressing this House further and to working in the Financial Services Committee. But it certainly concerns me that a man who has benefited like no other from the protection of the U.S. national security efforts and from the U.S. economy would undermine both in an effort to make even more billions.

#### 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 10 o'clock and 28 minutes a.m.), the House stood in recess.

□ 1200

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. ESPAILLAT) at noon.

#### PRAYER

Pastor Ryan Hodges, Rocky Face Baptist Church, Hiddenite, North Carolina, offered the following prayer:

Dear Heavenly Father, in Jesus' name, I want to thank You for today. Thank You for salvation.

The Bible says, in 1 Timothy 2:1-2: "I exhort therefore, that, first of all, supplications, prayers, intercessions, and giving of thanks be made for all men; for kings and for all that are in authority; that we may lead a quiet and peaceable life in all godliness and honesty."

Thank You for the Members of this House, the men and women of this Congress, and for their families. I pray for their work, their wisdom, and their walk.

I pray that You would forgive us our sins as individuals and as a nation. I am truly grateful that Jesus said: "... and him that cometh to me I will in no wise cast out."

Please help us to glorify You this day with our lives. Thank You for America. In Jesus' name, amen.

#### THE JOURNAL

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

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

#### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Pennsylvania (Mr. THOMPSON) come forward and lead the House in the Pledge of Allegiance.

Mr. THOMPSON of Pennsylvania 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.

#### MESSAGE FROM THE SENATE

A message from the Senate by Ms. Lasky, one of its clerks, announced that the Senate has agreed to without amendment a joint resolution of the House of the following title:

H.J. Res. 60. Joint Resolution requesting the Secretary of the Interior to authorize unique and one-time arrangements for displays on the National Mall and the Washington Monument during the period beginning on July 16, 2019 and ending on July 20, 2019.

#### WELCOMING PASTOR RYAN HODGES

The SPEAKER pro tempore. Without objection, the gentlewoman from North Carolina (Ms. FOXX) is recognized for 1 minute.

There was no objection.

Ms. FOXX of North Carolina. Mr. Speaker, it is my honor to recognize today's guest chaplain, Pastor Ryan Hodges of Rocky Face Baptist Church in Hiddenite, North Carolina.

In 2005, Pastor Hodges earned his theology degree from Cherry Grove Baptist Bible College in Wilkesboro. He has since served in four churches in our State, wherever God has called him to use his gift of preaching and zeal for

souls. He is also a loving husband and father.

Mr. Speaker, the surest way to make a positive change in our country is to follow God's will for our lives, which is itself a lifetime's work.

North Carolina's Fifth District is blessed to have a faithful servant in Pastor Hodges, dedicated to helping others recognize God's love and plan for them. We are blessed to have his prayers and service today, as is everyone that God places in his life.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Ms. TORRES SMALL of New Mexico). The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

#### CONGRATULATIONS TO POET ELIZABETH ACEVEDO

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

Mr. ESPAILLAT. Madam Speaker, the Carnegie Medal, the prestigious award that annually recognizes authors focused on literature for children or young adults, has been widely coveted since its establishment in 1936.

Surprisingly, the medal has never been awarded to a woman of color in its 83-year existence—that is, until Dominican-American poet Elizabeth Acevedo's win for "The Poet X," a critically acclaimed piece of literature named after its main character, Xiomara Batista.

"The Poet X" artfully illustrates the journey of X, a shy Dominican girl of African descent who joins her school's poetry club in Harlem, a place I represent and know well.

Elizabeth's brave exploration of societal structures in "The Poet X" is remarkable. Her childhood upbringing and tribulations gave Elizabeth unique authority and intimacy of X's journey. The resulting poem will inspire young voices who follow her footsteps.

Congratulations to Elizabeth for her monumental accomplishment.

#### WUNDERBAR TOGETHER INITIATIVE WITH GERMANY

(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. Madam Speaker, I rise today to recognize and reaffirm the friendship between the United States and Germany.

I am proud to co-chair the German-American Caucus with Congressman BILL KEATING, and today we introduced a resolution to reaffirm the history of the United States and Germany under the Wunderbar Together initiative.

Our countries are linked by heritage, common values, and shared interests.

More than 50 million Americans of German origin live in the United States, many of whom still have strong ties to their heritage.

Madam Speaker, our resolution highlights the alliance between our nations and our shared commitment to free and democratic societies.

The Wunderbar Together initiative brings together more than 250 partners across all 50 States, with more than 1,500 events and projects in local communities covering every aspect of German-American relations, including science, the arts, culture, language, business, sports, and more.

Germany is an important trading partner of the United States, with the European Union and German companies creating more than 690,000 American jobs.

Madam Speaker, I urge my colleagues to support this resolution and reaffirm our deep and historical friendship with Germany.

#### HONORING DALLAS MAYOR MIKE RAWLINGS

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

Mr. ALLRED. Madam Speaker, I rise today to honor the outgoing mayor of Dallas, Mike Rawlings, for his 8 years of exceptional service to our great city.

Under the mayor's leadership, Dallas saw incredible economic growth. Unemployment has outperformed the State and national rate for 51 consecutive months.

There is no better advocate for Dallas, as the mayor traveled all over the world working to bring investment to our city and help every part of the city succeed. He helped to improve the quality of life by adding 215 of parklands and 40 miles of trails. He has worked to close the gaps in opportunity in our city.

Maya Angelou said: "You may not control all the events that happen to you, but you can decide not to be reduced by them." Mayor Rawlings showed incredible leadership in times of crisis, and there is no better example than the grace and leadership he showed in handling the July 7, 2016, attacks on Dallas police officers. He has been a unifying voice for our city.

As a son of Dallas, I want to thank Mayor Rawlings for his service.

#### REQUEST TO CONSIDER H.R. 962, BORN-ALIVE ABORTION SURVIVORS PROTECTION ACT

Mr. STAUBER. Madam Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of H.R. 962, the Born-Alive Survivors Protection Act, and ask for its immediate consideration in the House.

The SPEAKER pro tempore. Under guidelines consistently issued by successive Speakers, as recorded in section 956 of the House Rules and Man-

ual, the Chair is constrained not to entertain the request unless it has been cleared by the bipartisan floor and committee leaderships.

Mr. STAUBER. Madam Speaker, if this unanimous consent cannot be entertained, I urge the Speaker and the majority leader to—

The SPEAKER pro tempore. The gentleman has not been recognized for debate.

#### PROVIDING FOR CONSIDERATION OF H.R. 3055, COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2020; RELATING TO CONSIDERATION OF H.R. 2740, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2020; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM JUNE 28, 2019, THROUGH JULY 8, 2019

Mr. MCGOVERN. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 445 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

##### H. RES. 445

*Resolved*, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3055) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. An amendment in the nature of a substitute consisting of the text of Rules Committee Print 116-18, modified by the amendment printed in part A of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. Points of order against provisions in the bill, as amended, for failure to comply with clause 2 of rule XXI are waived. Clause 2(e) of rule XXI shall not apply during consideration of the bill.

SEC. 2. (a) No further amendment to the bill, as amended, shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution considered pursuant to subsection (b), amendments en bloc described in section 3 of this resolution, and pro forma amendments described in section 4 of this resolution.

(b) Each further amendment printed in part B of the report of the Committee on Rules not earlier considered as part of amendments en bloc pursuant to section 3 of this resolution shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before action thereon, shall not be subject to amendment except as provided by section 4 of this resolution, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

(c) All points of order against further amendments printed in part B of the report of the Committee on Rules or against amendments en bloc described in section 3 of this resolution are waived.

SEC. 3. It shall be in order at any time for the chair of the Committee on Appropriations or her designee to offer amendments en bloc consisting of further amendments printed in part B of the report of the Committee on Rules accompanying this resolution not earlier disposed of. Amendments en bloc offered pursuant to this section shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations or their respective designees, shall not be subject to amendment except as provided by section 4 of this resolution, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

SEC. 4. During consideration of the bill for amendment, the chair and ranking minority member of the Committee on Appropriations or their respective designees may offer up to 15 pro forma amendments each at any point for the purpose of debate.

SEC. 5. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. In the case of sundry further amendments reported from the Committee, the question of their adoption shall be put to the House en gros and without division of the question. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 6. During consideration of H.R. 3055 in the Committee of the Whole pursuant to this resolution, it shall not be in order to consider an amendment proposing both a decrease in an appropriation designated pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 and an increase in an appropriation not so designated, or vice versa.

SEC. 7. During the further consideration of H.R. 2740—

(a) the amendment printed in part C of the report of the Committee on Rules accompanying this resolution shall be considered as adopted in the House and in the Committee of the Whole; and

(b) the question of the adoption of further sundry amendments reported from the Committee of the Whole shall be put to the House en gros and without division of the question.

SEC. 8. During consideration of H.R. 3055 or during the further consideration of H.R. 2740, the Chair may entertain a motion that the Committee rise only if offered by the chair of the Committee on Appropriations or her designee. The Chair may not entertain a motion to strike out the enacting words of the bill (as described in clause 9 of rule XVIII).

SEC. 9. On any legislative day during the period from June 28, 2019, through July 8, 2019—

(a) the Journal of the proceedings of the previous day shall be considered as approved; and

(b) the Chair may at any time declare the House adjourned to meet at a date and time,

within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

SEC. 10. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 9 of this resolution as though under clause 8(a) of rule I.

SEC. 11. Each day during the period addressed by section 9 of this resolution shall not constitute a legislative day for purposes of clause 7 of rule XV.

SEC. 12. It shall be in order without intervention of any point of order to consider concurrent resolutions providing for adjournment during the month of July, 2019.

SEC. 13. It shall be in order at any time on the legislative day of June 27, 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.

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized for 1 hour.

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

□ 1215

#### GENERAL LEAVE

Mr. MCGOVERN. Madam Speaker, I ask unanimous consent that all Members be given 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. Madam Speaker, I will be asking unanimous consent to make a technical correction to the rule. The page containing the text of an uncontroversial amendment, No. 64, to division B was inadvertently omitted from our 645-page report.

#### MODIFICATION OFFERED BY MR. MCGOVERN

Mr. MCGOVERN. Madam Speaker, I ask unanimous consent that the amendment I have placed at the desk be considered as though printed as amendment No. 123 in part B of House Report 116-119, if offered by Representative LEE from Nevada or her designee, and that the amendment be debatable for 10 minutes equally divided and controlled by the proponent and an opponent.

The Speaker pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment Offered by Mrs. LEE of Nevada:

Page 109, line 7, after the first dollar amount, insert “(reduced by \$500,000)”.

Page 109, line 13, after the dollar amount, insert “(reduced by \$500,000)”.

Page 109, line 15, after the dollar amount, insert “(reduced by \$500,000)”.

Page 159, line 19, after the dollar amount, insert “(increased by \$500,000)”.

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

Mr. WOODALL. Madam Speaker, reserving the right to object, my friend on the Rules Committee has made a commitment this year, which he has been following through on, to try to bring order to an otherwise fairly chaotic process up there.

This is clearly just a clerical error, and it is one that we all worked through together last night, so I have no objection to the gentleman's amendment request.

The SPEAKER pro tempore. The reservation of objection is withdrawn.

Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized.

Mr. MCGOVERN. Madam Speaker, I thank the gentleman from Georgia for his kindness.

Madam Speaker, on Tuesday, the Rules Committee met and reported a rule, House Resolution 445. It provides for consideration of H.R. 3055 under a structured rule that makes 290 amendments in order. It also provides for 1 hour of general debate controlled by the chair and ranking minority member of the Committee on Appropriations.

Madam Speaker, this appropriations process represents a clean break from the way the Republicans ran this place. They furthered an agenda that was like Robin Hood in reverse, giving to the rich by stealing from the poor.

This Democratic majority has a radical idea that the people's House should, instead, work for the people, not the wealthy and the well-connected, but all Americans. You can see these values in the underlying appropriations measure.

We support SNAP, our Nation's premier anti-hunger program, by providing both stable funding and investments in the SNAP reserve fund. This will give a helping hand to many of the 40 million Americans who are struggling to put food on the table in America today.

That includes a lot of working families. It includes veterans. It includes seniors. It includes those who are disabled. Because the truth is, there is no plan B for many people who have fallen on hard times. Food pantries are important, but many are already stretched too thin and can't meet the demand.

We need to invest in SNAP. This program is a lifeline as families work to get back on their feet.

For the life of me, Madam Speaker, I don't understand why investing in SNAP has been a controversial subject for many of my colleagues on the other side, why some have demonized the poor and traded in stereotypes year after year.

On average, and I think it is important to make this clear for my colleagues, SNAP households receive about \$259 a month. The average SNAP benefit per person is about \$128 per

month, which works out to just \$1.40 per person per meal.

Madam Speaker, \$1.40 can hardly buy a cup of coffee for someone, let alone a healthy, nutritious meal. That is what we are asking people to live on, and it is a shame. I hope, in the future, we can find a way to expand the SNAP benefit for those who are in need.

This bill also provides major funding to help stem the tide of opioid abuse, which is ravaging communities across the country, through grant programs that we know work, things like prescription drug monitoring, overdose-reversal drugs, and at-risk youth programs.

We are not waiting around for this administration's long-delayed transportation plan. The President has been rolling it out 2 weeks from now for the last 2 years. We have an infrastructure emergency in our country today. I have bridges in my district that are old enough to qualify for Medicare. Others are older than some of the other States in this country. It is the same old story all across the country.

That is why the American Society of Civil Engineers has given our Nation's infrastructure a D-plus. This is appalling, Madam Speaker. We owe a lot to those who built our roads and bridges a century ago, but we cannot expect them to last forever. H.R. 3055 would provide real funding now to rebuild crumbling infrastructure.

There are also badly needed investments here in our Nation's digital infrastructure because the sad reality is that in America today, 25 million people in rural communities don't have access to high-speed internet. Some are in my State.

Massachusetts has made significant strides in bringing high-speed internet to the rural parts of western and central Massachusetts, but there are still pockets where connectivity is still a problem.

This bill would fund an expansion of rural broadband services that would allow more kids to do homework at home, expand economic opportunities, and improve health outcomes. Affordable broadband should be available to everyone, regardless of their ZIP Codes.

This bill also helps combat the gun violence epidemic by increasing resources for programs that help reduce crime. This includes things like fully funding the FBI's National Instant Criminal Background Check System, making schools safer, and investing in mentoring programs for at-risk youth.

This follows language in last week's minibus appropriations bill that provided funding to research deaths and injuries caused by gun violence for the first time in more than 20 years because this majority isn't afraid to stand up to the NRA to protect the people we represent. We know the will of the American people is stronger than the might of the gun lobby.

There is also language in this bill that prohibits President Trump from



diverting important military construction projects to build his unnecessary border wall. This is a wall, by the way, that the President claimed time and time again that Mexico would pay for. Now he is using a bait-and-switch to force taxpayers to foot the bill.

This wall was preposterous when it was just a campaign talking point. It is even more absurd as an actual policy paid for by the taxpayers of this country.

These are just a few of our priorities in the bill. We are delivering on our promise to invest in the things that matter to people.

Chairwoman LOWEY, Ranking Member GRANGER, the entire Appropriations Committee, and their staffs have done an extraordinary job. Their work deserves a great deal of praise by both the Democrats and Republicans. They are trying to fund our government in a timely way.

I don't know what the Senate is going to do on appropriations. They haven't done much of anything on anything so far.

But I do know this: These bills are an investment in our future. They are tailored toward providing opportunity for all Americans and delivering on our pledge to make this place work for them again.

Fixing our infrastructure, reducing gun violence, providing economic opportunity for small businesses, ending hunger, these are the kinds of things our constituents want us to address.

I urge all of my colleagues to show the American people that we are listening by voting for this rule. Let's keep bringing forward appropriations measures that truly represent the will of the taxpayer.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I thank my friend from Massachusetts for yielding me the customary 30 minutes. We just came out of a long night in the Rules Committee. I say "we" from the Member side. We were out of there by midnight. I have not yet asked the Rules Committee staff when they got out of there last night because I really didn't want to know the answer to that.

When we meet in the Rules Committee on appropriations bills, we are in for long nights. My first year in Congress, Madam Speaker—the gentleman may have been following it at the time—it was when the big Republican majority came in as the new Democratic majority has come in now. The appropriations season hadn't been finished, so the first order of business when we came in as a new majority was to take on the appropriations challenge.

It seemed crazy at the time—this is a minibus, a group of four bills together—what we decided to do was to take the entire discretionary account of the entire United States of America,

bring it down here to the House floor, and consider it under an open rule.

I brought a copy of that rule down with me, Madam Speaker. It was House Resolution 92. We heard the Reading Clerk read this morning. It took Joseph a while to get through that.

We are only considering a small fraction of the budget today. Back then, we were considering the entire Federal budget, and it was right here in three pages. The truth is, the part that dealt with the appropriations bill is only one of these sections. The other two were housekeeping business.

We allowed the entire body to bring their ideas to the table to see what might stick. I say it was a radical idea because I had just gotten to Congress. I went back and looked at the numbers, historically. It turned out, it didn't use to be a radical idea. We have made it a radical idea to let all the amendments come to the floor.

Again, my friend from Massachusetts has a very hard job as chairman of the Rules Committee. I introduced an amendment last night, Madam Speaker, barely before the committee ended, after I had had a chance to question the cardinals who were responsible for that language, and my friend from Massachusetts made it in order. He is doing everything he can to try to make the process more open than it has been in the most recent past.

□ 1230

But if we go back a little bit further, if we think about how to change the culture in this institution, it hasn't always been this divided.

Do you remember the first year that Speaker PELOSI sat in the chair that you are sitting in right now, Madam Speaker? She was the first, as you recall, Democratic Speaker since 1994 and the first woman to ever lead this institution. When she sat in that chair for the very first time, we had an open appropriations process. There were about 110 Democratic amendments that were offered and about 300 Republican amendments because, when you are in the minority, it is harder to get your agenda in the underlying bill.

When you run the show, as Mr. MCGOVERN does, you are able to get all your good ideas in the bill. I have no doubt that every one of Mr. MCGOVERN's good ideas is contained in the underlying bill. That is the privilege of leadership. When you sit on the outside, as I do and as Mr. STAUBER does, it is harder to get your ideas in.

So, historically, as Speaker PELOSI did in 2007, more amendments are made in order for the minority party than are made in order for the majority party because the minority party hasn't gotten a chance to influence the process.

I am proud, over the 8 years that I was a part of the majority party here and had the privilege of sitting on the Rules Committee, more than half of the amendments, on average, across all the bills, were given to the minority

party. But in this bill, Madam Speaker, again, despite the chairman's best efforts, the minority party received less than one-quarter of the amendments that are available.

What I am saying is, when Republicans were doing this from their leadership spot and we were giving more amendments to the other side, now the majority party is giving not 100 percent more amendments to their side, not 200 percent more but, more than 200 percent more.

By my statistics, since last time around, we have moved in the right direction. It used to be 300 percent more amendments given to the majority party.

Madam Speaker, I don't say that to grouse about sour grapes. Again, I say it with sincerity when I tell you that what Chairman MCGOVERN is doing on the Rules Committee he is doing out of a real love of this institution, trying to reopen the process, but we have got to find a way to trust ourselves.

Most of what you heard the Reading Clerk read had nothing to do with the amendments of the bill we are talking about. It had to do with closing down the process, in many ways for the very first time in my congressional career, because the minority party, Republicans, are frustrated that we haven't been able to fund humanitarian needs on the border.

Now, I know talking about the border is a dog whistle to many folks in this institution. They think, as you heard the gentleman from Massachusetts mention, that it is about the wall and it is about immigration and it is about all sorts of things that it is not.

What we are talking about are children who are in the custody of the United States of America. Rightly or wrongly, like it or not, that is where we are today. And we can either fund the needs of those children, we can either fund the healthcare of those children, we can either fund the education of those children, or we cannot.

What we have heard from this administration is the same thing we have heard from the Obama administration when we had this very same crisis in 2014, and that is that we don't have enough resources to provide for the flood of folks who have been taken into U.S. custody.

The White House made this request 6 weeks ago, knowing that we were going to run out of money this month, and the House has taken no action on that request.

When we had the very same Rules Committee hearing last week, Madam Speaker, that we had this week, my friend, the chairman, talked about his sincere desire to move this kind of legislation, but it hasn't moved.

My friend from California who sits on the majority side of the Rules Committee and serves on the Appropriations Committee talked about the meeting they had in the Appropriations Committee that day to move this in an expedited way, and yet it has not yet moved.

The reason the rule considers these measures to close down the parliamentary process here is because folks are rightfully frustrated with the flow of the floor. We have serious work that we need to do, and when you are in procedural nonsense, you don't get any of that work done. But that procedural nonsense comes from a very sincere frustration that we have very real needs that are shared needs, very real passions that are shared passions, and that the consequences of failure affect us all. It affects who we are in our individual districts; it affects who we are as a nation; and for the life of me, I cannot understand why it is that this issue is receiving the neglect that it is from the leadership party.

We are going to talk about that in our previous question amendment. If we defeat the previous question, we will bring up an amendment to add to the rule language that will allow us to have this important debate and provide these important funds. I will reserve the time to talk about that, Madam Speaker.

But I do want to say we had ample opportunity in the Rules Committee to make the process wide open, and that decision, candidly, is above the chairman's pay grade, and the process was not allowed to be an open process.

So then we also had ample opportunity to close the process down completely. That is completely within the chairman's pay grade. He rejected that idea and made the effort to take some very important steps forward to returning us to regular order, and for that I am grateful.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I enjoy listening to the gentleman engage in debate, but I will say this, that when I look at this rule and all the amendments in order, I think I want to waive this rule because there are so many amendments that we are making in order here.

The gentleman, I appreciate his praise saying that we made a lot of good ideas in order, but I would say to the gentleman that he also made some bad ideas in order. The gentleman referred to his amendment, which I disagree with. But we also made amendments from other Republicans; I am looking at the rule here: Mr. BURGESS, Mr. RUTHERFORD, Mr. SCALISE, Mr. KING, Mr. POSEY, Mr. WALBERG, Mr. GOSAR, Mr. MCKINLEY, Mr. HUDSON, and Mrs. WALORSKI. I could go right through this and continue to read the Republican amendments that we made in order.

In the Rules Committee last night during the markup, my friends offered a number of amendments. Of the amendments they offered, nearly half of them violated House rules or were duplicative.

When people draft amendments in a way that legislate on appropriations

or bills or violate any of the House rules, it has been customary for Democrats and Republicans to not make them in order. We try to work with them to fix them, but last night, many of the amendments, including a Democratic amendment that the minority offered we could not vote for because it was not complying with the House rules.

I am sorry that that is the case, but people need to know that, when you are amending appropriations bills, you need to draft them in a way that is compliant with the House rules.

A lot of the amendments that were offered by my friends were the oldies but goodies. We have wall amendments, abortion amendments, and stuff that we have voted on time and time and time again; and I appreciate they want more time to vote on it, but we need to get our work done here.

As the gentleman referred to, there is a Member on the other side who has decided to have a little bit of a temper tantrum and call for a vote on every single amendment and try to invoke every single procedural measure so that everything is dragged out and moves at a snail's pace. That is his right. I don't think it is a particularly effective tactic, but if it makes him happy, he can do whatever he wants. He has that right to do that on the House floor.

I was in the minority in the last session, and I lived through the most closed Congress in the history of our country when the Republicans brought more bills to the floor that were completely closed and that were unamendable. Nobody could offer an idea. They did that more than any other Congress in history. So we are trying to do this better. I think we are, in many respects, doing it better, and we are going to continue in that spirit.

Madam Speaker, I yield 2 minutes to the gentlewoman from Maine (Ms. PINGREE), who is a distinguished member of the Appropriations Committee.

Ms. PINGREE. Madam Speaker, I thank the chair of the Rules Committee for yielding me the time, and I thank his fellow committee members for the hard work that they do and their staff putting in so many long hours around this appropriations process.

Madam Speaker, I rise in support of the rule for H.R. 3055. I would like to focus my remarks on the fiscal year 2020 Agriculture, Rural Development, Food and Drug Administration, and Related Agencies appropriations bill.

This bill includes robust funding for the U.S. Department of Agriculture and the U.S. Food and Drug Administration, two Federal agencies that touch the life of every single American.

I am proud to serve on the subcommittee that oversees this bill, and I am grateful to Chairman BISHOP and Ranking Member FORTENBERRY for working together to come up with a bipartisan bill that supports the diversity of American agriculture.

As an example of the growing diversity of growing techniques that are used by American farmers, in Maine, organic food sales increased 39 percent between 2012 and 2017. Producing food free of toxic chemicals is better for the health of consumers, for the farmers, and for our environment.

This bill supports growing markets, including organic and locally grown food, by increasing the funding for the National Organic Program to \$18 million and providing \$23.4 million for the Local Agriculture Market Program.

The bill also boosts USDA efforts to reduce food waste by including \$1 million for a new composting and food reduction pilot program, as well as \$400,000 to establish the first Food Loss and Waste Reduction Liaison at the USDA. This is important because 30 to 40 percent of the food in this country is wasted. If food waste were a country, it would be number three in admitting global greenhouse gases.

Additionally, the bill acknowledges that farmers are an integral part of playing a positive role in climate change solutions. There is report language urging the USDA to look at carbon markets for agriculture, supporting the USDA's Regional Climate Hubs, and encouraging the USDA to look at other opportunities to support farmers dealing with the effects of climate change.

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

Mr. MCGOVERN. Madam Speaker, I yield the gentlewoman from Maine an additional 1 minute.

Ms. PINGREE. Lastly, Madam Speaker, the bill includes language preventing the USDA from relocating the National Institute of Food and Agriculture and the Economic Research Service.

I am deeply disappointed that the administration is moving forward with this ill-conceived plan, and I will continue fighting on this on behalf of NIFA and ERS employees.

Madam Speaker, I urge my colleagues to support the rule for H.R. 3055.

Mr. WOODALL. Madam Speaker, I yield 3 minutes to the gentleman from Minnesota (Mr. STAUBER), who is one of our young leaders.

Mr. STAUBER. Madam Speaker, I thank Mr. WOODALL for yielding to me today.

Madam Speaker, I offered four amendments to improve this bill and benefit northeastern Minnesota, but, like last week, all four were rejected. They were not rejected on the merits, of course, but they were rejected in the Rules Committee before even being debated on the floor.

Two of my amendments would have removed onerous studies put in place by seasoned politicians from the Twin Cities and Washington, D.C. These studies in the committee report language are simply designed to delay important job-creating mining projects in my district.



Unfortunately, these politicians play politics with the consequence of killing jobs because, to them, our livelihood and these mining projects are nothing more than some faraway idea in a faraway land. Their well-funded interest groups oppose these jobs, so they attempt to move the goalposts, lay down more red tape, require more studies, and make it impossible—or at least attempt to make it impossible—to permit.

I say this: we can do both. We can mine and keep our environment pristine and clean.

However, to my constituents, these projects are a reality. These good-paying jobs will put food on the table, and they will put gas in our car and clothes on the backs of our children. These jobs will allow us to work, recreate, play, and raise a family in northern Minnesota.

These projects not only mean good-paying, union-protected mining jobs in cutting-edge industry, these projects can mean a larger property tax base, increased enrollment in our schools, and a population growth in our communities.

These mining projects are a big part of our economic engine, yet Washington, D.C., and Twin City politicians can sneak language into a committee report to undermine a fair process, while arbitrarily rejecting my amendments.

Another amendment I introduced would have ensured no funding is available to list the gray wolf under the Endangered Species Act. As I testified last night at the Rules Committee, the gray wolf has recovered. Even the Obama administration attempted to remove it from the Endangered Species Act in 2013.

In northern Minnesota, wolf attacks on cattle and domestic pets are becoming far too common, burdening our farmers who already are struggling. One small northern Minnesota county alone accounted for 21 confirmed wolf attacks on cattle, and local officials expect the number to be much higher, as many cattle that simply go missing are likely wolf attacks.

□ 1245

Because the gray wolf is listed as Federally endangered, the Minnesota Department of Natural Resources is unable to control them. Our local experts, who truly understand the problem, have their hands tied because politicians in this town, Washington, D.C., think they know best. But they do not.

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

Mr. WOODALL. Madam Speaker, I yield the gentleman an additional 1 minute.

Mr. STAUBER. I thought my final amendment was a no-brainer, Madam Speaker. It would have increased the Forest Products Timber Sale program by a little more than \$6 million. Because it is in the National Forest Sys-

tem, it would have no negative budgetary effect.

The Forest Products Timber Sale program provides needed resources for Forest Service personnel. It allows them to research, recycle forest products, and find new ways to market them.

Meanwhile, an increase to this program means getting our loggers out in the woods and creating jobs for our communities. This would have directly benefited both Superior and Chippewa National Forests. It would have allowed our loggers and our Forest Service personnel to handle local environmental challenges like ensuring fallen trees do not contribute to forest fires.

My amendments would have directly benefited the small, rural communities in northern Minnesota. Unfortunately, powerful politicians used the system to their advantage by rejecting my amendments and preventing even an open debate on the issues.

Mr. MCGOVERN. Madam Speaker, let me just address the issue of the Endangered Species Act that the gentleman referred to. It is not a “Washington knows best” and is certainly not a “politicians know best” approach. It is based on science, on available science, not on a special interest that is trying to get a different outcome.

If you don’t believe in the direction of the act, if you don’t believe that it should be adhered to, then the remedy is to introduce an alternative law. I would certainly vote against it, but the gentleman has a right to do that.

The Endangered Species Act already ensures there is public notice and public participation. There is an opportunity to comment on listing and delisting decisions.

It is our view that Congress should not interfere in the process outlined by the Endangered Species Act because it then becomes about politics—not science, but politics—and it should be science that determines the survival of a species.

I know science is a tough subject for my friends on the other side to deal with, because so many of them don’t even believe that we have a climate crisis. But, in any event, I just wanted to respond.

Madam Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. Madam Speaker, I want to thank my good friend from Massachusetts (Mr. MCGOVERN), the distinguished chairman of the committee, who has done, I think, an extraordinary job.

I was listening to my friend from Georgia, and—I don’t know—maybe he forgot what it was like the previous 8 years. In the last Congress in which my friend from Georgia sat on the Rules Committee, we had the most closed-rule bills coming to the floor in the history of the Congress.

Mr. MCGOVERN has aptly pointed out how many amendments are in this bill. One of the reasons we are here night

after night voting on dozens and dozens of amendments is because the Rules Committee got opened up under Mr. MCGOVERN’s leadership and his able staff.

I congratulate them, and I salute them for opening up the process that my friends on the other side closed down.

Madam Speaker, I also wanted to rise in support of this rule and the underlying bill, which would make critical domestic investments in law enforcement, infrastructure, and our Nation’s veterans.

I particularly want to commend the Appropriations Committee Chairwoman LOWEY and Chairman PRICE for including in this bill a \$150 million matching program in capital investment for the Washington Metropolitan Area Transit Authority, the Nation’s capital.

This funding is part of a successful Federal-State partnership and has been used for major investments to upgrade Metro. The three Metro jurisdictions—Virginia, Maryland, and Washington, D.C.—collectively match this \$150 million annual payment with an equal amount of \$150 million, for a total of \$350 million a year over a 10-year period.

Without that continued Federal participation, this funding partnership would, in fact, cease, leaving a massive shortfall in WMATA’s capital budget.

I look forward to working with the chairwoman of Transportation and Infrastructure, ELEANOR HOLMES NORTON, of Washington, D.C., and my colleagues to advance a long-term and enhanced reauthorization of dedicated funding for WMATA.

I have introduced a bill, the METRO Accountability and Investment Act, would do just that and has the full support of every single member of the National Capital Delegation: Maryland, Virginia, and Washington, D.C.

This bill uses a carrot-and-stick approach to both invest in the essential transit system as well as to hold the system accountable in providing a more safe, more reliable service. I believe, with those incentives, we can make Metro great again.

Madam Speaker, I urge a “yes” on this rule and support the underlying bill as well. And I salute my colleagues for understanding how investments have positive returns on them.

Mr. WOODALL. Madam Speaker, I yield myself 1 minute.

I find my friend from Virginia is almost always right about everything, so the fact that he is so wrong on this makes it worthy of commenting.

We are not here night after night voting because the Rules Committee opened up the process. We are here night after night voting because what we would ordinarily have done by voice vote, through the comity that this institution, sadly, is losing some of every day, we are demanding recorded votes, because we can’t get a vote on funding the humanitarian crisis that is at the

border, a crisis that my friend from Virginia cares about, my friend from Massachusetts cares about, my friends from Tennessee and Iowa care about. You go right across this institution. It does not matter your ideological position; you care about this issue.

We are voting night after night to draw attention to the fact that we cannot get our voices heard, not because our voices are heard in volumes never before seen.

In fact, an interesting sidebar, Madam Speaker: If you go back to the days of open rules, you will actually find the committee made more amendments in order on almost every division than we would have ordinarily had if we just had an open rule. When we clamp down on the process, that steam drives the amendments up. These conversations should be had in committee, not on the floor of the House.

Madam Speaker, I yield 2 minutes to the gentleman from Tennessee (Mr. KUSTOFF), my neighbor to the north, a leader on these issues.

Mr. KUSTOFF of Tennessee. Madam Speaker, I rise today to express my profound frustration with the majority on the Rules Committee. I am disappointed that the majority has chosen to cut members out of the process.

I worked with colleagues across the aisle to introduce a bipartisan amendment to address the epidemic of Asian carp infestation in the Mississippi River and its tributaries. This invasive species has invaded the Tennessee and Cumberland River basins and continues to threaten our rural economies and native fisheries that thrive off of the recreational and sporting industries.

Without a doubt, it is a major problem in my home State of Tennessee, as well as Kentucky, Alabama, and Mississippi. If these States continue to get cut out of the process, the problem will only get worse.

I want to thank Members from both sides of the aisle who fought hard for this amendment, only to have it thrown out at the last minute. We deserve the opportunity to have the concerns of our constituents heard and addressed, but unfortunately, the process is broken.

I thank the gentleman for yielding time.

Mr. MCGOVERN. Madam Speaker, I would point out to the gentleman that this legislation contains the largest increase to combat Asian carp in years.

Madam Speaker, I yield 3 minutes to the gentleman from New York (Mr. MORELLE), a distinguished member of the Rules Committee.

Mr. MORELLE. Madam Speaker, I thank the distinguished gentleman with whom I have the privilege of serving on the Rules Committee for his distinguished leadership of that committee and for yielding me the time.

Madam Speaker, I rise today to applaud the work of the Appropriations Committee in finally upholding our obligation to invest in gun violence prevention.

The legislation before us this week would increase funding for the Bureau of Alcohol, Tobacco, Firearms, and Explosives by over 9 percent. That additional funding will enable ATF to train more agents and hire more inspectors to fulfill the agency's mission of keeping illegal firearms out of criminal hands.

More than 30 percent of guns identified in a crime have been stolen, yet ATF has long been denied the resources to properly inspect Federally licensed firearms dealers and respond to the flow of illegal guns onto our streets.

This funding and the additional personnel it can provide will help ATF reach its inspection goals and enforce our existing gun laws, making communities across the Nation safer.

Madam Speaker, I thank the committee for their hard work, and I urge my colleagues to support both the rule and the underlying bill.

Mr. WOODALL. Madam Speaker, I yield myself 15 seconds to say to my friend from New York that he is one of the bright spots on the Rules Committee. We are doing a lot of things differently this cycle than we have done them in years past, and he has been a real partner and a leader on that, Madam Speaker.

If you ever think that it is nothing but partisan nonsense—which you could imagine in a 9-to-4 committee, that that kind of thing could break out—I encourage you to come see Mr. MCGOVERN and Mr. MORELLE in action. You might be surprised with what you find.

Madam Speaker, I yield 2 minutes to the gentleman from Iowa (Mr. KING), a good friend and a leader.

Mr. KING of Iowa. Madam Speaker, I thank the gentleman from Georgia for yielding to me, and I rise to address an issue that is within the underlying bill and express my gratitude and support for the efforts on the part of the subcommittee chair, Congresswoman BETTY MCCOLLUM, in particular.

We have a situation in Sioux City, Iowa, and in that Siouland area, much of that Native American population there are the Winnebago. Of course, they have their problems, Madam Speaker.

One of those problems is drug and alcohol abuse and addiction. And some of the resources that have traditionally been delivered through the Indian Health Services have been suspended over the last years. And, without the note, I am going to say it is 7 or 8 years—something like that—given the meetings that I have been to.

We asked that language be included in the report language in the underlying bill that is directed by this rule. Of course, that report language includes \$81 million altogether for the Urban Indian Health Program, \$29,685,000 above the enacted level. So there is an improvement in that. Then there is money there also, \$1,429,000, for current services, et cetera.

But the foundational language that I appreciate being in here so much is:

“The committee recognizes nonprofit organizations such as the Siouland Human Investment Partnership that help American Indians in urban areas outside of the Urban Indian Health Program and encourages the service to offer technical assistance to such organizations whenever possible and within service authority.” I very much appreciate that language.

There is additional language that sets aside and says that: “The Interior appropriations bill includes \$2 million available for 11 grants or contracts with public or private institutions services to provide alcohol or drug treatment services to Indians, including alcohol detoxification services.”

We are in the process of building what we are calling Hope Street, which is going to be a location that allows them to go directly to that facility for that kind of help.

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

Mr. WOODALL. Madam Speaker, I yield the gentleman an additional 30 seconds.

Mr. KING of Iowa. Madam Speaker, I wanted to conclude with this: The lead on this effort has been Mr. Frank LaMere. He had been a statesman for the Winnebago for years and also for Native Americans in a broader sense, especially in the upper Midwest.

He tragically passed away 2 days ago. His funeral is today. He worked on these projects for a lifetime.

It is very fitting that we take action on one of his initiatives here in this Congress today. And I am hopeful that we will be able to take up H.R. 184, which also transfers the land back to the Winnebago that they should so rightfully have.

Mr. MCGOVERN. Madam Speaker, let me just say to the gentleman from Iowa that we made in order last night one of his amendments related to the census question. And I strongly disagree with him on that. I hope we can defeat the amendment with a strong bipartisan vote.

But, nonetheless, we made his amendment in order, and I look forward to the debate on the floor and, again, look forward to voting “no” on it.

Madam Speaker, I reserve the balance of my time.

Mr. WOODALL. Madam Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. STIVERS), a classmate of mine and a perennial leader in this institution.

□ 1300

Mr. STIVERS. Madam Speaker, I rise today to express my disappointment that the Rules Committee did not make in order a bipartisan amendment from the gentleman from Texas (Mr. GONZALEZ) and I that would have added 100 immigration judge teams to address the backlog at the Executive Office of Immigration Review.

With the record number of individuals and families seeking asylum,

there is a backlog of approximately 730,000 people who are waiting on hearings. They are waiting, on average, almost 2 years.

Justice delayed is justice denied. It costs all of us, and it has many social prices, including things like separation of families and children and people held in detention centers. We need to do more.

I commend the Appropriations Committee for adding some additional funding in the base text, but these 100 judges would have made a big difference. There are only 450 judge teams, as we sit here today.

As we think about immigration, it is a very thorny issue. It becomes shirts and skins pretty quickly. There are very few things, Madam Speaker, that we agree on. One of them that Republicans and Democrats agree on is providing more judge teams so that we can process these claims faster.

I hope to work with the gentleman from Texas (Mr. GONZALEZ). I know he is committed to it, and I am committed to it, as are the leaders of the Rules and Appropriations Committees, as we move through the process to enacting something that funds our government for this year.

I hope that when we get to the final resolution, we will have more judge teams than are in the base text of this bill. I pledge to work with folks.

This is a very important issue. It is one of the few issues that Republicans and Democrats agree on. It is one of the few issues that will make a big difference.

I thank the gentleman from Massachusetts and the entire Rules Committee for making in order another amendment that will speed the hiring process for these judge teams that Mr. GONZALEZ and I also offered. That is a start, but we need more resources.

In closing, I commit to working with Republicans and Democrats to get a solution that funds more judges to clear this backlog.

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

I thank the gentleman from Ohio for the constructive way that he has brought his concerns to the floor. I am very sympathetic to what he is trying to do. The Appropriations Committee believes that the funding level in the bill will support hiring the maximum number of immigration judges who can be brought on board in a single year. Nonetheless, we are going to have to invest significantly more because there is a backlog.

I think the problem with his amendment, and we talked about this last night, was the offset. He wanted, basically, to take \$71 million from the general legal activities, which funds Justice Department divisions such as the Civil Rights Division; the Civil Division, which includes funding for cases involving consumer and elder fraud; the Criminal Division, which includes mutual legal assistance reform; and

the Environment and Natural Resources Division. These litigation components do a great deal of important work.

I think the conversation should continue, and we should, hopefully, be able to build consensus around an offset that doesn't rob Peter to pay Paul.

I appreciate the gentleman from Ohio very much.

Madam Speaker, I reserve the balance of my time.

Mr. WOODALL. Madam Speaker, I yield myself 30 seconds to remind folks that we can defeat the previous question today and get on with the business of providing for the families and children along the border.

This is something that everyone in this institution cares about. For whatever reason, we can't move legislation forward. Everybody is talking about it. Nobody is doing anything about it.

There is no Member of this institution who is more frustrated with that than the gentleman from Texas (Mr. ROY). If we defeat the previous question, we will bring up H.R. 3056, the bill to fund that crisis management at the border.

Madam Speaker, I yield 3 minutes to the gentleman from Texas (Mr. ROY) to discuss that underlying bill.

Mr. ROY. Madam Speaker, I thank the gentleman for yielding, and I appreciate his working with me on this important issue.

I do want to say that I appreciate the floor staff and staff in the Parliamentarian's Office over the last few days. Obviously, we have had some interesting activities on the floor of the House that I think are important because I think it is important to vote and that this issue is important.

I do want to thank the staff for all of their hard work in support of what goes on on the floor. As a former staffer, I know the amount of time that goes into that.

Madam Speaker, I do believe that we should defeat the previous question. I do believe that we should move immediately to consideration of H.R. 3056, which my good friend from Alabama has put forward, as an important reflection of what the President and his Office of Management and Budget have asked for to deal with the humanitarian crisis at our border.

We have gone over quite a bit of what has been going on on our border. Lost in all of that are the people, the humanitarian reality of what is happening at the border, the children, moms, families; the lack of places to put people; a Border Patrol that is overwhelmed, literally overwhelmed trying to do its job to secure the border of the United States.

They literally don't know where to put people. They have them and they are going, "What do I do with them?"

They have to follow the law. They have to try to do screenings. They have to try to do health screenings. They have to try to perform the basic functions of their duty. Yet, they don't

have the resources necessary to do it because this body, for whatever reason, refuses to do that.

I know there are ongoing negotiations. There are ongoing conversations in the Senate and the House about trying to reach some agreement. But let's be honest: This has taken far too long since the President's initial request, leaving Border Patrol, ICE, and those who are dealing with this crisis at the border without the knowledge of whether they are going to have the resources necessary to do it and without any support for what they are doing today.

Today, somebody is going to be abused at the border. Some little girl, some family, is going to be abused at the hands of the cartels that have operational control of our border.

If you talk to anybody with deep knowledge of what is going on at the border, they know the cartels have operational control of our border. They are making hundreds of millions of dollars moving people, not just fentanyl, not just dangerous narcotics, but people. It is something that should end today.

We have the power, this body, to end it today. We should just call up H.R. 3056 and pass it. It would solve the problem. It would at least solve the problem of what they are dealing with in the humanitarian crisis.

What it won't do is solve the asylum problem. What it won't do is solve the catch-and-release problem. What it won't do is solve the problem of being able to take unaccompanied children safely back to families at home.

None of that will be solved in H.R. 3056. But H.R. 3056 is the bare minimum of what we ought to do in this body to ensure that people have the resources necessary to care for people when we are trying to manage a broken border overrun with crime, where communities in Texas are being ravaged, where yesterday a mayor came here and gave a press conference talking about car chases in the streets, where fentanyl is pouring across our border.

I urge this body to defeat the previous question and to move to H.R. 3056.

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

I appreciate the fact that the gentleman appreciates the staff who have been forced to remain here late into the night and into the early morning while he has insisted on vote after vote after vote. I am willing to venture a guess that the staff doesn't appreciate him very much.

I appreciate that the gentleman wants to do something about the here and now, about what is happening right this second. I wish the gentleman had that same attitude before he voted to delay the implementation of the emergency supplemental bill to deal with the disasters that hit Texas and a number of other States.

Let me assure the gentleman that we are very concerned about the humanitarian crisis at the border, and we are

engaged in negotiations with the Senate and the White House, trying to resolve this.

There are serious humanitarian needs at the border, many of which have been exacerbated by the Trump administration's cruel immigration policies. I mean, House Democrats understand these urgent needs. We want to address them, and negotiations continue.

Appropriators are continuing to have important conversations about how best to balance funding to address the humanitarian needs of the border with the imperative to hold this administration accountable.

If Republicans work with us, I am told that, by July 4th recess, we can pass a bicameral, bipartisan bill to provide humanitarian funding and protect the rights and the dignity of migrants.

It is hard for me to accept that the heart of what this administration is doing has anything to do with being humanitarian, with caring about the plight of these migrants. I have seen the separation of children from their parents, the cruel separation of children from their parents at the border. I have listened to this President go on a rampage, diminishing the plight of these refugees, in many cases, fleeing for their lives.

We are working, hopefully, in a bipartisan, bicameral way to get this done. But I would say this: If we care about doing what is right from a humanitarian perspective, it is not embracing the policies of this President.

Madam Speaker, I reserve the balance of my time.

Mr. WOODALL. Madam Speaker, I yield myself the balance of my time.

I want to begin where my friend from Massachusetts left off. I have not enjoyed coming down to vote on things we could have voice-voted either. I have not enjoyed being here until midnight on votes when I knew how they were going to come out, when we could have been working together on issues where I didn't know how they were going to come out and where we were trying to be agents of change.

But when we are in the minority, it is the only tool that we have to draw attention. The reason we have been here night after night is not because Mr. ROY is trying to inconvenience anyone. It is because he went to the Rules Committee and offered an amendment to do something that everybody in this Chamber knows ought to be done, and he didn't even get a vote. Folks wouldn't even let him bring his idea. Here we are, in the people's House, on an issue that is a bipartisan issue, and he did not even get a vote.

He is not here to say it is his way or the highway. He is here to say that he thought this was a place where ideas were debated and agreed to or defeated. On that, I think he is absolutely right. He is absolutely right.

My friend from Massachusetts is right, Madam Speaker, when he says that he has opened up this process

more than it was the last cycle under Republicans. It is true.

But we have heard Member after Member who said: "I have a good bipartisan idea. I have a good bipartisan idea, but the Rules Committee didn't allow it to be heard."

Madam Speaker, House Resolution 92 from 2011, conveniently offered by Mr. WOODALL, me, that was the festival of democracy in February to March 2011, where we didn't just have an open rule on one appropriations bill, or two, three, or four. We opened up the entire Federal budget and allowed every Member's voice to be heard. From the most liberal Republican to the most conservative, from the most conservative Democrat to the most liberal, everybody had a say.

Madam Speaker, the problem we are having, I tell the gentleman from Massachusetts, is not that we are opening up the process and so that is why we are having all of these delays. The problem is that the process is still too closed. That is why we are having delays.

I can understand it if you beat me when I am trying to represent the views of my constituents. But when you shut me down, I think it offends each and every one of us.

Appropriations bills have been that loan vestige of openness in this institution. Democrats shut them down before I got here. Republicans didn't improve much on that model, save this resolution from 2011. There is still much room for improvement on both sides.

Madam Speaker, let's start that improvement, start that improvement by defeating the previous question.

Let's go back to where this whole disagreement started. Let's give the gentleman from Texas an opportunity to be heard on the bill from the gentleman from Alabama. Let's fund this crisis that we all agree needs to be funded.

Madam Speaker, I ask unanimous consent that the text of my amendment be inserted in the RECORD immediately prior to the vote on the previous question.

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

There was no objection.

Mr. WOODALL. Madam Speaker, I will close with the words from the chairman of the Rules Committee last week:

I take a back seat to no one on this issue. We will deal with this issue. We will come up with something quick, and I look forward to working with you. We need to move this bill expeditiously.

I believe every word that he said. But it has been 7 days and the sole result of those meaningful words is nothing. We might have the luxury of another day. We might have the luxury of another 2. But that luxury is fast eroding, Madam Speaker.

My friend from Massachusetts does take a back seat to no one when it comes to caring for children, which is

why we are all counting on his leadership to move this issue forward with the seriousness that every Member of this institution believes it deserves.

Madam Speaker, I urge my friends: Defeat the previous question. Let's have this conversation today, not tomorrow, not the next day. Let's fix today what we can fix today.

Madam Speaker, success has an amazing way of making people feel better about themselves. Doing things that matter has an amazing way of making people feel better. It turns out, in this institution, Madam Speaker, success is incremental.

□ 1315

We do something well together today, we do something even bigger together tomorrow.

Defeat this previous question. Take up this issue of families and their care, and then we will move on with the rest of the appropriations business exactly, flawed or not, as my friend from Massachusetts has crafted.

Madam Speaker, I yield back the balance of my time.

Mr. MCGOVERN. Madam Speaker, I yield myself the balance of my time. I want to thank the gentleman from Georgia (Mr. WOODALL), who is my friend, and all those who participated in the debate here today.

Let me just make one observation about the previous question and this debate on the border crisis. I am looking at a Politico column that just appeared at 12:58 p.m. It says:

House inches toward 11th hour deal on funding the border crisis.

We probably would have reached a deal already, because the negotiations have been ongoing, but instead, Members have had to spend an inordinate amount of time on the House floor voting on amendment after amendment that passed almost unanimously.

One of the things I have learned about this place is that we have a lot of people who like to embrace the theater of Washington, and sometimes it becomes the theater of the absurd, people who know that issues are about to be solved, but who then stand up and demand that it gets solved so that when it gets solved, they can take a bow and take credit.

The bottom line is what has gone on on this House floor has delayed, I think, a solution here that we all want, and my hope is that Politico is correct and that we will get to this resolution soon and that there will be a big, strong, bipartisan support of whatever the agreement is, but I assure you about one thing, no deal is coming to a conclusion because of the theatrics that have happened on this House floor with demanding vote after vote after vote.

It really has become silly, it has become absurd, and I think we are better than that.

If people want to solve issues, they ought to support the negotiators of both parties that are trying to work

out a deal, and that is the way this place should operate. When it doesn't, it becomes silly, and that is what has been going on here.

Madam Speaker, I would urge my colleagues to vote "yes" on the previous question.

I would also say that there is no such thing as a perfect rule or perfect bill, but this is it. There are 290 amendments that are going to be debated on this. That is not clamping down on the process. There are 290 amendments.

There are a lot of amendments here. I started reading some of the Republican amendments that have been made in order. I have got to be honest with you, a lot of them, I think, are really terrible ideas, and I am going to fight like hell to try to defeat them because they are so bad. But they are going to have their day on the floor and they are going to be able to debate them.

That is not counting all the bipartisan amendments that have been made in order where Democrats and Republicans actually came together and forged a collaboration and a coalition to try to get stuff done for the good of our country.

Now, Madam Speaker, I understand that some watching this debate might find the appropriations process to be a little arcane, but it is actually incredibly important.

It is about whether Congress is going to make investments that give everyone in this country a shot at a better life. That is even more important today, especially with this administration in power.

Republicans have claimed for years to want a government so small that they could drown it in a bathtub. Well, this administration is taking it one step further, and wants a government small enough to leave millions of poor and working Americans with nowhere to turn. That is why it has released one extreme proposal after the next that would cut government spending to the bone for hardworking families, all while the wealthy get a windfall.

I have heard from so many in my district that are rightly frustrated by this approach. They want to see investments made in our communities that help all Americans, and that is what this does.

Let me say it again. The Appropriations Committee, the Democrats and the Republicans on the Appropriations Committee and their staffs, deserve bipartisan praise for the incredible amount of work they have put into this.

If you want to grow our economy and you want to combat gun violence, you want to rebuild our infrastructure, and more, then you should support this bill.

My friends on the other side who talked about wanting to debate more Republican ideas on the House floor should also support this bill, because, again, we are making 290 amendments in order for this bill. Again, some of them I agree with, some of them I plan

to vote against, but they are all going to be debated.

Madam Speaker, I will conclude by saying, in addition to thanking the Appropriations Committee and their staff, I want to thank the Rules Committee, the Democrats and the Republicans, and our staffs, for all the time that they have put in during, not only this week but last week as well. It is like final exam week. These are all-nighters for the staff, and oftentimes that gets overlooked, so I want to thank them for their patience and for their diligent work.

Madam Speaker, I urge a "yes" on the previous question, "yes" on this rule and on the underlying resolution.

The material previously referred to by Mr. WOODALL is as follows:

#### AMENDMENT TO HOUSE RESOLUTION 445

At the end of the resolution, add the following:

SEC. 14. That immediately upon adoption of this resolution, the House shall resolve into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3056) to provide supplemental appropriations relating to border security, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. Clause 2(e) of rule XXI shall not apply during consideration of the bill. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 15. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 3056.

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

The SPEAKER pro tempore. The question is on ordering the previous question.

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

Mr. WOODALL. Madam 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.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair

declares the House in recess for a period of less than 15 minutes.

Accordingly (at 1 o'clock and 21 minutes p.m.), the House stood in recess.

□ 1330

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. TORRES SMALL of New Mexico) at 1 o'clock and 30 minutes p.m.

#### 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:

Ordering the previous question on House Resolution 445; and

Adoption of House Resolution 445, 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.

PROVIDING FOR CONSIDERATION OF H.R. 3055, COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2020; RELATING TO CONSIDERATION OF H.R. 2740, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2020; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM JUNE 28, 2019, THROUGH JULY 8, 2019

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on ordering the previous question on the resolution (H. Res. 445) providing for consideration of the bill (H.R. 3055) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes; relating to consideration of the bill (H.R. 2740) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2020, and for other purposes; and providing for proceedings during the period from June 28, 2019, through July 8, 2019, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken by electronic device, and there were—yeas 232, nays 193, not voting 7, as follows:

[Roll No. 356]

## YEAS—232

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

## NAYS—193

|           |             |               |
|-----------|-------------|---------------|
| Abraham   | Bishop (UT) | Chabot        |
| Aderholt  | Bost        | Cheney        |
| Allen     | Brady       | Cline         |
| Amash     | Brooks (AL) | Cloud         |
| Amodei    | Brooks (IN) | Cole          |
| Arrington | Buchanan    | Collins (NY)  |
| Babin     | Buck        | Comer         |
| Bacon     | Bucshon     | Conaway       |
| Baird     | Budd        | Cook          |
| Balderson | Burchett    | Crawford      |
| Banks     | Crenshaw    | Burgess       |
| Barr      | Byrne       | Davidson (OH) |
| Bergman   | Calvert     | DesJarlais    |
| Biggs     | Carter (GA) | Diaz-Balart   |
| Bilirakis | Carter (TX) | Duffy         |

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

## NOT VOTING—7

Davis, Rodney

Neguse

Hastings

Herrera Beutler

□ 1355

Mr. CRENSHAW changed his vote from “yea” to “nay.”

Messrs. RUSH and BLUMENAUER changed their vote from “nay” to “yea.”

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated for:

Mr. NEGUSE. Madam Speaker, due to a committee meeting, I was delayed with regards to the following vote. Had I been present, I would have voted “yea” on rollcall No. 356.

Stated against:

Mr. RODNEY DAVIS of Illinois. Madam Speaker, I was unavoidably detained. Had I been present, I would have voted “nay” on rollcall No. 356.

Mr. ARMSTRONG. Madam Speaker, I was detained in the Hope Hicks deposition. Had I been present, I would have voted “Nay” on rollcall No. 356.

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. WOODALL. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 231, nays 195, not voting 6, as follows:

[Roll No. 357]

## YEAS—231

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

## NAYS—195

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



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

## NOT VOTING—6

|        |                 |           |
|--------|-----------------|-----------|
| Correa | Hastings        | Newhouse  |
| Curtis | Herrera Beutler | Rice (NY) |

□ 1405

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.

# DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2020

The SPEAKER pro tempore. Pursuant to House Resolution 436 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2740.

Will the gentleman from Oregon (Mr. BLUMENAUER) kindly take the chair.

□ 1408

## IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2740) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending Sep-

tember 30, 2020, and for other purposes, with Mr. BLUMENAUER (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Tuesday, June 18, 2019, amendment No. 61 printed in part A of House Report 116–111 offered by the gentleman from California (Mr. Cox) had been disposed of.

Pursuant to House Resolution 445, the amendment printed in part C of House Report 116–119 shall be considered as adopted in the House and in the Committee of the Whole.

The text of the amendment printed in part C of House Report 116–119 is as follows:

Page 59, line 12, after the dollar amount, insert “(increased by \$70,000,000)”.

Page 66, line 14, after the dollar amount, insert “(increased by \$20,000,000)”.

Page 68, line 21, after the dollar amount, insert “(increased by \$19,500,000)”.

Page 77, line 10, after the dollar amount, insert “(increased by \$100,000,000)”.

Page 77, line 11, after the dollar amount, insert “(increased by \$100,000,000)”.

Page 121, line 23, after the dollar amount, insert “(increased by \$80,000,000)”.

Page 121, line 24, after the dollar amount, insert “(increased by \$80,000,000)”.

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part A of House Report 116–111 on which further proceedings were postponed, in the following order:

Amendment No. 63 by Mr. BURGESS of Texas.

Amendment No. 64 by Mr. BURGESS of Texas.

Amendments en bloc No. 3 by Ms. KAPTUR of Ohio.

Amendments en bloc No. 4 by Ms. KAPTUR of Ohio.

Amendment No. 89 by Mr. MULLIN of Oklahoma.

Amendment No. 90 by Mr. HUFFMAN of California.

Amendment No. 91 by Mr. GRAVES of Louisiana.

Amendment No. 97 by Mr. BANKS of Indiana.

The Chair will reduce to 2 minutes the minimum time for any electronic vote in this series.

## AMENDMENT NO. 63 OFFERED BY MR. BURGESS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. BURGESS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 146, noes 288, not voting 4, as follows:

[Roll No. 358]

AYES—146

|               |              |               |
|---------------|--------------|---------------|
| Abraham       | Gohmert      | Moolenaar     |
| Allen         | Gooden       | Mooney (WV)   |
| Amash         | Gosar        | Mullin        |
| Amodei        | Granger      | Norman        |
| Arrington     | Graves (GA)  | Nunes         |
| Babin         | Graves (MO)  | Olson         |
| Bacon         | Green (TN)   | Palazzo       |
| Balderson     | Griffith     | Palmer        |
| Banks         | Grothman     | Pence         |
| Barr          | Guest        | Perry         |
| Bergman       | Guthrie      | Ratcliffe     |
| Biggs         | Hagedorn     | Rice (SC)     |
| Bilirakis     | Harris       | Riggleman     |
| Bishop (UT)   | Hartzler     | Rodgers (WA)  |
| Brady         | Hern, Kevin  | Roe, David P. |
| Brooks (AL)   | Hice (GA)    | Rose, John W. |
| Brooks (IN)   | Higgins (LA) | Rouzer        |
| Buchanan      | Hill (AR)    | Roy           |
| Buck          | Holding      | Scalise       |
| Bucshon       | Hudson       | Schweikert    |
| Budd          | Huizenga     | Scott, Austin |
| Burchett      | Hunter       | Sensenbrenner |
| Burgess       | Johnson (LA) | Shimkus       |
| Byrne         | Johnson (OH) | Smith (MO)    |
| Carter (GA)   | Johnson (SD) | Smith (NE)    |
| Carter (TX)   | Jordan       | Smucker       |
| Chabot        | Joyce (PA)   | Spano         |
| Cline         | Keating      | Steil         |
| Cloud         | Keller       | Steube        |
| Collins (GA)  | Kelly (MS)   | Stewart       |
| Comer         | Kelly (PA)   | Taylor        |
| Conaway       | King (IA)    | Timmons       |
| Cook          | Kustoff (TN) | Wagner        |
| Crawford      | LaHood       | Walberg       |
| Crenshaw      | LaMalfa      | Walker        |
| Davidson (OH) | Lamborn      | Walorski      |
| DesJarlais    | Latta        | Waltz         |
| Duffy         | Lesko        | Watkins       |
| Duncan        | Long         | Weber (TX)    |
| Dunn          | Loudermilk   | Webster (FL)  |
| Emmer         | Marchant     | Wenstrup      |
| Estes         | Marshall     | Westerman     |
| Ferguson      | Massie       | Williams      |
| Flores        | McCarthy     | Wittman       |
| Fox (NC)      | McClintock   | Woodall       |
| Fulcher       | McHenry      | Wright        |
| Gaetz         | Meadows      | Yoho          |
| Gianforte     | Meuser       | Zeldin        |
| Gibbs         | Mitchell     |               |

NOES—288

|                 |                 |                     |
|-----------------|-----------------|---------------------|
| Adams           | Connolly        | Gallego             |
| Aderholt        | Cooper          | Garamendi           |
| Aguilar         | Correa          | Garcia (IL)         |
| Allred          | Costa           | Garcia (TX)         |
| Armstrong       | Courtney        | Golden              |
| Axne            | Cox (CA)        | Gomez               |
| Baird           | Craig           | Gonzalez (OH)       |
| Barragan        | Crist           | Gonzalez (TX)       |
| Bass            | Crow            | Gonzalez-Colón (PR) |
| Beatty          | Cuellar         | Gottheimer          |
| Bera            | Cummings        | Graves (LA)         |
| Beyer           | Cunningham      | Green (TX)          |
| Bishop (GA)     | Davids (KS)     | Grijalva            |
| Blumenauer      | Davis (CA)      | Haaland             |
| Blunt Rochester | Davis, Danny K. | Harder (CA)         |
| Bonamici        | Davis, Rodney   | Hayes               |
| Bost            | Dean            | Heck                |
| Boyle, Brendan  | DeFazio         | Higgins (NY)        |
| F.              | DeGette         | Hill (CA)           |
| Brindisi        | DeLauro         | Himes               |
| Brown (MD)      | DelBene         | Hollingsworth       |
| Brownley (CA)   | Delgado         | Horn, Kendra S.     |
| Bustos          | Demings         | Horsford            |
| Butterfield     | DeSaulnier      | Houlahan            |
| Calvert         | Deutch          | Hoyer               |
| Carbajal        | Diaz-Balart     | Huffman             |
| Cárdenas        | Dingell         | Hurd (TX)           |
| Carson (IN)     | Doggett         | Jackson Lee         |
| Cartwright      | Doyle, Michael  | Jayapal             |
| Case            | F.              | Jeffries            |
| Casten (IL)     | Engel           | Johnson (GA)        |
| Castor (FL)     | Escobar         | Johnson (TX)        |
| Castro (TX)     | Eshoo           | Joyce (OH)          |
| Cheney          | Espallat        | Kaptur              |
| Chu, Judy       | Evans           | Katko               |
| Cicilline       | Finkenauer      | Kelly (IL)          |
| Cisneros        | Fitzpatrick     | Kennedy             |
| Clark (MA)      | Fleischmann     | Khanna              |
| Clarke (NY)     | Fletcher        | Kildee              |
| Clay            | Fortenberry     | Kilmer              |
| Cleaver         | Foster          | Kim                 |
| Clyburn         | Frankel         | Kind                |
| Cohen           | Fudge           | King (NY)           |
| Cole            | Gabbard         | Kinzing             |
| Collins (NY)    | Gallagher       |                     |

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  
Loeb sack  
Lofgren  
Lowenthal  
Lowey  
Lucas  
Luetkemeyer  
Luján  
Luria  
Lynch  
Malinowski  
Maloney,  
Carolyn B.  
Maloney, Sean  
Mast  
Matsui  
McAdams  
McBath  
McCauley  
McCollum  
McEachin  
McGovern  
McKinley  
McNerney  
Meeks  
Meng  
Miller  
Moore  
Morelle  
Moulton  
Mucarsel-Powell  
Murphy  
Nadler  
Napolitano  
Neal  
Neguse  
Newhouse  
Norcross

## NOT VOTING—4

Curtis  
Hastings

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1413

Mr. VEASEY changed his vote from  
“aye” to “no.”

So the amendment was rejected.

The result of the vote was announced  
as above recorded.

## AMENDMENT NO. 64 OFFERED BY MR. BURGESS

The Acting CHAIR. The unfinished  
business is the demand for a recorded  
vote on the amendment offered by the  
gentleman from Texas (Mr. BURGESS)  
on which further proceedings were  
postponed and on which the noes pre-  
vailed by voice vote.

The Clerk will redesignate the  
amendment.

The Clerk redesignated the amend-  
ment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote  
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-  
minute vote.

The vote was taken by electronic de-  
vice, and there were—ayes 197, noes 237,  
not voting 4, as follows:

Sherman  
Sherrill  
Simpson  
Sires  
Slotkin  
Smith (NJ)  
Smith (WA)  
Soto  
Spanberger  
Speier  
Stanton  
Staubert  
Stefanik  
Stevens  
Stivers  
Suozi  
Swalwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Thornberry  
Tipton  
Titus  
Tlaib  
Tonko  
Torres (CA)  
Torres Small  
(NM)  
Trahan  
Trone  
Turner  
Underwood  
Upton  
Van Drew  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Walden  
Wasserman  
Schultz  
Waters  
Watson Coleman  
Welch  
Wexton  
Wild  
Wilson (FL)  
Wilson (SC)  
Womack  
Yarmuth  
Young

Abraham  
Aderholt  
Allen  
Amodei  
Armstrong  
Arrington  
Babin  
Bacon  
Baird  
Balderson  
Banks  
Barr  
Bergman  
Biggs  
Billirakis  
Bishop (UT)  
Bost  
Brady  
Brindisi  
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  
Davidson (OH)  
Davis, Rodney  
DesJarlais  
Diaz-Balart  
Duffy  
Duncan  
Dunn  
Emmer  
Estes  
Ferguson  
Fitzpatrick  
Fleischmann  
Flores  
Fortenberry  
Foxy (NC)  
Fulcher  
Gaetz  
Gallagher  
Gianforte  
Gibbs  
Gohmert  
Golden  
Gonzalez (OH)

Adams  
Aguilar  
Allred  
Amash  
Axne  
Barragán  
Bass  
Beatty  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Blunt Rochester  
Bonamici  
Boyle, Brendan  
F.  
Brown (MD)  
Brownley (CA)  
Bustos  
Butterfield  
Carbajal  
Cárdenas  
Carson (IN)  
Cartwright  
Case  
Casten (IL)  
Castor (FL)  
Castro (TX)

[Roll No. 359]

## AYES—197

Gooden  
Gosar  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Green (TN)  
Griffith  
Grothman  
Guest  
Guthrie  
Hagedorn  
Harris  
Hartzler  
Hern, Kevin  
Hice (GA)  
Higgins (LA)  
Hill (AR)  
Holding  
Hollingsworth  
Hudson  
Huizenga  
Hunter  
Johnson (LA)  
Johnson (OH)  
Johnson (SD)  
Jordan  
Joyce (PA)  
Katko  
Keller  
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  
McCauley  
McClintock  
McHenry  
McKinley  
Meadows  
Meuser  
Miller  
Mitchell  
Moolenaar  
Mooney (WV)  
Mullin  
Newhouse  
Norman  
Nunes  
Olson  
Palazzo  
Palmer

## NOES—237

Chu, Judy  
Cicilline  
Cisneros  
Clark (MA)  
Clarke (NY)  
Clay  
Clever  
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  
DeLauro

Gottheimer  
Granger  
Green (TX)  
Grijalva  
Haaland  
Harder (CA)  
Hayes  
Heck  
Higgins (NY)  
Hill (CA)  
Himes  
Horn, Kendra S.  
Horsford  
Houlahan  
Hoyer  
Huffman  
Hurd (TX)  
Jackson Lee  
Jayapal  
Jeffries  
Johnson (GA)  
Johnson (TX)  
Joyce (OH)  
Kaptur  
Keating  
Kelly (IL)  
Kennedy  
Khanna  
Kildee  
Kilmer  
Kim  
Kind  
Kirkpatrick  
Krishnamoorthi  
Kuster (NH)  
Lamb  
Langevin  
Larsen (WA)  
Larson (CT)  
Lawrence  
Lawson (FL)  
Lee (CA)  
Lee (NV)  
Levin (CA)  
Levin (MI)  
Lewis  
Lie, Ted  
Lipinski  
Loeb sack  
Lofgren  
Lowenthal  
Lowey  
Luján

Luria  
Lynch  
Malinowski  
Maloney,  
Carolyn B.  
Maloney, Sean  
Matsui  
McAdams  
McBath  
McCollum  
McEachin  
McGovern  
McNerney  
Meeks  
Meng  
Moore  
Morelle  
Moulton  
Mucarsel-Powell  
Murphy  
Nadler  
Napolitano  
Neal  
Neguse  
Norcross  
Norton  
O'Halleran  
Ocasio-Cortez  
Omar  
Pallone  
Panetta  
Pappas  
Pascarell  
Payne  
Perlmutter  
Peters  
Phillips  
Pingree  
Plaskett  
Pocan  
Porter  
Pressley  
Price (NC)  
Quigley  
Raskin  
Rice (NY)  
Richmond  
Rose (NY)  
Rouda  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush

## NOT VOTING—4

Curtis  
Hastings

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1418

So the amendment was rejected.

The result of the vote was announced  
as above recorded.

## AMENDMENTS EN BLOC NO. 3 OFFERED BY MS.

## KAPTUR OF OHIO

The Acting CHAIR. The unfinished  
business is the demand for a recorded  
vote on amendments en bloc offered by  
the gentlewoman from Ohio (Ms. KAP-  
TUR) on which further proceedings were  
postponed and on which the ayes pre-  
vailed by voice vote.

The Clerk will redesignate the  
amendments en bloc.

The Clerk redesignated the amend-  
ments en bloc.

## RECORDED VOTE

The Acting CHAIR. A recorded vote  
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-  
minute vote.

The vote was taken by electronic de-  
vice, and there were—ayes 233, noes 200,  
not voting 5, as follows:

DelBene  
Delgado  
Demings  
DeSaulnier  
Deutch  
Dingell  
Doggett  
Doyle, Michael  
F.  
Engel  
Escobar  
Eshoo  
Español  
Evans  
Finkenauer  
Fletcher  
Foster  
Frankel  
Fudge  
Gabbard  
Gallego  
Garamendi  
García (IL)  
García (TX)  
Gomez  
Gonzalez (TX)  
González-Colón  
(PR)

[Roll No. 360]

## AYES—233

Adams González-Colón  
Aguilar (PR)  
Axne Gottheimer  
Barragán Green (TX)  
Bass Grijalva  
Beatty Haaland  
Bera Harder (CA)  
Beyer Hayes  
Bishop (GA) Heck  
Blumenauer Higgins (NY)  
Blunt Rochester Hill (CA)  
Bonamici Himes  
Boyle, Brendan Horn, Kendra S.  
F. Horsford  
Brindisi Houlihan  
Brown (MD) Hoyer  
Brownley (CA) Huffman  
Bustos Jackson Lee  
Butterfield Jayapal  
Carbajal Jeffries  
Cárdenas Johnson (GA)  
Carson (IN) Johnson (TX)  
Cartwright Kaptur  
Case Katko  
Casten (IL) Kelly (IL)  
Castor (FL) Kennedy  
Castro (TX) Khanna  
Chu, Judy Kildee  
Cicilline Kilmer  
Cisneros Kim  
Clark (MA) Kind  
Clarke (NY) Kirkpatrick  
Clay Krishnamoorthi  
Cleaver Kuster (NH)  
Clyburn Langevin  
Cohen Larsen (WA)  
Connolly Larson (CT)  
Cooper Lawrence  
Correa Lawson (FL)  
Costa Lee (CA)  
Courtney Lee (NV)  
Craig Levin (CA)  
Crist Levin (MI)  
Crow Lewis  
Cuellar Lieu, Ted  
Cummings Lipinski  
Cunningham Loeb sack  
Davids (KS) Lofgren  
Davis (CA) Lowenthal  
Davis, Danny K. Lowey  
Dean Luján  
DeFazio Luria  
DeGette Lynch  
DeLauro Malinowski  
DeBene Maloney,  
Delgado Carolyn B.  
Demings Maloney, Sean  
DeSaulnier Mast  
Deutch Matsui  
Dingell McBath  
Doggett McCollum  
Doyle, Michael McEachin  
F. McGovern  
Engel McNerney  
Escobar Meeks  
Eshoo Meng  
Español Moore  
Evans Morelle  
Finkenauer Moulton  
Fitzpatrick Mucarsel-Powell  
Foster Murphy  
Frankel Nadler  
Fudge Napolitano  
Gabbard Neal  
Gallego Neguse  
Garamendi Norcross  
Garcia (IL) Norton  
Garcia (TX) O'Halleran  
Golden Ocasio-Cortez  
Gomez Omar

## NOES—200

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

Cox (CA) Jordan  
Crawford Joyce (OH)  
Crenshaw Joyce (PA)  
Davidson (OH) Keller  
Davis, Rodney Kelly (MS)  
DesJarlais Kelly (PA)  
Diaz-Balart King (IA)  
Duffy King (NY)  
Duncan Kinzinger  
Dunn Kustoff (TN)  
Emmer LaHood  
Estes LaMalfa  
Ferguson Lamb  
Fleischmann Lamborn  
Fletcher Latta  
Flores Lesko  
Fortenberry Long  
Foxy (NC) Loudermilk  
Raskin Lucas  
Fulcher Luetkemeyer  
Gaetz Marchant  
Gallagher Marshall  
Gianforte Massie  
Gibbs McAdams  
Gohmert McCarthy  
Gonzalez (OH) McCaul  
Gonzalez (TX) McClintock  
Gooden McHenry  
Gosar McKinley  
Granger Meadows  
Graves (GA) Meuser  
Graves (LA) Miller  
Graves (MO) Mitchell  
Green (TN) Moolenaar  
Griffith Mooney (WV)  
Grothman Mullin  
Guest Newhouse  
Guthrie Norman  
Hagedorn Nunes  
Harris Olson  
Hartzler Palazzo  
Hern, Kevin Hice (GA)  
Higginson Higgins (LA)  
Hill (AR) Perry  
Holding Peterson  
Hollingsworth Plaskett  
Hudson Posey  
Huizenga Ratcliffe  
Hunter Reed  
Hurd (TX) Reschenthaler  
Johnson (LA) Rice (SC)  
Johnson (OH) Rigglesman  
Johnson (SD) Roby

## NOT VOTING—5

Curtis Herrera Beutler  
Hastings Keating

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1422

So the en bloc amendments were  
agreed to.

The result of the vote was announced  
as above recorded.

AMENDMENTS EN BLOC NO. 4 OFFERED BY MS.  
KAPTUR OF OHIO

The Acting CHAIR. The unfinished  
business is the demand for a recorded  
vote on amendments en bloc offered by  
the gentlewoman from Ohio (Ms. KAP-  
TUR) on which further proceedings were  
postponed and on which the ayes pre-  
vailed by voice vote.

The Clerk will redesignate the  
amendments en bloc.

The Clerk redesignated the amend-  
ments en bloc.

## RECORDED VOTE

The Acting CHAIR. A recorded vote  
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-  
minute vote.

The vote was taken by electronic de-  
vice, and there were—ayes 382, noes 52,  
not voting 4, as follows:

[Roll No. 361]

## AYES—382

Adams Dunn  
Aderholt Emmer  
Aguilar Engel  
Allred Escobar  
Amodei Eshoo  
Armstrong Espaillat  
Axne Estes  
Babin Evans  
Bacon Finkenauer  
Baird Fitzpatrick  
Balderson Fleischmann  
Banks Fletcher  
Barr Flores  
Barragán Fortenberry  
Bass Foster  
Beatty Foxx (NC)  
Bera Frankel  
Bergman Fudge  
Beyer Fulcher  
Bilirakis Gabbard  
Bishop (GA) Gallagher  
Blumenauer Gallego  
Blunt Rochester Garamendi  
Bonamici Garcia (IL)  
Bost Garcia (TX)  
Boyle, Brendan Gianforte  
F. Gibbs  
Brady Golden  
Brindisi Gomez  
Brooks (IN) Gonzalez (OH)  
Brown (MD) Gonzalez (TX)  
Brownley (CA) Gonzalez-Colón  
Buchanan (PR)  
Budd Gottheimer  
Burchett Granger  
Bustos Graves (LA)  
Butterfield Graves (MO)  
Calvert Green (TX)  
Carbajal Griffith  
Cárdenas Grijalva  
Carson (IN) Guest  
Carter (TX) Guthrie  
Cartwright Haaland  
Case Hagedorn  
Casten (IL) Harder (CA)  
Castor (FL) Hartzler  
Castro (TX) Hayes  
Cheney Heck  
Chu, Judy Higgins (LA)  
Cicilline Higgins (NY)  
Cisneros Hill (AR)  
Clark (MA) Hill (CA)  
Clarke (NY) Himes  
Clay Holding  
Cleaver Hollingsworth  
Clyburn Horn, Kendra S.  
Cohen Horsford  
Cole Houlihan  
Collins (GA) Hoyer  
Collins (NY) Hudson  
Comer Huffman  
Conaway Huizenga  
Connolly Hunter  
Cook Hurd (TX)  
Cooper Jackson Lee  
Correa Jayapal  
Costa Jeffries  
Courtney Johnson (GA)  
Cox (CA) Johnson (SD)  
Craig Johnson (TX)  
Crawford Jordan  
Crenshaw Joyce (OH)  
Crist Joyce (PA)  
Crow Kaptur  
Cuellar Katko  
Cummings Keating  
Cunningham Keller  
Davids (KS) Kelly (IL)  
Davis (CA) Kelly (MS)  
Davis, Danny K. Kelly (PA)  
Davis, Rodney Kennedy  
Dean Khanna  
DeFazio Kildee  
DeGette Kilmer  
DeLauro Kim  
DelBene Kind  
Delgado King (NY)  
Demings Kinzinger  
DeSaulnier Kirkpatrick  
DesJarlais Krishnamoorthi  
Deutch Kuster (NH)  
Diaz-Balart Kustoff (TN)  
Dingell LaHood  
Doggett LaMalfa  
Doyle, Michael Lamb  
F. Lamborn

Langevin  
Larsen (WA)  
Larson (CT)  
Latta  
Lawrence  
Lawson (FL)  
Lee (CA)  
Lee (NV)  
Lesko  
Levin (CA)  
Levin (MI)  
Lewis  
Lieu, Ted  
Lipinski  
Loeb sack  
Lofgren  
Long  
Lowenthal  
Lowey  
Lucas  
Luetkemeyer  
Luján  
Luria  
Lynch  
Malinowski  
Maloney  
Maloney, Sean  
Marshall  
Mast  
Matsui  
McAdams  
McBath  
McCarthy  
McCaul  
McCollum  
McEachin  
McGovern  
McHenry  
McKinley  
McNerney  
Meeks  
Meng  
Miller  
Mitchell  
Moolenaar  
Mooney (WV)  
Moore  
Morelle  
Moulton  
Mucarsel-Powell  
Murphy  
Nadler  
Napolitano  
Neal  
Neguse  
Newhouse  
Norcross  
Norton  
Nunes  
O'Halleran  
Ocasio-Cortez  
Olson  
Omar  
Pallone  
Panetta  
Pappas  
Pascarell  
Payne  
Pence  
Perlmutter  
Perry  
Peters  
Peterson  
Phillips  
Pingree  
Plaskett  
Pocan  
Porter  
Pressley  
Price (NC)  
Quigley  
Raskin  
Reed  
Reschenthaler  
Rice (NY)  
Richmond  
Rigglesman  
Roby  
Rodgers (WA)  
Roe, David P.  
Rogers (AL)  
Rogers (KY)  
Rose, John W.  
Rouzer  
Roy  
Rutherford  
Scalise  
Scott, Austin  
Sensenbrenner  
Shimkus  
Simpson  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smucker  
Spano  
Staubert  
Stefanik  
Steil  
Steube  
Stewart  
Stivers  
Taylor  
Thompson (PA)  
Thornberry  
Timmons  
Tipton  
Turner  
Upton  
Veasey  
Vela  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Watkins  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Wright  
Yoho  
Young  
Zeldin

Rouda Smith (NJ)  
 Rouzer Smith (WA)  
 Roybal-Allard Smucker  
 Ruiz Soto  
 Ruppertsberger Spanberger  
 Rush Spano  
 Rutherford Speier  
 Ryan Stanton  
 Sablan Stauber  
 San Nicolas Stefanik  
 Sánchez Steil  
 Sarbanes Stevens  
 Scalise Stewart  
 Scanlon Stivers  
 Schakowsky Suozzi  
 Schiff Swalwell (CA)  
 Schneider Takano  
 Schrader Thompson (CA)  
 Schrier Thompson (MS)  
 Schweikert Thompson (PA)  
 Scott (VA) Thornberry  
 Scott, David Timmons  
 Sensenbrenner Tipton  
 Serrano Titus  
 Sewell (AL) Tlaib  
 Shalala Tonko  
 Sherman Torres (CA)  
 Sherrill Torres Small  
 Shimkus (NM)  
 Simpson Trahan  
 Sires Trone  
 Slotkin Turner  
 Smith (MO) Underwood  
 Smith (NE) Upton

## NOES—52

Abraham Ferguson  
 Allen Gaetz  
 Amash Gohmert  
 Arrington Gooden  
 Biggs Gosar  
 Bishop (UT) Graves (GA)  
 Brooks (AL) Green (TN)  
 Buck Grothman  
 Bucshon Harris  
 Burgess Hern, Kevin  
 Byrne Hice (GA)  
 Carter (GA) Johnson (LA)  
 Chabot Johnson (OH)  
 Cline King (IA)  
 Cloud Loudermilk  
 Davidson (OH) Marchant  
 Duffy Massie  
 Duncan McClintock

## NOT VOTING—4

Curtis Herrera Beutler  
 Hastings Radewagen

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
 There is 1 minute remaining.

□ 1426

Mr. BURCHETT changed his vote  
 from “no” to “aye.”

So the en bloc amendments were  
 agreed to.

The result of the vote was announced  
 as above recorded.

## AMENDMENT NO. 89 OFFERED BY MR. MULLIN

The Acting CHAIR. The unfinished  
 business is the demand for a recorded  
 vote on the amendment offered by the  
 gentleman from Oklahoma (Mr.  
 MULLIN) on which further proceedings  
 were postponed and on which the noes  
 prevailed by voice vote.

The Clerk will redesignate the  
 amendment.

The Clerk redesignated the amend-  
 ment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote  
 has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-  
 minute vote.

The vote was taken by electronic de-  
 vice, and there were—ayes 186, noes 248,  
 not voting 4, as follows:

Van Drew  
 Vargas  
 Veasey  
 Vela  
 Velázquez  
 Visclosky  
 Wagner  
 Walberg  
 Walden  
 Walker  
 Walorski  
 Waltz  
 Wasserman  
 Schultz  
 Waters  
 Watkins  
 Watson Coleman  
 Weber (TX)  
 Welch  
 Wenstrup  
 Westerman  
 Wexton  
 Wild  
 Wilson (FL)  
 Wilson (SC)  
 Wittman  
 Womack  
 Woodall  
 Yarmuth  
 Yoho  
 Young  
 Zeldin

Abraham  
 Aderholt  
 Allen  
 Amash  
 Armstrong  
 Arrington  
 Babin  
 Baird  
 Balderson  
 Banks  
 Barr  
 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  
 Davidson (OH)  
 Davis, Rodney  
 DeJarlais  
 Diaz-Balart  
 Duffy  
 Duncan  
 Dunn  
 Emmer  
 Estes  
 Ferguson  
 Fleischmann  
 Flores  
 Foxx (NC)  
 Fulcher  
 Gallagher  
 Gianforte  
 Gibbs  
 Gohmert  
 Gonzalez (OH)  
 González-Colón  
 (PR)  
 Gooden  
 Gosar

Meadows  
 Meuser  
 Mullin  
 Norman  
 Palazzo  
 Palmer  
 Posey  
 Ratcliffe  
 Rice (SC)  
 Roy  
 Scott, Austin  
 Steube  
 Taylor  
 Webster (FL)  
 Williams  
 Wright  
 Adams  
 Aguilar  
 Alired  
 Amodei  
 Axne  
 Bacon  
 Barragán  
 Bass  
 Beatty  
 Bera  
 Bergman  
 Beyer  
 Bishop (GA)  
 Blumenauer  
 Blunt Rochester  
 Bonamici  
 Boyle, Brendan  
 F.  
 Brindisi  
 Brown (MD)  
 Brownley (CA)  
 Bustos  
 Butterfield  
 Carabajal  
 Cárdenas  
 Carson (IN)  
 Cartwright  
 Case  
 Casten (IL)  
 Castor (FL)  
 Castro (TX)

[Roll No. 362]

## AYES—186

Granger  
 Graves (GA)  
 Graves (LA)  
 Graves (MO)  
 Green (TN)  
 Griffith  
 Grothman  
 Guest  
 Guthrie  
 Hagedorn  
 Harris  
 Hartzler  
 Hern, Kevin  
 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  
 Keller  
 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  
 McKinley  
 Meadows  
 Meuser  
 Miller  
 Mitchell  
 Moolenaar  
 Mooney (WV)  
 Mullin  
 Newhouse  
 Norman  
 Nunes

## NOES—248

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  
 DeLauro  
 DelBene  
 Delgado  
 Demings

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  
 Kind  
 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  
 Loeb sack  
 Lofgren  
 Lowenthal  
 Lowey  
 Luján  
 Luria  
 Lynch  
 Malinowski  
 Maloney,  
 Carolyn B.  
 Maloney, Sean  
 Matsui  
 McAdams

McBath  
 McCollum  
 McEachin  
 McGovern  
 McHenry  
 McNeerney  
 Meeks  
 Meng  
 Moore  
 Morelle  
 Moulton  
 Mucarsel-Powell  
 Murphy  
 Nadler  
 Napolitano  
 Neal  
 Neguse  
 Norcross  
 Norton  
 O'Halleran  
 Ocasio-Cortez  
 Omar  
 Pallone  
 Panetta  
 Pappas  
 Pascrell  
 Payne  
 Perlmutter  
 Peters  
 Peterson  
 Phillips  
 Pingree  
 Plaskett  
 Pocan  
 Porter  
 Pressley  
 Price (NC)  
 Quigley  
 Raskin  
 Reed  
 Rice (NY)  
 Richmond  
 Rooney (FL)  
 Rose (NY)  
 Rouda  
 Roybal-Allard  
 Ruiz  
 Ruppertsberger  
 Rush  
 Ryan  
 Sablan  
 San Nicolas  
 Sánchez  
 Sarbanes

## NOT VOTING—4

Curtis Herrera Beutler  
 Hastings Radewagen

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
 There is 1 minute remaining.

□ 1430

Mr. CUMMINGS changed his vote  
 from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced  
 as above recorded.

## AMENDMENT NO. 90 OFFERED BY MR. HUFFMAN

The Acting CHAIR. The unfinished  
 business is the demand for a recorded  
 vote on the amendment offered by the  
 gentleman from California (Mr.  
 HUFFMAN) on which further pro-  
 ceedings were postponed and on which  
 the ayes prevailed by voice vote.

The Clerk will redesignate the  
 amendment.

The Clerk redesignated the amend-  
 ment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote  
 has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-  
 minute vote.

The vote was taken by electronic de-  
 vice, and there were—ayes 233, noes 201,  
 not voting 4, as follows:

[Roll No. 363]

## AYES—233

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

## NOES—201

Abraham Barr Burgess  
 Aderholt Bergman Byrne  
 Allen Biggs Calvert  
 Allred Bilirakis Carter (GA)  
 Amash Bishop (UT) Carter (TX)  
 Amodei Bost Chabot  
 Armstrong Brady Cheney  
 Arrington Brooks (AL) Cline  
 Axne Brooks (IN) Cloud  
 Babin Buchanan Cole  
 Bacon Buck Collins (GA)  
 Baird Bucshon Collins (NY)  
 Balderson Budd Comer  
 Banks Burchett Conaway

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

## NOT VOTING—4

Curtis Herrera Beutler  
 Hastings Radewagen

ANNOUNCEMENT BY THE ACTING CHAIR  
 The Acting CHAIR (during the vote).  
 There is 1 minute remaining.

□ 1435

So the amendment was agreed to.  
 The result of the vote was announced  
 as above recorded.

AMENDMENT NO. 91 OFFERED BY MR. GRAVES OF  
 LOUISIANA

The Acting CHAIR. The unfinished  
 business is the demand for a recorded  
 vote on the amendment offered by the  
 gentleman from Louisiana (Mr.  
 GRAVES) on which further proceedings  
 were postponed and on which the noes  
 prevailed by voice vote.

The Clerk will redesignate the  
 amendment.

The Clerk redesignated the amend-  
 ment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote  
 has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-  
 minute vote.

The vote was taken by electronic de-  
 vice, and there were—ayes 162, noes 269,  
 answered “present” 1, not voting 6, as  
 follows:

[Roll No. 364]

## AYES—162

Abraham Graves (GA) Mullin  
 Allen Graves (LA) Norman  
 Armstrong Graves (MO) Nunes  
 Babin Green (TN) Olson  
 Balderson Griffith Palazzo  
 Banks Grothman Palmer  
 Barr Guest Pence  
 Bergman Guthrie Perry  
 Biggs Hagedorn Peterson  
 Bost Harris Plaskett  
 Brooks (AL) Hern, Kevin Porter  
 Brooks (IN) Hice (GA) Ratcliffe  
 Buchanan Higgins (LA) Reed  
 Buck Hill (AR) Reschenthaler  
 Budd Hollingsworth Rice (SC)  
 Burchett Hudson Richmond  
 Burgess Huffman Riggelman  
 Byrne Huizenga Rogers (AL)  
 Carter (GA) Hunter Scalise  
 Chabot Johnson (LA) Schweikert  
 Cheney Johnson (OH) Scott, Austin  
 Cline Johnson (SD) Shimkus  
 Cloud Jordan Smith (MO)  
 Cole Joyce (PA) Smith (NE)  
 Collins (GA) Katko Smucker  
 Collins (NY) Keller Spanberger  
 Comer Kelly (MS) Spano  
 Conaway King (IA) Stauber  
 Cook Kinzinger Stefanik  
 Cost Kustoff (TN) Steil  
 Cox (CA) LaHood Steube  
 Crawford LaMalfa Stewart  
 Crenshaw Lamborn Stivers  
 Davidson (OH) Latta Taylor  
 Davis, Rodney Lesko Thompson (PA)  
 DesJarlais Long Thornberry  
 Duffy Loudermilk Timmons  
 Duncan Lowenthal Tipton  
 Dunn Lucas Turner  
 Emmer Luetkemeyer Vela  
 Estes Maloney, Sean Wagner  
 Ferguson Marshall Walker  
 Fletcher Massie Waltz  
 Flores Mast Watkins  
 Fortenberry McCarthy Weber (TX)  
 Fox (NC) McCaul Wenstrup  
 Fulcher McClintock Westerman  
 Gaetz McHenry Williams  
 Gianforte McKinley Wilson (SC)  
 Gibbs Meuser Wittman  
 Gohmert Miller Womack  
 Gonzalez (OH) Mitchell Woodall  
 Gooden Moolenaar Wright  
 Gosar Mooney (WV) Yoho

## NOES—269

Chu, Judy Evans  
 Aderholt Finkenauer  
 Aguilar Fitzpatrick  
 Allred Fleischmann  
 Amash Foster  
 Amodei Frankel  
 Arrington Fudge  
 Axne Gabbard  
 Bacon Gallagher  
 Baird Gallego  
 Barragán Cooper  
 Bass Correa  
 Beatty Courtney  
 Bera Craig  
 Beyer Crist  
 Bilirakis Crow  
 Bishop (GA) Cuellar  
 Bishop (UT) Cummings  
 Blumenauer Cunningham  
 Blunt Rochester Davids (KS)  
 Bonamici Davis (CA)  
 Boyle, Brendan Davis, Danny K.  
 F. Dean  
 Brady DeFazio  
 Brindisi DeGette  
 Brown (MD) DeLauro  
 Brownley (CA) DelBene  
 Bucshon Delgado  
 Bustos Demings  
 Butterfield DeSaulnier  
 Calvert Deutch  
 Carbajal Diaz-Balart  
 Cárdenas Cárdenas  
 Carson (IN) Golden  
 Carter (TX) Gomez  
 Cartwright Doyle, Michael  
 Case F. Foster  
 Casten (IL) Engel  
 Castor (FL) Escobar  
 Castro (TX) Eshoo  
 Espallat

Evans  
 Finkenauer  
 Fitzpatrick  
 Fleischmann  
 Foster  
 Frankel  
 Fudge  
 Gabbard  
 Gallagher  
 Gallego  
 Garamendi  
 García (IL)  
 García (TX)  
 Golden  
 Gomez  
 Gonzalez (TX)  
 González-Colón  
 (PR)  
 Gottheimer  
 Granger  
 Green (TX)  
 Grijalva  
 Haaland  
 Harder (CA)  
 Hayes  
 Heck  
 Higgins (NY)  
 Hill (CA)  
 Himes  
 Holding  
 Horn, Kendra S.  
 Horsford  
 Houlihan  
 Hoyer  
 Hurd (TX)  
 Jackson Lee  
 Jayapal  
 Jeffries  
 Johnson (GA)  
 Johnson (TX)

Joyce (OH)  
Kaptur  
Keating  
Kelly (IL)  
Kelly (PA)  
Kennedy  
Khanna  
Kildee  
Kilmer  
Kim  
Kind  
King (NY)  
Kirkpatrick  
Krishnamoorthi  
Kuster (NH)  
Lamb  
Langevin  
Larsen (WA)  
Larson (CT)  
Lawrence  
Lawson (FL)  
Lee (CA)  
Lee (NV)  
Levin (CA)  
Levin (MI)  
Lewis  
Lieu, Ted  
Loeb sack  
Lofgren  
Lowey  
Luján  
Luria  
Lynch  
Malinowski  
Maloney,  
Carolyn B.  
Marchant  
Matsui  
McAdams  
McBath  
McCollum  
McEachin  
McGovern  
McNerney  
Meeks  
Meng  
Moore  
Morelle  
Moulton  
Mucarsel-Powell  
Murphy  
Nadler

Napolitano  
Neal  
Neguse  
Newhouse  
Norcross  
Norton  
O'Halleran  
Ocasio-Cortez  
Omar  
Pallone  
Panetta  
Pappas  
Pascrell  
Payne  
Perlmutter  
Peters  
Phillips  
Pingree  
Pocan  
Posey  
Pressley  
Price (NC)  
Quigley  
Raskin  
Rice (NY)  
Roby  
Rodgers (WA)  
Roe, David P.  
Rogers (KY)  
Rooney (FL)  
Rose (NY)  
Rose, John W.  
Rouda  
Rouzer  
Roy  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Rutherford  
Ryan  
Sablan  
San Nicolas  
Sánchez  
Sarbanes  
Scanlon  
Schakowsky  
Schiff  
Schneider  
Schrader  
Schrier  
Scott (VA)

Scott, David  
Sensenbrenner  
Serrano  
Sewell (AL)  
Shalala  
Sherman  
Sherrill  
Simpson  
Sires  
Slotkin  
Smith (NJ)  
Smith (WA)  
Soto  
Speier  
Stanton  
Stevens  
Suozzi  
Swailwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Titus  
Tlaib  
Tonko  
Torres (CA)  
Torres Small  
(NM)  
Trahan  
Rogers (KY)  
Trone  
Underwood  
Upton  
Van Drew  
Vargas  
Veasey  
Velázquez  
Visclosky  
Walberg  
Walden  
Walorski  
Wasserman  
Schultz  
Waters  
Watson Coleman  
Webster (FL)  
Welch  
Wexton  
Wild  
Wilson (FL)  
Yarmuth  
Young  
Zeldin

## ANSWERED "PRESENT"—1

Lipinski

## NOT VOTING—6

Curtis  
Hartzer

Hastings  
Herrera Beutler

Meadows  
Radewagen

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1439

So the amendment was rejected.

The result of the vote was announced  
as above recorded.

Stated for:

Mr. ROY. Mr. Chair, on rollcall No. 364, I  
mistakenly voted "no" when I intended to vote  
"yes".

AMENDMENT NO. 97 OFFERED BY MR. BANKS

The Acting CHAIR. The unfinished  
business is the demand for a recorded  
vote on the amendment offered by the  
gentleman from Indiana (Mr. BANKS)  
on which further proceedings were  
postponed and on which the noes pre-  
vailed by voice vote.

The Clerk will redesignate the  
amendment.

The Clerk redesignated the amend-  
ment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote  
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-  
minute vote.

The vote was taken by electronic de-  
vice, and there were—ayes 132, noes 302,  
not voting 4, as follows:

[Roll No. 365]

## AYES—132

Abraham  
Aderholt  
Allen  
Amash  
Arrington  
Bacon  
Balderson  
Banks  
Barr  
Bergman  
Biggs  
Bilirakis  
Brady  
Brooks (AL)  
Brooks (IN)  
Buck  
Bucshon  
Budd  
Burchett  
Burgess  
Byrne  
Carter (GA)  
Chabot  
Cline  
Cloud  
Collins (GA)  
Comer  
Conaway  
Cook  
Crawford  
Davidson (OH)  
DesJarlais  
Duncan  
Dunn  
Emmer  
Estes  
Ferguson  
Flores  
Foxy (NC)  
Fulcher  
Gaetz  
Gianforte  
Gibbs  
Gohmert

Gooden  
Gosar  
Graves (GA)  
Green (TN)  
Griffith  
Grothman  
Guest  
Guthrie  
Hagedorn  
Harris  
Hartzler  
Hern, Kevin  
Hice (GA)  
Higgins (LA)  
Holding  
Hudson  
Huizenga  
Hunter  
Johnson (LA)  
Johnson (OH)  
Johnson (SD)  
Jordan  
Joyce (PA)  
Keller  
Kelly (MS)  
Kelly (PA)  
King (IA)  
Kustoff (TN)  
LaHood  
LaMalfa  
Lamborn  
Latta  
Lesko  
Long  
Loudermilk  
Massie  
McClintock  
McHenry  
Meadows  
Meuser  
Miller  
Moolenaar  
Mooney (WV)  
Mullin

Norman  
Nunes  
Palazzo  
Palmer  
Pence  
Perry  
Posey  
Ratcliffe  
Rice (SC)  
Riggleman  
Rodgers (WA)  
Roe, David P.  
Rogers (AL)  
Rose (NY)  
Rose, John W.  
Rouzer  
Roy  
Scalise  
Schweikert  
Scott, Austin  
Sensenbrenner  
Shimkus  
Smith (MO)  
Smith (NE)  
Smucker  
Spano  
Steil  
Steube  
Stewart  
Taylor  
Timmons  
Wagner  
Walker  
Walorski  
Waltz  
Watkins  
Webster (FL)  
Wenstrup  
Westerman  
Williams  
Wittman  
Woodall  
Wright  
Yoho

## NOES—302

Adams  
Aguilar  
Allred  
Amodei  
Armstrong  
Axne  
Babin  
Baird  
Barragán  
Bass  
Beatty  
Bera  
Beyer  
Bishop (GA)  
Bishop (UT)  
Blumenauer  
Blunt Rochester  
Bonamici  
Bost  
Boyle, Brendan  
F.  
Brindisi  
Brown (MD)  
Brownley (CA)  
Buchanan  
Bustos  
Butterfield  
Calvert  
Carbajal  
Cárdenas  
Carson (IN)  
Carter (TX)  
Cartwright  
Case  
Casten (IL)  
Castor (FL)  
Castro (TX)  
Cheney  
Chu, Judy  
Cicilline  
Cisneros  
Clark (MA)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn

Cohen  
Cole  
Collins (NY)  
Connolly  
Cooper  
Correa  
Costa  
Courtney  
Cox (CA)  
Craig  
Crenshaw  
Crist  
Crow  
Cuellar  
Cummings  
Cunningham  
Davids (KS)  
Davis (CA)  
Davis, Danny K.  
Davis, Rodney  
Dean  
DeFazio  
DeGette  
DeLauro  
DelBene  
Delgado  
Demings  
DeSaulnier  
Deutch  
Diaz-Balart  
Dingell  
Doggett  
Doyle, Michael  
F.  
Duffy  
Engel  
Escobar  
Eshoo  
Español  
Evans  
Finkenauer  
Fitzpatrick  
Fleischmann  
Fletcher  
Fortenberry  
Foster

Frankel  
Fudge  
Gabbard  
Gallagher  
Gallego  
Garamendi  
Garcia (IL)  
Garcia (TX)  
Golden  
Gomez  
Gonzalez (OH)  
Gonzalez (TX)  
González-Colón  
(PR)  
Gottheimer  
Granger  
Graves (LA)  
Graves (MO)  
Green (TX)  
Grijalva  
Haaland  
Harder (CA)  
Hayes  
Heck  
Higgins (NY)  
Hill (AR)  
Hill (CA)  
Himes  
Hollingsworth  
Horn, Kendra S.  
Horsford  
Houlahan  
Hoyer  
Huffman  
Hurd (TX)  
Jackson Lee  
Jayapal  
Jeffries  
Johnson (GA)  
Johnson (TX)  
Joyce (OH)  
Kaptur  
Katko  
Keating  
Kelly (IL)  
Kennedy

Khanna  
Kildee  
Kilmer  
Kim  
Kind  
King (NY)  
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  
Loeb sack  
Lofgren  
Lowey  
Lucas  
Luetkemeyer  
Luján  
Luria  
Lynch  
Malinowski  
Maloney,  
Carolyn B.  
Marchant  
Marshall  
Mast  
Matsui  
McAdams  
McBath  
McCarthy  
McCaul  
McCollum  
McEachin  
McGovern  
McKinley  
McNerney  
Meeks  
Meng  
Mitchell  
Moore  
Morelle  
Moulton  
Mucarsel-Powell  
Murphy

Nadler  
Napolitano  
Neal  
Neguse  
Newhouse  
Norcross  
Norton  
O'Halleran  
Ocasio-Cortez  
Olson  
Omar  
Pallone  
Panetta  
Pappas  
Pascrell  
Payne  
Perlmutter  
Peters  
Peterson  
Phillips  
Pingree  
Plaskett  
Pocan  
Porter  
Pressley  
Price (NC)  
Quigley  
Raskin  
Reed  
Reschenthaler  
Rice (NY)  
Richmond  
Turner  
Roby  
Rogers (KY)  
Rooney (FL)  
Rouda  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Rutherford  
Ryan  
Sablan  
San Nicolas  
Sánchez  
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  
Stauber  
Stefanik  
Stevens  
Stivers  
Suozzi  
Swailwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Thornberry  
Tipton  
Titus  
Tlaib  
Tonko  
Torres (CA)  
Torres Small  
(NM)  
Trahan  
Trone  
Turner  
Underwood  
Upton  
Van Drew  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Walberg  
Walden  
Wasserman  
Schultz  
Waters  
Watson Coleman  
Weber (TX)  
Welch  
Wexton  
Wild  
Wilson (FL)  
Wilson (SC)  
Womack  
Yarmuth  
Young  
Zeldin

## NOT VOTING—4

Curtis  
Hastings

Herrera Beutler  
Radewagen

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (Mr. CLAY) (dur-  
ing the vote). There is 1 minute re-  
maining.

□ 1445

So the amendment was rejected.

The result of the vote was announced  
as above recorded.

Stated against:

Mr. ROSE of New York. Mr. Chair, during  
rollcall vote No. 365 on H.R. 2740, I mistak-  
enly recorded my vote as "yes" when I should  
have voted "no."

The Acting CHAIR. There being no  
further amendments, under the rule,  
the Committee rises.

Accordingly, the Committee rose;  
and the Speaker pro tempore (Mr. BLU-  
MENAUER) having assumed the chair,  
Mr. CLAY, Acting Chair of the Com-  
mittee of the Whole House on the state  
of the Union, reported that that Com-  
mittee, having had under consideration  
the bill (H.R. 2740) making appropri-  
ations for the Departments of Labor,  
Health and Human Services, and Edu-  
cation, and related agencies for the fis-  
cal year ending September 30, 2020, and  
for other purposes, and pursuant to



House Resolution 436, he reported the bill, as amended by House Resolution 431 and House Resolution 445, back to the House with sundry further amendments adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Pursuant to House Resolution 445, the question on adoption of the further amendments will be put en gross.

The question is on adoption of the amendments.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on 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

Mr. WOMACK. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. WOMACK. I am in its present form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Womack moves to recommit the bill H.R. 2740 to the Committee on Appropriations.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arkansas is recognized for 5 minutes in support of his motion.

Mr. WOMACK. Mr. Speaker, here we are, in the people's House, charged with the responsibility of taking taxpayers' money and making sure that it is spent properly, with proper oversight. And yet, we are about to vote on a bill that is set to top-line numbers; that has not been subject to debate in this Chamber.

Let's revisit how we got here. Our friends on the other side of the aisle said they were going to do a budget, and they didn't do a budget. They couldn't produce the votes.

So then, they decided, Mr. Speaker, that they were going to do a caps agreement, and they proposed a caps agreement; and only because of a self-executing rule did they deem the numbers to which the appropriators should write the bills. No debate, none at all; just pull the numbers out of the air, put them in a self-executing rule, and that is what we will write to.

Mr. Speaker, this bill is going nowhere. It is a waste of time for the House of Representatives to have been spending on a bill that is absolutely going nowhere.

My motion sends this bill back to the committee where, hopefully, we can come to some form of agreement on a caps number.

Now, we have got a lot to worry about. At the end of this year, if we don't have an agreement, we are going to trigger a sequester that nobody wants. It could be devastating to our country.

But, instead of spending our time, Mr. Speaker, on working out an agreement among ourselves that the people expect us to do—it is our job—here we are, spending our time on late-night votes on amendments, and then, finally, to move a bill across the floor of the House that is going nowhere. We are all frustrated by it.

Last year, Mr. Speaker, I spent the better part of a year, with a number of my colleagues on this side and that side, and some from the Senate, on a process reform package, and we got close to the finish line. We didn't make all the changes that everybody wanted. We didn't have the votes for that.

And remember, the threshold for passage was five Republicans and five Democrats out of 16 people. That is a pretty high threshold in this Chamber, and we got our five Republicans to agree.

I have got to commend guys like JOHN YARMUTH and DEREK KILMER on the other side because they were yeahs, because they recognized how important changing this process was to this institution.

But four Democrats voted present; present, on a package that would fundamentally change, for the better, the budget and appropriations process that we use in the House of Representatives, in the people's House.

The people deserve better, Mr. Speaker, so it is my intent to refer this bill back to committee.

Now, it doesn't stop there with just top-line numbers. Besides the failure to write a budget; to have a debate on a caps deal; to put forth workable legislation, Democrats have also neglected the humanitarian and security crisis at our border.

Today marks 50 days since the administration request came for supplemental funds on our border. You can't deny the issues down there: 144,000 apprehensions on our southwest border last month; 4,500 people a day that we are apprehending.

We have tried 17 times to bring up legislation to address the humanitarian crisis on our border, and 17 times we have been denied; food and shelter for migrant families and unaccompanied children; funding urgent medical care and transportation; paying the growing overtime costs for DHS men and women on the front lines.

So, Mr. Speaker, my point is pretty simple. It is not cute. It is not a gotcha moment. It is not an underlying policy issue that is hard to explain. It is simply this: Let's send this bill back to the appropriators. Let's work collectively to get a caps deal so that we can save our country from us.

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

Mrs. LOWEY. Mr. Speaker, I rise in strong opposition to the Republican motion to recommit.

The SPEAKER pro tempore. The gentleman from New York is recognized for 5 minutes.

Mrs. LOWEY. Mr. Speaker, a budget is a statement of our values, and an ap-

propriations bill puts those values into action. That is why this bill invests for the people.

We have chosen to strengthen critical domestic initiatives that give every American a better chance at a better life. We have invested in a mix of defense, diplomacy, and development that will keep our country safe and restore our reputation in the world.

This MTR is a chance, it is an opportunity for Republicans to share these priorities and explain how they would do things differently. And with this MTR, the minority is giving a clear answer. They have no plan, no priorities, no idea of where we go for the good of our country.

Instead of working to strengthen our Nation, Republicans' only proposal is to slash funding that working families depend on.

Mr. Speaker, just consider the many critical activities that this MTR attacks: Head Start centers for our children; childcare assistance for families; support for students and teachers; job training for unemployed workers; resources to address the opioid epidemic; lifesaving medical research at the NIH; water infrastructure projects; energy efficiency and transformational science. All of these initiatives would be delayed, delayed, delayed.

Mr. Speaker, the minority wants to tell you that this amendment is about responsible funding levels, and that couldn't be further from the truth. So let me set the record straight.

Unless Congress acts, unworkable budget caps that snap back into place in fiscal year 2020 will cause deep cuts to both defense and nondefense spending.

This MTR would jeopardize our national security. It would slash critical services for children and families, and take our country back, back, back.

We cannot, we must not allow our country to careen off this fiscal cliff. Instead, we must raise the caps, invest for the people, bolstering our national security, addressing critical needs across our country.

House Democrats have made our position on raising the caps clear. It is time for President Trump to rein in his assistant, Mr. Mulvaney, and agree to a reasonable caps deal.

But Congress can't wait for the White House to come to its senses. If we do, we might very well have another government shutdown.

To that end, the House voted to deem funding levels that are reasonable, responsible, and allow us to move our country forward.

When Republicans were in the majority, they also deemed funding levels. Unlike ours, however, their funding levels were wildly unrealistic.

We have chosen a different path, and that is why I am so proud to support these bills which ensure that America is safe, strong, and moving forward.

This MTR sets us on a bleaker path, shutting families out of childcare, starving our schools, stopping lifesaving research, and sticking our heads in the sand on the climate crisis.

The choice is clear. Vote “no” on the MTR. Let’s invest for the people.

Mr. Speaker, 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.

#### RECORDED VOTE

Mr. WOMACK. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 5-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—ayes 196, noes 231, not voting 5, as follows:

[Roll No. 366]

#### AYES—196

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

Womack  
Woodall

Wright  
Yoho

Young  
Zeldin

#### NOES—231

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

#### NOT VOTING—5

Curtis  
Evans  
Hastings  
Herrera Beutler

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1506

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 will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 226, nays 203, not voting 3, as follows:

[Roll No. 367]

#### YEAS—226

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

#### NAYS—203

|           |           |             |
|-----------|-----------|-------------|
| Abraham   | Babin     | Biggs       |
| Aderholt  | Bacon     | Bilirakis   |
| Allen     | Baird     | Bishop (UT) |
| Amash     | Balderson | Bost        |
| Amodei    | Banks     | Brady       |
| Armstrong | Barr      | Brooks (AL) |
| Arrington | Bergman   | Brooks (IN) |

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

## NOT VOTING—3

|        |          |                 |
|--------|----------|-----------------|
| Curtis | Hastings | Herrera Beutler |
|--------|----------|-----------------|

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1534

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

# AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 2740, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2020

Mrs. LOWEY. Mr. Speaker, I ask unanimous consent, in the engrossment of H.R. 2740, the Clerk be authorized to make technical and conforming changes to reflect the actions of the House.

The SPEAKER pro tempore (Mr. VEASEY). Is there objection to the request of the gentlewoman from New York?

There was no objection.

## COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2020

## GENERAL LEAVE

Mrs. LOWEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 3055.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 445 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 3055.

The Chair appoints the gentleman from Oregon (Mr. BLUMENAUER) to preside over the Committee of the Whole.

□ 1537

## IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3055) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes, with Mr. BLUMENAUER in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. Pursuant to the rule, the bill is considered read the first time. General debate shall be confined to the bill and shall not exceed 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations.

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.

Mrs. LOWEY. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, today we continue investing for the people with H.R. 3055, consisting of five fiscal year 2020 appropriations bills that offer a brighter future for American families and make American communities safer and stronger.

This legislation invests in America's infrastructure. It would provide billions for the roads, highways, and transit systems of tomorrow. It would strengthen and modernize public housing. It would expand programs that ensure every community has clean and safe drinking water, and it would help bring the promise of broadband to more rural communities.

This legislation would protect our environment and tackle the climate

change crisis. It rejects misguided cuts to the EPA and would expand climate research. And it would prioritize resilience to the effects of climate change in key Federal programs.

Finally, among many priorities, this legislation would strengthen our democracy. Strong funding increases would enable a thorough and accurate 2020 Census, improve civil rights enforcement, and help protect voting rights.

This legislation is the product of hard work and input from Members on both sides of the aisle. I am very proud of our talented Appropriations subcommittee chairs and our outstanding staff, and I look forward to discussing more about what this package does for the people.

Mr. Chair, I urge my colleagues to join me in support of this legislation, and I reserve the balance of my time.

Ms. GRANGER. Mr. Chairman, I yield myself such time as I may consume, and I rise today in opposition to H.R. 3055.

Unfortunately, this appropriations bill and the bill that just passed the House are written to an unrealistic top-line funding number, \$176 billion above the current budget caps.

We still do not have a consensus on a budget agreement for fiscal year 2020, which could lead to sequestration, resulting in devastating cuts to our military.

Moving this second appropriations package today as is is another wasted opportunity. The funding levels are far from what the President has requested and will support. Total discretionary funding in this bill is nearly 10 percent above the fiscal year 2019.

In addition, this package contains poison pill provisions that will likely lead to a veto and another government shutdown.

The package jeopardizes our Nation's security. Some of the most troubling provisions include: preventing funds from being used for the border wall or barriers; limiting the President's ability to respond to a national emergency; and allowing Guantanamo Bay detainees to be transferred to the United States.

The bill allows taxpayer dollars to be used to provide lawyers for migrants crossing the southern border and prohibits a question on citizenship to be added to the 2020 Census.

If this bill is enacted, industry would be burdened by more regulation. The bill allows the regulation of greenhouse gas emissions from livestock, as outlined in the Green New Deal; it supports the listing of sage-grouse under the Endangered Species Act, which would impact energy and mineral development in 11 Western States; and it includes three new regulations that would unfairly burden the trucking industry.

The bill also prohibits the administration from setting reasonable fuel efficiency standards, and the legislation attacks our Second Amendment rights

by removing the longstanding firearms-related protections.

The bill also includes new language that was not voted on in committee, which would provide backpay to certain Federal contractors who were affected by the government shutdown. This comes with a high price tag. CBO says it would cost \$1 billion to implement this provision. It is disappointing that this language is being slipped into this package.

Perhaps, even more concerning is that we are considering this bill before we address the crisis at the border. This situation is getting worse by the day, and we must take action now.

I am encouraged to hear the Senate marked up a bipartisan bill in committee this morning, and I hope we can move legislation through both Chambers and get it signed by the President very soon.

The bottom line is the priorities reflected in this bill are misguided. The bill spends too much money, and it contains partisan policy issues that will not make it into law.

□ 1545

This package falls short of what our constituents and the American people expect and deserve. I know that my colleague and friend, Chairwoman LOWEY, has worked very hard to get us to this point today and that she and her subcommittee chairs included many priorities of both Members on both sides of the aisle.

Unfortunately, on balance, these bills are partisan measures, and I cannot support them in their current form.

I look forward to working with my colleagues to pass a commonsense border security supplemental bill and a bipartisan budget agreement. Then we can turn to the work we have to do to complete the fiscal year 2020 bills. We must give the President bills he will sign into law that are at more reasonable funding levels and without controversial riders.

Mr. Chair, I strongly urge my colleagues to vote “no” on this package, and I reserve the balance of my time.

Mrs. LOWEY. Mr. Chair, I am very pleased to yield 5 minutes to the gentleman from New York (Mr. SERRANO), the chairman of the Commerce, Justice, Science, and Related Agencies Subcommittee.

Mr. SERRANO. Mr. Chair, as the chairman of the Commerce, Justice, Science, and Related Agencies Subcommittee, I would like to talk about the fiscal year 2020 Commerce, Justice, Science bill, which is contained in division A of the minibuss.

The budget proposed by the Trump administration for the agencies in this bill was totally inadequate. The President proposed eliminating a large number of programs that Members on both sides of the aisle strongly support.

Thankfully, with an allocation of \$73.895 billion, this subcommittee was able to address these problems and to invest in the future of our Nation.

This legislation makes significant investments in justice reform, economic development, and the science agencies. We increased funding for programs and research focused on climate change, as well as for efforts to address gun violence and to implement the 2020 Census.

Let me highlight a few issues.

In order to address the ongoing challenges faced by the Census Bureau leading up to next year’s decennial Census, this bill provides \$8.45 billion for the Census Bureau, of which more than 90 percent directly funds the 2020 Census. This amount is \$2.3 billion above the administration’s very inadequate request.

In addition, this legislation carries language that prevents funding from being used to include a citizenship question on the 2020 Census form.

This bill also rejects the administration’s proposed cuts to climate change programs. We provide over \$2 billion for NASA Earth Science, a significant increase over fiscal year 2019, as well as a 17 percent increase for NOAA climate research activities. Significant increases are also included for NOAA programs that address the impacts of climate change.

To address the epidemic of gun violence in our Nation, this bill increases funding for the Bureau of Alcohol, Tobacco, Firearms and Explosives by \$122 million over fiscal year 2019. We also provide \$80 million for grants to help improve firearms background checks and \$125 million for school safety grants authorized by the STOP School Violence Act.

To ensure our Nation’s science agencies have the resources needed to continue our leadership in research and innovation, this bill adds substantial funding to NASA, the National Science Foundation, and NIST.

The bill also includes strong funding increases for economic development activities and infrastructure improvements in hard-hit rural and urban areas—in particular, for the Economic Development Administration and the Minority Business Development Agency.

We also provide large increases for the Legal Services Corporation, the Violence Against Women Act, opioid reduction initiatives, and the First Step Act, among many others.

In sum, there is a lot in this bill that both sides support, from science to economic development to justice reform.

I thank the staff on both sides of the aisle who have worked so hard to put this bill together and to manage the amendments offered on the majority staff. I thank our clerk, Bob Bonner, as well as Jeff Ashford, B.G. Wright, Matt Smith, Shannon McCully, T.J. Lowdermilk, and Trisha Castaneda. And on the minority side, I thank Stephanie Gadbois and Kristin Richmond. I also thank, on my personal staff, Marcus Garza, Angel Nigaglioni, and Matt Alpert.

I want to take a moment to say that, as you will hear, we don’t always

agree, Mr. ADERHOLT and I, but it has been a pleasure working with him in the tradition of the Appropriations Committee, which tries to find common ground.

I know that even if he tells you that he doesn’t like the bill, there is a lot in here that he likes. So I am looking for maybe a “maybe” vote from him.

I also thank Chairwoman LOWEY and Ms. GRANGER. It has been said before, but it hasn’t been said by me, that we make history every day in this House, and what a historic moment it is that the ranking member and chairwoman are both women. That is the first time in history.

I think this is a good bill that envisions the people and priorities of this Nation, and I urge all of my colleagues to support it.

Ms. GRANGER. Mr. Chair, I yield 4 minutes to the gentleman from Alabama (Mr. ADERHOLT).

Mr. ADERHOLT. Mr. Chair, I rise reluctantly in opposition to H.R. 3055, and but let me say that I appreciate the efforts of the majority in producing the fiscal year 2020 appropriations package that we will be considering today.

As my colleague from New York referred to, this bill does address many priorities and concerns of Members on both sides of the aisle and, certainly, those of us from the Republican side of the aisle. Mr. Chair, we do appreciate that.

I am pleased that the bill provides critical resources for our world-class space program. It funds NASA at levels necessary to work toward the completion of the Space Launch System and the Exploration Upper Stage, and it provides strong funding to continue developing deep-space exploration technologies.

This bill also includes important funding for our Federal law enforcement components and valuable support for our law enforcement partners back home. These resources will help eliminate the sexual assault kit backlog. It will support drug courts and other vital initiatives to address the opioid crisis and help put an end to human trafficking.

The Commerce, Justice, Science bill that is a part of this package is a testament to the commitment that Chairman SERRANO made to work together. As he referred to earlier, we worked very closely together. While we may not have agreed on everything that is in this bill, there was a lot that we could agree on.

Let me add that I also appreciate the majority’s attention to rural development matters when crafting the Agriculture appropriations bill. I am particularly appreciative of the continued robust funding for the rural broadband program and for what now-Chairman BISHOP and I worked on together to draft in the last Congress.

Yet, the fact that there are programs in this bill deserving strong support does not negate the need for fiscal accountability. Unfortunately, the bills

in this package have been written to an irresponsible top-line number.

The Commerce, Justice, Science bill alone, for example, includes a \$7.5 billion adjustment for the 2020 Census plus an additional \$2.3 billion above the fiscal year 2019-enacted level. It is money that the Department of Commerce says it does not need.

I stand willing to work with the majority in good faith because if we are to avoid more continuing resolutions or even a protracted government shutdown and sequestration, we need to come together in a bipartisan fashion, along with the administration, to agree on a realistic top-line funding level.

Finally, I still have many unaddressed concerns with this bill.

The bill lacks additional funding requested for NASA for the purpose of establishing a permanent U.S. space presence on and around the Moon within the next decade.

The bill also contravenes existing law by funding lawyers for the individuals who are here on our southern border without documentation.

Also, it prohibits the Justice Department from using performance metrics to measure immigration judge productivity. Let's be honest: An immigration court system with a docket approaching 900,000 cases and no appreciable case completion goal is a system devised for those who do not have a lawful right to remain in this country.

In addition, the bill eliminates several longstanding Second Amendment protections that have enjoyed historical, bipartisan support throughout the years.

The bill also prohibits the Census Bureau from including a question just merely on citizenship in the 2020 Census.

In closing, again, I thank Chairwoman LOWEY and Ranking Member GRANGER for their hard work and that of their staff. Certainly, I thank Chairman SERRANO for his dedication and hard work on behalf of the appropriations process and the United States of America.

Mrs. LOWEY. Mr. Chair, I am pleased to yield 5 minutes to the gentleman from North Carolina (Mr. PRICE), the chairman of the Transportation, and Housing and Urban Development, and Related Agencies Subcommittee.

Mr. PRICE of North Carolina. Mr. Chair, I thank our committee chair, and I am happy to rise in strong support of the section of this bill with which I have had the most to do—namely, appropriating for the Departments of Transportation and Housing and Urban Development for the next fiscal year. It will make vital investments on behalf of the American people.

I thank my partner, MARIO DIAZ-BALART, who formerly was chairman of this subcommittee, for his continuing cooperation and his collaborative approach.

Of course, I also want to express appreciation for our full committee

chair, Mrs. LOWEY, and for our ranking member, Ms. GRANGER, for their cooperative approach to the kind of collaboration that inevitably must go into these appropriations bills.

I am pleased to report also that, in serving the interests of Members of this body, we were able to accommodate 90 percent of the Member requests from both sides of the aisle.

Division E of the measure is what we are talking about, and that is the so-called T-HUD section. It seriously invests in America's infrastructure. It makes transportation and housing safer. It demonstrates our commitment to the most vulnerable among us. It mitigates and responds to the impacts of climate change.

Our bill includes \$75.8 billion in discretionary funding. That is an increase of \$4.7 billion over the 2019-enacted level and a \$17.3 billion increase above the President's totally inadequate budget request.

Mr. Chair, our Nation is in the midst of an affordable housing crisis. This bill dedicates new resources to address it. Section 8 vouchers, for example, are fully renewed. We increased funding for the HOME Program by \$500 million and provide the Community Development Block Grant program with \$300 million above last year's level. The HOME funding alone translates into more than 30,000 additional units of affordable housing.

Our renewed focus on housing and community development does not come at the expense of vital transportation programs. On the contrary, the bill includes \$1 billion for BUILD grants, formerly called TIGER grants.

We provide more than \$3 billion in additional discretionary resources above the FAST Act authorization for highways, transit, and aviation projects. This funding will benefit every State and territory in the Nation. We also robustly fund Amtrak, competitive rail grant programs, and port and maritime infrastructure.

Along with these investments, our bill reflects a renewed commitment to safety. A diverse list of hazards, including rising accident rates on our Nation's highways, the high-profile MAX 8 airline crashes, and lead and carbon monoxide hazards in federally assisted housing, requires us to redouble our efforts. We do that in this bill by providing new resources at several points to meet these problems head-on.

□ 1600

We also prioritize assistance for vulnerable populations. Nearly \$240 million is provided for construction of new housing units for the elderly and for people with disabilities. Programs serving veterans, the homeless, people with HIV/AIDS, domestic violence survivors, and youth aging out of foster care are robustly funded, including resources for new vouchers.

Critically, the bill prohibits HUD from repealing the equal access rule that protects LGBTQ people. It also

prohibits the department from moving forward with its particularly heartless proposal regarding mixed-status families in Federally assisted housing, which would result in the expulsion of tens of thousands of children whose immigration status is perfectly legal.

Finally, I am proud that this legislation lays the groundwork to fully integrate resiliency principles not only in disaster recovery but in the full range of Federal programs under the bill's jurisdiction. For example, it requires HUD grantees to consider storm and hazard mitigation as part of their planning process.

So, in closing, Mr. Chairman, this year's T-HUD bill makes forward looking investments in our housing and transportation infrastructure while ensuring concerted attention to safety, to the needs of the most vulnerable, and to resilience. This bill, I am convinced, will benefit all American communities, urban and rural, and it lays the foundation for economic growth and opportunity.

Mr. Chairman, I urge support for the legislation.

Ms. GRANGER. Mr. Chairman, I yield 3 minutes to the gentleman from Florida (Mr. DIAZ-BALART).

Mr. DIAZ-BALART. Mr. Chairman, I rise in opposition to this bill at this moment. My primary concern with the bill is quite simple—an unrealistic top-line number. If we don't act soon, sequester cuts will be the law of the land. These cuts would devastate our military and, frankly, cause nothing short of a national security crisis. Sequester cuts will also cause serious harm to our key important domestic program.

Air traffic controllers could be furloughed, and vulnerable citizens could lose housing assistance, including our veterans, our elderly, and the disabled.

We must act with urgency to set a budget framework for this year. Now, I am confident that because the leadership and leaders of the Appropriations Committee—Chairwoman LOWEY and Ranking Member GRANGER—were instrumental in finally getting us out of the shutdown, they are going to be, thankfully, instrumental in this process as well, and that is good news.

But, Mr. Chairman, I am also concerned about some partisan riders included in this legislation. In the Transportation-Housing part of it, riders in the bill would, for example, harm car manufacturers and consumers. They could place unfair burdens on trucking companies. What the language would do is place unfair burdens on trucking companies—particularly the smaller ones by the way—and prevent the DOT from recovering funds from the failed California high-speed rail project, funds that have not been spent.

Now, while I have some serious concerns about these riders and grave concern about, again, this body moving forward without a top-line cap agreement, I will tell you that I am grateful and thankful for the work of my friend—and I say that genuinely—

Chairman PRICE, on the Transportation and Housing bill.

Chairman PRICE has been responsive, responsible, and has done a very, very good job listening to all Members from both sides of the aisle, and I am very grateful, Mr. Chairman.

This package certainly has some good parts in it. Let me just mention a few: ports funding, resources also for our veterans. And funding for the STOP School Violence Act, which is why we have to get the top-line number thing done now.

I would also add that the budget agreement must address the humanitarian crisis at the border. We don't have the luxury of time. The well-being of thousands of unaccompanied kids—children—is at risk while we do not act on this. Federal agencies are being forced to cope with the crisis without the resources that they are asking for and that they need. Again, we have to act now, because already their educational services, their legal services, and their recreational facilities are being curtailed or cut entirely because of not having the funds that they need, that they have asked for, and that this Congress has failed to act on. We must also provide immediate relief to those individuals.

Therefore, Mr. Chairman, I have some concerns, and I would respectfully ask for a “no” vote.

Mrs. LOWEY. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Georgia (Mr. BISHOP), who is the chairman of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Subcommittee.

Mr. BISHOP of Georgia. Mr. Chairman, I thank the gentlewoman from New York, our appropriations chairman, for yielding.

Mr. Chairman, I rise in support of H.R. 3055. As the chairman of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Subcommittee, I am pleased to highlight the national priorities that are funded in this bill.

First, I would like to thank our ranking member, Mr. FORTENBERRY. He shares a deep passion for rural and farm communities that he so eloquently communicates often through stories of his childhood and his family. It has been a true pleasure to get to know Mr. FORTENBERRY better during this process. We have had many frank discussions about the priorities in our bill, and he has made it very easy to continue the bipartisan spirit of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Subcommittee.

I also want to thank the members of the subcommittee, both majority and minority, for a thoughtful and collaborative effort. None of this, of course, would be possible without the outstanding work of the subcommittee and full committee staffs, and our personal staffs, so I give accolades to all of them.

Few people may recognize the far-reaching jurisdiction of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Subcommittee, from food safety and agriculture research to rural development and nutrition assistance. The programs in this division touch the lives of every citizen on a daily basis.

We rejected the administration's draconian cuts to programs that assist our rural communities and our vulnerable populations. The FY 2020 allocation for the agriculture bill is 4 percent above the FY 2019 enacted level and more than \$5.1 billion above the budget request, totaling \$24.3 billion.

There is over \$38 billion in loans and grants for rural housing, community facilities, and water and wastewater infrastructure, including \$680 million for broadband programs to continue bridging the digital divide between urban and rural America.

Additionally, during a time of great uncertainty due to tariffs, low commodity prices, and natural disasters, this bill provides \$1.8 billion for farm programs, including \$30 million to assist the implementation of the 2018 farm bill. It also prohibits the closure of county-level Farm Service Agency offices to ensure that our farmers, ranchers, and producers receive high quality customer service.

The bill includes \$829 million for the Natural Resources Conservation Service to maintain its core conservation mission. There is almost \$167 million for infrastructure, for watershed and flood prevention, and watershed rehabilitation projects.

The bill provides \$3.3 billion for agriculture research to ensure America retains its role as the leader of global agriculture science.

In addition, to protect the integrity of two of USDA's premier research agencies, the bill prohibits the use of funds for any relocation costs associated with USDA's proposal to move the Economic Research Service and the National Institute of Food and Agriculture outside of the national capital region.

We held a hearing at which four former senior officials from both parties with 70 years of combined experience at the two agencies expressed their deep opposition to this proposal. Countless other stakeholders wrote, called, and emailed their opposition, including the National Farmers Union, the Association of American Veterinary Colleges, the American Statistical Association, the National Coalition for Food and Agriculture Research, 104 agriculture science and food-related organizations, 24 university departments of agriculture and/or economics, 37 deans and provosts of university ag departments, and more than 1,500 individual scientists from 47 States.

The bill also rejects the proposed elimination of the Food for Peace and McGovern-Dole programs, and it pro-

vides increases for both of these programs. These programs send American commodities all over the world to address global hunger and are an essential tool for diplomacy.

The bill fully funds the SNAP and the WIC programs to meet expected participation in FY 2020. The bill provides \$10 million for school breakfast expansion grants—the first time this program has been funded since 2012—and it funds the Summer EBT program at \$50 million—a \$22 million increase.

For the Food and Drug Administration, the bill provides \$3.26 billion in discretionary funding, which is \$185 million above FY 19. Increased funding is dedicated to fighting rare cancers, laying the foundation for more efficient generic drug reviews, improving our response to foodborne illness outbreaks, and the continued implementation of the Food Safety and Modernization Act.

The Acting CHAIR (Ms. PRESSLEY). The time of the gentleman has expired.

Mrs. LOWEY. Madam Chair, I yield the gentleman an additional 30 seconds.

Mr. BISHOP of Georgia. The bill funds the Commodity Futures Trading Commission at \$315 million, a historic, necessary, and long overdue increase.

I am pleased that this bill provides funding for several new programs that were authorized in the 2018 farm bill, such as the 1890s scholarship program, the Local Agriculture Market Program, and the Farming Opportunities Training and Outreach Program, to name a few.

I am pleased to say the bill makes significant investments in both Tribal communities and the U.S. territories.

In developing the bill, we tried to be responsive to as many Member requests as possible, and I am proud of the bipartisan bill we have produced.

Madam Chair, I urge my colleagues in this House to support it. It is a good bill.

Ms. GRANGER. Madam Chair, I yield 5 minutes to the gentleman from Nebraska (Mr. FORTENBERRY).

Mr. FORTENBERRY. Madam Chair, first of all, let me say how much I appreciate the counsel, guidance, and partnership of Chairman BISHOP of the Agriculture Committee, as well as Chair LOWEY and Ranking Member GRANGER, as well as the entire staff for crafting what is substantially a very important and good bill for all of America.

Agriculture is essential to America's well-being, and I want to commend, again, Chairman BISHOP not only for his earlier generous comments, but for his willingness to work hard to find a reasonable path forward to accommodate as many bipartisan requests as were feasible. Chairman BISHOP and I had a number of very lengthy and considered conversations in crafting this bill, and I am grateful for his leadership.

Before I delve into the substantial pluses and a few minuses of this bill,



Madam Chair, I want to provide a little bit of additional context of the bigger agricultural picture across America.

Where I live in Nebraska—and I am sure it is safe to say where Chairman BISHOP lives in Georgia—agriculture is essential to our way of life and essential to our culture. It really does define who we are as a people, and production agriculture—corn, soybeans, and livestock—cover much of our landscape. These products are an important driver of America's export prowess.

The efficiency, quality, and ingenuity shown by America's farmers provide food security for hundreds of millions of people across our own country and across the entire globe, many of whom are in very vulnerable circumstances. A notable point, Madam Chair, Americans also enjoy the lowest grocery prices in the world.

Agriculture, though, is more than bulk production. From the use of advanced robotics to run dairy operations to enzyme extraction from ethanol production, from the enhancement of critical wetlands, as well as improving crop yields and conservation stewardship practices, our farmers are contributing to human flourishing across our Nation. Many of the technological investments that we see today have been made possible by the types of investments that are very much a part of this agriculture bill.

I want to highlight three areas in particular. First, the bill's \$3.4 billion reflects a commitment to rural development in housing, utilities, and businesses. Of particular note, as the chairman mentioned, is broadband. Working with Chairman BISHOP, we included language to encourage the USDA to consider the broader social benefits when the department seeks applications for the \$680 million of broadband resources in this bill. It is also important that we measure the impact of broadband and how it affects the ecosystem of livability.

What do we mean by that?

It is not just more wires, but livability from enhanced telehealth, telecommuting, precision agriculture, and a multitude of other imaginative possibilities from these applications. This is what will make broadband an effective investment in our Nation's infrastructure.

Second, I am pleased to see an increase of \$185 million for the FDA, the Food and Drug Administration, with a particular emphasis on lowering the price of drugs in the generic drug program. Between investments in the year 2019 and investments in this bill, the agency will have an increase of \$27 million to help expedite the approval of safe and effective generic drugs, increased competition, and lower prices. Chairman BISHOP has also made marked investments in food safety by lessening the burden on our State health departments, and I think that is important.

Lastly, when I met the chairman in his office a couple of weeks ago, we

found common ground—as we often do—on how to grow the agricultural family.

What do we mean?

Well, this is a good example. There is \$5.4 million in this bill for farmers markets and local food promotion programs which allow smaller local producers to provide fresh products, gain a source of revenue, and connect the rural to the urban and the farmer to the family.

□ 1615

In addition to this program, the bill includes investments for a Tribal demonstration project, a pilot project for the Food Distribution Program on Indian Reservations, and, importantly, we have a new urban agricultural office.

Madam Chair, at its core, this bill is about food security. Our diverse and plentiful food supply is made possible through the hard work of our farmers and ranchers and the public policies that assist them.

We support research and development to the tune of \$3.3 billion. We support oversight of commodity markets. And, for those in vulnerable circumstances, this bill provides important funding for all USDA nutrition programs at levels that ensure all eligible participants will receive the assistance they need.

Unfortunately, as our ranking member has consistently mentioned at every opportunity, we need a bipartisan, bicameral agreement on budget caps. With a deal like that, we could quickly get into open field running.

Mrs. LOWEY. Madam Chair, I yield 5 minutes to the gentlewoman from Minnesota (Ms. McCOLLUM), the chair of the Interior, Environment, and Related Agencies Subcommittee.

Ms. McCOLLUM. Madam Chair, I rise today to speak about the fiscal year 2020 Interior, Environment, and Related Agencies appropriations bill.

First, I want to thank Chairwoman LOWEY and Ranking Member GRANGER for their leadership. I also want to thank Ranking Member JOYCE for his collaboration and partnership through this process and all the members on our committee for their contribution.

The Interior bill is a product of hard work and collaboration. The subcommittee held 16 hearings. We received 6,500 requests from Members of Congress, and we worked hard to create a bill that reflects the priorities of the entire House. As a result, we have a strong bill before us today that makes critical investments for the American people and the planet.

For fiscal year 2020, the subcommittee is recommending a total of \$37.3 billion in discretionary funding. That is an increase of \$1.7 billion over last year's enacted level.

There is also an additional \$2.25 billion in fire cap adjusted funds for suppression operations. These critical funds allow the Forest Service to fight wildland fires without borrowing from non-fire programs.

Some of the biggest increases in this bill go to honoring our Federal trust and treaty responsibilities to provide for the health, safety, and education of our Native American brothers and sisters.

Madam Chair, I want to thank Representative JOYCE for his working with me to carry on this subcommittee's nonpartisan approach to addressing the issues facing Indian Country. We can be proud that this bill continues to move us in the right direction.

In fact, the bill invests over \$10 billion to support and strengthen Indian Tribal self-determination, including \$1 billion, the highest funding ever recommended, for the operation of Native American education programs.

For many agencies in this bill, the Trump administration proposed devastating cuts that we have rejected.

The President's budget proposed a 31 percent cut to the Environmental Protection Agency. That cut would have prevented the EPA from completing its mission to keep our communities safe and healthy. On President Trump's watch, Americans know that their air quality is declining for the first time in decades.

Today, this administration rolled out their dirty power plan, which will contribute to 1,400 premature deaths, annually. Democrats are fighting back in this bill with important investments to protect the air we breathe and the water we drink.

We boost support for the EPA's clean air programs by \$25.6 million, and we increase congressional oversight of attempts to roll back public health protections.

And, finally, we fund the Drinking Water State Revolving Fund at the authorized level. We include funds for newly authorized grants to target drinking water and wastewater needs. We are working to reduce sewer overflows and ensure that all Americans have access to safe drinking water.

This bill also targets funds to address the crisis of PFAS contamination in our water supplies.

President Trump's budget also proposed radical cuts to the Land and Water Conservation Fund, even though earlier this year he signed a bipartisan bill to permanently reauthorize the program. Instead, our bill chooses to invest \$524 million in the LWCF to protect and preserve our landscapes and biodiversity.

Democrats also rejected the Trump administration cuts that would have decimated Federal funding to research, combat, and adapt to climate change. Our bill boosts funding for climate change research, tracking and reporting of greenhouse gas emissions, and energy and water efficiency programs at the EPA.

It increases ecosystems and climate-related funding in the U.S. Geological Survey, and it restores programs proposed for elimination in the Fish and Wildlife Service.

We recognize the importance of science to understand and address the

impacts of climate change on our natural and cultural resources and our ecosystems and human health.

I am proud of the work that went into this bill, so I want to thank all of our staff on both sides of the aisle, on the committee and on our personal staffs, for the countless hours they put into this bill. I thank them all for their engagement and commitment.

Now, I know Mr. JOYCE will not be supporting this bill today, Madam Chair, but I look forward to working with him in negotiating with our Senate colleagues and this administration on a final bill we can both support.

We have a good bill before us today. It makes important investments in the health of our communities and our environment, and I urge my colleagues to support it.

Ms. GRANGER. Madam Chair, I yield 5 minutes to the gentleman from Ohio (Mr. JOYCE).

Mr. JOYCE of Ohio. Madam Chair, I rise today in opposition to this appropriations bill at this time, in its current form.

Before I get into details, I want to thank my friend and colleague BETTY MCCOLLUM, the chair of the Interior, Environment, and Related Agencies Subcommittee, for her leadership. I have had the honor of serving with her as the ranking member on the subcommittee with jurisdiction over appropriations contained in division C of this bill.

Throughout the 16 hearings and briefings on the important issues under her jurisdiction, Chair MCCOLLUM has set the tone for civility, fairness, and, on many topics, bipartisanship. Foremost among those topics is the Indian Country.

Roughly one-quarter of this bill is dedicated to programs for American Indians and Alaska Natives, whose ancestors paid in advance with their lives and their land for the basic services which this bill helps to provide.

These are true have-to-do Federal programs, and they continue to be a nonpartisan priority in today's hyperpartisan environment.

In addition, I thank the chair and her capable staff for making a genuine effort to accommodate bipartisan Members' requests in this bill, as well as other requests addressing matters back in our districts that will be appreciated by our constituents, regardless of their party. In particular, for Great Lakes districts like mine, her work has been extraordinary.

However, there are several matters in this bill which concern me greatly and will need to be addressed before we can reach a bipartisan agreement. Foremost among these concerns is a proposed 5 percent overall increase for the Interior and Environment programs in the absence of any new government-wide budget agreement.

Current law mandates a 9 percent overall decrease to programs in this bill beginning October 1, 2019. Even if the bill before us today were to be en-

acted, all these programs would still be cut on that date. That is why the bill before us today is completely unrealistic and nothing short of a fairytale.

Of course, House Democratic leadership knows this already. That is why this bill contains so many Member requests: to pressure Members into voting for it and to use a strong vote count to pressure the Senate and the President to agree to more spending.

All this bill is really doing is giving supporters false hope and stealing the resolve of those of us who are truly concerned about driving our Nation further into debt.

To be clear, there are critical programs in this bill that need more funding, but decisions about increases must be made in the context of a larger budget agreement so that increases can be offset elsewhere.

The other area of this bill which concerns me is policy. This bill drops several longstanding, bipartisan policy provisions which will need to be added back before we can get to a future bipartisan agreement.

Meanwhile, this bill also adds in several new poison pill riders and directives limiting domestic energy and mineral production. Limiting our own supplies of much-needed natural resources does not decrease our demand for them. It only makes us more dependent upon other nations to obtain them in order to meet that demand, which is not only a national security concern but is also an economic security concern. We cannot protect American jobs if we cannot supply them with the energy and raw materials.

So it is for a combination of these funding and policy reasons that I cannot support this bill at this time, in its current form, but I am committed to working with my colleagues as we move through the fiscal year 2020 process to craft a bill that can receive bipartisan support and keep government operating, continue our shared commitment to Indian Country, and conserve our Nation's natural, cultural, and environmental resources that we all care so deeply about.

Until then, I strongly urge my colleagues to vote "no" on this package today.

Mrs. LOWEY. Madam Chair, I yield 5 minutes to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ), the chairwoman of the Military Construction, Veterans Affairs, and Related Agencies Subcommittee.

Ms. WASSERMAN SCHULTZ. Madam Chair, I thank Chairwoman LOWEY for yielding and for her hard work and leadership during this entire legislative process.

The Military Construction, Veterans Affairs, and Related Agencies division of the bill highlights our continued commitment to our servicemembers and their families and to our veterans.

Constructing the barracks, bases, and facilities that our military needs and ensuring safe, adequate housing for military families is crucial to our Nation's military readiness.

Properly funding the Department of Veterans Affairs is how we deliver on the promise of medical care and other benefits that our veterans have earned through their service to our Nation.

The Related Agencies division, including the American Battle Monuments Commission and Arlington National Cemetery, demonstrate to the world how we honor the contributions and sacrifice of those who served.

That is why I am proud that this bill includes \$108.4 billion in discretionary funding, \$10.4 billion above the FY19 enacted level. For military construction, it provides \$10.5 billion; and, for the Department of Veterans Affairs, the bill provides \$94.3 billion in discretionary funding, a \$7.7 billion increase above the FY19 enacted level and \$1.3 billion above the FY20 budget request.

The bill we are considering today makes smart investments in critical projects and programs that make a real difference in the lives of servicemembers, veterans, and their families.

The bill includes an additional \$140.8 million to address housing issues that have come up recently and have really festered for far too long, like mold, vermin, and lead, that really have devastated our military families and that must be corrected. This bill ensures there are the resources and the language in our report to ensure that the military makes sure that they are not leaving our military families to deal with the fallout over this disgusting situation on their own.

It provides \$2.3 billion in emergency funding to address hurricane damage in North Carolina and my home State of Florida.

We have also put an additional \$40 million toward energy resilience at our military bases and provided an additional \$60 million to clean up PFOS and PFOA contamination at installations across the country.

For the VA, the bill will improve the quality of veterans' healthcare by making significant investments in women veterans' health.

I am proud to be the first woman in American history to chair this appropriations subcommittee, making sure that our women veterans actually know that they are veterans. And, in fact, I know it will come as a shock to most, as it was to me, that some women veterans don't even realize that, if they serve a couple of years, even if they didn't actually fight in a war zone or were deployed to a war zone, they are actually veterans, entitled to services at the VA.

Carving out, for the first time, gender-specific funding to make sure that we can provide healthcare services to our women veterans, do the proper outreach, and make sure that we bring our women veterans into the VA system and take care of them as they took care of representing our country, is essential.

The fastest rising group of veterans who are committing suicide are our women veterans, and we have to make sure that we are doing right by them.

We have a “whole health” model that we have funded, mental healthcare and suicide prevention, homelessness assistance, rural health, and, of course, opioid abuse prevention.

The bill also provides \$1 billion for infrastructure improvements to ensure that the VA has modern, safe facilities to treat our veterans, as well as supporting continued implementation of the electronic health record and efforts to reduce the disability claims backlog.

Madam Chair, I am very proud of what this bill does, but I am also proud of what it does not do.

It does not fund a border wall, nor does it allow the President to go against clearly stated congressional intent and divert vital military construction funding from previously approved national security projects.

□ 1630

There is a lot of talk, Madam Chair, about commitment to our military in this body. There should be no question that funds should not be taken from vital, previously requested and approved military projects that are absolutely a higher priority than any border wall. In fact, Congress agreed to that very point on a bipartisan basis earlier this year after the longest shutdown in our Nation's history.

I will close by thanking all of my colleagues for their input on this bill. We are very proud, Judge Carter and I, that we were able to fund in our bill nearly all the bipartisan requests that we received. It made the bill better.

Before I yield back, I do want to thank my ranking member, Judge Carter, and Ranking Member GRANGER and Chairwoman LOWEY. We worked very well together on the issues facing our military and our veterans.

While we may not always agree, I am proud to have Judge Carter as my partner. We have a lot of work left to do, and I appreciate the gentleman's insight into these issues.

I would also like to thank the staff of both the subcommittee and our personal offices whose expertise and commitment to our servicemembers and our veterans is evident every day. I won't name them because I am out of time, but they know who they are. We appreciate them so much.

Madam Chair, this is a good bill. I urge the Members' adoption of it.

Ms. GRANGER. Madam Chair, I yield 3 minutes to the gentleman from Texas (Mr. CARTER).

Mr. CARTER of Texas. Madam Chair, let me start off by saying that I thank the gentlewoman from Texas (Ms. GRANGER), our ranking member on our side. I thank the gentlewoman from New York (Mrs. LOWEY), my good friend, chair of the full committee. They are doing yeoman's work on all of these bills. They are standing strong and doing a great job, and we are proud of them.

It has been a joy to work with Chairman WASSERMAN SCHULTZ. She has

been fair and equitable and a joy to serve with. I look forward to working together to make this bill better and better as we go through the process.

I rise, reluctantly, in opposition to this bill. I have mixed feelings about this package. It includes many good things, and it funds important programs.

For example, the Military Construction and Veterans Affairs division includes \$10.5 billion to provide adequate training opportunities and modern facilities for our military. We want our military to be ready, lethal, and effective. This bill supports that.

This bill also includes \$140 million to support military families and to help the services address the problems we have heard about in the privatization of military housing.

For veterans' programs, the bill fully supports and implements the MISSION Act. It also provides for a \$30 million increase for mental health and a \$40 million increase for homeless programs. Hopefully, this will help us reduce the scourge of veteran suicide and homelessness.

These are all good things. They are things we need. I fear, however, that the majority is on a path that makes it difficult to reach an agreement before the start of the fiscal year.

October 1 is coming on and approaching very fast. We need a budget agreement for fiscal year 2020 and beyond sooner rather than later. The consequences of not having such an agreement are disruptive and immense. No one wants sequestration or a government shutdown.

Unfortunately, the budget numbers the House is operating under are not real and in no way do they reflect the reality of the situation on our southern border. This appropriations bill does not include funds to address the security and humanitarian crisis there, and it also does not include the \$4.5 billion the President requested last month.

Congress must act. I sincerely hope we are getting closer to an agreement on a supplemental funding package.

As I close, I urge all of us to keep our eyes on the goal, a bipartisan bill that supports our troops and their families and the Nation's veterans.

Madam Chair, I look forward to working with my colleagues on this as we go through the process, and I thank the ranking member of the Appropriations Committee for the time.

Ms. GRANGER. Madam Chair, I yield 1½ minutes to the gentlewoman from Alabama (Mrs. ROBY).

Mrs. ROBY. Madam Chair, I would like to use my time to raise awareness that a correctly sized and properly configured maintenance facility to support and repair F-35 aircraft coming to the 187th Fighter Wing is needed very soon at Dannelly Field in Montgomery, Alabama.

The 187th Fighter Wing was selected as a preferred location for the bed-down of the F-35, with the first aircraft to arrive in several years. Squadron op-

erations require administrative, training, and support space as part of the aircraft organizational maintenance shop.

Currently, the existing facilities that service the F-16 Red Tails squadron are inadequate. Aircraft maintenance currently resides in three temporary facilities or trailers. Much of the space designated for these functions is less than required for effective operations. The aircraft maintenance shops are 43 percent undersized, and the required tool storage is kept in aircraft parking spaces in the hangar.

I appreciate very much the committee chairwoman and ranking member's efforts to provide our men and women in uniform adequate and acceptable working spaces so they can do their jobs accurately and effectively. It is my hope that, moving forward, we will continue to work together on this particular issue through the fiscal year 2020 appropriations process.

Again, I, too, thank the chairwoman and, certainly, the ranking member for yielding me this very important time.

Ms. GRANGER. Madam Chair, I yield 3 minutes to the gentleman from North Carolina (Mr. HUDSON).

Mr. HUDSON. Madam Chair, I thank the gentlewoman for yielding. I also thank Chairwoman LOWEY and Ranking Member GRANGER for their leadership and for working with me on this important amendment.

As we experienced in April at my alma mater, UNC Charlotte, no community is immune from gun violence. The despicable violence and hatred we saw in our community have no place in our schools and our society.

When I think back to my days as a student at Myers Park High School, I remember studying humanities in Dave Layton's class, having lunch with my friends, and looking forward to Friday night football games. I don't remember feeling scared or anxious, and I don't remember worrying about my safety.

I want my son and all of America's children to have that same experience. If there is anyplace our children should feel safe, it is in our schools.

That is why I, and so many of us here in this Congress, have been working for years to address this issue and tackle the root causes of violence. I led efforts to pass the STOP School Violence Act last year. Under Republican leadership, Congress passed many bipartisan measures to prevent mass violence, including legislation to strengthen the background check system, improve mental healthcare, and give schools the tools they need to protect our students.

We have made some progress, but our work is not nearly done.

What can we do to better identify and intervene with young people in emotional crises before they reach a breaking point? What causes these emotional crises, and what can we do to prevent them? Which of our efforts to make our schools safer is actually working?

These and many more questions deserve to be explored. I hope my amendment will lead to answers that will protect our students and our educators.

My amendment would double the money available for research to study the root causes of gun violence, including the impact and effectiveness of grants authorized under the STOP School Violence Act. This money would go to grant programs at the Departments of Justice and Homeland Security that are dedicated to ending violence in our communities.

Madam Chair, I urge my colleagues to support this amendment.

Ms. GRANGER. Madam Chair, I yield myself such time as I may consume.

As I said before, these bills were written to an unrealistic top-line funding number. We still do not have consensus on a budget agreement.

Moving this second appropriations package today as-is is another wasted opportunity. The package irresponsibly increases spending, jeopardizes our Nation's security, and burdens industry with more regulations.

Madam Chair, I strongly urge my colleagues to vote "no" on this package. I yield back the balance of my time.

Mrs. LOWEY. Madam Chair, I yield myself the balance of my time.

H.R. 3055 is a bill full of important investments that would make a real difference in people's lives. It truly is a bill for the people. It would improve quality of life, strengthen communities, and offer a brighter future for our Nation. I urge support.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

An amendment in the nature of a substitute consisting of the text of Rules Committee Print 116-18, modified by the amendment printed in part A of House Report 116-119, shall be considered as adopted, and the bill, as amended, shall be considered as an original bill for the purpose of further amendment under the 5-minute rule and shall be considered as read.

The text of the bill, as amended, is as follows:

H.R. 3055

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

#### SEC. 1. SHORT TITLE.

*This Act may be cited as the "Commerce, Justice, Science, Agriculture, Rural Development, Food and Drug Administration, Interior, Environment, Military Construction, Veterans Affairs, Transportation, and Housing and Urban Development Appropriations Act, 2020".*

#### DIVISION A—COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2020

*The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2020, and for other purposes, namely:*

#### TITLE I

#### DEPARTMENT OF COMMERCE INTERNATIONAL TRADE ADMINISTRATION OPERATIONS AND ADMINISTRATION

*For necessary expenses for international trade activities of the Department of Commerce provided by law, to carry out activities associated with facilitating, attracting, and retaining business investment in the United States, 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, \$530,000,000, to remain available until September 30, 2021, 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

*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, \$127,652,000, to remain available until expended: 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.*

#### 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 sections 27 and 28 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3722 and 3723), \$498,350,000, to remain available until expended, of which \$30,000,000 shall be for grants under such section 27 and \$5,000,000 shall be for grants under such section 28.*

#### SALARIES AND EXPENSES

*For necessary expenses of administering the economic development assistance programs as provided by law, \$41,650,000: 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, sections 27 and 28 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3722 and 3723), 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, \$44,000,000.*

#### 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, \$107,990,000, to remain available until September 30, 2021.*

#### BUREAU OF THE CENSUS

#### CURRENT SURVEYS AND PROGRAMS

*For necessary expenses for collecting, compiling, analyzing, preparing, and publishing statistics, provided for by law, \$275,000,000: 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, \$675,000,000, to remain available until September 30, 2022: 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.*

*In addition to the amounts provided under this heading for the 2020 Census, \$7,500,000,000, to remain available until September 30, 2022, is new budget authority for the 2020 Census as specified for the purposes of section 251(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, and section 1(g)(1) of H.Res. 293 of the 116th Congress.*

#### NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

#### SALARIES AND EXPENSES

*For necessary expenses, as provided for by law, of the National Telecommunications and*

Information Administration (NTIA), \$42,411,000, to remain available until September 30, 2021: 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, \$3,450,681,000, 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 2020, so as to result in a fiscal year 2020 appropriation from the general fund estimated at \$0: Provided further, That during fiscal year 2020, should the total amount of such offsetting collections be less than \$3,450,681,000 this amount shall be reduced accordingly: Provided further, That any amount received in excess of \$3,450,681,000 in fiscal year 2020 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 2020 for official reception and representation expenses: Provided further, That in fiscal year 2020 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 Employees 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), \$751,000,000, 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, \$169,172,000, to remain available until expended, of which \$154,000,000 shall be for the Hollings Manufacturing Extension Partnership, and of which \$15,172,000 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), \$120,000,000, 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, \$3,920,625,000,

to remain available until September 30, 2021: 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, \$177,782,000 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 the Fisheries Science and Management program activities: Provided further, That of the \$4,115,907,000 provided for in direct obligations under this heading, \$3,920,625,000 is appropriated from the general fund, \$177,782,000 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 report accompanying this 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, \$1,496,000,000, to remain available until September 30, 2022, except that funds provided for acquisition and construction of vessels and construction of facilities shall remain available until expended: Provided, That of the \$1,509,000,000 provided for in direct obligations under this heading, \$1,496,000,000 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 report accompanying this 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, 2021: 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 2020, 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, \$40,000,000: Provided, That of the funds provided under this heading, \$15,000,000 shall be withheld from obligation until the Secretary updates and resubmits to the Committees on Appropriations of the House of Representatives and the Senate the plan for expenditure described in the third proviso under the heading "Bureau of the Census—Periodic Census and Programs" in division C of Public Law 116-6.

#### RENOVATION AND MODERNIZATION

For necessary expenses for the renovation and modernization of Department of Commerce facilities, \$1,100,000, to remain available until expended.

#### 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.), \$35,043,000: 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

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. 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 to 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 2020: 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 \$100,000, 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 pur-

suant 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, 2022, 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. None of the funds made available in this or prior Acts may be obligated or expended for the travel of personnel within the Office of the Secretary of Commerce from any account other than the "Departmental Management—Salaries and Expenses" account.

This title may be cited as the "Department of Commerce Appropriations Act, 2020".

#### TITLE II

#### DEPARTMENT OF JUSTICE

##### GENERAL ADMINISTRATION

##### SALARIES AND EXPENSES

For expenses necessary for the administration of the Department of Justice, \$114,740,000, 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, \$33,875,000, 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, \$672,966,000, 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 \$25,000,000 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, \$105,500,000, including not to exceed \$10,000 to meet unforeseen emergencies of a confidential character: Provided, That not to exceed \$2,000,000 shall remain available until September 30, 2021.



UNITED STATES PAROLE COMMISSION  
SALARIES AND EXPENSES

For necessary expenses of the United States Parole Commission as authorized, \$13,308,000: 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, \$934,600,000, 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 \$197,387,000 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 \$13,000,000, 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, \$166,755,000, 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 \$141,000,000 in fiscal year 2020), 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 2020, so as to result in a final fiscal year 2020 appropriation from the general fund estimated at \$25,755,000.

SALARIES AND EXPENSES, UNITED STATES  
ATTORNEYS

For necessary expenses of the Offices of the United States Attorneys, including inter-governmental and cooperative agreements, \$2,329,800,000: 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, \$227,229,000, 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 2020, net of amounts necessary to pay refunds due depositors, exceed \$227,229,000, 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 2020, net of amounts necessary to pay refunds due depositors, (estimated at \$309,000,000) 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 2020 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, \$2,335,000.

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 safehouses; 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, \$17,000,000: 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, \$1,444,600,000, 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, \$1,792,461,000, 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, \$109,585,000, 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, \$570,000,000, 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, \$9,455,928,000, of which not to exceed \$216,000,000 shall remain available until expended: Provided, That not to exceed \$184,500 shall be available for official reception and representation expenses.

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; \$51,895,000, 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, \$2,356,858,000, 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.

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, \$1,439,000,000, 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 \$25,000,000 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, \$7,325,000,000: 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, 2021: 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, \$150,000,000, to remain available until expended: 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, \$582,500,000, 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) \$222,000,000 is for grants to combat violence against women, as authorized by part T of the 1968 Act;

(2) \$41,000,000 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) \$20,000,000 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) \$62,000,000 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) \$50,000,000 is for sexual assault victims assistance, as authorized by section 41601 of the 1994 Act;

(7) \$50,000,000 is for rural domestic violence and child abuse enforcement assistance grants, as authorized by section 40295 of the 1994 Act;

(8) \$26,000,000 is for grants to reduce violent crimes against women on campus, as authorized by section 304 of the 2005 Act;

(9) \$57,000,000 is for legal assistance for victims, as authorized by section 1201 of the 2000 Act;

(10) \$9,000,000 is for enhanced training and services to end violence against and abuse of women in later life, as authorized by section 40801 of the 1994 Act;

(11) \$22,000,000 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) \$9,000,000 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) \$1,000,000 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) \$5,000,000 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) \$3,500,000 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 \$5,000,000 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); \$3,000,000 is for a national center for restorative justice; and \$3,000,000 is for corrections-related research, and \$1,500,000

is for expenses (including research and evaluation) associated with the National Institute of Justice's implementation of the First Step Act of 2018 (Public Law 115-391).

#### 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, \$1,933,000,000, to remain available until expended as follows—

(1) \$530,250,000 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, \$15,000,000 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, \$10,000,000 is for an initiative to enhance prosecutorial decision-making, \$3,600,000 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, \$7,000,000 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 2020, 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, \$4,000,000 is for a program to improve juvenile indigent defense, \$100,000,000 is for grants for law enforcement activities associated with the presidential nominating conventions, and \$8,000,000 is for community-based violence prevention initiatives;

(2) \$260,000,000 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) \$100,000,000 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) \$80,000,000 for grants to States to upgrade criminal and mental health records for the National Instant Criminal Background Check System, of which no less than \$27,500,000 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) \$142,000,000 for DNA-related and forensic programs and activities, of which—

(A) \$100,000,000 is for 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) \$30,000,000 for other local, State, and Federal forensic activities;

(C) \$8,000,000 is for the purposes described in the Kirk Bloodsworth Post-Conviction DNA Testing Grant Program (Public Law 108-405, section 412); and

(D) \$4,000,000 is for Sexual Assault Forensic Exam Program grants, including as authorized by section 304 of Public Law 108-405;

(11) \$49,000,000 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) \$106,500,000 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;

(14) \$80,000,000 for initiatives to improve police-community relations, of which \$25,000,000 is for a competitive matching grant program for purchases of body-worn cameras for State, local and Tribal law enforcement, \$35,000,000 is for a justice reinvestment initiative, for activities related to criminal justice reform and recidivism reduction, and \$20,000,000 is for an Edward Byrne Memorial criminal justice innovation program;

(15) \$375,000,000 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) \$83,000,000 for Drug Courts, as authorized by section 1001(a)(25)(A) of title I of the 1968 Act;

(B) \$35,000,000 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) \$33,000,000 for grants for Residential Substance Abuse Treatment for State Prisoners, as authorized by part S of title I of the 1968 Act;

(D) \$25,000,000 for a veterans treatment courts program;

(E) \$30,000,000 for a program to monitor prescription drugs and scheduled listed chemical products;

(F) \$159,000,000 for a comprehensive opioid abuse program; and

(G) \$10,000,000 is for law enforcement assisted diversion program grants;

(16) \$2,500,000 for a competitive grant program authorized by the Keep Young Athletes Safe Act;

(17) \$93,750,000 for grants to be administered by the Bureau of Justice Assistance including for purposes authorized under the STOP School Violence Act, of which \$2,000,000 is for a center for campus safety;

(18) \$10,000,000 for a competitive grant pilot program for qualified nonprofit organizations to provide legal representation to immigrants arriving at the southwest border seeking asylum and other forms of legal protection in the United States; and

(19) \$2,000,000 for grants to state and local law enforcement agencies for the expenses associated with the investigation and prosecution of criminal offenses, involving civil rights, authorized by the Emmett Till Unsolved Civil Rights Crimes Reauthorization Act of 2016 (Public Law 114-325).

#### 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, \$341,500,000, to remain available until expended as follows—

(1) \$65,000,000 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) \$100,000,000 for youth mentoring grants;

(3) \$49,500,000 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 grants to prevent trafficking of girls;

(B) \$7,500,000 shall be for the Tribal Youth Program;

(C) \$500,000 shall be for an Internet site providing information and resources on children of incarcerated parents;

(D) \$2,000,000 shall be for competitive grants focusing on girls in the juvenile justice system;

(E) \$9,000,000 shall be for an opioid-affected youth initiative;

(F) \$8,000,000 shall be for an initiative relating to children exposed to violence; and

(4) \$28,000,000 for programs authorized by the Victims of Child Abuse Act of 1990;

(5) \$85,000,000 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);

(6) \$4,000,000 for child abuse training programs for judicial personnel and practitioners, as authorized by section 222 of the 1990 Act; and

(7) \$10,000,000 for the Juvenile Accountability Block Grants program as authorized by part R of title I of the 1968 Act and Guam shall be considered a State.

#### 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 (Pub-

lic 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), \$323,000,000, 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) \$239,750,000 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 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 \$38,000,000 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) \$12,000,000 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) \$31,250,000 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 report accompanying this 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” or otherwise appropriated or transferred under this Act for administration by the Office of 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 3 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; and

(3) up to 7 percent of funds made available for grant or reimbursement programs may be transferred to and merged with funds under the heading “State and Local Law Enforcement Assistance”, for assistance to Indian tribes, 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 2017 through 2020 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 grants to protect inmates and safeguard communities as authorized by section 6 of the Prison Rape Elimination Act of 2003 (34 U.S.C. 30305(c)(3)), the requirements of section 6(c)(3) of such Act.

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 2020, 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 2020, 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 2020, and any use, obligation, transfer or allocation of such funds shall be treated as a re-

programming 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 2019 and 2020.

SEC. 218. None of the funds made available by this Act may be used by the Executive Office for Immigration Review to implement case performance numeric metrics that are linked to performance evaluations for individual immigration judges.

This title may be cited as the “Department of Justice Appropriations Act, 2020”

## 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, \$5,000,000.

#### 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, \$1,870,000: 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, \$7,161,300,000, to remain available until September 30, 2021: Provided, That, of the amounts provided, \$592,600,000 is for an orbiter 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 2021 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, \$700,000,000, to remain available until September 30, 2021.

## 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, \$1,291,600,000, to remain available until September 30, 2021: Provided, That \$180,000,000 shall be for RESTORE-L: Provided further, That \$125,000,000 shall be for nuclear thermal propulsion technologies: Provided further, That, not later than 180 days after the enactment of this Act, the National Aeronautics and Space Administration (NASA) shall provide a plan for the design of a flight demonstration.

## 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, \$5,129,900,000, to remain available until September 30, 2021: Provided, That not less than \$1,425,000,000 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, to be used to the maximum extent practicable, including for Earth to Moon missions and a Moon landing: Provided further, That of the amounts provided for SLS, not less than \$200,000,000 shall be for Exploration Upper Stage development: Provided further, That \$592,800,000 shall be for Exploration Ground Systems, including \$50,000,000 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 ini-

tial crewed test launch: Provided further, That \$962,100,000 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, \$4,285,700,000, to remain available until September 30, 2021.

## 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, \$123,000,000, to remain available until September 30, 2021, of which \$25,000,000 shall be for the Established Program to Stimulate Competitive Research and \$48,000,000 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, \$3,084,600,000, to remain available until September 30, 2021.

## 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, \$497,200,000, to remain available until September 30, 2025: 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 2020 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, \$41,700,000, of which \$500,000 shall remain available until September 30, 2021.

## 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.

## 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; \$7,106,301,000, to remain available until September 30, 2021, 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, \$223,230,000, 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, \$950,000,000, to remain available until September 30, 2021.

## 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; \$336,890,000: 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 2020 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, 2021.

#### 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, de-commissioning, 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, 2020”.

#### 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, \$10,500,000: 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): Provided further, That the Chair is authorized to accept and use any gift or donation to carry out the work of the Commission.

##### 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, \$399,500,000: 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, \$101,000,000, 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, \$550,000,000, of which \$509,500,000 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; \$23,400,000 is for management and grants oversight; \$5,000,000 is for client self-help and information technology; \$5,000,000 is for a Pro Bono Innovation Fund; and \$2,000,000 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 2019 and 2020, 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.), \$3,616,000.

##### 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, \$57,000,000, 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.) \$6,555,000, of which \$500,000 shall remain available until September 30, 2021: 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 TRANSFERS 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 2020, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates 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 ex-

port 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 \$2,838,000,000 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 be transferred to the "Department of Justice, Office of Inspector General" account for oversight and auditing purposes associated with this section; 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. 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. 517. 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. 518. 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. 519. 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 2020 until the enactment of the Intelligence Authorization Act for fiscal year 2020.

SEC. 520. 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. 521. (a) Of the unobligated balances available to the Department of Justice, the following funds are hereby rescinded, not later than September 30, 2020, from the following accounts in the specified amounts—

- (1) "Working Capital Fund", \$100,000,000;
- (2) "Federal Bureau of Investigation, Salaries and Expenses", \$60,000,000 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; and
- (3) "State and Local Law Enforcement Activities, Office of Justice Programs", \$85,000,000.

(b) The Department of Justice shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report no later than September 1, 2020, specifying the amount of each rescission made pursuant to subsection (a).

(c) The amounts rescinded in subsection (a) 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. 522. 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. 523. 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. 524. 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. 525. To the extent practicable, funds made available in this Act should be used to purchase light bulbs that are "Energy Star" qualified or have the "Federal Energy Management Program" designation.

SEC. 526. (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. 527. (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. 528. 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. 529. 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. 530. 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. 531. 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. 532. 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. 533. 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. 534. None of the funds made available in this Act or any other Act may be used by the Department of Commerce to incorporate into the 2020 Decennial Census any question that was not included in the 2018 End-to-End Census Test in Providence County, Rhode Island.

SEC. 535. None of the funds made available by this Act may be used to relocate the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Canine Training Center or the ATF National Canine Division.

SEC. 536. Except as expressly provided otherwise, any reference to "this Act" contained in this division shall be treated as referring only to the provisions of this division.

SEC. 537. Any reference to a "report accompanying this Act" contained in this division shall be treated as a reference to House Report 116–101. The effect of such Report shall be limited to this division and shall apply for purposes of determining the allocation of funds provided by, and the implementation of, this division.

This Act may be cited as the “Commerce, Justice, Science, and Related Agencies Appropriations Act, 2020”.

# **DIVISION B—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2020**

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes, namely:

## **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, \$45,112,000, of which not to exceed \$4,850,000 shall be available for the Immediate Office of the Secretary; not to exceed \$1,448,000 shall be available for the Office of Homeland Security; not to exceed \$6,211,000 shall be available for the Office of Partnerships and Public Engagement, of which \$1,500,000 shall be for 7 U.S.C. 2279(c)(5); not to exceed \$22,251,000 shall be available for the Office of the Assistant Secretary for Administration, of which \$21,376,000 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, 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 \$3,091,000 shall be available for the Office of Assistant Secretary for Congressional Relations and Intergovernmental Affairs to carry out the programs funded by this Act, including programs involving intergovernmental affairs and liaison within the executive branch; and not to exceed \$7,261,000 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 and Intergovernmental Affairs may be transferred to agencies of the Department of Agriculture funded by this Act to maintain personnel at the agency level.

##### **EXECUTIVE OPERATIONS**

##### **OFFICE OF THE CHIEF ECONOMIST**

For necessary expenses of the Office of the Chief Economist, \$21,013,000, 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, \$101,400,000.

##### **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, \$331,114,000, 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.), \$5,288,000, 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, \$41,242,000.

##### **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, \$87,757,000: Provided, That the term “necessary expenses” does not include any expenditure of funds to relocate the Economic Research Service outside the National Capital Region.

##### **NATIONAL AGRICULTURAL STATISTICS SERVICE**

For necessary expenses of the National Agricultural Statistics Service, \$180,794,000, 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, \$1,347,516,000, of which \$13,100,000, to remain available until expended, shall be used for transition and equipment purchases for the National Bio and Agro-Defense Facility located in Manhattan, Kansas: Provided, That of the amounts available to the Agricultural Research Service for the National Bio and Agro-Defense Facility, no funds may be obligated above the amount provided for the facility in P.L. 116–6 until the Secretary of Agriculture submits to the Committees on Appropriations of both Houses of Congress, and receives written or electronic notification of receipt from such Committees, a strategic plan as required in the report accompanying this Act: Provided further, 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 greenhouses 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, \$50,000,000 to remain available until expended.

#### 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, \$1,033,007,000, 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 report 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. 3157 may be retained by the Secretary of Agriculture to pay administrative costs incurred by the Secretary in carrying out that authority: Provided further, That none of these funds may be used to relocate the National Institute of Food and Agriculture outside the National Capital Region.

#### 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, \$541,086,000, 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 report 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: Provided further, That none of these

funds may be used to relocate the National Institute of Food and Agriculture outside the National Capital Region.

#### INTEGRATED ACTIVITIES

For the integrated research, education, and extension grants programs, including necessary administrative expenses, \$40,000,000, 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 report accompanying this Act: Provided, That funds for the Food and Agriculture Defense Initiative shall remain available until September 30, 2021: 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): Provided further, That none of these funds may be used to relocate the National Institute of Food and Agriculture outside the National Capital Region.

#### 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, \$800,000: 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), \$1,034,011,000, 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, including 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 \$1,000,000 shall be for activities under the authority of the Horse Protection Act, 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 \$186,513,000, to remain available until expended, shall be for specialty crop pests; of which, \$12,826,000, to remain available until expended, shall be for field crop and rangeland ecosystem pests; of which \$17,523,000, 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; of which \$17,800,000, to remain available until expended, shall be used to carry out the science program and transition activities for the National Bio and Agro-Defense Facility located in Manhattan, Kansas: Provided, That of the amounts available to the Animal and Plant Health Inspection Service for the National Bio and Agro-Defense Facility, no funds may be obligated above the amount provided for the facility in

P.L. 116-6 until the Secretary of Agriculture submits to the Committees on Appropriations of both Houses of Congress, and receives written or electronic notification of receipt from such Committees, a strategic plan as required in the report accompanying this Act: Provided further, 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: 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 purchase, replacement, operation, and maintenance of aircraft: 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 2020, 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. 2268a, \$3,175,000, to remain available until expended.

#### AGRICULTURAL MARKETING SERVICE

##### MARKETING SERVICES

For necessary expenses of the Agricultural Marketing Service, \$182,888,000, of which \$4,000,000 shall be available for the purposes of section 12306 of Public Law 113-79: 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), \$1,054,344,000; 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 2020 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 Con-

servation, \$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, \$206,530,000: 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, \$1,122,837,000, 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, 2021: Provided, That of the funds included under this heading, \$30,000,000 shall be available until expended for temporary staff and information technology software development related to implementation of the Agriculture Improvement Act of 2018: Provided further, That not more than 50 percent of the funding made available under this heading for information technology related to farm program delivery 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 2020 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), \$5,000,000.

GRASSROOTS SOURCE WATER PROTECTION  
PROGRAM

For necessary expenses to carry out wellhead or groundwater protection activities under section 1240 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 \$1,550,133,000 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, \$20,000,000: 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, \$58,440,000 for direct operating loans, \$20,972,000 for unsubsidized guaranteed operating loans; emergency loans, \$2,023,000; \$2,745,000 for Indian highly fractionated land loans; and \$20,000 for boll weevil eradication 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. 2268a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, \$829,628,000, to remain available until September 30, 2021: 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.

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, \$155,000,000, 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, \$52,500,000 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, \$12,000,000 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

OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

For necessary expenses for the Office of the Under Secretary for Rural Development, \$800,000: 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.

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; \$255,835,000: Provided, 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 of the amounts made available under this paragraph, no less than 4,566 full-time equivalent employees salaries and expenses shall be supported: 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; \$45,000,000 for section 515 rental housing; \$250,000,000 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, \$112,900,000 shall be for direct loans; section 504 housing repair loans, \$4,679,000; section 523 self-help housing land development loans, \$577,000; section 524 site development loans, \$546,000; and repair, rehabilitation, and new construction of section 515 rental housing, \$13,662,000: 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, 2020: 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), \$19,363,000, 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, \$1,375,000,000, of which \$40,000,000 shall be available until September 30, 2021; 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 2020 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 2020 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, \$75,000,000, to remain available until expended: Provided, That of the funds made available under this heading, \$35,000,000, 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, \$40,000,000 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 pre-

serve 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), \$32,000,000, 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 \$250,000,000 for guaranteed loans.

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, \$71,000,000, to remain available until expended: Provided, That \$8,000,000 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 \$6,000,000 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 \$7,000,000 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, \$67,600,000, 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, \$5,219,000, as authorized by the Intermediary Relending Program Fund Account (7 U.S.C. 1936b), of which \$557,000 shall be available through June 30, 2020, for Federally Recognized Native American Tribes; and of which \$1,072,000 shall be available through June 30, 2020, 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 313B(a) 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 313B(a) 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), \$29,800,000, of which \$3,000,000 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 \$18,000,000, to remain available until expended, shall be for value-added agricultural product market development grants, as authorized by section 210A of the Agricultural Marketing Act of 1946, of which \$3,000,000 may be used for Agriculture Innovation Centers authorized pursuant to section 6402 of Public Law 107-171.

RURAL MICROENTREPRENEUR ASSISTANCE PROGRAM

For the cost of loans and grants, \$6,000,000 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 defined in section 502 of the Congressional Budget Act of 1974.

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), \$353,000: 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 the cost of direct loans, 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, \$718,480,000, 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 \$15,000,000 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 \$70,000,000 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 \$9,000,000 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 \$19,570,000 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 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 of that Act, \$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, \$3,795,000.

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., \$50,000,000, 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, \$50,000,000, 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 et seq.

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; \$24,040,885,000 to remain available through September 30, 2021, 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, \$18,004,000 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, \$35,000,000 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, \$50,000,000 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 2019" and inserting "2010 through 2021": 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 by striking "For fiscal year 2019" and inserting "For fiscal years 2020 and 2021": 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 by striking "For fiscal year 2019" and inserting "For fiscal years 2020 and 2021".

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), \$6,000,000,000, to remain available through September 30, 2021: Provided, That notwithstanding section 17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(h)(10)), not less than \$90,000,000 shall be used for breastfeeding peer counselors and other related activities, and \$14,000,000 shall be used for infrastructure: 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.), \$71,093,908,000, of which \$5,000,000,000, to remain available through December 31, 2021, 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, 2021: 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, 2021: 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, \$344,248,000, to remain available through September 30, 2021: 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 2020 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, 2021: 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.

## NUTRITION PROGRAMS ADMINISTRATION

For necessary administrative expenses of the Food and Nutrition Service for carrying out any domestic nutrition assistance program, \$154,041,000: 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 an 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, \$4,775,000, 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), \$215,513,000, of which no more than 6 percent shall remain available until September 30, 2021, 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, \$1,850,000,000, 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), \$235,000,000, to remain available until expended: 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, \$25,000,000, shall remain available until expended to purchase agricultural commodities as described in subsection 3107(a)(2) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o-1(a)(2)).

## 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 con-

formity 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; \$5,848,357,000: Provided, That of the amount provided under this heading, \$1,062,367,000 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; \$219,527,000 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; \$511,682,000 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; \$39,618,000 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; \$30,524,000 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; \$18,700,000 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 2020 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 2020, including any such fees collected prior to fiscal year 2020 but credited for fiscal year 2020, shall be subject to the fiscal year 2020 limitations: Provided further, That the Secretary may accept payment during fiscal year 2020 of user fees specified under this heading and authorized for fiscal year 2021, prior to the due date for such fees, and that amounts of such fees assessed for fiscal year 2021 for which the Secretary accepts payment in fiscal year 2020 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) \$1,100,560,000 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) \$1,978,674,000 shall be for the Center for Drug Evaluation and Research and related field activities in the Office of Regulatory Affairs; (3) \$431,561,000 shall be for the Center for Biologics Evaluation and Research and for related field activities in the Office of Regulatory Affairs; (4) \$242,558,000 shall be for the Center for Veterinary Medicine and for related field activities in the Office of Regulatory Affairs; (5) \$606,469,000 shall be for the Center for Devices and Radiological Health and for related field activities in the Office of Regulatory Affairs; (6) \$66,512,000 shall be for the National Center for Toxicological Research; (7) \$661,739,000 shall be for the Center for Tobacco Products and for related field activities in the Office of Regulatory Affairs; (8) \$191,800,000 shall be for Rent and Related activities, of which \$56,043,000 is for White Oak Consolidation, other than the amounts paid to the General Services Administration for rent; (9) \$240,079,000 shall be for payments to the General Services Administration for rent; and (10) \$328,405,000 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 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 2019, 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”, \$75,000,000, 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 AGENCIES

##### 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, \$284,000,000, 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 \$57,000,000, to remain available until September 30, 2021, shall be for the purchase of information technology and of which not less than \$3,386,000 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.

In addition, for move, replication, and related costs associated with replacement leases for the Commission’s facilities, not to exceed \$31,000,000, to remain available until expended.

#### FARM CREDIT ADMINISTRATION

##### LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed \$76,000,000 (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. The Secretary may use any appropriations made available to the Department of Agriculture in this Act to purchase new passenger motor vehicles, in addition to specific appropriations for this purpose, so long as the total number of vehicles purchased in fiscal year 2020 does not exceed the number of vehicles owned or leased in fiscal year 2018: Provided, That, prior to purchasing additional motor vehicles, the Secretary must determine that such vehicles are necessary for transportation safety, to reduce operational costs, and for the protection of life, property, and public safety: Provided further, That the Secretary may not increase

the Department of Agriculture’s fleet above the 2018 level unless the Secretary notifies in writing, and receives approval from, the Committees on Appropriations of both Houses of Congress within 30 days of the notification.

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 at least 30 days in advance of such changes: 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 at least 30 days in advance of such actions: 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 313B(a) of such Act in the same manner as a borrower under such Act.

SEC. 709. (a) 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, 2021, for information technology expenses.

(b) 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 Rural Development mission area shall remain available through September 30, 2021, 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. (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. 714. 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 \$1,404,000,000 (exclusive of carryover appropriations from prior fiscal years), as follows: Child Nutrition Programs Entitlement Commodity—\$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, 2020, such unobligated balances shall carryover into fiscal year 2021 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. 715. 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 Administra-

tion, 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 2021 appropriations Act.

SEC. 716. (a) None of the funds provided by this Act, or provided by previous appropriations Acts to the Department of Agriculture 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 Department of Agriculture, shall be available for obligation or expenditure through transfer of funds, or reimbursements as authorized by the Economy Act, or 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.

(b) None of the funds provided by this Act, or provided by previous appropriations Acts to the Department of Agriculture 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 Department of Agriculture, shall be available for obligation or expenditure for activities, programs, or projects through 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, projects, or activities as approved by Congress.

(c) The Secretary of Agriculture may not implement any program, project, or activity not carried out during the previous fiscal year unless the program, project, 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 Department of Agriculture 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 Department of Agriculture 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; or

(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.

SEC. 717. (a) None of the funds provided by this Act, or provided by previous appropriations Acts to the Food and Drug Administration or the Commodity Futures Trading Commission 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 those agencies, shall be available for obligation or expenditure through a reprogramming, or a transfer of funds, that—

(1) creates new programs;  
 (2) eliminates a program, project, or activity;  
 (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted;  
 (4) 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 Health and Human Services or the Chairman of the Commodity Futures Trading Commission (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 transfer authority.

(b) None of the funds provided by this Act, or provided by previous appropriations Acts to the Food and Drug Administration or the Commodity Futures Trading Commission 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 those agencies, shall be available for obligation or expenditure for programs, projects, or activities through a reprogramming or use of the transfer authority 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, projects, or activities as approved by Congress;

unless the Secretary of Health and Human Services or the Chairman of the Commodity Futures Trading Commission (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 transfer authority.

(c) The Secretary of Health and Human Services or the Chairman of the Commodity Futures Trading Commission (as the case may be) shall notify in writing and receive approval from the Committees on Appropriations of both Houses of Congress before implementing any program, project, or activity not carried out during the previous fiscal year unless the program, project, 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 Food and Drug Administration or the Commodity Futures Trading Commission (as the case may be) 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 those agencies, 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 Secretary of Health and Human Services or the Chairman of the Commodity Futures

Trading Commission (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 using the funds for these purposes.

(e) As described in this section, no funds may be used for any activities unless the Secretary of Health and Human Services or the Chairman of the Commodity Futures Trading Commission (as the case may be) 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, the Commodity Futures Trading Commission, 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, non-Commodity Futures Trading Commission, 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, the Chairman of the Commodity Futures Trading Commission, 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), \$800,000,000 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 defined 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. 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. 730. 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. 731. 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. 732. 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. 733. There is hereby appropriated \$15,000,000, 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. 734. (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. 735. 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. 736. 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. 737. (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. 738. 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. 739. 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. 740. 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).

SEC. 741. Of the total amounts made available by this Act for direct loans and grants in section 733 and 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. 742. (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. 743. 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. 744. There is hereby appropriated \$10,000,000, to remain available until September 30, 2021, 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. 745. For an additional amount for “Animal and Plant Health Inspection Service—Salaries and Expenses”, \$8,500,000, to remain available until September 30, 2021, for one-time control and management and associated activities directly related to the multiple-agency response to citrus greening.

SEC. 746. 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 entities that grow, harvest, pack, or hold wine grapes, hops, pulse crops, or almonds.

SEC. 747. For school year 2020–2021, only a school food authority that had a negative balance in the nonprofit school food service account as of December 31, 2019, 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. 748. (a) There is hereby appropriated \$463,000,000, 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 and each fiscal year thereafter until the specified funding has been expended as if the following were inserted after the final period in subsection (b)(2): In addition, the Secretary shall use \$87,000,000 of funds available in this subaccount in fiscal year 2020 for an additional amount for the same purpose and under the same terms and conditions as funds appropriated by Sec. 779 of Public Law 115–141. Provided, That prior to any use of such funds, the Secretary shall provide written notification to the Committees on Appropriations of both Houses of Congress at least 30 days in advance.

SEC. 749. There is hereby appropriated \$5,000,000, to remain available until September 30, 2021, 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. 750. 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. 751. 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, 2020, 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. 752. In addition to any funds made available in this Act or any other Act, there is hereby appropriated \$10,000,000, to remain available until September 30, 2021, for grants from the National Institute of Food and Agriculture to the 1890 Institutions to support the Centers of Excellence.

SEC. 753. There is hereby appropriated \$1,000,000 for the Secretary of Agriculture to carry out a pilot program that assists rural hospitals to improve long-term operations and financial health by providing technical assistance through analysis of current hospital management practices.

SEC. 754. There is hereby appropriated \$2,000,000, to remain available until expended, for grants under section 12502 of Public Law 115–334.

SEC. 755. The funds provided in section 753 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2018, are rescinded.

SEC. 756. Not later than 180 days after the date of the enactment of this Act, the Secretary of Agriculture shall issue a final rule based on the proposed rule entitled “National Organic Program; Origin of Livestock,” published in the Federal Register on April 28, 2015 (80 Fed. Reg. 23455): Provided, That the final rule shall incorporate public comments submitted in response to the proposed rule.

SEC. 757. There is hereby appropriated \$3,000,000, to remain available until September 30, 2021, to carry out section 4003(b) of Public Law 115–334 relating to demonstration projects for Tribal Organizations.

SEC. 758. Hereafter, and notwithstanding any other provision of law, no funds available to the Department of Agriculture may be used to relocate an agency, or any part of an agency, that was located within the National Capital Region on August 1, 2018, to a site outside of the National Capital Region in the absence of the prior enactment of a specific appropriation for that relocation.

SEC. 759. Hereafter, and notwithstanding any other provision of law, no funds available to the Department of Agriculture may be used to move any agency from the mission area in which it was located on August 1, 2018, to any other mission area or office within the Department in the absence of the enactment of specific legislation affirming such move.

SEC. 760. The Animal and Plant Health Inspection Service shall, notwithstanding any other provision of law:

(a) within 60 calendar days, restore on its website the searchable database and its contents that were available on January 30, 2017, and all content generated since that date; and

(b) hereafter, make publicly available via searchable database, in their entirety without redactions except signatures, the following:

(1) all Animal Welfare Act inspection reports, including all reports documenting all AWA non-compliances observed by USDA officials and all animal inventories;

(2) all Animal Welfare Act and Horse Protection Act enforcement records;

(3) all reports or other materials documenting any non-compliances observed by USDA officials; and

(4) all Animal Welfare Act research facility annual reports, including their attachments.

SEC. 761. There is hereby appropriated \$1,000,000 to carry out section 3307 of Public Law 115–334.

SEC. 762. The Secretary of Agriculture may waive the matching funds requirement under Section 412(g) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7632(g)).

SEC. 763. There is hereby appropriated \$10,000,000, to remain available until September 30, 2021, to carry out section 23 of the Child Nutrition Act of 1966 (42 U.S.C. 1793), of which \$1,000,000 shall be for grants under such section to the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the United States Virgin Islands, and American Samoa.

SEC. 764. There is hereby appropriated \$1,000,000 to carry out section 12607(b) of Public Law 115–334.

SEC. 765. Section 2 of the Rural Electrification Act of 1936 (7 U.S.C. 902) is amended in subsection (a) by striking “made by the Secretary” and inserting “made or guaranteed by the Secretary”.

SEC. 766. The National Bio and Agro-Defense Facility shall be transferred without reimbursement from the Secretary of Homeland Security to the Secretary of Agriculture.

SEC. 767. Any funds made available by this or any other Act that the Secretary withholds pursuant to section 1668(g)(2) of the Food, Agri-

culture, Conservation, and Trade Act of 1990 (7 U.S.C. 5921(g)(2)), as amended, shall be available for grants for biotechnology risk assessment research: Provided, That the Secretary may transfer such funds to appropriations of the Department of Agriculture.

SEC. 768. There is hereby appropriated \$5,000,000 to carry out section 222 of Subtitle A of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6923) as amended by section 12302 of P.L. 115–334.

SEC. 769. There is hereby appropriated \$400,000 to carry out section 224 of Subtitle A of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6924) as amended by section 12504 of P.L. 115–334.

SEC. 770. There is hereby appropriated \$1,000,000, to remain available until September 30, 2021, to carry out section 4208 of Public Law 115–334.

SEC. 771. There is hereby appropriated \$400,000 to carry out section 1672(g)(4)(B) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925(g)(4)(B)) as amended by section 7209 of P.L. 115–334.

SEC. 772. There is hereby appropriated \$10,000,000 to carry out section 12301 of Public Law 115–334.

SEC. 773. There is hereby appropriated \$2,500,000 to carry out section 1450 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222e) as amended by section 7120 of P.L. 115–334.

SEC. 774. There is hereby appropriated \$1,000,000 to carry out section 1671 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5924) as amended by section 7208 of P.L. 115–334.

SEC. 775. There is hereby appropriated \$5,000,000 to carry out section 3101 of Subtitle A of Title III of the Consolidated Farm and Rural Development Act (7 U.S.C. 1936c) as amended by section 5104 of P.L. 115–334.

SEC. 776. There is hereby appropriated \$7,000,000 for the purposes described in the paragraph entitled “Nutrition Assistance Program (NAP) Study” under the Supplemental Nutrition Assistance Program included in the report accompanying this Act.

SEC. 777. There is hereby appropriated \$5,000,000 to remain available until September 30, 2021, to carry out section 4206 of Public Law 115–334.

SEC. 778. 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. 779. None of the funds made available to the Department of Agriculture shall be used to finalize, issue, or implement the proposed rule entitled “Modernization of Swine Slaughter Inspection” published in the Federal Register by the Food Safety Inspection Service on February 1, 2018 (83 Fed. Reg. 4780 et seq.), including insofar as such rule relates to converting establishments, until—

(1) the Office of the Inspector General of the Department of Agriculture has provided to the Food Safety and Inspection Service and the Committees on Appropriations of the House of Representatives and the Senate findings on the data used in support of the development and design of the swine slaughter inspection program that is the subject of such proposed rule; and

(2) the Food Safety and Inspection Service has addressed and resolved issues identified by the Inspector General in the findings referred to in paragraph (1).



SEC. 780. None of the funds made available by this Act may be used to—

(1) transfer the functions of, or eliminate, a Forest Service Job Corps Civilian Conservation Center; or

(2) alter the jurisdiction of the Secretary of Agriculture with respect to the operation of such a Forest Service Job Corps Civilian Conservation Center, as such jurisdiction was in effect on January 1, 2019.

SEC. 781. Except as expressly provided otherwise, any reference to “this Act” contained in this division shall be treated as referring only to the provisions of this division.

SEC. 782. Any reference to a “report accompanying this Act” contained in this division shall be treated as a reference to House Report 116-107. The effect of such Report shall be limited to this division and shall apply for purposes of determining the allocation of funds provided by, and the implementation of, this division.

This Act may be cited as the “Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2020”.

### **DIVISION C—DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2020**

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2020, and for other purposes, namely:

#### **TITLE I**

##### **DEPARTMENT OF THE INTERIOR**

##### **BUREAU OF LAND MANAGEMENT**

##### **MANAGEMENT OF LANDS AND RESOURCES**

##### **(INCLUDING RESCISSION OF FUNDS)**

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)), \$1,265,097,000, to remain available until September 30, 2021; of which \$125,653,000 for annual and deferred maintenance shall remain available until expended, and of which \$6,000,000 is for a pilot program to complement activities authorized by Public Law 92-195: Provided, That amounts in the fee account of the Bureau of Land Management permit process improvement fund may be used for bureau-related expenses directly 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 2020, so as to result in a final appropriation estimated at not more than \$1,265,097,000, 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.

Of the unobligated balances from amounts made available under this heading in fiscal year 2016 or before, \$14,000,000 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.

#### **CONSTRUCTION**

##### **(INCLUDING RESCISSION OF FUNDS)**

Of the unobligated balances from amounts made available under this heading \$5,000,000 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.

#### **LAND ACQUISITION**

For expenses necessary to carry out sections 205, 206, and 318(d) of Public Law 94-579, including administrative expenses and acquisition of lands or waters, or interests therein, \$33,800,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

##### **OREGON AND CALIFORNIA GRANT LANDS**

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein, including existing connecting roads on or adjacent to such grant lands; \$117,195,000, 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**

##### **(INCLUDING RESCISSION OF FUNDS)**

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, \$1,364,760,000, to remain available until September 30, 2021: Provided, That not to exceed \$23,442,000 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)).

Of the unobligated balances from amounts made available under this heading, in accordance with the joint explanatory statement accompanying the Consolidated Appropriations Act, 2019, for central office operations in fiscal year 2019, \$4,000,000 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.

#### CONSTRUCTION

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; \$15,693,000, to remain available until expended.

#### 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, \$67,750,000, 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 \$10,000,000 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), \$63,702,000, to remain available until expended, of which \$23,702,000 is to be derived from the Cooperative Endangered Species Conservation Fund; and of which \$40,000,000 is to be derived from the Land and Water Conservation Fund.

Of the unobligated balances made available from the Cooperative Endangered Species Conservation Fund, \$10,000,000 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 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.), \$50,000,000, 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.), \$4,910,000, 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.), \$15,000,000, 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, \$70,571,000, to remain

available until expended: Provided, That of the amount provided herein, \$5,209,000 is for a competitive grant program for Indian tribes not subject to the remaining provisions of this appropriation: Provided further, That \$7,362,000 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 \$12,571,000 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 2020 to any State, territory, or other jurisdiction that remains unobligated as of September 30, 2021, shall be reapportioned, together with funds appropriated in 2022, in the manner provided herein.

#### ADMINISTRATIVE PROVISIONS

The United States Fish and Wildlife Service may carry out the operations of Service programs by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities. Appropriations and funds available to the United States Fish and Wildlife Service shall be available for repair of damage to public roads within and adjacent to reservation areas caused by operations of the Service; options for the purchase of land at not to exceed \$1 for each option; facilities incident to such public recreational uses on conservation areas as are consistent with their primary purpose; and the maintenance and improvement of aquaria, buildings, and other facilities under the jurisdiction of the Service and to which the United States has title, and which are used pursuant to law in connection with management, and investigation of fish and wildlife resources: Provided, That notwithstanding 44 U.S.C. 501, the Service may, under cooperative cost sharing and partnership 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.

#### NATIONAL PARK SERVICE

##### OPERATION OF THE NATIONAL PARK SERVICE

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, \$2,646,979,000, of which \$10,282,000 for planning and interagency coordination in support of Everglades restoration and \$150,980,000 for maintenance, repair, or rehabilitation projects for constructed assets and \$166,575,000 for cyclic maintenance projects for constructed assets and cultural resources and \$5,000,000 shall be for uses authorized by section 101122 of title 54, United States Code shall remain available until September 30, 2021: 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. Provided further, That notwithstanding section 9 of the 400 Years of African-American History Commission Act (Public Law 115-102; 131 Stat. 2248), \$500,000 of the funds made available under this heading shall be provided to the 400 Years of African-American History Commission for expenditure 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, \$73,508,000.

#### 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), \$121,660,000, to be derived from the Historic Preservation Fund and to remain available until September 30, 2021, of which \$16,000,000 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, \$22,500,000 is for competitive grants to preserve the sites and stories of the Civil Rights movement, \$10,000,000 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, \$319,704,000, to remain available until expended: Provided, That notwithstanding any other provision of law, for any project initially funded in fiscal year 2021 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 AND WATER CONSERVATION FUND (RESCISSION)

The contract authority provided for fiscal year 2020 by section 200308 of title 54, United States Code, is rescinded.

#### 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, \$208,400,000, to be derived from the Land and Water Conservation Fund and to remain available until expended, of which \$140,000,000 is for the State assistance program and of which \$15,000,000 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 author-

ized 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. 989(1)) and related purposes as authorized by law; and to publish and disseminate data relative to the foregoing activities; \$1,236,398,000, to remain available until September 30, 2021; of which \$84,337,000 shall remain available until expended for satellite operations; and of which \$20,164,000 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, \$182,781,000, of which \$122,781,000 is to remain available until September 30, 2021, and of which \$60,000,000 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 2020 appropriation estimated at not more than \$122,781,000: 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, \$145,504,000, of which \$119,504,000 is to remain available until September 30, 2021, and of which \$26,000,000 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 2020 appropriation estimated at not more than \$119,504,000.

For an additional amount, \$47,308,000, 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 2020, as provided in this Act: Provided, That to the extent that amounts realized from such inspection fees exceed \$47,308,000, the amounts realized in excess of \$47,308,000 shall be credited to this appropriation and remain available until expended: Provided further, That for fiscal year 2020, 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, \$121,647,000, to remain available until September 30, 2021: 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.

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 2020 appropriation estimated at not more than \$121,647,000.

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, \$24,713,000, 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 report accompanying this Act: Provided, That such additional amount shall be used for economic and community development in conjunction with the priorities in section 403(a) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1233(a)): Provided further, That 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 report accompanying this Act and shall be used for economic and community de-

velopment 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

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.), \$1,650,504,000 to remain available until September 30, 2021, 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 \$77,734,000 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 \$73,164,000 shall remain available until expended for housing improvement, road maintenance, attorney fees, litigation support, and records improvement, and the Navajo-Hopi Settlement Program: Provided further, That any forestry funds allocated to a federally recognized tribe which remain unobligated as of September 30, 2021, may be transferred during fiscal year 2022 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, 2022: 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 and the Bureau of Indian Education for fiscal year 2020, such sums as may be necessary, which shall be available for obligation through September 30, 2021: 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; \$146,014,000, 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 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).

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, \$45,644,000, to remain available until expended.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

For the cost of guaranteed loans and insured loans, \$12,784,000, of which \$1,725,000 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 \$199,075,370.

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, 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.

BUREAU OF INDIAN EDUCATION

OPERATION OF INDIAN EDUCATION PROGRAMS

For expenses necessary for the operation of Indian Education 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.), \$1,000,233,000, to remain available until September 30, 2021, except as otherwise provided herein: Provided, 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 \$721,690,000 for school operation costs of Bureau-funded schools and other education programs shall become available on July 1, 2020, and shall remain available until September 30, 2021: 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 \$81,508,000 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, 2020: 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.

#### EDUCATION CONSTRUCTION

For construction, repair, improvement, and maintenance of buildings, utilities, and other facilities necessary for the operation of Indian Education programs, including architectural and engineering services by contract; acquisition of lands, and interests in lands; \$387,252,000 to remain available until expended: Provided, That for fiscal year 2020, 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, not later than 18 months after the date of the 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.

#### ADMINISTRATIVE PROVISIONS

The Bureau of Indian Education 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 any other provision of law, no funds available to the Bureau of Indian Education for central office oversight and Executive Direction and Administrative Services (ex-

cept 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 Education 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 Education, 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 non-public schools located within the jurisdictional area of the tribal government which exclusively serve tribal members,

do not include grades beyond those currently served at the existing Bureau-funded school, provide an educational environment with educator presence and academic facilities comparable to the Bureau-funded school, comply with all applicable Tribal, Federal, or State health and safety standards, and the Americans with Disabilities Act, and demonstrate the benefits of establishing operations at a satellite location in lieu of 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, \$131,232,000, to remain available until September 30, 2021; of which no less than \$1,000,000 shall be for the hiring of additional personnel to assist the Department with its compliance responsibilities under 5 U.S.C. 552; 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 \$11,061,000 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 "Operation of Indian Programs" and Bureau of Indian Education "Operation of Indian Education Programs" accounts 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 2020, 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.

#### ADMINISTRATIVE PROVISIONS

For fiscal year 2020, 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, \$108,631,000, of which: (1) \$99,140,000 shall remain available until expended for territorial assistance, including general technical assistance, maintenance assistance, disaster assistance, coral reef initiative and natural resources 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) \$9,491,000 shall be available until September 30, 2021, 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, \$3,236,000, 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 require-

ments, 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, \$66,816,000.

OFFICE OF INSPECTOR GENERAL  
SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General, \$55,986,000, to remain available until September 30, 2021.

OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN INDIANS

FEDERAL TRUST PROGRAMS

(INCLUDING TRANSFER AND RESCISSION OF FUNDS)

For the operation of trust programs for Indians by direct expenditure, contracts, cooperative agreements, compacts, and grants, \$97,613,000, to remain available until expended, of which not to exceed \$17,911,000 from this or any other Act, may be available for historical accounting: Provided, That \$10,000,000 shall not be available for obligation until the Secretary provides the report required by section 304(a)(3) of the Indian Trust Asset Reform Act (Public Law 114-178) to terminate the Office of the Special Trustee in its entirety, to the Committees on Appropriations of the House of Representatives and the Senate: Provided further, That funds for Trust Management improvements and litigation support may, as needed, be transferred to or merged with the Bureau of Indian Affairs "Operation of Indian Programs" and Bureau of Indian Education, "Operation of Indian Education 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 2020, 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 ninth proviso, the Secretary shall continue to maintain sufficient records to determine the balance of the in-

dividual accounts, including any accrued interest and income, and such funds shall remain available to the individual account holders.

Of the unobligated balances from amounts made available for the Office of the Special Trustee for American Indians, \$3,000,000 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.

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, \$952,338,000, 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 \$194,000,000 is for fuels management activities: Provided further, That of the funds provided \$20,470,000 is for burned area rehabilitation: Provided further, That persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation: Provided further, That notwithstanding 42 U.S.C. 1856d, sums received by a bureau or office of the Department of the Interior for fire protection rendered pursuant to 42 U.S.C. 1856 et seq., protection of United States property, may be credited to the appropriation from which funds were expended to provide that protection, and are available without fiscal year limitation: Provided further, That using the amounts designated under this title of this Act, the Secretary of the Interior may enter into procurement contracts, grants, or cooperative agreements, for fuels management activities, and for training and monitoring associated with such fuels management activities on Federal land, or on adjacent non-Federal land for activities that benefit resources on Federal land: Provided further, That the costs of implementing any cooperative agreement between the Federal Government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: Provided further, That notwithstanding requirements of the Competition in Contracting Act, the Secretary, for purposes of fuels management activities, may obtain maximum practicable competition among: (1) local private, nonprofit, or cooperative entities; (2) Youth Conservation Corps crews, Public Lands Corps (Public Law 109-154), or related partnerships with State, local, or nonprofit youth groups; (3) small or micro-businesses; or (4) other entities that will hire or train locally a significant percentage, defined as 50 percent or more, of the project workforce to complete such contracts: Provided further, That in implementing this section, the Secretary shall develop written guidance to field units to ensure accountability and consistent application of the authorities provided herein: Provided further, That funds appropriated under this heading may be used to reimburse the United States Fish and Wildlife Service and the 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. Provided further, That of the funds provided under this heading, \$383,657,000 is provided to meet the terms of section 251(b)(2)(F)(ii)(I) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

In addition to the amounts provided under this heading for wildfire suppression operations, \$300,000,000, to remain available until expended, is additional new budget authority as specified for purposes of section 251(b)(2)(F) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided, That the Secretary of the Interior may transfer such amounts to the Department of Agriculture for wildfire suppression operations.

#### 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.), \$13,010,000, to remain available until expended, of which \$3,000,000, notwithstanding any other provision of law, shall be for analysis and initiation of radium decontamination and remediation at any land-grant university that may have been subject to such contamination as a result of actions of the former United States Bureau of Mines.

#### 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, \$69,284,000, 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 ap-

proval 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 provisions 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, \$147,330,000, to remain available until September 30, 2021; of which \$50,651,000 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 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 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. The Secretary shall notify the House and Senate Committees on Appropriations within 60 days of the expenditure or transfer of any funds under this section, including the amount expended or transferred and how the funds will be used.

#### 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 2020. 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 2020, 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 2020 shall be:

- (1) \$11,500 for facilities with no wells, but with processing equipment or gathering lines;
- (2) \$18,500 for facilities with 1 to 10 wells, with any combination of active or inactive wells; and
- (3) \$34,500 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 2020. Fees for fiscal year 2020 shall be:

- (1) \$33,500 per inspection for rigs operating in water depths of 500 feet or more; and
  - (2) \$18,500 per inspection for rigs operating in water depths of less than 500 feet.
- (d) Fees for inspection of well operations conducted via non-rig units as outlined in title 30 CFR 250 subparts D, E, F, and Q shall be assessed for all inspections completed in fiscal year 2020. Fees for fiscal year 2020 shall be:

- (1) \$13,260 per inspection for non-rig units operating in water depths of 2,500 feet or more;
- (2) \$11,530 per inspection for non-rig units operating in water depths between 500 and 2,499 feet; and
- (3) \$4,470 per inspection for non-rig units operating in water depths of less than 500 feet.

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

## DISCLOSURE OF WAIVERS

SEC. 108. (a) Subject to subsection (b), in any case in which the Bureau of Safety and Environmental Enforcement or the Bureau of Ocean Energy Management issues any waiver, departure, deviation, variance, or any other alternative compliance authorization from any law, rule, regulation, or other directive, the head of such bureau shall post a copy of such waiver, departure, deviation, variance, or other alternative compliance authorization on such bureau's publically available website not more than 3 business days after such issuance.

(b) The head of each bureau may redact confidential business information.

## 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 2020, 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.

## PAYMENTS IN LIEU OF TAXES (PILT)

SEC. 114. Section 6906 of title 31, United States Code, is amended by striking "fiscal year 2019" and inserting "fiscal year 2020".

## REPUBLIC OF THE MARSHALL ISLANDS

SEC. 115. As authorized in section 111(d) of the Compact of Free Association Act of 1985 (Public Law 99-239; 99 Stat. 1799; 48 U.S.C. 1911) and section 108(b) of the Compact of Free Association Amendments Act of 2003 (Public Law 108-188; 117 Stat. 2755; 48 U.S.C. 1921g), \$5,000,000 is hereby appropriated to the Secretary of the Interior, to remain available until expended by the Secretary, for the Republic of the Marshall Islands to deposit in the Compact Trust Fund of the Republic of the Marshall Islands as compensation for adverse financial and economic impacts resulting from the effect of title IV of the Compact of Free Association Act of 1985 (Public Law 99-239; 99 Stat. 1799; 48 U.S.C. 1911) upon title II of the Compact.

## OBLIGATION OF FUNDS

SEC. 116. 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.

## RESTRICTION ON USE OF FUNDS

SEC. 117. Before the final 2019-2024 Outer Continental Shelf Oil and Gas Leasing Program, or any plan that is dated later than 2017-2022, is published in the Federal Register, none of the funds made available to the Department of Interior by this or any other Act may be used to conduct offshore oil and gas pre-leasing, leasing and related activities for any lease sale proposed in the Draft Proposed Program described in the "Notice of Availability of the 2019-2024 Draft Proposed Outer Continental Shelf Oil and Gas Leasing Program and Notice of Intent to Prepare a Programmatic Environmental Impact Statement" published in the Federal Register on January 8, 2018 (83 Fed. Reg. 829), unless such sale was also contained in the 2017-2022 Outer Continental Shelf Oil and Gas Proposed Final Program described in the "Notice of Availability of the 2017-2022 Outer Continental Shelf Oil and Gas Leasing Proposed Final Program" published in the Federal Register on November 23, 2016 (81 Fed. Reg. 84612).

## FUNDING RESTRICTION

SEC. 118. None of the funds made available to the Department of the Interior by this or any other Act may be used to conduct a lease sale pursuant to section 20001(c)(1) of Public Law 115-97 which does not contain a national minimum acceptable bid amount sufficient to produce Federal receipts to the Treasury, net of any state share, of no less than 50 percent of the amount required by section 2001(b) of H. Con. Res. 71, the concurrent resolution on the budget for fiscal year 2018, as agreed to on October 26, 2017.

## EXTENSION OF AUTHORITIES

SEC. 119. (a) Section 512 of Title V of Division J of P.L. 108-447 is amended by striking "on the date that is 15 years after the date that funds are first made available for this title." and inserting "after September 30, 2022."

(b) Section 608 of Title VI of Division J of P.L. 108-447 is amended by striking "the expiration of the 15-year period beginning on the date that funds are first made available for this title." and inserting "September 30, 2022."

(c) Section 109 of Title I of Public Law 103-449, as amended by Public Law 111-11, title VIII section 8201(c), is further amended by striking "\$15,000,000" and inserting "\$17,000,000".

(d) Section 608(a) of Division II of Public Law 104-333, as amended by Public Law 110-229 section 461, is further amended by striking "\$15,000,000" and inserting "\$17,000,000".

(e) Section 810(a)(1) of Title VIII of Division B of Appendix D of Public Law 106-554, as amended by Public Law 115-31, Division G, Title I section 115(b), is further amended by striking "\$12,000,000" and inserting "\$14,000,000".

## SEPARATION OF ACCOUNTS

SEC. 120. The Secretary of the Interior, in order to implement an orderly transition to separate accounts of the Bureau of Indian Affairs and the Bureau of Indian Education, may transfer funds among and between the successor offices and bureaus affected by the reorganization only in conformance with the reprogramming guidelines described in this Act.

## TITLE II

ENVIRONMENTAL PROTECTION AGENCY  
SCIENCE AND TECHNOLOGY

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, \$727,633,000, to remain available until September 30, 2021: Provided, That of the funds included under this heading, \$6,000,000 shall be for Research: National Priorities as specified in the report accompanying this Act.

## ENVIRONMENTAL PROGRAMS AND MANAGEMENT

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, \$2,707,704,000, to remain available until September 30, 2021: Provided, That of the funds included under this heading, \$17,700,000 shall be for Environmental Protection: National Priorities as specified in the report accompanying this Act. Provided further, That of the funds included under this heading, \$501,958,000 shall be for Geographic Programs specified in the report accompanying this Act.

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 2020 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 2020 shall be reduced by the amount of discretionary offsetting receipts received during fiscal year 2020, so as to result in a final fiscal year 2020 appropriation from the general fund estimated at not more than \$0: 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 2020, 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 2020, which shall remain available until expended and be used for necessary expenses in this appropriation, so as to result in a final fiscal year 2020 appropriation from the general fund estimated at not more than \$0: Provided further, That to the extent such offsetting collections received in fiscal year 2020 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, \$48,514,000, to remain available until September 30, 2021.

## BUILDINGS AND FACILITIES

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

HAZARDOUS SUBSTANCE SUPERFUND  
(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), including sections 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611), and hire, maintenance, and operation of aircraft, \$1,214,648,000, to remain available until expended, consisting of such sums as are available in the Trust Fund on September 30, 2019, as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA) and up to \$1,214,648,000 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, \$9,586,000 shall be paid to the "Office of Inspector General" appropriation to remain available until September 30, 2021, and \$30,496,000 shall be paid to the "Science and Technology" appropriation to remain available until September 30, 2021.

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, \$94,410,000, to remain available until expended, of which \$69,041,000 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, including hire, maintenance, and operation of aircraft,

\$23,237,000, 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, \$4,620,992,000, to remain available until expended, of which—

(1) \$1,784,000,000 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 \$1,300,000,000 shall be for making capitalization grants for the Drinking Water State Revolving Funds under section 1452 of the Safe Drinking Water Act: Provided, That for fiscal year 2020, 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 2020, 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 2020 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 2020, 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 2020, 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 2020, 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

2020, 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 2020, 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 2020, 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 2020, 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 14 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 14 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) \$30,000,000 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) \$20,000,000 shall be for grants to the State of Alaska to address drinking water and wastewater infrastructure needs of rural and Alaska Native Villages: Provided, That of these funds: (A) the State of Alaska shall provide a match of 25 percent; (B) no more than 5 percent of the funds may be used for administrative and overhead expenses; and (C) the State of Alaska shall make awards consistent with the Statewide priority list established in conjunction with the Agency and the U.S. Department of Agriculture for all water, sewer, waste disposal, and similar projects carried out by the State of Alaska that are funded under section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1301) or the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) which shall allocate not less than 25 percent of the funds provided for projects in regional hub communities;

(4) \$105,000,000 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) \$55,000,000 shall be for grants under title VII, subtitle G of the Energy Policy Act of 2005;

(6) \$30,000,000 shall be for targeted airshed grants in accordance with the terms and conditions in the report accompanying this 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);

(8) \$25,000,000 shall be for grants and other activities under subsections (a) through (j) of section 1459A of the Safe Drinking Water Act (42 U.S.C. 300j-19a);

(9) \$25,000,000 shall be for grants and other activities under section 1464(d) of the Safe Drinking Water Act (42 U.S.C. 300j-24(d));

(10) \$20,000,000 shall be for grants under section 1459B of the Safe Drinking Water Act (42 U.S.C. 300j-19b);

(11) \$4,000,000 shall be for grants under section 1459A(l) of the Safe Drinking Water Act (42 U.S.C. 300j-19a(l));

(12) \$13,000,000 shall be for grants under section 104(b)(8) of the Federal Water Pollution Control Act (33 U.S.C. 1254(b)(8));

(13) \$90,000,000 shall be for grants under section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1301);

(14) \$1,000,000 shall be for grants under section 4304(b) of America's Water Infrastructure Act of 2018 (Public Law 115-270); and

(15) \$1,114,992,000 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.

#### WATER INFRASTRUCTURE FINANCE AND INNOVATION PROGRAM ACCOUNT

For the cost of direct loans and for the cost of guaranteed loans, as authorized by the Water Infrastructure Finance and Innovation Act of 2014, \$45,000,000, to remain available until expended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans, including capitalized interest, and total loan principal, including capitalized interest, any part of which is to be guaranteed, not to exceed \$5,490,000,000.

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, 2021.

#### ADMINISTRATIVE PROVISIONS—ENVIRONMENTAL PROTECTION AGENCY

##### (INCLUDING TRANSFERS OF FUNDS)

For fiscal year 2020, 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 116-8, the Pesticide Registration Improvement Extension Act of 2018.

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 2020.

The Administrator is authorized to transfer up to \$320,000,000 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 2020, 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 2020 to provide grants to implement the Southeastern New England Watershed Restoration Program.

Notwithstanding the limitations on amounts in section 320(i)(2)(B) of the Federal Water Pollution Control Act, not less than \$4,000,000 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).

The fourth paragraph under heading “Administrative Provisions” in title II of Public Law 109–54 is amended by striking “2020” and inserting “2025”.

### 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 SERVICE OPERATIONS

###### (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Forest Service, not otherwise provided for, \$921,849,000 to remain available through September 30, 2021, for (1) the base salary and expenses of permanent employees carrying out administrative and general management support functions of the Forest Service; (2) the costs of leases for buildings and sites where such support functions take place; (3) the costs of utility and telecommunication expenses, business services, and information technology, including cybersecurity requirements; and (4) such other administrative support function expenses necessary for the operation of the Forest Service: Provided, That not to exceed \$565,713,000 shall be available for the base salaries and expenses described in paragraph (1): Provided further, That any unobligated balances available to the Forest Service from prior fiscal years for the purposes described under this heading shall be transferred to and merged with this account: Provided further, That any funding for the purposes described under this heading that are authorized to be paid by permanent funds or trust funds of the Forest Service shall be transferred to and merged with this account: Provided further, That none of the funds provided to the Forest Service under this Act (other than under this heading) may be used to fund indirect expenses that before the date of the enactment of this Act

were provided for through discretionary cost pools.

###### FOREST AND RANGELAND RESEARCH

For necessary expenses of forest and rangeland research as authorized by law, \$277,155,000, to remain available through September 30, 2023: Provided, That of the funds provided, \$73,174,000 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

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, \$382,894,000, to remain available through September 30, 2023, as authorized by law; of which \$75,000,000 is to be derived from the Land and Water Conservation Fund to be used for the Forest Legacy Program, to remain available until expended.

###### NATIONAL FOREST SYSTEM

For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, and for hazardous fuels management on or adjacent to such lands, \$1,599,308,000, to remain available through September 30, 2023: Provided, That of the funds provided, \$35,526,000 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, \$276,603,000 shall be for forest products: Provided further, That of the funds provided, \$390,169,000 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

For necessary expenses of the Forest Service, not otherwise provided for, \$419,103,000, to remain available through September 30, 2023, 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 2020 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, \$90,000,000, 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, 2023, 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, 2023, 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, 2023.

###### WILDLAND FIRE MANAGEMENT

###### (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for forest fire suppression 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,

\$2,009,545,000, to remain available through September 30, 2023: 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 of the funds provided under this heading, \$1,011,000,000 shall be available for wildfire suppression operations, and is provided to meet the terms of section 251(b)(2)(F)(ii)(I) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

In addition to the amounts provided under this heading for wildfire suppression operations, \$1,950,000,000, to remain available until expended, is additional new budget authority as specified for purposes of section 251(b)(2)(F) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided, That the Secretary of Agriculture may transfer such amounts to the Department of Interior for wildfire suppression operations.

#### 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).

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.

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)).

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.

Funds appropriated to the Forest Service shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Forest Service or its contractors or for the sale of wild horses and burros that results in their destruction for processing into commercial products.

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, \$4,556,870,000, to remain available until September 30, 2021, 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) and 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 \$969,479,000 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 \$50,000,000 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, \$53,000,000 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, including supplementing activities funded under the heading "Indian Health Facilities," 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, for transformation and modernization costs of the Indian Health Service Electronic Health Record system, for national quality and oversight activities, for initiatives to treat or reduce the transmission of Hepatitis-C and HIV-AIDS or both in high priority areas, 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 that fall 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 (25 U.S.C. 1613) 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 (25 U.S.C. 1613) 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 none of the funds appropriated by

this Act to the Indian Health Service for the Electronic Health Record system shall be available for obligation or expenditure for the selection or implementation of a new Information Technology infrastructure system, unless the Committees on Appropriations of the House of Representatives and the Senate are consulted 90 days in advance of such obligation.

#### 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 2020, 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, demolition, 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, \$964,121,000, 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.

#### 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 ad-

ministered 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. 450 et seq.), may be deobligated and reobligated to a self-determination contract under title I, or a self-governance agreement under title V of such Act and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: Provided further, That none of the funds made available to the Indian Health Service in this Act shall be used to implement the final rule published in the Federal Register on September 16, 1987, by the Department of Health and Human Services, relating to the eligibility for the health care services of the Indian Health Service until the Indian Health Service has submitted a budget request reflecting the increased costs associated with the proposed final rule, and such request has been included in an appropriations Act and enacted into law: Provided further, That with respect to functions transferred by the Indian Health Service to tribes or tribal organizations, the Indian Health Service is authorized to provide goods and services to those entities on a reimbursable basis, including payments in advance with subsequent adjustment, and the reimbursements received therefrom, along with the funds received from those entities pursuant to the Indian Self-Determination Act, may be credited to the same or subsequent appropriation account from which the funds were originally derived, with such amounts to remain available until expended: Provided further, That reimbursements for training, technical assistance, or services provided by the Indian Health Service will contain total costs, including direct, administrative, and overhead costs associated with the provision of goods, services, or technical assistance: Provided further, That the Indian Health Service may provide to civilian medical personnel serving in hospitals operated by the Indian Health Service housing allowances equivalent to those that would be provided to members of the Commissioned Corps of the United States Public Health Service serving in similar positions at such hospitals: Provided further, That the appropriation structure for the Indian Health Service may not be altered without advance notification to the House and Senate Committees on Appropriations.

#### NATIONAL INSTITUTES OF HEALTH

##### NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

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

##### AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY

##### TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH

For necessary expenses for the Agency for Toxic Substances and Disease Registry (ATSDR)



in carrying out activities set forth in sections 104(i) and 111(c)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) and section 3019 of the Solid Waste Disposal Act, \$79,691,000: 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 2020, 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 HOPÍ INDIAN RELOCATION

##### SALARIES AND EXPENSES

For necessary expenses of the Office of Navajo and Hopi Indian Relocation as authorized by Public Law 93–531, \$7,500,000, 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).

##### 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.), \$10,850,000, which shall become available on July 1, 2020, and shall remain available until September 30, 2021.

##### 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, \$852,345,000, to remain available until September 30, 2021, except as otherwise provided herein; of which not to exceed \$6,908,000 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, \$219,000,000, 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, \$147,022,000, to remain available until September 30, 2021, of which not to exceed \$3,660,000 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, \$34,603,000, to remain available until expended: Provided, That of this amount, \$1,000,000 shall be available for design of an off-site art storage facility in partnership with the Smithsonian Institution: Provided further, 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, \$25,690,000.

##### 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, \$17,800,000, 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, \$14,000,000, to remain available until September 30, 2021.

##### 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, \$167,500,000 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, \$167,500,000 to remain available until expended, of which \$152,500,000 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 \$15,000,000 shall be available to carry out the matching grants program pursuant to section 10(a)(2) of the Act, including \$13,000,000 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, \$3,282,000: 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), \$5,000,000.

#### ADVISORY COUNCIL ON HISTORIC PRESERVATION SALARIES AND EXPENSES

For necessary expenses of the Advisory Council on Historic Preservation (Public Law 89-665), \$7,388,000.

#### 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, \$8,124,000: Provided, That one-quarter of 1 percent of the funds provided under this heading may be used for official reception and representation 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), \$61,388,000, of which \$715,000 shall remain available until September 30, 2022, for the Museum's equipment replacement program; and of which \$3,000,000 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.

#### 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, \$6,000,000, to remain available until September 30, 2021: 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 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, 2021, 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 re-

sponsible 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 2020.

#### CONTRACT SUPPORT COSTS, FISCAL YEAR 2020 LIMITATION

SEC. 406. Amounts provided by this Act for fiscal year 2020 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 2020 with the Bureau of Indian Affairs, Bureau of Indian Education, and 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.

## PROHIBITION ON NO-BID CONTRACTS

SEC. 410. 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. 411. (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. 412. 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. 413. (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. 414. 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.

## CONTRACTING AUTHORITIES

SEC. 415. Section 412 of Division E of Public Law 112-74 is amended by striking “fiscal year 2020” and inserting “fiscal year 2021”.

## EXTENSION OF GRAZING PERMITS

SEC. 416. 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 2020.

## FUNDING PROHIBITION

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 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. 418. 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 “2019” and inserting “2020”.

## USE OF AMERICAN IRON AND STEEL

SEC. 419. (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.

## JOHN F. KENNEDY CENTER REAUTHORIZATION

SEC. 420. 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), \$25,690,000 for fiscal year 2020.

“(b) CAPITAL PROJECTS.—There is authorized to be appropriated to the Board to carry out subparagraphs (F) and (G) of section 4(a)(1), \$17,800,000 for fiscal year 2020.”.

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

SEC. 421. 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.

## RECREATION FEES

SEC. 422. Section 810 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6809) is amended by striking “September 30, 2019” and inserting “September 30, 2021”.

## REPROGRAMMING PROCEDURES, DISCLOSURE OF ADMINISTRATIVE EXPENSES, AND OPERATING PLANS

SEC. 423. (a) DEFINITIONS.—For the purposes of this section:

(1) “Reprogramming” includes:

(A) The reallocation of funds from one program, project, or activity, to another within any appropriation funded in this Act.

(B) For construction, land acquisition, and forest legacy accounts, the reallocation of funds, including unobligated balances, from one construction, land acquisition, or forest legacy project to another such project.

(C) An operating plan or any later modification thereof submitted under subsection (i) of this section.

(D) Proposed reorganizations even without a change in funding, including any change to the organization table presented in the budget justification.

(2) "Program", "project", and "activity" constitute the delineation below the appropriation account level of any agency funded by this Act, as shown in any table of the report accompanying this Act.

(3) "Funds" includes funds provided in this Act or previous appropriations Acts that are available for obligation in the current fiscal year and any amounts available for obligation in the current fiscal year derived from collections, fees or charges.

(4) "Assessment" is any overhead charge, deduction, reserve or holdback, including working capital fund and cost pool charges, from any program, project, and activity to support government-wide, departmental, agency, or bureau administrative functions or headquarters, regional, or central operations or to provide for contingencies.

(b) GENERAL GUIDELINES FOR REPROGRAMMING.—

(1) A reprogramming should be made only when an unforeseen situation arises, and then only if postponement of the project or the activity until the next appropriation year would result in actual loss or damage.

(2) Any project or activity, which may be deferred through reprogramming, shall not later be accomplished by means of further reprogramming, but instead, funds should again be sought for the deferred project or activity through the regular appropriations process.

(3) Except under the most urgent situations, reprogramming should not be employed to initiate new programs or increase allocations specifically denied or limited by the Congress, or to decrease allocations specifically increased by the Congress.

(4) New programs requested in the budget should not be initiated before enactment of the bill without notification to, and the approval of, the Committees on Appropriations of the House of Representatives and the Senate (hereinafter "the Committees"). This restriction applies to all such actions regardless of whether a formal reprogramming of funds is required to begin the program.

(c) CRITERIA.—

(1) A reprogramming shall be submitted to the Committees in writing 30 days prior to implementation if—

(A) it exceeds \$1,000,000 individually or cumulatively or results in a cumulative increase or decrease of more than 10 percent of funds annually in any affected program, project, or activity;

(B) it is a reorganization; or

(C) it is an operating plan or any later modification thereof as submitted under subsection (i) of this section: Provided, That such plan or modification thereof also meets any of the other criteria under subsection (c)(1) of this section.

(2) No funds shall be available for obligation or expenditure through a reprogramming until 30 days after the receipt by the Committees of a notice of proposed reprogramming.

(3) A reprogramming shall be considered approved 30 days after receipt if the Committees have posed no objection. However, agencies shall not implement the reprogramming and shall extend the notification period if specifically requested by either Committee.

(d) EXCEPTIONS.—

(1) With regard to the tribal priority allocations of the Bureau of Indian Affairs, there is no restriction on reprogrammings among these programs. However, the Bureau shall report on all reprogrammings made during a given fiscal year no later than 60 days after the end of the fiscal year.

(2) With regard to the Environmental Protection Agency, State and Tribal Assistance Grants

account, the Committees do not require reprogramming requests associated with States and Tribal Partnership Grants.

(3) With regard to funding for Park Management subactivities within the National Park Service Operations of the National Park System account, reprogramming guidelines apply at the activity level, not the more detailed level as shown in the Committee report. The National Park Service shall report on actual spending at the more detailed level no later than 60 days after the end of the fiscal year and show its impact on the succeeding year budget at the more detailed level in the budget justification submitted to the Congress in the subsequent fiscal year for the purpose of updating the Committee support table.

(e) ASSESSMENTS.—

(1) No assessment shall be levied or collected unless such assessment and the basis therefor are presented to the Committees in the budget justifications and are subsequently approved by the Committees. The explanation for any assessment in the budget justification shall show the amount of the assessment, the activities assessed, and the purpose of the funds.

(2) Proposed changes to estimated assessments, as such estimates were presented in annual budget justifications, shall be submitted through the reprogramming process set out in this section and shall be subject to the same dollar and reporting criteria as any other reprogramming.

(3) Each department, agency or bureau that utilizes assessments shall submit an annual report to the Committees which provides details on the use of all funds assessed from any other program, project, or activity.

(4) In no case shall contingency funds or assessments be used to finance agency actions disapproved or limited by the Congress.

(f) LAND ACQUISITIONS, EASEMENTS, AND FOREST LEGACY.—Lands shall not be acquired for more than the approved appraised value (as addressed in section 301(3) of Public Law 91-646), unless such acquisitions are submitted to the Committees for approval in compliance with these procedures.

(g) LAND EXCHANGES.—Land exchanges, wherein the estimated value of the Federal lands to be exchanged is greater than \$1,000,000, shall not be consummated until the Committees have had a 30-day period in which to examine the proposed exchange. In addition, the Committees shall be provided advance notification of exchanges valued between \$500,000 and \$1,000,000.

(h) BUDGET STRUCTURE.—The program, project, and activity structure for any agency appropriation account shall not be altered without advance approval of the Committees.

(i) OPERATING PLANS.—Not later than 60 days after the date of enactment of this Act, each department or agency funded by this Act shall submit an operating plan to the Committees to establish the baseline for application of reprogramming for the current fiscal year. The operating plan shall include—

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

(2) a delineation in the table for each appropriation by program, project, and activity for the respective appropriation; and

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

#### PROJECT INFORMATION

SEC. 424. (a) Not later than April 1, 2020, and each April 1 thereafter, the Secretary of the Interior and the Secretary of Agriculture shall submit to the Committees on Appropriations of the House of Representatives and the Senate prioritized and detailed lists of federal land acquisition projects, and Forest Legacy projects, which could be executed within the three fiscal

years beginning with the fiscal year after the date upon which the lists are submitted.

(b) The federal land acquisition project lists required by subsection (a) shall include projects for the National Park Service, the U.S. Fish and Wildlife Service, the Bureau of Land Management, and the U.S. Forest Service, including recreational public access projects as required by 54 U.S.C. 200306, and shall total for each agency no less than 150 percent of the amount enacted for that agency for the previous fiscal year.

SEC. 425. Except as expressly provided otherwise, any reference to "this Act" contained in this division shall be treated as referring only to the provisions of this division.

SEC. 426. Any reference to a "report accompanying this Act" contained in this division shall be treated as a reference to House Report 116-100. The effect of such Report shall be limited to this division and shall apply for purposes of determining the allocation of funds provided by, and the implementation of, this division.

This Act may be cited as the "Department of the Interior, Environment, and Related Agencies Appropriations Act, 2020".

#### **DIVISION D—MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS ACT, 2020**

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2020, and for other purposes, namely: That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2020, and for other purposes, namely:

#### **TITLE I**

#### **DEPARTMENT OF DEFENSE MILITARY CONSTRUCTION, ARMY**

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, \$1,132,499,000, to remain available until September 30, 2024: Provided, That, of this amount, not to exceed \$136,099,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of the Army determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

#### **MILITARY CONSTRUCTION, NAVY AND MARINE CORPS**

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, \$2,205,771,000, to remain available until September 30, 2024: Provided, That, of this amount, not to exceed \$178,715,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

#### **MILITARY CONSTRUCTION, AIR FORCE**

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and

real property for the Air Force as currently authorized by law, \$1,588,730,000, to remain available until September 30, 2024: Provided, That, of this amount, not to exceed \$153,148,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Air Force determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

**MILITARY CONSTRUCTION, DEFENSE-WIDE**  
(INCLUDING TRANSFER OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, \$2,025,799,000, to remain available until September 30, 2024: Provided, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided further, That, of the amount, not to exceed \$252,355,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

**MILITARY CONSTRUCTION, ARMY NATIONAL GUARD**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$210,819,000, to remain available until September 30, 2024: Provided, That, of the amount, not to exceed \$20,469,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Army National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

**MILITARY CONSTRUCTION, AIR NATIONAL GUARD**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$115,971,000, to remain available until September 30, 2024: Provided, That, of the amount, not to exceed \$17,000,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Air National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

**MILITARY CONSTRUCTION, ARMY RESERVE**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$60,928,000, to remain available until September 30, 2024: Provided, That, of the amount, not to exceed \$6,000,000 shall be available for study, planning, design, and architect and engineer services, as authorized by

law, unless the Chief of the Army Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

**MILITARY CONSTRUCTION, NAVY RESERVE**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$54,955,000, to remain available until September 30, 2024: Provided, That, of the amount, not to exceed \$4,780,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

**MILITARY CONSTRUCTION, AIR FORCE RESERVE**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$59,750,000, to remain available until September 30, 2024: Provided, That, of the amount, not to exceed \$4,604,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Air Force Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

**NORTH ATLANTIC TREATY ORGANIZATION**

**SECURITY INVESTMENT PROGRAM**

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by section 2806 of title 10, United States Code, and Military Construction Authorization Acts, \$172,005,000, to remain available until expended.

**DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT**

For deposit into the Department of Defense Base Closure Account, established by section 2906(a) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), \$398,526,000, to remain available until expended.

**FAMILY HOUSING CONSTRUCTION, ARMY**

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$141,372,000, to remain available until September 30, 2024.

**FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY**

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$407,907,000.

**FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS**

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$47,661,000, to remain available until September 30, 2024.

**FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS**

For expenses of family housing for the Navy and Marine Corps for operation and maintenance,

including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$377,470,000.

**FAMILY HOUSING CONSTRUCTION, AIR FORCE**

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$103,631,000, to remain available until September 30, 2024.

**FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE**

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$326,216,000.

**FAMILY HOUSING OPERATION AND MAINTENANCE, DEFENSE-WIDE**

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, \$57,000,000.

**DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND**

For the Department of Defense Family Housing Improvement Fund, \$3,045,000, to remain available until expended, for family housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military family housing and supporting facilities.

**MILITARY UNACCOMPANIED HOUSING IMPROVEMENT FUND**

For the Department of Defense Military Unaccompanied Housing Improvement Fund, \$500,000, to remain available until expended, for unaccompanied housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military unaccompanied housing and supporting facilities.

**ADMINISTRATIVE PROVISIONS**

SEC. 101. None of the funds made available in this title shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed \$25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds made available in this title for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds made available in this title for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds made available in this title may be used to begin construction of new bases in the United States for which specific appropriations have not been made.

SEC. 105. None of the funds made available in this title shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or the designee of the Attorney General; (3) where the estimated value is less than \$25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds made available in this title shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for

which funds have been made available in annual Acts making appropriations for military construction.

SEC. 107. None of the funds made available in this title for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 108. None of the funds made available in this title may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds made available in this title may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 111. None of the funds made available in this title may be obligated for architect and engineer contracts estimated by the Government to exceed \$500,000 for projects to be accomplished in Japan, in any North Atlantic Treaty Organization member country, or in countries bordering the Arabian Gulf, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds made available in this title for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Gulf, may be used to award any contract estimated by the Government to exceed \$1,000,000 to a foreign contractor: Provided, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: Provided further, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense shall inform the appropriate committees of both Houses of Congress, including the Committees on Appropriations, of plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed \$100,000.

SEC. 114. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 115. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 116. Notwithstanding any other provision of law, any funds made available to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were made available, if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 117. Subject to 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, such additional amounts as may be determined by the Secretary of Defense may be transferred to: (1) the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in "Family Housing" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund; or (2) the Department of Defense Military Unaccompanied Housing Improvement Fund from amounts appropriated for construction of military unaccompanied housing in "Military Construction" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: Provided, That appropriations made available to the Funds shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169 of title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities.

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 118. In addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the Department of Defense Base Closure Account to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program incurred under 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 119. Notwithstanding any other provision of law, funds made available in this title for operation and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: Provided, That not more than \$15,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, except that an after-the-fact notification shall be submitted if the limitation is exceeded solely due to costs associated with environmental remediation that could not be reasonably anticipated at the time of the budget submission.

SEC. 120. Amounts contained in the Ford Island Improvement Account established by subsection (h) of section 2814 of title 10, United States Code, are appropriated and shall be available until expended for the purposes specified in subsection (i)(1) of such section or until transferred pursuant to subsection (i)(3) of such section.

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 121. During the 5-year period after appropriations available in this Act to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation "For-

eign Currency Fluctuations, Construction, Defense", to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 122. Amounts appropriated or otherwise made available in an account funded under the headings in this title may be transferred among projects and activities within the account in accordance with the reprogramming guidelines for military construction and family housing construction contained in Department of Defense Financial Management Regulation 7000.14-R, Volume 3, Chapter 7, of March 2011, as in effect on the date of enactment of this Act.

SEC. 123. None of the funds made available in this title may be obligated or expended for planning and design and construction of projects at Arlington National Cemetery.

SEC. 124. For an additional amount for the accounts and in the amounts specified, to remain available until September 30, 2024:

"Military Construction, Army", \$79,500,000;  
 "Military Construction, Navy and Marine Corps", \$546,800,000;  
 "Military Construction, Air Force", \$230,400,000;  
 "Military Construction, Army National Guard", \$155,000,000;  
 "Military Construction, Air National Guard", \$57,000,000; and  
 "Military Construction, Air Force Reserve", \$24,800,000:

Provided, That such funds may only be obligated to carry out construction projects identified in the respective military department's unfunded priority list for fiscal year 2020 submitted to Congress: Provided further, That such projects are subject to authorization prior to obligation and expenditure of funds to carry out construction: Provided further, That not later than 30 days after enactment of this Act, the Secretary of the military department concerned, or his or her designee, shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

#### (RESCISSION OF FUNDS)

SEC. 125. Of the unobligated balances available to the Department of Defense from prior appropriation Acts, the following funds are hereby rescinded from the following accounts in the amounts specified:

"Military Construction, Defense-Wide", \$45,055,000.

SEC. 126. For the purposes of this Act, the term "congressional defense committees" means the Committees on Armed Services of the House of Representatives and the Senate, the Subcommittee on Military Construction and Veterans Affairs of the Committee on Appropriations of the Senate, and the Subcommittee on Military Construction and Veterans Affairs of the Committee on Appropriations of the House of Representatives.

SEC. 127. All amounts appropriated to the "Department of Defense—Military Construction, Army", "Department of Defense—Military Construction, Navy and Marine Corps", "Department of Defense—Military Construction, Air Force", and "Department of Defense—Military Construction, Defense-Wide" accounts pursuant to the authorization of appropriations in a National Defense Authorization Act specified for fiscal year 2020 in the funding table in section 4601 of that Act shall be immediately available and allotted to contract for the full scope of authorized projects.

#### TITLE II

##### DEPARTMENT OF VETERANS AFFAIRS

##### VETERANS BENEFITS ADMINISTRATION

##### COMPENSATION AND PENSIONS

##### (INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for



disability examinations as authorized by section 107 and chapters 11, 13, 18, 51, 53, 55, and 61 of title 38, United States Code; pension benefits to or on behalf of veterans as authorized by chapters 15, 51, 53, 55, and 61 of title 38, United States Code; and burial benefits, the Reinstated Entitlement Program for Survivors, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of title IV of the Servicemembers Civil Relief Act (50 U.S.C. App. 541 *et seq.*) and for other benefits as authorized by sections 107, 1312, 1977, and 2106, and chapters 23, 51, 53, 55, and 61 of title 38, United States Code, \$116,801,316,000, shall become available on October 1, 2020: Provided, That not to exceed \$18,147,000 of the amount made available for fiscal year 2021 under this heading shall be reimbursed to "General Operating Expenses, Veterans Benefits Administration", and "Information Technology Systems" for necessary expenses in implementing the provisions of chapters 51, 53, and 55 of title 38, United States Code, the funding source for which is specifically provided as the "Compensation and Pensions" appropriation: Provided further, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to "Medical Care Collections Fund" to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

#### READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by chapters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and 61 of title 38, United States Code, \$12,578,965,000, to remain available until expended and to become available on October 1, 2020: Provided, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under subsection (a) of section 3104 of title 38, United States Code, other than under paragraphs (1), (2), (5), and (11) of that subsection, shall be charged to this account.

#### VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by chapters 19 and 21, title 38, United States Code, \$17,620,000, to remain available until expended, which shall be in addition to funds previously appropriated under this heading that become available on October 1, 2019; and in addition, \$129,224,000, to remain available until expended, which shall become available on October 1, 2020.

#### VETERANS HOUSING BENEFIT PROGRAM FUND

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by subchapters I through III of chapter 37 of title 38, United States Code: 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, during fiscal year 2020, within the resources available, not to exceed \$500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$200,377,391.

#### VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, \$57,729, as authorized by chapter 31 of title 38, United States Code: 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 made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$2,008,232.

In addition, for administrative expenses necessary to carry out the direct loan program, \$401,880, which may be paid to the appropriation for "General Operating Expenses, Veterans Benefits Administration".

#### NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

For administrative expenses to carry out the direct loan program authorized by subchapter V of chapter 37 of title 38, United States Code, \$1,186,000.

#### GENERAL OPERATING EXPENSES, VETERANS BENEFITS ADMINISTRATION

For necessary operating expenses of the Veterans Benefits Administration, not otherwise provided for, including hire of passenger motor vehicles, reimbursement of the General Services Administration for security guard services, and reimbursement of the Department of Defense for the cost of overseas employee mail, \$3,025,000,000: Provided, That expenses for services and assistance authorized under paragraphs (1), (2), (5), and (11) of section 3104(a) of title 38, United States Code, that the Secretary of Veterans Affairs determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: Provided further, That, of the funds made available under this heading, not to exceed 10 percent shall remain available until September 30, 2021.

#### VETERANS HEALTH ADMINISTRATION MEDICAL SERVICES

For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the Department, and including medical supplies and equipment, bio-engineering services, food services, and salaries and expenses of healthcare employees hired under title 38, United States Code, aid to State homes as authorized by section 1741 of title 38, United States Code, assistance and support services for caregivers as authorized by section 1720G of title 38, United States Code, loan repayments authorized by section 604 of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111-163; 124 Stat. 1174; 38 U.S.C. 7681 note), monthly assistance allowances authorized by section 322(d) of title 38, United States Code, grants authorized by section 521A of title 38, United States Code, and administrative expenses necessary to carry out sections 322(d) and 521A of title 38, United States Code, and hospital care and medical services authorized by section 1787 of title 38, United States Code, \$169,160,000, which shall be in addition to funds previously appropriated under this heading that become available on October 1, 2019; and, in addition, \$56,158,015,000, plus reimbursements, shall become available on October 1, 2020, and shall remain available until September 30, 2021: Provided, That, of the amount made available on October 1, 2020, under this heading, \$1,500,000,000 shall remain available until September 30, 2022: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for the provision of medical treatment for veterans who have service-connected disabilities, lower income, or have special needs: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veterans with privately writ-

ten prescriptions based on requirements established by the Secretary: Provided further, That the implementation of the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs: Provided further, That the Secretary of Veterans Affairs shall ensure that sufficient amounts appropriated under this heading for medical supplies and equipment are available for the acquisition of prosthetics designed specifically for female veterans: Provided further, That of the amount made available on October 1, 2019, under this heading, not less than \$581,514,000 shall be for gender-specific care for women as described in the report accompanying this Act.

#### MEDICAL COMMUNITY CARE

For necessary expenses for furnishing health care to individuals pursuant to chapter 17 of title 38, United States Code, at non-Department facilities, \$4,521,400,000, which shall be in addition to funds previously appropriated under this heading that become available on October 1, 2019; and, in addition, \$17,131,179,000, plus reimbursements, shall become available on October 1, 2020, and shall remain available until September 30, 2021: Provided, That, of the amount made available on October 1, 2020, under this heading, \$2,000,000,000 shall remain available until September 30, 2022.

#### MEDICAL SUPPORT AND COMPLIANCE

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities; and administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under chapter 17 of title 38, United States Code, and the Federal Medical Care Recovery Act (42 U.S.C. 2651 *et seq.*), \$98,800,000, which shall be in addition to funds previously appropriated under this heading that become available on October 1, 2019; and, in addition, \$7,914,191,000, plus reimbursements, shall become available on October 1, 2020, and shall remain available until September 30, 2021: Provided, That, of the amount made available on October 1, 2020, under this heading, \$150,000,000 shall remain available until September 30, 2022.

#### MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing homes, domiciliary facilities, and other necessary facilities of the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction, and renovation of any facility under the jurisdiction or for the use of the Department; for oversight, engineering, and architectural activities not charged to project costs; for repairing, altering, improving, or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry services; \$20,000,000, which shall be in addition to funds previously appropriated under this heading that become available on October 1, 2019; and, in addition, \$6,433,265,000, plus reimbursements, shall become available on October 1, 2020, and shall remain available until September 30, 2021: Provided, That, of the amount made available on October 1, 2020, under this heading, \$250,000,000 shall remain available until September 30, 2022.

#### MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title 38, United States Code, \$840,000,000, plus reimbursements, shall remain available until September 30, 2021.

## NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemeterial expenses as authorized by law; purchase of one passenger motor vehicle for use in cemeterial operations; hire of passenger motor vehicles; and repair, alteration or improvement of facilities under the jurisdiction of the National Cemetery Administration, \$329,000,000, of which not to exceed 10 percent shall remain available until September 30, 2021.

## DEPARTMENTAL ADMINISTRATION

## GENERAL ADMINISTRATION

## (INCLUDING TRANSFER OF FUNDS)

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of Department-wide capital planning, management and policy activities, uniforms, or allowances therefor; not to exceed \$25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, \$369,200,000, of which not to exceed 10 percent shall remain available until September 30, 2021: Provided, That funds provided under this heading may be transferred to "General Operating Expenses, Veterans Benefits Administration".

## BOARD OF VETERANS APPEALS

For necessary operating expenses of the Board of Veterans Appeals, \$182,000,000, of which not to exceed 10 percent shall remain available until September 30, 2021.

## INFORMATION TECHNOLOGY SYSTEMS

## (INCLUDING TRANSFER OF FUNDS)

For necessary expenses for information technology systems and telecommunications support, including developmental information systems and operational information systems; for pay and associated costs; and for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by section 3109 of title 5, United States Code, \$4,343,000,000, plus reimbursements: Provided, That \$1,204,238,000 shall be for pay and associated costs, of which not to exceed 3 percent shall remain available until September 30, 2021: Provided further, That \$2,737,482,000 shall be for operations and maintenance, of which not to exceed 5 percent shall remain available until September 30, 2021: Provided further, That \$401,280,000 shall be for information technology systems development, and shall remain available until September 30, 2021: Provided further, That amounts made available for salaries and expenses, operations and maintenance, and information technology systems development may be transferred among the three subaccounts after the Secretary of Veterans Affairs requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: Provided further, That amounts made available for the "Information Technology Systems" account for development may be transferred among projects or to newly defined projects: Provided further, That no project may be increased or decreased by more than \$1,000,000 of cost prior to submitting a request to the Committees on Appropriations of both Houses of Congress to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed: Provided further, That the funds made available under this heading for information technology systems development shall be for the projects, and in the amounts, specified under this heading in the report accompanying this Act.

## VETERANS ELECTRONIC HEALTH RECORD

For activities related to implementation, preparation, development, interface, management,

rollout, and maintenance of a Veterans Electronic Health Record system, including contractual costs associated with operations authorized by section 3109 of title 5, United States Code, and salaries and expenses of employees hired under titles 5 and 38, United States Code, \$1,603,000,000, to remain available until September 30, 2022: Provided, That the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress quarterly reports detailing obligations, expenditures, and deployment implementation by facility: Provided further, That the funds provided in this account shall only be available to the Office of the Deputy Secretary, to be administered by that Office: Provided further, That none of the funds made available under this heading may be obligated in a manner inconsistent with deployment schedules provided to the Committees on Appropriations unless the Secretary of Veterans Affairs provides notification to the Committees on Appropriations of such change and an approval is issued.

## OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, to include information technology, in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), \$222,000,000, of which not to exceed 10 percent shall remain available until September 30, 2021.

## CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406 and chapter 81 of title 38, United States Code, not otherwise provided for, including planning, architectural and engineering services, construction management services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, \$1,235,200,000, of which \$1,036,600,000 shall remain available until September 30, 2024, and of which \$198,600,000 shall remain available until expended, of which \$35,000,000 shall be available for seismic improvement projects and seismic program management activities, including for projects that would otherwise be funded by the Construction, Minor Projects, Medical Facilities or National Cemetery Administration accounts: Provided, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, including portfolio development and management activities, and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund, including needs assessments which may or may not lead to capital investments, and funds provided for the purchase, security, and maintenance of land for the National Cemetery Administration through the land acquisition line item, none of the funds made available under this heading shall be used for any project that has not been notified to Congress through the budgetary process or that has not been approved by the Congress through statute, joint resolution, or in the explanatory statement accompanying such Act and presented to the President at the time of enrollment: Provided further, That such sums as may be necessary shall be available to reimburse the "General Administration" account for payment of salaries and expenses of all Office of Construction and Facilities Management employees to support the full range of capital infrastructure services provided, including minor construction and leasing services: Provided further, That funds made available under this heading for fiscal year 2020, for each approved project shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2020; and (2) by the awarding of a construction contract by September 30, 2021: Provided further, That the Secretary of Veterans Affairs shall promptly submit to the Committees on Appropriations of both Houses of Congress a written report on any approved major construction project for which obligations are not incurred within the time limitations established above: Provided further, That notwithstanding the requirements of section 8104(a) of title 38, United States Code, amounts made available under this heading for seismic improvement projects and seismic program management activities shall be available for the completion of both new and existing seismic projects of the Department.

## CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406 and chapter 81 of title 38, United States Code, not otherwise provided for, where the estimated cost of a project is equal to or less than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, \$421,117,000, to remain available until September 30, 2024, along with unobligated balances of previous "Construction, Minor Projects" appropriations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in such section: Provided, That funds made available under this heading shall be for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

## GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify, or alter existing hospital, nursing home, and domiciliary facilities in State homes, for furnishing care to veterans as authorized by sections 8131 through 8137 of title 38, United States Code, \$150,000,000, to remain available until expended.

## GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

For grants to assist States and tribal organizations in establishing, expanding, or improving veterans cemeteries as authorized by section 2408 of title 38, United States Code, \$45,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS  
(INCLUDING TRANSFER OF FUNDS)

SEC. 201. Any appropriation for fiscal year 2020 for "Compensation and Pensions", "Readjustment Benefits", and "Veterans Insurance and Indemnities" may be transferred as necessary to any other of the mentioned appropriations: Provided, That, before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and such Committees issue an approval, or absent a response, a period of 30 days has elapsed.

## (INCLUDING TRANSFER OF FUNDS)

SEC. 202. Amounts made available for the Department of Veterans Affairs for fiscal year

2020, in this or any other Act, under the “Medical Services”, “Medical Community Care”, “Medical Support and Compliance”, and “Medical Facilities” accounts may be transferred among the accounts: Provided, That any transfers among the “Medical Services”, “Medical Community Care”, and “Medical Support and Compliance” accounts of 1 percent or less of the total amount appropriated to the account in this or any other Act may take place subject to notification from the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress of the amount and purpose of the transfer: Provided further, That any transfers among the “Medical Services”, “Medical Community Care”, and “Medical Support and Compliance” accounts in excess of 1 percent, or exceeding the cumulative 1 percent for the fiscal year, may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: Provided further, That any transfers to or from the “Medical Facilities” account may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 203. Appropriations available in this title for salaries and expenses shall be available for services authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles; lease of a facility or land or both; and uniforms or allowances therefore, as authorized by sections 5901 through 5902 of title 5, United States Code.

SEC. 204. No appropriations in this title (except the appropriations for “Construction, Major Projects”, and “Construction, Minor Projects”) shall be available for the purchase of any site for or toward the construction of any new hospital or home.

SEC. 205. No appropriations in this title shall be available for hospitalization or examination of any persons (except beneficiaries entitled to such hospitalization or examination under the laws providing such benefits to veterans, and persons receiving such treatment under sections 7901 through 7904 of title 5, United States Code, or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)), unless reimbursement of the cost of such hospitalization or examination is made to the “Medical Services” account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 206. Appropriations available in this title for “Compensation and Pensions”, “Readjustment Benefits”, and “Veterans Insurance and Indemnities” shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2019.

SEC. 207. Appropriations available in this title shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from sections 3328(a), 3334, and 3712(a) of title 31, United States Code, except that if such obligations are from trust fund accounts they shall be payable only from “Compensation and Pensions”.

(INCLUDING TRANSFER OF FUNDS)

SEC. 208. Notwithstanding any other provision of law, during fiscal year 2020, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund under section 1920 of title 38, United States Code, the Veterans’ Special Life Insurance Fund under section 1923 of title 38, United States Code, and the United States Government Life Insurance Fund under section 1955 of title 38, United States Code, reimburse the “General Operating Expenses, Veterans Benefits Administration” and “Information Technology Systems” accounts for the cost of administration of the insurance programs financed through those accounts: Provided, That

reimbursement shall be made only from the surplus earnings accumulated in such an insurance program during fiscal year 2020 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: Provided further, That if the cost of administration of such an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: Provided further, That the Secretary shall determine the cost of administration for fiscal year 2020 which is properly allocable to the provision of each such insurance program and to the provision of any total disability income insurance included in that insurance program.

SEC. 209. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services, may be obligated during the fiscal year in which the proceeds are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 210. Funds available in this title or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management, the Office of Employment Discrimination Complaint Adjudication, and the Office of Diversity and Inclusion for all services provided at rates which will recover actual costs but not to exceed \$57,263,000 for the Office of Resolution Management, \$6,000,000 for the Office of Employment Discrimination Complaint Adjudication, and \$4,628,000 for the Office of Diversity and Inclusion: Provided, That payments may be made in advance for services to be furnished based on estimated costs: Provided further, That amounts received shall be credited to the “General Administration” and “Information Technology Systems” accounts for use by the office that provided the service.

SEC. 211. No funds of the Department of Veterans Affairs shall be available for hospital care, nursing home care, or medical services provided to any person under chapter 17 of title 38, United States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title: Provided, That the Secretary may recover, in the same manner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: Provided further, That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 212. Notwithstanding any other provision of law, proceeds or revenues derived from enhanced-use leasing activities (including disposal) may be deposited into the “Construction, Major Projects” and “Construction, Minor Projects” accounts and be used for construction (including site acquisition and disposition), alterations, and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in “Construction, Major Projects” and “Construction, Minor Projects”.

SEC. 213. Amounts made available under “Medical Services” are available—

- (1) for furnishing recreational facilities, supplies, and equipment; and
- (2) for funeral expenses, burial expenses, and other expenses incidental to funerals and burials for beneficiaries receiving care in the Department.

(INCLUDING TRANSFER OF FUNDS)

SEC. 214. Such sums as may be deposited to the Medical Care Collections Fund pursuant to

section 1729A of title 38, United States Code, may be transferred to the “Medical Services” and “Medical Community Care” accounts to remain available until expended for the purposes of these accounts.

SEC. 215. The Secretary of Veterans Affairs may enter into agreements with Federally Qualified Health Centers in the State of Alaska and Indian tribes and tribal organizations which are party to the Alaska Native Health Compact with the Indian Health Service, to provide healthcare, including behavioral health and dental care, to veterans in rural Alaska. The Secretary shall require participating veterans and facilities to comply with all appropriate rules and regulations, as established by the Secretary. The term “rural Alaska” shall mean those lands which are not within the boundaries of the municipality of Anchorage or the Fairbanks North Star Borough.

(INCLUDING TRANSFER OF FUNDS)

SEC. 216. Such sums as may be deposited to the Department of Veterans Affairs Capital Asset Fund pursuant to section 8118 of title 38, United States Code, may be transferred to the “Construction, Major Projects” and “Construction, Minor Projects” accounts, to remain available until expended for the purposes of these accounts.

SEC. 217. Not later than 30 days after the end of each fiscal quarter, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a report on the financial status of the Department of Veterans Affairs for the preceding quarter: Provided, That, at a minimum, the report shall include the direction contained in the paragraph entitled “Quarterly reporting”, under the heading “General Administration” in the joint explanatory statement accompanying Public Law 114-223.

(INCLUDING TRANSFER OF FUNDS)

SEC. 218. Amounts made available under the “Medical Services”, “Medical Community Care”, “Medical Support and Compliance”, “Medical Facilities”, “General Operating Expenses, Veterans Benefits Administration”, “Board of Veterans Appeals”, “General Administration”, and “National Cemetery Administration” accounts for fiscal year 2020 may be transferred to or from the “Information Technology Systems” account: Provided, That such transfers may not result in a more than 10 percent aggregate increase in the total amount made available by this Act for the “Information Technology Systems” account: Provided further, That, before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

(INCLUDING TRANSFER OF FUNDS)

SEC. 219. Of the amounts appropriated to the Department of Veterans Affairs for fiscal year 2020 for “Medical Services”, “Medical Community Care”, “Medical Support and Compliance”, “Medical Facilities”, “Construction, Minor Projects”, and “Information Technology Systems”, up to \$314,409,000, plus reimbursements, may be transferred to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500): Provided, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress: Provided

further, That section 220 of title II of division C of Public Law 115-244 is repealed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 220. Of the amounts appropriated to the Department of Veterans Affairs which become available on October 1, 2020, for “Medical Services”, “Medical Community Care”, “Medical Support and Compliance”, and “Medical Facilities”, up to \$322,931,000, plus reimbursements, may be transferred to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500): Provided, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 221. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, for healthcare provided at facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500) shall also be available: (1) for transfer to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 3571); and (2) for operations of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500): Provided, That, notwithstanding section 1704(b)(3) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2573), amounts transferred to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund shall remain available until expended.

(INCLUDING TRANSFER OF FUNDS)

SEC. 222. Of the amounts available in this title for “Medical Services”, “Medical Community Care”, “Medical Support and Compliance”, and “Medical Facilities”, a minimum of \$15,000,000 shall be transferred to the DOD-VA Health Care Sharing Incentive Fund, as authorized by section 8111(d) of title 38, United States Code, to remain available until expended, for any purpose authorized by section 8111 of title 38, United States Code.

SEC. 223. The Secretary of Veterans Affairs shall notify the Committees on Appropriations of both Houses of Congress of all bid savings in a major construction project that total at least \$5,000,000, or 5 percent of the programmed amount of the project, whichever is less: Provided, That such notification shall occur within 14 days of a contract identifying the programmed amount: Provided further, That the Secretary shall notify the Committees on Appropriations of both Houses of Congress 14 days prior to the obligation of such bid savings and shall describe the anticipated use of such savings.

SEC. 224. None of the funds made available for “Construction, Major Projects” may be used for a project in excess of the scope specified for that project in the original justification data provided to the Congress as part of the request for appropriations unless the Secretary of Veterans Affairs receives approval from the Committees on Appropriations of both Houses of Congress.

SEC. 225. Not later than 30 days after the end of each fiscal quarter, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report containing performance measures and data from each Veterans Benefits Administration Regional Office: Provided, That, at a minimum, the report shall include the direction contained in the section entitled “Disability claims backlog”, under the heading “General Operating Expenses, Veterans Benefits Administration” in the joint explanatory statement accompanying Public Law 114-223: Provided further, That the report shall also include information on the number of appeals pending at the Veterans Benefits Administration as well as the Board of Veterans Appeals on a quarterly basis.

SEC. 226. The Secretary of Veterans Affairs shall provide written notification to the Committees on Appropriations of both Houses of Congress 15 days prior to organizational changes which result in the transfer of 25 or more full-time equivalents from one organizational unit of the Department of Veterans Affairs to another.

SEC. 227. The Secretary of Veterans Affairs shall provide on a quarterly basis to the Committees on Appropriations of both Houses of Congress notification of any single national outreach and awareness marketing campaign in which obligations exceed \$1,000,000.

(INCLUDING TRANSFER OF FUNDS)

SEC. 228. The Secretary of Veterans Affairs, upon determination that such action is necessary to address needs of the Veterans Health Administration, may transfer to the “Medical Services” account any discretionary appropriations made available for fiscal year 2020 in this title (except appropriations made to the “General Operating Expenses, Veterans Benefits Administration” account) or any discretionary unobligated balances within the Department of Veterans Affairs, including those appropriated for fiscal year 2020, that were provided in advance by appropriations Acts: Provided, That transfers shall be made only with the approval of the Office of Management and Budget: Provided further, That the transfer authority provided in this section is in addition to any other transfer authority provided by law: Provided further, That no amounts may be transferred from amounts that were designated by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That such authority to transfer may not be used unless for higher priority items, based on emergent healthcare requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by Congress: Provided further, That, upon determination that all or part of the funds transferred from an appropriation are not necessary, such amounts may be transferred back to that appropriation and shall be available for the same purposes as originally appropriated: Provided further, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and receive approval of that request.

(INCLUDING TRANSFER OF FUNDS)

SEC. 229. Amounts made available for the Department of Veterans Affairs for fiscal year 2020, under the “Board of Veterans Appeals” and the “General Operating Expenses, Veterans Benefits Administration” accounts may be transferred between such accounts: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and receive approval of that request.

SEC. 230. The Secretary of Veterans Affairs may not reprogram funds among major construction projects or programs if such instance

of reprogramming will exceed \$7,000,000, unless such reprogramming is approved by the Committees on Appropriations of both Houses of Congress.

SEC. 231. (a) The Secretary of Veterans Affairs shall ensure that the toll-free suicide hotline under section 1720F(h) of title 38, United States Code—

(1) provides to individuals who contact the hotline immediate assistance from a trained professional; and

(2) adheres to all requirements of the American Association of Suicidology.

(b)(1) None of the funds made available by this Act may be used to enforce or otherwise carry out any Executive action that prohibits the Secretary of Veterans Affairs from appointing an individual to occupy a vacant civil service position, or establishing a new civil service position, at the Department of Veterans Affairs with respect to such a position relating to the hotline specified in subsection (a).

(2) In this subsection—

(A) the term “civil service” has the meaning given such term in section 2101(1) of title 5, United States Code; and

(B) the term “Executive action” includes—

(i) any Executive order, presidential memorandum, or other action by the President; and

(ii) any agency policy, order, or other directive.

SEC. 232. None of the funds in this or any other Act may be used to close Department of Veterans Affairs (VA) hospitals, domiciliaries, or clinics, conduct an environmental assessment, or to diminish healthcare services at existing Veterans Health Administration medical facilities located in Veterans Integrated Service Network 23 as part of a planned realignment of VA services until the Secretary provides to the Committees on Appropriations of both Houses of Congress a report including the following elements:

(1) a national realignment strategy that includes a detailed description of realignment plans within each Veterans Integrated Services Network (VISN), including an updated Long Range Capital Plan to implement realignment requirements;

(2) an explanation of the process by which those plans were developed and coordinated within each VISN;

(3) a cost versus benefit analysis of each planned realignment, including the cost of replacing Veterans Health Administration services with contract care or other outsourced services;

(4) an analysis of how any such planned realignment of services will impact access to care for veterans living in rural or highly rural areas, including travel distances and transportation costs to access a VA medical facility and availability of local specialty and primary care;

(5) an inventory of VA buildings with historic designation and the methodology used to determine the buildings’ condition and utilization;

(6) a description of how any realignment will be consistent with requirements under the National Historic Preservation Act; and

(7) consideration given for reuse of historic buildings within newly identified realignment requirements: Provided, That, this provision shall not apply to capital projects in VISN 23, or any other VISN, which have been authorized or approved by Congress.

SEC. 233. Effective during the period beginning on October 1, 2018 and ending on January 1, 2024, none of the funds made available to the Secretary of Veterans Affairs by this or any other Act may be obligated or expended in contravention of the “Veterans Health Administration Clinical Preventive Services Guidance Statement on the Veterans Health Administration’s Screening for Breast Cancer Guidance” published on May 10, 2017, as issued by the Veterans Health Administration National Center for Health Promotion and Disease Prevention.

SEC. 234. (a) Chapter 17 of title 38, United States Code, is amended by inserting after section 1720I the following new section:

**“§1720J. Provision of assisted reproductive technology or adoption reimbursements for certain disabled veterans**

“(a) **PROVISION OF SERVICES.**—Subject to the availability of appropriations, the Secretary may provide—

“(1) fertility counseling and treatment using assisted reproductive technology to a covered veteran or the spouse of a covered veteran; or

“(2) adoption reimbursement to a covered veteran.

“(b) **LIMITATIONS.**—Amounts made available for the purposes specified in subsection (a) are subject to the requirements for funds contained in section 508 of division H of the Consolidated Appropriations Act, 2017 (Public Law 115–31).

“(c) **DEFINITIONS.**—In this section:

“(1) The term ‘adoption reimbursement’ means reimbursement for the adoption-related expenses for an adoption that is finalized after the date of the enactment of this section under the same terms as apply under the adoption reimbursement program of the Department of Defense, as authorized in Department of Defense Instruction 1341.09, including the reimbursement limits and requirements set forth in such instruction, as in effect on the date of the enactment of this section.

“(2) The term ‘assisted reproductive technology’ means benefits relating to reproductive assistance provided to a member of the Armed Forces who incurs a serious injury or illness on active duty pursuant to section 1074(c)(4)(A) of title 10, as described in the memorandum on the subject of ‘Policy for Assisted Reproductive Services for the Benefit of Seriously or Severely Ill/Injured (Category II or III) Active Duty Service Members’ issued by the Assistant Secretary of Defense for Health Affairs on April 3, 2012, and the guidance issued to implement such policy, as in effect on the date of the enactment of this section, including any limitations on the amount of such benefits available to such a member, except that—

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

“(B) such term includes embryo cryopreservation and storage without limitation on the duration of such cryopreservation and storage.

“(3) The term ‘covered veteran’ means a veteran who has a service-connected disability that results in the inability of the veteran to procreate without the use of fertility treatment.”.

(b) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1720I the following new item:

“1720J. Provision of assisted reproductive technology or adoption reimbursements for certain disabled veterans.”.

SEC. 235. None of the funds appropriated or otherwise made available by this Act or any other Act for the Department of Veterans Affairs may be used in a manner that is inconsistent with: (1) section 842 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. 2506); or (2) section 8110(a)(5) of title 38, United States Code.

SEC. 236. Section 842 of Public Law 109–115 shall not apply to conversion of an activity or function of the Veterans Health Administration, Veterans Benefits Administration, or National Cemetery Administration to contractor performance by a business concern that is at least 51 percent owned by one or more Indian tribes as defined in section 5304(e) of title 25, United States Code, or one or more Native Hawaiian Organizations as defined in section 637(a)(15) of title 15, United States Code.

SEC. 237. (a) Except as provided in subsection (b), the Secretary of Veterans Affairs, in con-

sultation with the Secretary of Defense and the Secretary of Labor, shall discontinue using Social Security account numbers to identify individuals in all information systems of the Department of Veterans Affairs as follows:

(1) For all veterans submitting to the Secretary of Veterans Affairs new claims for benefits under laws administered by the Secretary, not later than 5 years after the date of the enactment of this Act.

(2) For all individuals not described in paragraph (1), not later than 8 years after the date of the enactment of this Act.

(b) The Secretary of Veterans Affairs may use a Social Security account number to identify an individual in an information system of the Department of Veterans Affairs only if the use of such number is required to obtain information the Secretary requires from an information system that is not under the jurisdiction of the Secretary.

SEC. 238. For funds provided to the Department of Veterans Affairs for each of fiscal year 2020 and 2021 for “Medical Services”, section 239 of Division A of Public Law 114–223 shall apply.

SEC. 239. None of the funds appropriated in this or prior appropriations Acts or otherwise made available to the Department of Veterans Affairs may be used to transfer any amounts from the Filipino Veterans Equity Compensation Fund to any other account within the Department of Veterans Affairs.

SEC. 240. Of the funds provided to the Department of Veterans Affairs for each of fiscal year 2020 and fiscal year 2021 for “Medical Services”, funds may be used in each year to carry out and expand the child care program authorized by section 205 of Public Law 111–163, notwithstanding subsection (e) of such section.

SEC. 241. None of the funds appropriated or otherwise made available in this title may be used by the Secretary of Veterans Affairs to enter into an agreement related to resolving a dispute or claim with an individual that would restrict in any way the individual from speaking to members of Congress or their staff on any topic not otherwise prohibited from disclosure by Federal law or required by Executive Order to be kept secret in the interest of national defense or the conduct of foreign affairs.

SEC. 242. For funds provided to the Department of Veterans Affairs for each of fiscal year 2020 and 2021, section 258 of Division A of Public Law 114–223 shall apply.

SEC. 243. For an additional amount for the Department of Veterans Affairs, \$1,000,000,000 to remain available until expended, for infrastructure improvements, including new construction, and in addition to amounts otherwise made available in this Act for such purpose, of which:

(1) \$850,000,000 shall be available for seismic improvement projects and seismic program management activities, including projects that would otherwise be funded by the Construction, Major Projects, the Construction, Minor Projects, Medical Facilities, or National Cemetery Administration accounts;

(2) \$150,000,000 shall be for “Departmental Administration—Construction, Minor Projects”: Provided, That the additional amounts appropriated under this section for the purpose of minor construction may be used to carry out critical life-safety projects identified in the Department’s annual facility condition assessments; sustainment projects; modernization projects; infrastructure repair; renovations at existing Veterans Health Administration medical centers and outpatient clinics; and projects included in the Strategic Capital Investment Process plan: Provided further, That notwithstanding the requirements of section 8104(a) of title 38, United States Code, amounts made available under this heading for seismic improvement projects and seismic program management activities shall be available for the completion of both new and existing projects of the Department: Provided further, That the additional amounts appropriated under this section

may not be obligated or expended until the Secretary of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress, and such Committees approve, a detailed expenditure plan, including project descriptions and costs, for any minor construction, major construction, or seismic improvement project being funded with the additional amounts made available in this administrative provision.

SEC. 244. (a) None of the funds appropriated or otherwise made available 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) A department or agency covered by this section shall provide its Inspector General access to all records, documents, and other materials in a timely manner.

(c) 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) Each Inspector General covered by this section shall report to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives within 5 calendar days of any failure by any department or agency covered by this section to comply with this section.

SEC. 245. None of the funds made available in this Act may be used in a manner that would increase wait times for veterans who seek care at medical facilities of the Department of Veterans Affairs.

SEC. 246. None of the funds appropriated or otherwise made available by this Act to the Veterans Health Administration may be used in fiscal year 2020 to convert any program which received specific purpose funds in fiscal year 2019 to a general purpose funded program unless the Secretary of Veterans Affairs submits written notification of any such proposal to the Committees on Appropriations of both Houses of Congress at least thirty days prior to any such action and an approval is issued by the Committees.

SEC. 247. (a) Except as provided by subsection (b), none of the funds made available by this Act may be used by the Secretary of Veterans Affairs to purchase, breed, transport, house, feed, maintain, dispose of, or experiment on, dogs as part of the conduct of any study including an assignment of pain category D or E, as defined by the Pain and Distress Categories of the Department of Agriculture (or such successor categories developed pursuant to section 13 of the Animal Welfare Act (7 U.S.C. 2143)).

(b) Subsection (a) shall not apply to training programs or studies of service dogs described in section 1714 of title 38, United States Code, or section 17.148 of title 38, Code of Federal Regulations.

SEC. 248. None of the funds made available by this Act may be used by the Secretary of Veterans Affairs to close the community based outpatient clinic located in Bainbridge, New York, until the Secretary of Veterans Affairs submits to the Committees on Appropriations of the House of Representatives and the Senate a market area assessment.

SEC. 249. (a) Not later than 180 days after the date of the enactment of this Act, and not less frequently than once every five-year period thereafter, the Secretary of Veterans Affairs

shall update the handbook of the Department of Veterans Affairs titled “Planning and Activating Community Based Outpatient Clinics”, or a successor handbook, to reflect current policies, best practices, and clarify the roles and responsibilities of the personnel of the Department involved in the leasing projects of the Department.

(b) The Secretary shall ensure that the handbook specified in subsection (a) defines “community based outpatient clinic” in the same manner as such term is defined in the Veterans Health Administration Site Tracking database (commonly known as “VAST”) as of the date of the enactment of this Act.

(c) The Secretary shall ensure that the Veterans Health Administration incorporates the best practices contained in the handbook specified in subsection (a) in conducting oversight of the medical centers of the Department of Veterans Affairs and the Veterans Integrated Service Network.

(d) Not later than 180 days after the date of the enactment of this Act, the Secretary shall provide guidance and training to employees of the Veterans Health Administration for the use of the handbook specified in subsection (a). The Secretary shall update such guidance and training together with each update of such handbook.

#### (RESCISSION OF FUNDS)

SEC. 250. Of the funds made available for fiscal year 2019 under the heading “Department of Veterans Affairs—Departmental Administration—Veterans Electronic Health Record” in title II of division C of the Energy and Water, Legislative Branch, and Military Construction and Veterans Affairs Appropriations Act, 2019 (Public Law 115–244), \$70,000,000 is hereby rescinded.

SEC. 251. Section 252 of the Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2018 (division J of Public Law 115–141; 132 Stat. 825; 38 U.S.C. 1701 note) is amended by striking “The Secretary may carry out a 2-year pilot program” and inserting “During the period preceding October 1, 2022, the Secretary of Veterans Affairs may carry out a 2-year pilot program”.

#### TITLE III

##### RELATED AGENCIES

##### AMERICAN BATTLE MONUMENTS COMMISSION SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one-for-one replacement basis only) and hire of passenger motor vehicles; not to exceed \$15,000 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, \$104,000,000, to remain available until expended.

##### FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, such sums as may be necessary, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.

##### UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

##### SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by sections 7251 through 7298 of title 38, United States Code, \$35,400,000: Provided, That \$2,698,997 shall be available for the purpose of providing financial assistance as described and in accordance with the process

and reporting procedures set forth under this heading in Public Law 102–229.

##### DEPARTMENT OF DEFENSE—CIVIL CEMETERIAL EXPENSES, ARMY SALARIES AND EXPENSES

For necessary expenses for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers’ and Airmen’s Home National Cemetery, including the purchase or lease of passenger motor vehicles for replacement on a one-for-one basis only, and not to exceed \$2,000 for official reception and representation expenses, \$80,800,000, of which not to exceed \$15,000,000 shall remain available until September 30, 2022. In addition, such sums as may be necessary for parking maintenance, repairs and replacement, to be derived from the “Lease of Department of Defense Real Property for Defense Agencies” account.

##### CONSTRUCTION

For necessary expenses for planning and design and construction at Arlington National Cemetery and Soldiers’ and Airmen’s Home National Cemetery, \$131,000,000, to remain available until expended, for planning and design and construction associated with the Southern Expansion project at Arlington National Cemetery.

##### ARMED FORCES RETIREMENT HOME TRUST FUND

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulport, Mississippi, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, \$70,300,000, of which \$5,000,000 shall remain available until expended for construction and renovation of the physical plants at the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulport, Mississippi: Provided, That of the amounts made available under this heading from funds available in the Armed Forces Retirement Home Trust Fund, \$22,000,000 shall be paid from the general fund of the Treasury to the Trust Fund.

##### ADMINISTRATIVE PROVISION

SEC. 301. Amounts deposited into the special account established under 10 U.S.C. 4727 are appropriated and shall be available until expended to support activities at the Army National Military Cemeteries.

#### TITLE IV

##### OVERSEAS CONTINGENCY OPERATIONS DEPARTMENT OF DEFENSE

##### MILITARY CONSTRUCTION, ARMY

For an additional amount for “Military Construction, Army”, \$156,860,000, to remain available until September 30, 2024, for projects outside of 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, as amended.

##### MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for “Military Construction, Navy and Marine Corps”, \$281,576,000, to remain available until September 30, 2024, for projects outside of 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, as amended.

##### MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for “Military Construction, Air Force” \$436,564,000, to remain available until September 30, 2024, for projects outside of 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, as amended.

##### MILITARY CONSTRUCTION, DEFENSE-WIDE

For an additional amount for “Military Construction, Defense-Wide”, \$46,000,000, to remain available until September 30, 2024, for projects outside of 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, as amended.

##### ADMINISTRATIVE PROVISION

SEC. 401. 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 only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

#### TITLE V

##### NATURAL DISASTER RELIEF

##### DEPARTMENT OF DEFENSE

##### MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for “Military Construction, Navy and Marine Corps”, \$1,210,948,000: Provided, That such amounts may be obligated and expended to carry out planning and design and military construction projects authorized by law: Provided further, 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, as amended.

##### MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for “Military Construction, Air Force”, \$1,035,752,000: Provided, That such amounts may be obligated and expended to carry out planning and design and military construction projects authorized by law: Provided further, 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, as amended.

##### MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For an additional amount for “Military Construction, Army National Guard”, \$50,000,000: Provided, That such amounts may be obligated and expended to carry out planning and design and military construction projects authorized by law: Provided further, 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, as amended.

##### MILITARY CONSTRUCTION, ARMY RESERVE

For an additional amount for “Military Construction, Army Reserve”, \$3,300,000: Provided, That such amounts may be obligated and expended to carry out planning and design and military construction projects authorized by law: Provided further, 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, as amended.

##### ADMINISTRATIVE PROVISION

SEC. 501. Each amount designated in this title as being for an emergency requirement as pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available only if the President subsequently so designates all such amounts and



transmits such amounts and transmits such designations to the Congress: 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 Act, the Service Secretaries or their 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.

#### TITLE VI

##### GENERAL PROVISIONS

SEC. 601. 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. 602. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 603. All departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of “E-Commerce” technologies and procedures in the conduct of their business practices and public service activities.

SEC. 604. Unless stated otherwise, all reports and notifications required by this Act shall be submitted to the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives and the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate.

SEC. 605. 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 or any other appropriations Act.

SEC. 606. None of the funds made available in this Act may be used for a project or program named for an individual serving as a Member, Delegate, or Resident Commissioner of the United States House of Representatives.

SEC. 607. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public Web site of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

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

- (1) the public posting of the report compromises national security; or
- (2) the report contains confidential or proprietary information.

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

SEC. 608. (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. 609. None of the funds made available in this Act may be used by an agency of the executive branch to pay for first-class travel by an employee of the agency in contravention of sections 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

SEC. 610. None of the funds made available in this Act may be used to execute a contract for

goods or services, including construction services, where the contractor has not complied with Executive Order No. 12989.

SEC. 611. None of the funds made available by this Act may be used by the Department of Defense or the Department of Veterans Affairs 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. 612. Notwithstanding any other provision of law, none of the funds appropriated in this or any other Act for a military construction project, as defined by section 2801 of title 10, United States Code, for any of fiscal years 2015 through 2019 or for fiscal year 2020 may be obligated, expended, or used to design, construct, or carry out a project to construct a wall, barrier, fence, or road along the Southern border of the United States or a road to provide access to a wall, barrier, or fence constructed along the Southern border of the United States.

##### ADDITIONAL REQUIREMENTS FOR CHILD CARE PROVIDERS

SEC. 613. (a) Subject to subsection (b), none of the funds appropriated by this bill may be provided to a child care center, child care agency, or child care provider that employs an individual who has been convicted of—

- (1) A sex offense;
- (2) An offense involving a child victim; or
- (3) A violent crime involving any of the following:
  - (A) Elder abuse.
  - (B) Gun Violence.
  - (C) Domestic Violence.
  - (D) Terrorism.

(b) Payment may be made under this section to a child care center, child care agency, or child care provider if such child care center, child care agency, or child care provider has suspended the individual described in subsection (a) from having any contact with children while on the job until the case is resolved.

SEC. 614. None of the funds made available by this Act may be used to replace or diminish the quality of care provided by the TRICARE program (as defined in Section 1072 of Title 10 of the United States Code).

SEC. 615. Except as expressly provided otherwise, any reference to “this Act” contained in this division shall be treated as referring only to the provisions of this division.

SEC. 616. Any reference to a “report accompanying this Act” contained in this division shall be treated as a reference to House Report 116–63. The effect of such Report shall be limited to this division and shall apply for purposes of determining the allocation of funds provided by, and the implementation of, this division.

This Act may be cited as the “Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2020”.

#### **DIVISION E—TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2020**

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2020, and for other purposes, namely:

##### 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, \$42,948,000, of which \$21,166,000 shall remain available until September 30, 2022, and of which \$15,000,000, to remain available until expended, is for new competitive grants under section 5505 of title 49, United States Code, for Tier I University Transportation Centers: Provided, That such amounts are in addition to amounts previously provided for such program: Provided further, That section 5505(c)(4)(A) of title 49, United States Code, shall not apply to amounts for additional Tier I University Transportation Centers provided under this heading: 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: 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, \$1,000,000,000, to remain available through September 30, 2022: 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 shall use

\$15,000,000 for the planning, preparation or design of projects eligible for funding under this heading, with an emphasis on transit, transit oriented development, and multimodal projects: Provided further, That of the amount made available under this heading, the Secretary shall use \$20,000,000 for the planning, preparation or design of projects eligible for funding under this heading located in areas of persistent poverty: Provided further, That the term persistent poverty 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 census and the most recent Small Area Income and Poverty Estimates, or any census tract with a poverty rate of at least 20 percent as measured by the 2013-2017 five-year data series available from the American Community Survey of the Census Bureau: Provided further, That grants awarded under the previous three provisos 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 equitable distribution of funds between urban and rural areas, and the investment in a variety of transportation modes, including public transit, passenger rail, and pedestrian improvements: Provided further, That a grant funded under this heading shall be not less than \$5,000,000 and not greater than \$50,000,000: Provided further, That not more than 15 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 awarded 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 awarded 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 the Secretary shall consider the benefits of a project on urban and rural areas to the fullest extent to include all relevant geographic areas: 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 retain up to \$25,000,000 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 multimodal safety 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 2024 for the liquidation of valid obligations of active grants awarded with this funding: Provided further, That the preceding proviso shall be applied as if it were in effect on September 30, 2019.

#### 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, 2021.

#### 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, 2021.

#### 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, \$15,879,000, 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 \$424,901,000, 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.

#### SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND OUTREACH

For necessary expenses for small and disadvantaged business utilization and outreach activities, \$4,646,000, to remain available until September 30, 2021: Provided, That notwithstanding 49 U.S.C. 332, these funds may be used for business opportunities related to any mode of transportation: Provided further, That appropriations made available under this heading shall be available for any purpose consistent with prior year appropriations that were made available under the heading "Minority Business Resource Center Program".

#### 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.

SEC. 104. For an additional amount for "Office of the Secretary—Salaries and Expenses", \$2,052,000, to become available on the date on which the Secretary announces the selection of projects to receive awards for each of the following competitive grants, with respect to funds made available for fiscal year 2017 or fiscal year 2018 for such grants:

(a) Federal-State Partnership for State of Good Repair Grants, as authorized by section 24911 of title 49, United States Code, and as funded under the heading "Federal Railroad Administration—Federal-State Partnership for State of Good Repair Grants" by Public Law 115-31 and as funded under the heading "Federal Railroad Administration—Federal-State Partnership for State of Good Repair" by Public Law 115-141;

(b) Consolidated Rail Infrastructure and Safety Improvements Grants, as authorized by section 22907 of title 49, United States Code, and as funded under the heading "Federal Railroad Administration—Consolidated Rail Infrastructure and Safety Improvements" by Public Law 115-141; and

(c) Restoration and Enhancement Grants, as authorized by section 22908 of title 49, United States Code, and as funded under the heading "Federal Railroad Administration—Restoration and Enhancement Grants" by Public Law 115-31 and as funded under the heading "Federal Railroad Administration—Restoration and Enhancement" by Public Law 115-141.

SEC. 105. (a) Of the amount made available to "Office of the Secretary—Research and Technology", \$1,000,000 shall be for the Secretary of Transportation to enter into an arrangement with the National Academies of Sciences, Engineering, and Medicine to conduct a study through the Transportation Research Board on effective ways to measure the resilience of transportation systems and services to natural disasters, natural hazards, and other potential disruptions.

(b) The study conducted pursuant to subsection (a) shall—

(1) identify and examine approaches used by Federal agencies, States, metropolitan planning organizations, local governments, and other organizations, including approaches described in academic literature, to develop metrics for transportation resilience, including methodologies used for quantitative and qualitative data collection and analysis; and

(2) provide findings and recommendations on approaches to measuring resilience that have shown or promise success, and strategies to overcome challenges in measuring resilience.

(c) No later than 30 days after the date of enactment of this Act, the Secretary of Transportation shall enter into the arrangement described in subsection (a).

(d) No later than 210 days after the date of enactment of this Act, the National Academies of Sciences, Engineering, and Medicine shall provide an interim report of its findings to the Committees on Appropriations of the House of Representatives and Senate.

(e) No later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall submit to the Committees on Appropriations of the House of Representatives and Senate the final study developed by the National Academies of Sciences, Engineering, and Medicine.

SEC. 106. (a) Of the amount made available to "Office of the Secretary—Research and Technology", \$10,000,000 shall be for the establishment of a Highly Automated Systems Safety Center of Excellence within the Department of Transportation, in order to have a Department of Transportation workforce capable of reviewing, validating, and certifying the safety of automated technologies.

(b) The Highly Automated Systems Safety Center of Excellence shall—

(1) serve as a single place within the Department of Transportation for expertise in automation and human behavior, computer science, machine learning, sensors, and other technologies involving automated systems;

(2) support all Operating Administrations of the Department of Transportation; and

(3) have a workforce composed of Department of Transportation employees, including direct hires or detailees from Operating Administrations.

(c) Employees of the Highly Automated Systems Safety Center of Excellence shall audit, inspect, and certify highly automated systems to ensure their safety.

(d) No later than 90 days after the date of enactment of this Act, the Secretary shall report to the Committees on Appropriations of the House of Representatives and the Senate on staffing needs and the staffing plan for the Highly Automated Systems Safety Center of Excellence.

#### 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, \$10,677,758,000, to remain available until September 30, 2021, of which \$9,833,400,000 shall be derived from the Airport and Airway Trust Fund: Provided, That of the sums appropriated under this heading—

(1) not less than \$1,603,969,000 shall be available for aviation safety activities;

(2) not to exceed \$7,841,720,000 shall be available for air traffic organization activities;

(3) not to exceed \$24,949,000 shall be available for commercial space transportation activities;

(4) not to exceed \$816,398,000 shall be available for finance and management activities;

(5) not to exceed \$61,258,000 shall be available for NextGen and operations planning activities;

(6) not to exceed \$114,165,000 shall be available for security and hazardous materials safety; and

(7) not to exceed \$215,299,000 shall be available for staff offices, of which \$5,000,000 is for the Minority Serving Institutions internship program, \$5,000,000 is for the aviation maintenance technician development program (as described in section 625 of Public Law 115-254), and \$5,000,000 is for the aviation workforce development program (as described in section 625 of Public Law 115-254):

Provided further, 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 60 days after the submission of the budget request, 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 the date that is 60 days after the submission of the budget request that such report has not been submitted to the Congress: Provided further, That not later than 60 days after the submission of the budget request, 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 the date that is 60 days after the submission of the budget request 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 \$169,000,000 shall be used to fund direct operations of the current 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 the opening, closing, reorganization, or redesignation of field or regional offices shall be subject to the requirements of section 405 of this Act.

#### 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, 2021, \$2,372,127,000 shall remain available until September 30, 2022, 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 60 days after the submission of the budget request, 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 2021 through 2025, 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, 2022: 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 report accompanying this Act: Provided further, That not to exceed 10 percent of any funding level specified under this heading in the report accompanying this Act may be transferred to any other funding level specified under this heading in the report 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 2020, 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 multi-phased 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, 2022: 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: Provided further, That section 47115(j) of title 49, United States Code, shall not apply with respect to amounts made available under this heading: Provided further, That priority consideration shall be, without regard to airport size, based on project justification and completeness of pre-grant actions.

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 2020.

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 non-commercial 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.

SEC. 119D. Of the funds provided under the heading "Grants-in-aid for Airports", up to \$3,500,000 may 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 \$453,549,689, 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 (FAST) Act (Public Law 114-94) shall not exceed total obligations of \$46,365,092,000 for fiscal year 2020: 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, \$47,104,092,000 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 \$1,750,000,000: 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 2020 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 of the sums made available under this heading:

(1) \$1,493,100,000 shall be for activities eligible under section 133(b) of title 23, United States Code, for the elimination of hazards and the installation of protective devices at railway-highway crossings, and to provide necessary charging infrastructure along corridor ready or corridor pending alternative fuel corridors as defined under 23 U.S.C. 151;

(2) \$5,451,000 shall be for activities eligible under the Puerto Rico Highway Program as described in section 165(b)(2)(C) of title 23, United States Code;

(3) \$1,449,000 shall be for activities eligible under the Territorial Highway Program, as described in section 165(c)(6) of title 23, United States Code;

(4) \$166,000,000 shall be for the nationally significant Federal lands and tribal projects program under section 1123 of the FAST Act;

(5) \$50,000,000 shall be for competitive grants for activities described in section 130(a) of title 23, United States Code;

(6) \$15,000,000 shall be for grants for Advanced Digital Construction Management Systems;

(7) \$12,000,000 shall be for the Regional Infrastructure Accelerator Demonstration Program authorized under section 1441 of the FAST Act;

(8) \$5,000,000 shall be for a National Road Network Pilot Program for the Federal Highway Administration to create a national level, geospatial dataset that uses data already collected under the Highway Performance Monitoring System; and

(9) \$2,000,000 shall be for research that leads to decreases in highway and pedestrian fatalities among Tribal populations:

Provided further, That the funds made available under this heading for activities eligible under section 133(b) of title 23, United States Code, for the elimination of hazards and the installation of protective devices at railway-highway crossings, and to provide charging infrastructure for alternative fuel corridors, 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 title 23, United States Code shall not apply to funds made available under this heading: Provided further, That the funds made available under this heading in paragraph (1), shall be administered as if apportioned under chapter 1 of such title and shall remain available through September 30, 2023: Provided further, That the funds made available under this heading in paragraph (1), shall be apportioned to the States in the same ratio as the obligation limitation for fiscal year 2020 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, 2023: 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, 2023: Provided further, That the funds made available under this heading in paragraph (5) for the elimination of hazards and the installation of protective devices at railway-highway crossings shall be available for projects eligible under section 22907(c) of title 49, United States Code, for commuter authorities, as defined in section 24102(2) of title 49, United States Code, that experienced at least one accident investigated by the National Transportation Safety Board between January 1, 2008 and December 31, 2018: Provided further, That amounts provided under this heading in paragraphs (5), (6), (7), (8), and (9) shall remain available until expended: Provided further, That funds made available under this heading for Advanced Digital Construction Management Systems shall be for competitive grants to State and local governments to develop and expand the capacity to use and deploy Advanced Digital Construction Management Systems and the minimum grant amount shall be \$500,000.

ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY ADMINISTRATION

SEC. 120. (a) For fiscal year 2020, 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 2020, 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 5 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.

SEC. 126. The following are repealed:

(1) Section 352 of the National Highway System Designation Act of 1995 (Public Law 104-59, 109 Stat. 568).

(2) Section 324 of the Department of Transportation and Related Agencies Appropriations Act, 1986 (Public Law 99-190; 99 Stat. 1288).

(3) Section 325 of the Department of Transportation and Related Agencies Appropriations Act, 1996 (Public Law 104-50; 109 Stat. 456).

Notwithstanding any other provision of law, tolls collected for motor vehicles on any bridge connecting the boroughs of Brooklyn, New York, and Staten Island, New York, shall be collected for any such vehicles exiting from such bridge in both Staten Island and Brooklyn.

SEC. 127. Section 125(d) of title 23, United States Code, is amended by striking paragraph (4).

SEC. 128. Until final guidance is published, the Administrator of the Federal Highway Administration shall make determinations on Buy America waivers for those waivers that were submitted before April 17, 2018, as if the notice of proposed rulemaking of that date was not in effect.

SEC. 129. Section 1948 of SAFETEA-LU (Public Law 109-59; 119 Stat. 1514) is repealed.

SEC. 129A. Section 119(e)(5) of title 23, United States Code, is amended to read as follows:

“(5) REQUIREMENT FOR PLAN.—

“(A) IN GENERAL.—Notwithstanding section 120, beginning on October 1, 2019, and each fiscal year thereafter, if the Secretary determines



that a State has not developed and implemented a State asset management plan consistent with this section, the Federal share payable on account of any project or activity for which funds are obligated by the State in that fiscal year under this section shall be 65 percent.

“(B) DETERMINATION.—The Secretary shall make the determination under subparagraph (A) not later than the day before the beginning of each fiscal year.”.

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, \$288,000,000, 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 \$288,000,000 for “Motor Carrier Safety Operations and Programs” for fiscal year 2020, of which \$9,073,000 to remain available for obligation until September 30, 2022, is for the research and technology program.

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, \$388,800,000, 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 \$388,800,000 in fiscal year 2020 for “Motor Carrier Safety Grants”: Provided further, That of the sums appropriated under this heading:

(1) \$308,700,000 shall be available for the motor carrier safety assistance program;

(2) \$33,200,000 shall be available for the commercial driver's license program implementation program;

(3) \$44,900,000 shall be available for the high priority activities program; and

(4) \$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 C.F.R. 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. The Federal Motor Carrier Safety Administration shall update annual inspection regulations under Appendix G to subchapter B of chapter III of title 49, Code of Federal Regulations, to require that rear underride guards be inspected annually.

SEC. 133. No funds made available by this or any other Act may be obligated or expended under the authority in 49 U.S.C. 31141(c) to review and issue a decision on a petition to preempt State meal and rest break laws that may differ from those in 49 C.F.R. 395.

SEC. 134. Notwithstanding any restriction under part II of subtitle B of title V of the FAST Act, not later than 6 months after enactment of this Act, the Administrator of the Federal Motor Carrier Safety Administration shall make available on a public website information regarding analysis of violations developed under the agency's Compliance, Safety, Accountability program, consistent with the data that the agency made publicly available immediately before December 4, 2015.

SEC. 135. None of the funds made available in this Act may be used to promulgate or enforce a rule that eliminates the 30 minute rest break specified in part 395 of title 49, Code of Federal Regulations, as it was in operational effect on May 15, 2019.

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, \$214,073,440, to remain available until September 30, 2021, except that \$40,000,000 shall remain available through September 30, 2022, and no less than \$18,500,000 shall be for research on Automated Driving Systems, Advanced Driver Assistance Systems, and vehicle electronics and cybersecurity.

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, including behavioral research on Automated Driving Systems and Advanced Driver Assistance Systems and improving consumer responses to safety recalls, section 4011 of the Fixing America's Surface Transportation Act (Public Law 114-94), and chapter 303 of title 49, United States Code, \$155,300,000, 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 2020, are in excess of \$155,300,000: Provided further, That of the sums appropriated under this heading:

(1) \$149,800,000 shall be for programs authorized under 23 U.S.C. 403, including behavioral research on Automated Driving Systems and Advanced Driver Assistance Systems and improving consumer responses to safety recalls, and section 4011 of the Fixing America's Surface Transportation Act (Public Law 114-94); and

(2) \$5,500,000 shall be for the National Driver Register authorized under chapter 303 of title 49, United States Code:

Provided further, That within the \$155,300,000 obligation limitation for operations and re-

search, \$20,000,000 shall remain available until September 30, 2021, 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, \$623,017,000, 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 for which the total obligations in fiscal year 2020 are in excess of \$623,017,000 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: Provided further, That of the sums appropriated under this heading:

(1) \$279,800,000 shall be for “Highway Safety Programs” under 23 U.S.C. 402;

(2) \$285,900,000 shall be for “National Priority Safety Programs” under 23 U.S.C. 405;

(3) \$30,500,000 shall be for the “High Visibility Enforcement Program” under 23 U.S.C. 404; and

(4) \$26,817,000 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, \$17,000,000, to remain available until September 30, 2021, shall be made available to the National Highway Traffic Safety Administration from the general fund: Provided, That of the sums provided under this provision—

(a) 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

(b) not to exceed \$10,000,000 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.

SEC. 144. An additional \$500,000 shall be made available to the National Highway Traffic Safety Administration for a study to identify and examine child-specific safety considerations in vehicles equipped with Automated Driving Systems, particularly those that can be operated bidirectionally and offer unconventional seating. The study should also incorporate safety considerations for child restraint system (CRS) installation and promoting CRS usage for ride-share programs, and the risks associated with unattended child passengers in Automated Driving Systems-equipped vehicles. Upon completion of this study, the National Highway Traffic Safety Administration shall submit to the House and Senate Committees on Appropriations a report containing its findings, including detailing how the agency is coordinating with manufacturers to ensure children are protected in vehicles equipped with Automated Driving Systems.

SEC. 145. None of the funds appropriated or otherwise made available in this Act or any other Act may be used to finalize or enforce a proposed rule published by the National Highway Traffic Safety Administration and the Environmental Protection Agency on August 2, 2018, entitled "The Safer Affordable Fuel-Efficient Vehicles Rule" or any other successor rule.

SEC. 146. None of the funds in this Act or any other Act shall be used to enforce the requirements of 23 U.S.C. 405(a)(9).

#### FEDERAL RAILROAD ADMINISTRATION SAFETY AND OPERATIONS

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, \$226,698,000, of which \$20,000,000 shall remain available until expended.

#### RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, \$41,600,000, 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, \$350,000,000, 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 for funds provided under this heading consistent with section 24911 of title 49, United States Code, no later than 30 days after enactment of this Act: Provided further, That the Secretary shall review all applications received in response to the Notice of Funding Opportunity required in the previous proviso: Provided further, That the Secretary shall announce the selection of projects to receive awards for the funds described in the previous two provisos 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 22907 of title 49, United States Code, \$350,000,000, to remain available until expended: Provided, That of the sums appropriated under this heading—

(1) \$40,000,000 shall be available for projects eligible under section 22907(c)(5) of title 49, United States Code, for projects for commuter authorities, as defined as section 24102(2) of title 49, United States Code, that experienced at least one accident investigated by the National Transportation Safety Board between January 1, 2008, and December 31, 2018; and

(2) \$55,000,000 shall be available for projects eligible under section 22907(c)(2) of title 49, United States Code, that require the acquisition of rights-of-way, track, or track structure to support the development of new intercity passenger rail service routes:

Provided further, That section 22905(f) of title 49, United States Code, shall not apply to projects for commuter authorities in the first proviso: Provided further, That section 22905(f) of title 49, United States Code, shall not apply to projects for the implementation of positive train control systems otherwise eligible under section 22907(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 for amounts available under this heading eligible recipients under section 22907(b) of title 49, United States Code, shall include any non-profit association representing Class II railroads and Class III railroads (as those terms are defined in section 20102 of title 49, United States Code) and any holding company of a Class II railroad or Class III railroad (as those terms are defined in section 20102 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 22907(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 22907 of title 49, United States Code: 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 such Notice of Funding Opportunity shall require application submissions 60 days after the publishing of such Notice: Provided further, That the Secretary shall announce the selection of projects to receive awards for the funds in the previous two provisos no later than 180 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), \$700,000,000, 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.

#### 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 2019 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 2019 and for the three prior calendar years.

SEC. 151. None of the funds provided to the National Railroad Passenger Corporation under the headings "Northeast Corridor Grants to the National Railroad Passenger Corporation" and "National Network Grants to the National Railroad Passenger Corporation" may be used to reduce the size of the Amtrak Police Department below the staffing level on May 1, 2019.

#### 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, \$117,000,000, of which \$15,000,000 shall remain available until September 30, 2021, and up to \$1,000,000 shall be available to carry out the provisions of section 5326 of such title: Provided, That upon submission to the Congress of the fiscal year 2021 President's budget, the Secretary of Transportation shall transmit to Congress the annual report on Capital Investment Grants, including proposed allocations for fiscal year 2021.

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, \$10,800,000,000, 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 \$10,150,348,462 in fiscal year 2020: 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: Provided further, That in addition to the amounts appropriated for purposes of 49 U.S.C. 5338(e), not less than 2 percent of the funds appropriated or available for the purposes of 49 U.S.C. 5338(f) shall be available for the purposes of 49 U.S.C. 5338(e).

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, the bus testing facilities under sections 5312 and 5318 of such title, and for grants to areas of persistent poverty, \$750,000,000, to remain available until expended: Provided, That of the sums provided under this heading:

(1) \$389,000,000 shall be available for the buses and bus facilities competitive grants as authorized under section 5339(b) of such title: Provided further, That the minimum grant award shall be not less than \$1,000,000;

(2) \$94,000,000 shall be available for the low or no emission grants as authorized under section 5339(c) of such title: Provided further, That the minimum grant award shall be not less than \$1,500,000;

(3) \$250,000,000 shall be available for the state of good repair grants as authorized under section 5337 of such title;

(4) \$1,000,000 shall be available for the bus testing facility as authorized under section 5318 of such title;

(5) 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); and

(6) \$10,000,000 shall be available for competitive grants to eligible entities to assist areas of persistent poverty:

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 areas of persistent poverty means any county that has consistently had 20 percent or more of the population living in poverty over the 30 years preceding the date of enactment of this Act, as measured by the 1990 and 2000 decennial census and the most recent Small Area Income and Poverty Estimates, or any census tract with a poverty rate of at least 20 percent as measured by the 2013-2017 five-year data series available from the American Community Survey of the Census Bureau: Provided further, That grants shall be for planning, engineering, or development of technical, or financing plans for projects eligible under chapter 53 of title 49, United States Code: Provided further, That eligible entities are those defined as eligible recipients or subrecipients under sections 5307, 5310 or 5311 of title 49 United States Code, and are in areas of persistent poverty: Provided further, That the Federal Transit Administration should complete outreach to such counties and the Departments of Transportation within applicable States via personal contact, webinars, web materials and other appropriate methods determined by the Administrator: Provided further, That State departments of transportation may apply on behalf of eligible entities within their States: Provided further, That the Federal Transit Administration should encourage grantees to work with non-profits or other entities of their choosing in order to develop planning, technical, engineering, or financing plans: Provided further, That the Federal Transit Administration should encourage grantees to partner with non-profits that can assist with making projects low or no emissions: Provided further, That projects funded as a result of activities funded under this heading shall be for not less than 90 percent of the net total project cost: 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, to remain available until September 30, 2021, of which not less than \$2,500,000 shall be for a cooperative agreement through which the Federal Transit Administration assists transit recipients with frontline workforce development and standards based training in maintenance and operations through an agreement with a national nonprofit organization with a demonstrated capacity to develop and provide such programs through labor management partnerships and apprenticeships: Provided, That the assistance provided under this heading does 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, \$2,301,785,760, to remain available until September 30, 2024: Provided, That of the amounts made available under this heading, \$1,841,428,608 shall be obligated by December 31, 2021, but shall remain available until September 30, 2024, as specified under this heading: Provided further, That of the amounts made available under this heading:

(1) \$795,290,221 shall be available for fixed guideway projects that have executed full funding grant agreements, authorized under subsection (d) of section 5309;

(2) \$702,709,779 shall be available for new projects authorized under 5309(d) of title 49, United States Code;

(3) \$300,000,000 shall be available for projects authorized under section 5309(e) of title 49, United States Code;

(4) \$430,768,910 shall be available for projects authorized under section 5309(h) of title 49, United States Code; and

(5) \$50,000,000 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 to administer the Expedited Delivery Pilot Program with the procedural and substantive requirements of section 3005(b) of the Fixing America's Surface Transportation Act: Provided further, That any funds remaining from the \$1,841,428,608 that are required to be obligated by the first proviso under this heading and that remain available on December 31, 2021 shall be reallocated to applicants with projects in Engineering on that date, as defined by 49 U.S.C. 5309(d)(2) and (e)(2) for activities eligible under 49 U.S.C. 5309(b), and upon reallocation shall be available for immediate obligation: Provided further, That each applicant's share of such funds shall be distributed to the projects in Engineering based on the individual project's requested Capital Investment Grant amount as a percentage of the total Capital Investment Grant funds requested by the group of projects in Engineering under subsections (d)(2) and (e)(2) of 49 United States Code 5309 on December 31, 2021: Provided further, That not later than 90 days after enactment of this Act, the Federal Transit Administration shall provide the House and Senate Committees on Appropriations a list of projects to which the agency expects to award a full-funding grant agreement in fiscal year 2020, and upon submission of the fiscal year 2021 budget, the Federal Transit Administration shall provide such information for 2021.

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

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, 2024, 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. In the first proviso under the title "Capital Investment Grants" in the Consolidated Appropriations Act of 2018, Public Law 115-141, strike, "December 31, 2019" and insert, "September 30, 2020".

SEC. 164. No funds in this or any other Act shall be used:

(a) to adjust apportionments or withhold funds from apportionments pursuant to 26 U.S.C. 9503(e)(4);

(b) to request or require any project to have a maximum Capital Investment Grant contribution lower than 50 percent of the total project cost;

(c) to determine a maximum Capital Investment Grant contribution for projects defined under 49 U.S.C. 5309(a)(2) or 49 U.S.C. 5309 (a)(5) until at least 180 days after a project has entered into the Engineering phase; and

(d) by the Federal Transit Administration when making a determination about whether a project sponsor's cost estimate is reasonable, to require a probability higher than 50 percent that a project can be completed within that cost estimate: Provided, That this proviso only applies to those applications that are in the "project development" phase as defined under subsections (d)(1), (e)(1), or (h)(2) of 49 U.S.C. 5309, or the "Engineering" phase as defined under subsections (d)(2) or (e)(2) of 49 U.S.C. 5309 on the date of enactment of this Act.

SEC. 165. An eligible recipient of a grant under 5339(c) may submit an application in partnership with other entities, including a transit vehicle manufacturer, that intend to participate in the implementation of a project under 5339(c) of title 49, United States Code and a project awarded with such partnership shall be treated as satisfying the requirement for a competitive procurement under Section 5325(a) of title 49, United States Code, for the named entity.

#### 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, \$40,000,000, 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, \$154,442,000: Provided, That of the sums appropriated under this heading—

(1) \$77,944,000 shall remain available until September 30, 2021 for the operations of the United States Merchant Marine Academy;

(2) \$5,225,000 shall remain available until expended for the maintenance and repair, equipment, and capital improvements at the United States Merchant Marine Academy;

(3) \$3,000,000 shall remain available until September 30, 2021 for the Maritime Environment and Technology Assistance program authorized under section 50307 of title 46, United States Code; and

(4) \$15,000,000, 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 not later than 120 days after enactment of this Act, 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 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 (3) and (4) of the first proviso, 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: Provided, That of the sums appropriated under this heading—

(1) \$33,000,000, 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 up to \$8,060,000, 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;

(2) \$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;

(3) \$2,400,000 shall remain available through September 30, 2021, for the Student Incentive Program;

(4) \$3,800,000 shall remain available until expended for training ship fuel assistance; and

(5) \$6,000,000 shall remain available until September 30, 2021, 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, \$225,000,000 to remain available until expended: Provided, That projects eligible for funding provided under this heading shall be projects for coastal seaports or Great Lakes ports: 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 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: Provided further, That a grant award made under this heading may not be used to purchase fully-automated cargo handling equipment or to otherwise facilitate fully-automated cargo handling: Provided further, That for the purposes of the previous proviso, fully-automated cargo handling means using equipment that is remotely operated or remotely monitored with or without the exercise of human intervention or control.

#### 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, of which \$1,500,000 shall remain available until September 30, 2022: Provided, That the Secretary of Transportation shall issue final rules as required under section 5(f), section 21(c), and section 23(a) of the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 (Public Law 112-90) no later than 180 days after enactment of this Act: Provided further, That no later than 90 days after enactment of this Act, the Secretary of Transportation shall initiate a rulemaking on automatic and remote-controlled shut-off valves and hazardous liquid pipeline facilities leak detection systems as required under section 4 and section 8 of the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 (Public Law 112-90), respectively, and shall issue a final rule no later than one year after enactment of this Act.

HAZARDOUS MATERIALS SAFETY

For expenses necessary to discharge the hazardous materials safety functions of the Pipeline and Hazardous Materials Safety Administration, \$61,000,000, to remain available until September 30, 2022: 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, \$168,000,000, to remain available until September 30, 2022, of which \$23,000,000 shall be derived from the Oil Spill Liability Trust Fund; of which \$137,000,000 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, 2022, 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), 5116(h), 5116(i), and 5107(e).

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, \$96,700,000: 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.

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. (a) None of the funds appropriated by this Act may be made available for salaries and expenses of more than 110 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.

(b) The limitation in subsection (a) shall increase to 125 political and Presidential appointees beginning on the date on which the Secretary announces the selection of projects to receive awards for each of the following competitive grants, with respect to funds made available for fiscal year 2019 for such grants:

(1) Capital investment grants as authorized and as funded under the heading "Office of the Secretary—National Infrastructure Investments" by Public Law 116-6;

(2) Grants-In-Aid for Airports as authorized by subchapter 1 of chapter 471 and subchapter 1 of chapter 475 of title 49, United States Code, and as funded under the heading "Federal Aviation Administration—Grants-in-Aid for Airports" by Public Law 116-6;

(3) Federal-State Partnership for State of Good Repair Grants, as authorized by section 24911 of title 49, United States Code, and as funded under the heading "Federal Railroad Administration—Federal-State Partnership for State of Good Repair" by Public Law 116-6;

(4) Consolidated Rail Infrastructure and Safety Improvements Grants, as authorized by section 22907 of title 49, United States Code, and as funded under the heading "Federal Railroad

Administration—Consolidated Rail Infrastructure and Safety Improvements" by Public Law 116-6;

(5) Restoration and Enhancement Grants, as authorized by section 22908 of title 49, United States Code, and as funded under the heading "Federal Railroad Administration—Restoration and Enhancement" by Public Law 116-6;

(6) Magnetic levitation transportation projects consistent with section 322 of title 23, United States Code, and as funded under the heading "Federal Railroad Administration—Magnetic Levitation Technology Deployment Program" by Public Law 116-6;

(7) Buses and bus facilities competitive grants as authorized under section 5339(b) of title 49, United States Code, and as funded under the heading "Federal Transit Administration—Transit Infrastructure Grants" by Public Law 116-6;

(8) Low or no emission grants, as authorized under section 5339(c) of title 49, United States Code, and as funded under the heading "Federal Transit Administration—Transit Infrastructure Grants" by Public Law 116-6;

(9) Grants to qualified shipyards, as authorized under section 54101 of title 46, United States Code, and as funded under the heading "Maritime Administration—Assistance to Small Shipyards" by Public Law 116-6; and

(10) Grants to improve port facilities, as authorized under section 50302 of title 46, United States Code, and as funded under the heading "Maritime Administration—Port Infrastructure Development Program" by Public Law 116-6.

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 than 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:

(a) 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; and

(b) 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

(c) 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.

SEC. 192. (a) None of the funds appropriated or otherwise made available by this Act may be used to terminate a grant or cooperative agreement with the California High Speed Rail Authority, de-obligate funding associated with a grant or cooperative agreement with the California High Speed Rail Authority, or require the State of California or the California High Speed Rail Authority to repay funding previously obligated and expended.

(b) Subsection (a) shall apply to Cooperative Agreement No. FR-HSR-0009-10-01-06 and any other grant or cooperative agreement with the California High Speed Rail Authority in effect on or after enactment of this Act.

(c) Notwithstanding the Department of Transportation Appropriations Act, 2010 (Public Law 111–117), de-obligated funds associated with Cooperative Agreement No. FR-HSR-0118-12-01-01—

(1) may not be made available for any purpose until the final determination of any litigation concerning those funds; and

(2) upon the final determination of any such litigation, shall be made available only for high-speed rail projects under section 26106 of title 49, United States Code, in accordance with such section, except the Secretary of Transportation shall—

(A) issue a Notice of Funding Opportunity for such grants no later than 30 days after the final determination of such litigation;

(B) require that such Notice of Funding Opportunity shall require application submissions no later than 30 days after the issuance of such Notice;

(C) award grants no later than 60 days after the issuance of such Notice; and

(D) require applicants to provide the Secretary with completed documentation with respect to any required environmental impact statements within the application for a grant.

SEC. 193. Section 603(b) of title 23, United States Code, is amended by striking paragraph (8) and inserting the following:

“(8) NON-FEDERAL SHARE.—Notwithstanding paragraph (9) and section 117(j)(2), the proceeds of a secured loan under the TIFIA program shall be considered to be part of the non-Federal share of project costs required under this title or chapter 53 of title 49, if the loan is repayable from non-Federal funds.”

SEC. 194. Section 502(b)(3) of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 822(b)(3)) is amended by striking “only during the 4-year period beginning on the date of enactment of the Passenger Rail Reform and Investment Act of 2015” and inserting “until September 30, 2020”.

SEC. 195. (a) None of the funds appropriated by this title may be made available to issue grants to entities that do not comply with practices for control system procurement recommended by the U.S. Department of Homeland

Security’s National Cybersecurity and Communications Integration Center.

(b) The Secretary of Transportation may waive the requirement to comply with the practices described in subsection (a) if the Secretary finds that:

(1) requiring compliance would be inconsistent with the public interest; and

(2) the Secretary notifies the House and Senate Committees on Appropriations no less than 3 days before issuing a waiver under this subsection.

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

## 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, \$14,788,000, to remain available until September 30, 2021, and of which \$4,557,000 is for the Office of the Secretary and \$2,192,000 is for the Office of Congressional and Intergovernmental Relations: Provided, That not to exceed \$20,000 of the total amount made available under this heading shall be available to the Secretary for official reception and representation expenses as the Secretary may determine: Provided further, That none of the funds made available in this title or title II of division G of Public Law 116–6 may be reprogrammed or otherwise used to increase the appropriation provided by this title for the Office of the Secretary or the Office of Congressional and Intergovernmental Relations: Provided further, That none of the funds made available by this title or any other Act may be used to detail any individual to the Office of the Secretary or the Office of Congressional and Intergovernmental Relations: Provided further, That none of the funds made available by this Act may be used to pay the salary of any individual occupying a political position in the Office of Budget: Provided further, That for the purposes of the previous proviso, the term “political position” means the following: a position described under sections 5312 through 5316 of title 5, United States Code (relating to the Executive Schedule); a noncareer appointment in the Senior Executive Service, as defined under paragraph (7) of section 3132(a) of such title; a position in the executive branch of the Government of a confidential or policy-determining character under schedule C of subpart C of part 213 of title 5, Code of Federal Regulations; or any other position that has been excepted from the competitive service by reason of its confidential, policy-determining, policy-making, or policy-advocating character.

##### ADMINISTRATIVE SUPPORT OFFICES

For necessary salaries and expenses for Administrative Support Offices, \$521,500,000, to remain available until September 30, 2021: Provided, That of the sums appropriated under this heading—

(1) not to exceed \$52,691,000 shall be for the Office of the Chief Financial Officer;

(2) not to exceed \$95,890,000 shall be for the Office of the General Counsel, of which not less than \$20,000,000 shall be for the Departmental Enforcement Center;

(3) not to exceed \$54,000,000 shall be for the Office of Field Policy and Management;

(4) not to exceed \$3,900,000 shall be for the Office of Departmental Equal Employment Opportunity;

(5) not less than \$55,019,000 shall be for the Office of the Chief Information Officer; and

(6) not to exceed \$260,000,000 shall be for the Assistant Secretary for Administration:



Provided further, That funds provided under this heading may be used for hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109: 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

For necessary salaries and expenses for Program Offices, \$849,144,000, to remain available until September 30, 2021: Provided, the amounts made available under this heading are provided as follows:

(1) not to exceed \$230,000,000 shall be available for the Office of Public and Indian Housing, of which \$10,200,000 is for (a) the Secretary of Housing and Urban Development for carrying out any authorities of such Secretary under chapter 11 of subtitle B of the Violence Against Women Act of 1994 (34 U.S.C. 12351) and subtitle N of such Act (34 U.S.C. 12471 et seq.); (b) public housing inspections and assessments as referred in paragraph (2) of the heading “Public Housing Capital Fund” in this title; and (c) public housing inspections, monitoring and oversight of activities, and other assistance authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4111 et seq.), title I of the Housing and Community Development Act of 1974 with respect to Indian tribes (42 U.S.C. 5306(a)(1)), section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 17152–13a), and Tribal HUD–VASH program;

(2) not to exceed \$117,000,000 shall be available for the Office of Community Planning and Development, of which \$4,656,000 shall be for permanent positions for a disaster recovery workforce;

(3) not to exceed \$386,144,000 shall be available for the Office of Housing, of which not less than \$12,000,000 shall be for the Office of Recapitalization;

(4) not to exceed \$26,000,000 shall be available for the Office of Policy Development and Research;

(5) not to exceed \$80,000,000 shall be available for the Office of Fair Housing and Equal Opportunity; and

(6) not to exceed \$10,000,000 shall be available for the Office of Lead Hazard Control and Healthy Homes:

Provided further, That the unobligated balances of prior year appropriations made available under each of the accounts “Public and Indian Housing”, “Community Planning and Development”, “Housing”, “Policy Development and Research”, “Fair Housing and Equal Opportunity”, and “Office of Lead Hazard Control and Healthy Homes” under the heading “Department of Housing and Urban Development—Program Office Salaries and Expenses” shall be transferred to, and merged with, the amounts reserved for the Office of Public and Indian Housing, the Office of Community Planning and Development, the Office of Housing, the Office of Policy Development and Research, the Office of Fair Housing and Equal Opportunity, and the Office of Lead Hazard Control and Healthy Homes, respectively, under the heading “Department of Housing and Urban Development—

Program Office Salaries and Expenses” in this title.

#### 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, \$19,810,000,000, to remain available until expended, shall be available on October 1, 2019 (in addition to the \$4,000,000,000 previously appropriated under this heading that shall be available on October 1, 2019), and \$4,000,000,000, to remain available until expended, shall be available on October 1, 2020: Provided, That the amounts made available under this heading are provided as follows:

(1) \$21,400,000,000 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 2020 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 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 other-

wise 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, 2020: 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 in accordance with the requirements of the MTW program 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 2020 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 2019 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 2020 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 the Secretary may utilize unobligated balances, including recapitures and carryover, remaining from funds appropriated under this heading from prior year appropriations (excluding special purpose vouchers), notwithstanding the purposes for which such amounts were appropriated, to avoid or reduce such prorations: 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; (4) for adjustments in the allocations for public housing agencies that (i) are leasing a lower-than-average percentage of their authorized vouchers, (ii) have low amounts of budget authority in their net restricted assets accounts and HUD-held programmatic reserves, relative to other agencies, and (iii) are not participating in the Moving to Work demonstration, to enable such agencies to lease more vouchers; (5) 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; and (6) for public housing agencies that have experienced increased costs or loss of units in an area for which the President declared a disaster under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 et seq.): Provided further, That the Secretary shall allocate amounts under the previous proviso based on need, as determined by the Secretary;

(2) \$150,000,000 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, HOPE VI and 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 shall provide replacement vouchers for all units 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) \$1,925,000,000 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 \$1,895,000,000 of the amount provided in this paragraph shall be allocated to public housing agencies for the calendar year 2020 funding cycle based on section 8(g) 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 in accordance with the requirements of the MTW program, 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 shall be 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:

(5) \$5,000,000 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 any amounts remaining after such renewal assistance is awarded may be available for new grants to recipients eligible to receive block grants under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.) 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 further, That funds shall be awarded based on need, and administrative capacity established by the Secretary in a Notice published in the Federal Register after coordination with the Secretary of the Department of Veterans Affairs: Provided further, That renewal grants and new grants under this paragraph 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) \$40,000,000 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: Provided further, That of the amounts made available under this paragraph, up to \$20,000,000 shall be for assistance for youth under section 8(x) of the Act: Provided further, That notwithstanding other laws, the Secretary shall, subject only to the availability of funds, allocate such assistance to any public housing agencies that (1) administer assistance under section 8(x), or seek to administer such assistance, consistent with procedures established by the Secretary, and (2) have requested such assistance so that they may provide timely assistance to eligible youth: Provided further, That public housing agencies shall not reissue any assistance made available from amounts under

this paragraph when the initial youth that received any such assistance no longer receives it, unless approved by the Secretary;

(8) \$25,000,000 shall be made available for the mobility demonstration authorized under section 235 of division G of the Consolidated Appropriations Act, 2019 (42 U.S.C. 1437f note; Public Law 116-6; 133 Stat. 465), 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 2020 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”) \$2,855,057,000, to remain available until September 30, 2023: Provided, That the amounts made available under this heading are provided as follows:

(1) notwithstanding any other provision of law or regulation, during fiscal year 2020, 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;

(2) \$28,000,000 shall be to support ongoing public housing financial and physical assess-

ment activities, pilot a new physical inspection process, and implement the recommendations made in the March 2019 Government Accountability Office (GAO) report “Real Estate Inspection Center: HUD should Improve Physical Inspection Process and Oversight of Inspectors” (GAO-19-254);

(3) up to \$16,000,000 shall be to support the costs of administrative and judicial receiverships;

(4) 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 2020: Provided further, That of the amount made available under this paragraph, 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, 2021, for emergency capital needs have been processed, shall be allocated to public housing agencies for such safety and security measures;

(5) 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 2020 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;

(6) \$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 this paragraph 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; and

(7) \$25,000,000 shall be available for competitive grants to public housing agencies for activities authorized under 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 mold, carbon monoxide poisoning, and other housing-related diseases and hazards.

#### PUBLIC HOUSING OPERATING FUND

For 2020 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)), \$4,753,116,000, to remain available until September 30, 2021.

#### 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, \$300,000,000, to remain available until September 30, 2023: 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 \$150,000,000 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 120 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, 2023, obligate any available unobligated balances made available under this heading in this, or any prior Act.

#### SELF-SUFFICIENCY PROGRAMS

For activities and assistance related to Self-Sufficiency Programs, to remain available until September 30, 2023, \$150,000,000: Provided, That the amounts made available under this heading are provided as follows:

(1) \$100,000,000 shall be for the Family Self-Sufficiency program to support family self-sufficiency coordinators under section 23 of the United States Housing Act of 1937 (42 U.S.C. 1437u), to promote the development of local strategies to coordinate the use of assistance under sections 8 and 9 of such Act with public

and private resources, and enable eligible families to achieve economic independence and self-sufficiency: 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;

(2) \$35,000,000 shall be for the Resident Opportunity and Self-Sufficiency program to provide for supportive services, service coordinators, and congregate services as authorized by section 34 of the United States Housing Act of 1937 (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.); and

(3) \$15,000,000 shall be for a Jobs-Plus initiative, modeled after the Jobs-Plus demonstration: Provided, That funding provided under this paragraph 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, 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 paragraph, the limitation in section 9(g)(1) of the United States Housing Act of 1937 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 such 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 2020 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.

#### NATIVE AMERICAN PROGRAMS (INCLUDING TRANSFER OF FUNDS)

For activities and assistance authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4111 et seq.), title I of

the Housing and Community Development Act of 1974 with respect to Indian tribes (42 U.S.C. 5306(a)(1)), and related training and technical assistance, \$855,000,000, to remain available until September 30, 2024, unless otherwise specified: Provided, That amounts made available under this heading are provided as follows:

(1) \$671,000,000 shall be for the Native American Housing Block Grants program, as authorized under title I of NAHASDA: 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 the Department shall notify grantees of their formula allocation within 60 days of the date of enactment of this Act;

(2) \$2,000,000 shall be for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: Provided, 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 \$32,000,000;

(3) \$100,000,000 shall be for competitive grants under the Native American Housing Block Grants program, as authorized under title I of NAHASDA: Provided, 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 a grant funded pursuant to this paragraph shall be not greater than \$10,000,000: Provided further, That up to 1 percent of this additional amount may be transferred, in aggregate, to the Office of Public and Indian Housing under paragraph (1) of the heading "Program Office Salaries and Expenses" for necessary costs of administering and overseeing the obligation and expenditure of this additional amount: Provided further, That any funds transferred pursuant to this paragraph shall remain available until September 30, 2025;

(4) \$75,000,000 shall be for grants to Indian tribes for carrying out the Indian Community Development Block Grant program under title I of the Housing and Community Development Act of 1974, notwithstanding section 106(a)(1) of such Act, of which, notwithstanding any other provision of law (including section 203 of this Act), up to \$5,000,000 may be used for emergencies that constitute imminent threats to health and safety: Provided, That not to exceed 20 percent of any grant made with funds appropriated under this paragraph shall be expended for planning and management development and administration: Provided further, That funds provided under this paragraph shall remain available until September 30, 2022; and

(5) \$7,000,000 shall be for providing training and technical assistance to Indian tribes, 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, That of the funds made available under this paragraph, not less than \$2,000,000 shall be available for a national organization as authorized under section 703 of NAHASDA (25 U.S.C. 4212): Provided further, That notwithstanding the provisions of the Federal Grant and Cooper-

ative Agreements Act of 1977 (31 U.S.C. 6301-6308), the amounts made available under this paragraph may be used by the Secretary to enter into cooperative agreements with public and private organizations, agencies, institutions, and other technical assistance providers to support the administration of negotiated rule-making under section 106 of NAHASDA (25 U.S.C. 4116), the administration of the allocation formula under section 302 of NAHASDA (25 U.S.C. 4152), and the administration of performance tracking and reporting under section 407 of NAHASDA (25 U.S.C. 4167).

#### 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), \$2,500,000, 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 \$1,000,000,000, to remain available until expended: Provided further, That up to \$500,000 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.), \$2,500,000, to remain available until September 30, 2024: 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.), \$410,000,000, to remain available until September 30, 2021, except that amounts allocated pursuant to section 854(c)(5) of such Act shall remain available until September 30, 2022: 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 carrying out the community development block grant program under title I of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5301 et seq.) ("the Act" herein), \$3,600,000,000, to remain available until September 30, 2022, unless otherwise specified: Provided, 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, 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.

#### COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM ACCOUNT

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2020, 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: Provided further, That such commitment authority funded by fees 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 such section 108: Provided further, That any State receiving such a guarantee or commitment under the previous proviso shall distribute all funds subject to such guarantee to the units of general local government in nonentitlement areas that received the commitment.

#### 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, \$1,750,000,000, to remain available until September 30, 2023: 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 (42 U.S.C. 12746(10), 12747(b)(4)) 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: Provided further, That section 218(g) of such 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, 2021, or 2022 under that section: Provided further, That 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, 2021, or 2022 under that section and the funds shall be invested only in housing to be developed, sponsored, or owned by community housing development organizations.

#### 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, \$55,000,000, to remain available until September 30, 2022: 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, \$40,000,000 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 non-profits, local governments, and Indian Tribes serving high need rural communities.

#### 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, \$2,800,000,000, to remain available until September 30, 2022: Provided, That not less than \$290,000,000 of the funds appropriated under this heading shall be available for such Emergency Solutions Grants program: Provided further, That not less than \$2,344,000,000 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, sexual assault, 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 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 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 Con-

tinuum of Care renewals in fiscal year 2020: 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 \$100,000,000 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 can dramatically reduce youth homelessness: Provided further, That of the amount made available under the previous proviso, up to \$10,000,000 shall be available to provide technical assistance on improving system responses to youth homelessness, and collection, analysis, use, 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 the Secretary may use up to 10 percent of the amount made available under the previous proviso to build the capacity of current technical assistance providers or to train new technical assistance providers with verifiable prior experience with systems and programs for youth experiencing homelessness: 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: Provided further, That the Secretary shall consider and award projects based solely on the selection criteria from the fiscal year 2018 Notice of Funding Availability.

#### 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, \$12,190,000,000, to remain available until expended, shall be available on October 1, 2019 (in addition to the \$400,000,000 previously appropriated under this heading that became available October 1, 2019), and \$400,000,000, to remain available until expended, shall be available on October 1, 2020: 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 \$345,000,000 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 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, \$803,000,000, to remain available until September 30, 2023: Provided, That of the amount provided under this heading, up to \$95,000,000 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, 2023: 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, \$258,510,000, to remain available until September 30, 2023: 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, 2023: 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, \$60,000,000, to remain available until September 30, 2021, 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, \$3,000,000, 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 \$12,400,000, to remain available until expended, of which \$12,400,000 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 2020 so as to result in a final fiscal year 2020 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 2020 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, 2021: Provided, That during fiscal year 2020, 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 non-profit 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, 2021: Provided further, That to the extent guaranteed loan commitments exceed \$200,000,000,000 on or before April 1, 2020, 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 2020 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 2020, 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, 2021: Provided, That during fiscal year 2020, 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, 2021: Provided, That \$27,000,000, to remain available until September 30, 2021, 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, 2020, 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, 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, \$98,000,000, to remain available until September 30, 2021: Provided, That the amounts made available under this heading may be used for the types of research and studies otherwise provided for and authorized elsewhere under this title: Provided further, 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, Indian tribes, tribally designated housing entities, 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, \$75,300,000, to remain available until September 30, 2021: Provided, That grants made available from amounts provided under this heading shall be awarded within 120 days of enactment of this Act: Provided further, 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 on-line courses and provide such training: Provided further, That of the funds made available under this heading, up to \$450,000 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, \$290,000,000, to remain available until September 30, 2022, of which \$56,000,000 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 of the amount made available for the Healthy Homes Initiative, \$5,000,000 shall be for the implementation of projects in up to five communities that are served by both the Healthy Homes Initiative and Department of Energy weatherization programs to demonstrate whether the coordination of Healthy Homes remediation activities with weatherization activities achieves cost savings and better outcomes in improving the safety and quality of homes: Provided further, That each applicant shall certify adequate capacity that is acceptable to the Sec-

retary 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.

#### CYBERSECURITY AND INFORMATION TECHNOLOGY FUND

For the mitigation against the exploitation of information technology systems and personally identifiable information; for the development, modernization, and enhancement of, modifications to, and infrastructure for Department-wide and program-specific information technology systems, and for the continuing operation and maintenance of both Department-wide and program-specific information systems, and for program-related maintenance activities, \$300,000,000, to remain available until September 30, 2021, of which \$20,000,000 may be used for single family information technology systems of the Federal Housing Administration: 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, \$132,489,000: 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 2020 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 2020 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 2021, 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 2020 and 2021, 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 2020, 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. 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. 215. 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. 216. 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 paragraph receiving appropriations under the 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. 217. The Secretary of the Department of Housing and Urban Development shall, for fiscal year 2020, 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 2020, 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. 218. 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. 219. 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 paragraph under the 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. 220. (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. 221. 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 2020.

SEC. 222. 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, non-profit organization, or other entity selected to receive a grant award is announced by the Department or its offices.

SEC. 223. None of the funds made available by this Act may be used to require or enforce the Physical Needs Assessment (PNA).

SEC. 224. 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. 225. 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. 226. 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. 227. 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. 228. With respect to grant amounts awarded under the heading “Homeless Assistance Grants” for fiscal years 2015 and subsequent fiscal years 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. 229. (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. 230. 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. 231. (a) ESTABLISHMENT OF FUND.—There is hereby established in the Treasury of the United States a fund to be known as HUD HAG Fund (in this section referred to as the “Fund”).

(b) CREDITS TO FUND.—

(1) FUTURE TRANSFERS.—Unobligated balances of recaptured funds (except for amounts necessary for grant amount corrections) appropriated by any Act in this or any subsequent fiscal year under the account for “Department of Housing and Urban Development—Community Planning and Development—Homeless Assistance Grants” (in this section referred to as the “HAG account”) shall be transferred into the Fund.

(2) RESCISSION AND AVAILABILITY OF FISCAL YEAR 2018 AMOUNTS.—Of any amounts appropriated under the HAG account by the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2018 (division L of Public Law 115–141), 90 percent of any balances remaining unobligated as of September 1, 2020, are hereby rescinded, and an amount of additional new budget authority equivalent to the amount rescinded is hereby appropriated and shall be transferred to the Fund.

(c) PURPOSES.—Amounts transferred to the Fund shall be available until expended, and in addition to such other funds as may be available for such purposes, only for the following purposes:

(1) For grants under the Continuum of Care program under subtitle C of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11381 et seq.).

(2) For grants under the Emergency Solutions Grant program under subtitle B of title IV of such Act (42 U.S.C. 11371 et seq.).

(3) Not less than 10 percent of amounts transferred to the Fund shall be used only for grants,

as established and determined by the Secretary, in rural areas.

(4) Not less than 10 percent of amounts transferred to the Fund shall be used for grants, as established and determined by the Secretary, only pursuant to the declaration of a major disaster under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in the most impacted and distressed areas resulting from such disaster.

(d) TRANSFER FOR USE.—

(1) Amounts in the Fund shall be transferred to the HAG account before obligation and expenditure.

(2) Amounts in the Fund may be transferred to the HAG account only after the expiration of the 15-day period beginning upon the day that the Secretary of Housing and Urban Development submits written notice to the Committees on Appropriations of the House of Representatives and the Senate of the planned use of such transferred amounts, except that amounts transferred for the purposes specified in subsection (c)(4) may be transferred with concurrent written notice to such Committees.

SEC. 232. 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. 233. 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.

SEC. 234. None of the funds made available to the Department of Housing and Urban Development by this or any other Act may be used to implement, administer, enforce, or in any way make effective the proposed rule entitled “Housing and Community Development Act of 1980: Verification of Eligible Status”, issued by the Department of Housing and Urban Development on May 10, 2019 (Docket No. FR-6124-P-01), or any final rule based substantially on such proposed rule.

SEC. 235. (a) The Secretary of Housing and Urban Development shall make available to grantees under programs included under the Department’s Consolidated Planning Process, not later than the expiration of the 90-day period beginning on the date of the enactment of this Act, the prepopulated up-to-date housing and economic data and data for both broadband and resilience assessment requirements, as referred to in the HUD Response to the third comment under section III.A. of the Supplementary Information included with the final rule entitled “Modernizing HUD’s Consolidated Planning Process To Narrow the Digital Divide and Increase Resilience to Natural Hazards”, published by the Department of Housing and Urban Development in the Federal Register on Friday, December 16, 2016 (81 Fed. Reg. 91000).

(b) The Secretary of Housing and Urban Development shall require such grantees to incorporate the broadband and resilience components into the Consolidated Plan process not later than the expiration of the 270-day period beginning on the date of the enactment of this Act.

SEC. 236. None of the funds made available to the Department of Housing and Urban Development by this or any other Act may be used to implement, administer, enforce, or in any way make effective any rule making any change to the rule entitled “Equal Access in Accordance With an Individual’s Gender Identity in Community Planning and Development Programs” published by the Department of Housing and Urban Development in the Federal Register on September 21, 2016 (81 Fed. Reg. 64763) or to the

rule entitled “Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity” published by such Department in the Federal Register on February 3, 2012 (77 Fed. Reg. 5662).

SEC. 237. Notwithstanding any other provision of law, the notice issued by the Department of Housing and Urban Development on February 20, 2015, and entitled “Appropriate Placement for Transgender Persons in Single-Sex Emergency Shelters and Other Facilities” (Notice CPD-15-02) shall have the force and effect of law.

SEC. 238. The Secretary of Housing and Urban Development may not, in this fiscal year or any fiscal year thereafter, implement, require, enforce, or otherwise make effective any change, amendment, or alteration to any term or condition of the Annual Contributions Contract between the Secretary and any public housing agency, as such contract was in effect as of January 1, 2018, unless such change, amendment, or alteration is made pursuant to a rule issued after notice and an opportunity for public comment and in accordance with the procedure under section 553 of title 5, United States Code, applicable to substantive rules.

This title may be cited as the “Department of Housing and Urban Development Appropriations Act, 2020”.

### 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 therefor, as authorized by 5 U.S.C. 5901–5902, \$28,000,000: 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 2021, the Inspector General shall

submit to the House and Senate Committees on Appropriations a budget request for fiscal year 2021 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), \$170,000,000, of which \$5,000,000 shall be for a multi-family rental housing program.

##### 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 2020, 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, \$4,100,000, to remain available until September 30, 2021.

### 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 2020, 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 2020 from appropriations made available for salaries and expenses for fiscal year 2020 in this Act, shall remain available through September 30, 2021, 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. A department or agency shall not withhold or delay access by the Inspector General in order to conduct internal reviews of responsive documents, nor shall privileges preventing release of agency documents to third parties be a basis for withholding or delaying access to the Inspector General.

(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. Within 5 cal-

endar days of the Inspector General's report, the department or agency will provide the Committees on Appropriations of the House of Representatives and the Senate with an accounting of timeframe and efforts by the agency to provide OIG access.

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 Federal Acquisition Regulations.

SEC. 420. Except as expressly provided otherwise, any reference to “this Act” contained in this division shall be treated as referring only to the provisions of this division.

SEC. 421. Any reference to a “report accompanying this Act” contained in this division shall be treated as a reference to House Report 116-106. The effect of such Report shall be limited to this division and shall apply for purposes of determining the allocation of funds provided by, and the implementation of, this division.

This Act may be cited as the “Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2020”.

## **DIVISION F—FAIR COMPENSATION FOR LOW-WAGE CONTRACTOR EMPLOYEES ACT OF 2019**

### **SECTION 1. SHORT TITLE.**

This division may be cited as the “Fair Compensation for Low-Wage Contractor Employees Act of 2019”.

### **SEC. 2. APPROPRIATION.**

There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary, to remain available until expended, for each Federal agency subject to the lapse in appropriations that began on or about December 22, 2018, for adjustments in the price of contracts of such agency under section 3.

### **SEC. 3. BACK COMPENSATION FOR LOW-WAGE EMPLOYEES OF GOVERNMENT CONTRACTORS IN CONNECTION WITH THE LAPSE IN APPROPRIATIONS.**

(a) IN GENERAL.—Each Federal agency subject to the lapse in appropriations that began on or about December 22, 2018, shall adjust the price of any contract of such agency for which the contractor was ordered to suspend, delay, or interrupt all or part of the work of such contract, or stop all or any part of the work called for in such contract, as a result of the lapse in appropriations to compensate the contractor for reasonable costs incurred—

(1) to provide compensation, at an employee's standard rate of compensation, to any employee who was furloughed or laid off, or who was not working, who experienced a reduction of hours, or who experienced a reduction in compensation, as a result of the lapse in appropriations (for the period of the lapse); or

(2) to restore paid leave taken by any employee during the lapse in appropriations, if the contractor required employees to use paid leave as a result of the lapse in appropriations.

(b) LIMITATION ON AMOUNT OF WEEKLY COMPENSATION COVERED BY ADJUSTMENT.—The maximum amount of weekly compensation of an employee for which an adjustment may be made under subsection (a) may not exceed the lesser of—

(1) the employee's actual weekly compensation; or

(2) \$965.

(c) TIMING OF ADJUSTMENTS.—The adjustments required by subsection (a) shall be made as soon as practicable after the enactment of this act.



(d) DEFINITIONS.—In this section:

(1) The term “compensation” has the meaning given that term in section 6701 of title 41, United States Code.

(2) The term “employee” means the following:

(A) A “service employee” as that term is defined in section 6701(3) of title 41, United States Code, except that the term also includes service employees described in subparagraph (C) of that section notwithstanding that subparagraph.

(B) A “laborer or mechanic” covered by section 3142 of title 40, United States Code.

#### SEC. 4. EFFECTIVE DATE.

This division shall take effect upon the date of enactment of this Act.

#### SEC. 5. BUDGETARY EFFECTS.

(a) 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.

(b) DETERMINATION OF BUDGETARY EFFECTS.—The budgetary effects of this division, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this division, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

#### DIVISION G—EMPLOYMENT AUTHORITY

SEC. 1. Notwithstanding any other provision of law, an entity may use amounts appropriated or otherwise made available under the Legislative Branch Appropriations Act, 2020, to pay the compensation of an officer or employee without regard to the officer’s or employee’s immigration status if the officer or employee has been issued an employment authorization document under the Deferred Action for Childhood Arrivals Program of the Secretary of Homeland Security, established pursuant to the memorandum of the Secretary of Homeland Security entitled “Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children”, dated June 15, 2012.

SEC. 2. Notwithstanding any other provision of law or regulation, an alien who is authorized to be employed in the United States pursuant to the Deferred Action for Childhood Arrivals program established under the memorandum of the Secretary of Homeland Security dated June 15, 2012, shall be eligible for employment by the Government (including any entity the majority of the stock of which is owned by the Government).

The Acting CHAIR. No further amendment to the bill, as amended, shall be in order except those printed in part B of House Report 116–119 not earlier considered as part of amendments en bloc, amendments en bloc, and pro forma amendments described in section 4 of House Resolution 445.

Each further amendment printed in part B of the report shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment except as provided by section 4 of House Resolution 445, and

shall not be subject to a demand for division of the question.

It shall be in order at any time for the chair of the Committee on Appropriations or her designee to offer amendments en bloc consisting of further amendments printed in part B of House Report 116–119 not earlier disposed of. Amendments en bloc offered pursuant to this section shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations or their respective designees, shall not be subject to amendment except amendments described in section 4 of House Resolution 445, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. BURGESS

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 116–119.

Mr. BURGESS. Madam Chair, I call up amendment No. 1 to Division A of H.R. 3055.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 18, line 10, after the dollar amount, insert “(reduced by \$2,500,000)”.

Page 48, line 20, after the dollar amount, insert “(increased by \$2,500,000)”.

Page 55, line 21, after the dollar amount, insert “(increased by \$2,500,000)”.

The Acting CHAIR. Pursuant to House Resolution 445, the gentleman from Texas (Mr. BURGESS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BURGESS. Madam Chair, this amendment increases funding for the Keep Young Athletes Safe Act grant program by \$2.5 million.

The Keep Young Athletes Safe Act grant program provides funding for nonprofit, nongovernmental entities to safeguard amateur athletes in the Olympic program against emotional, physical, and sexual abuse. The United States Center for SafeSport was created in the wake of the Larry Nassar abuse scandal and is a qualifying grant recipient.

Congress only authorized \$2.5 million for fiscal years 2018 through 2022 for this grant. In comparison, the United States Anti-Doping Agency, set up to prevent doping in sport, receives \$14 million annually. Last year, SafeSport said it needed at least \$10 million to be able to serve the athletic community and adequately investigate allegations of abuse.

While no abuse in sport should be tolerated, the protection of our children from sexual misconduct should be a top priority. This amendment doubles the amount appropriated for the Keep Young Athletes Safe Act grant program for a total of \$5 million for fiscal year 2019, half of what is requested by the U.S. Center for SafeSport and \$9 million below the U.S. Anti-Doping Agency.

Many of our young athletes go on to represent the United States in world and Olympic competitions. They deserve to be safe. They deserve to be supported as they pursue their goals and dreams through sport.

Madam Chair, this is a bipartisan amendment, and I encourage my colleagues to vote in favor of protecting young athletes.

Mr. BURGESS. Madam Chair, I yield 2 minutes to the gentlewoman from Indiana (Mrs. BROOKS).

□ 1645

Mrs. BROOKS of Indiana. Madam Chair, I rise today in support of the Burgess-Brooks-DeGette-Kuster amendment that would increase funding for the Keep Young Athletes Safe grant program.

Every young athlete who dreams of the Olympic stage should be able to compete and train in an environment that does not sacrifice their personal safety for athletic excellence.

Unfortunately, this has not always been the case.

In 2016, my home newspaper, The Indianapolis Star, published an investigative piece that exposed extremely troubling allegations of sexual abuse at USA Gymnastics programs across the country by a medical provider, a trainer of our young, Olympic gymnasts.

The U.S. Center for SafeSport, although created in 2011, was finally federally recognized in 2017. It provides services to sports entities on abuse prevention techniques, policies, and programs. It also offers a safe, professional, and confidential place for individuals to report allegations of sexual abuse with the U.S. Olympic and Paralympic movements.

Our amendment today would increase funding for the grant program that works to, as quickly and efficiently as possible, address the more than, right now, over 800 claims of alleged abuse currently before the U.S. Center for SafeSport. It would also allow more investigators to be hired for expanded outreach and education efforts with athletes, coaches, and parents across the country.

Protecting our young athletes from abuse is critically important.

Madam Chair, I urge my colleagues to vote “yes” on the amendment.

Mr. BURGESS. Madam Chair, I yield myself the balance of my time.

Madam Chair, I urge my colleagues to vote in favor of this amendment. It is an important amendment and we need to get this done.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. BURGESS).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MS. SCANLON

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 116–119.

Ms. SCANLON. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 24, line 6, after the dollar amount, insert “(reduced by \$2,000,000)”.

Page 57, line 10, after the dollar amount, insert “(increased by \$2,000,000)”.

Page 57, line 12, after the dollar amount, insert “(increased by \$1,000,000)”.

Page 57, line 22, after the dollar amount, insert “(increased by \$1,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 445, the gentlewoman from Pennsylvania (Ms. SCANLON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Pennsylvania.

Ms. SCANLON. Madam Chair, thank you for allowing me to speak in support of this amendment.

My amendment would increase funding for juvenile justice programs authorized by the Juvenile Justice and Delinquency Prevention Act.

The JJJPA, which was recently reauthorized under the leadership of my colleagues on the Education and Labor Committee, has been so successful, that 47 States and six U.S. territories voluntarily participate in its programs.

The JJJPA provides Federal funds to the States to decrease the incidence of juvenile delinquency and invest funds in diversionary programs to break the school-to-prison pipeline.

These programs have provided critical support to Pennsylvania's efforts to reform the juvenile justice system and advance evidence-based programs at the local level.

Too often, our most vulnerable youth have been caught in a vicious cycle of poverty and oppression, which can land them in the juvenile justice system, but well-funded, thoughtful juvenile justice programs can divert youth away from the justice system, ensure fair and equitable treatment, and protect incarcerated youth while keeping our communities safe.

In Pennsylvania, projects funded by the JJJPA have been used to train 425 officers in 67 counties in evidence-based, effective, and cutting-edge approaches to working with delinquent youth in ways that are equitable, fair, and targeted to their risks and needs.

Increased funding will allow Pennsylvania and other States to expand and enhance these important programs and help ensure that they are in compliance with updates to the law.

Madam Chair, I am grateful to my colleagues on the Appropriations Committee for increasing funding for these critical programs, but there is still much work to be done.

My amendment would increase the total funding for these programs by \$2 million, representing a modest step in the right direction, and affirming the important partnerships created by the JJJPA to protect children, keep youth out of trouble, and keep our communities safe.

Madam Chair, I urge my colleagues to support the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Pennsylvania (Ms. SCANLON).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. RUTHERFORD

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part B of House Report 116-119.

Mr. RUTHERFORD. Madam Chair, I would like to speak in favor of the amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 8, line 8, after the dollar amount, insert “(reduced by \$3,500,000)”.

Page 14, line 3, after the dollar amount, insert “(increased by \$3,500,000)”.

Page 14, line 14, after the dollar amount, insert “(increased by \$3,500,000)”.

Page 14, line 15, after the dollar amount, insert “(increased by \$3,500,000)”.

The Acting CHAIR. Pursuant to House Resolution 445, the gentleman from Florida (Mr. RUTHERFORD) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. RUTHERFORD. Madam Chair, I thank the ranking member for this opportunity.

Madam Chair, I represent three coastal counties along northeast Florida's Atlantic Coast, and one of the biggest grievances that I hear in our coastal fishing communities is that there are simply not enough days to fish for red snapper.

Anglers tell me time and time again that they can't fish without catching red snapper. One diver even relayed to me that the red snapper were so thick over the reefs, that you could literally walk across their backs.

Even so, Federal regulators only gave recreational anglers 5 days to fish for red snapper in the South Atlantic this year, down from 6 days the previous year, all of this because NOAA simply does not have accurate data.

Lack of data leads to short seasons or, even worse, no seasons, which devastates both recreational and commercial fishing and significantly impacts Florida's economy.

To fix this problem, my amendment will increase the funding in this bill for data collection of reef fish in the South Atlantic by \$3.5 million, which will bring the total to \$5 million, which is the same amount that has been used for the last few years in the Gulf of Mexico, where it has been incredibly effective.

The funding made available there to improve data collection in the Gulf over the last few years has made significant improvement in Gulf red snapper management. For example, in 2014, the Gulf red snapper season was only 9 days. This year, it is 62 days.

So by providing NOAA with an increase for reef fish data collection in

the South Atlantic, we could ensure commercial and recreational fishermen have stable access to this crucial fishery and enough fishing days to maintain their businesses.

We have seen our neighbors along the Gulf use this funding very successfully. The South Atlantic is in dire need of the same success.

Madam Chair, I urge all my colleagues to support this simple amendment, which will greatly benefit the fishermen and the economies all along the South Atlantic.

Madam Chair, I yield back the balance of my time.

Mr. SERRANO. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. SERRANO. Madam Chair, my primary objection with the gentleman's amendment is with the offset. The National Telecommunications and Information Administration, or NTIA, is not very well known by the American people, but it is quite important.

The NTIA is critical to the deployment of 5G wireless network technology around the country, which is an expressed goal of the majority of Members on both sides of the aisle, as well as the White House.

Additionally, NTIA is working to expand FirstNet, which ensures cell phone connectivity for our first responders in disaster scenarios.

This amendment would cut NTIA's budget by 8 percent. For all these important programs to continue, NTIA's role as the policy leader in the area of cybersecurity, artificial intelligence, and data privacy, I cannot support a big cut to this budget.

Madam Chair, I oppose the amendment and I urge my colleagues to do the same.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. RUTHERFORD).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. RUTHERFORD. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

Mr. CLYBURN. Madam Chair, I rise as the designee of Chairwoman LOWEY, and I move to strike the last word.

The Acting CHAIR. The gentleman from South Carolina is recognized for 5 minutes.

Mr. CLYBURN. Madam Chair, I am a strong supporter of H.R. 3055, an appropriations package that makes essential investments in economic development, the rule of law, agriculture, our public lands, the environment, our military servicemembers, and our veterans.

I rise today to highlight one particular set of provisions in this appropriations package that are critical to

the communities that I represent, the 10-20-30 formula.

This formula requires that at least 10 percent of the funds in the designated accounts be spent in counties with a poverty rate of at least 20 percent for the past 30 years.

The Census Bureau has labeled nearly 500 counties as persistent poverty counties. They are both geographically and ethnically diverse: largely Black in the Deep South, White in Appalachia, Hispanic in the southwest, and Native Americans all across the West. They are politically diverse as well, with nearly three-fourths of them represented by Republicans, one-fourth by Democrats.

The appropriations bills reported by the Appropriations Committee apply the 10-20-30 formula or similar funding set-asides to 17 different accounts, three more than in fiscal year 2019. Sixteen of these accounts are in the package we are considering today, ensuring persistent poverty counties receive much-needed funds for rural development.

This 10-20-30 formula has worked well. This year marks the 10th anniversary of the first time it was enacted in the American Recovery and Reinvestment Act, where it was applied to three accounts.

In the decade since, thanks in no small part to former Appropriations Committee Chairman Hal Rogers and former Speaker Ryan, 10-20-30 accounts have made thousands of investments in persistent poverty counties, totaling billions of dollars.

□ 1700

One of these investments was in brownfields cleanup at the Mack Theater in Irvine, Kentucky, which is in Estill County, Kentucky, in the Sixth Congressional District of Kentucky, represented by Mr. BARR.

Community groups have long sought to restore this theater, which closed in 1993, but previously were unable to address the contamination. Thanks to 10-20-30, the River City Players, a community theater group, is working to reopen the venue, which has the potential to contribute to the revitalization of the entire area.

In addition to the expansion of the 10-20-30 formula in the bill, I also appreciate the language in the committee reports, which expresses support for new targeted funding for high-poverty census tracts that may not be in persistent poverty counties but are often just as much in need.

I look forward to working with the Appropriations Committee to build upon this progress to include high-poverty census tracts in fiscal year 2021 and working with my friends BARBARA LEE and STACEY PLASKETT to ensure all of the necessary communities and territories are included.

Madam Chair, there are many reasons to support this appropriations package. I thank the committee for its longstanding collaboration on 10-20-30,

and I am hopeful that Members on both sides of the aisle will support these targeted investments in persistent poverty communities by supporting this bill.

Mr. SERRANO. Madam Chair, I yield back the balance of my time.

AMENDMENT NO. 4 OFFERED BY MR. SCALISE

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part B of House Report 116-119.

Mr. SCALISE. Madam Chair, I rise to offer an amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 74, line 13, after the dollar amount, insert “(increased by \$1,000,000)(reduced by \$1,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 445, the gentleman from Louisiana (Mr. SCALISE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. SCALISE. Madam Chair, I bring a bipartisan amendment that is co-sponsored by Congressman CEDRIC RICHMOND and Congressman GARRET GRAVES. What this amendment is really designed to do is highlight the fact that, as we are embarking upon another mission now to Mars, an ambitious mission to get men back into space, ultimately to go back to the Moon, that we also want to make sure that, as we are investing billions of dollars in this incredible equipment and incredible technology that America has been so ingenuitive in designing, that we also make sure we are maintaining those facilities that are key components to building a lot of that technology and building these massive rockets, like the SLS for Orion.

I am proud that we have the Michoud Assembly Facility in New Orleans. It is actually in Congressman RICHMOND's district and has been a key component to the space program going back to the Apollo days. There is tremendous pride with the workforce and these massive facilities that help design and build this incredible technology that allows these missions to the Moon and these missions to Mars, ultimately.

So, as America is embarking on this great mission and an ambitious mission that we should always continue to achieve, we are proud of our Administrator of NASA, Jim Bridenstine, who actually came from this House, served in this House, and now is very engaged in making sure that this next ambitious mission to both the Moon and to Mars is being carried out properly.

Again, we just want to highlight the fact that, as we are doing this, we want to also make sure that we are maintaining those facilities that are going to build the massive rockets and other technology and equipment that will get us there.

Madam Chair, I yield back the balance of my time.

Mr. ADERHOLT. Madam Chair, I claim the time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Alabama is recognized for 5 minutes.

There was no objection.

Mr. ADERHOLT. Madam Chair, I rise in support of this amendment offered by the gentleman from Louisiana.

NASA's plan for facilities to support our human exploration mission is not sufficient, because nothing is more important than keeping our American astronauts alive and safe on these exploration missions.

We will continue to support robust funding for NASA exploration. The funding that is mentioned here, which is part of the SLS Orion and related ground system programs, is critical and supports multiple NASA facilities and personnel, and it even allows NASA engineers to assist commercial space companies with complex engineering challenges.

I urge my colleagues' support of this amendment, Madam Chair, and NASA's exploration programs.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. SCALISE).

The amendment was agreed to.

AMENDMENTS EN BLOC NO. 1 OFFERED BY MR. SERRANO OF NEW YORK

Mr. SERRANO. Madam Chair, pursuant to House Resolution 445, I offer amendments en bloc, which are at the desk.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 1 consisting of amendment Nos. 5, 8, 14, 21, 29, 33, 37, 42, 45, 47, 59, 60, 62, 63, 64, 77, 80, and 87 printed in part B of House Report 116-119, offered by Mr. SERRANO of New York:

AMENDMENT NO. 5 OFFERED BY MS. NORTON OF DISTRICT OF COLUMBIA

At the end of Division A (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used to carry out section 3622(c)(2) of title 18, United States Code.

AMENDMENT NO. 8 OFFERED BY MS. WATERS OF CALIFORNIA

Page 24, line 6, after the dollar amount, insert “(reduced by \$1,000,000)”.

Page 57, line 10, after the dollar amount, insert “(increased by \$1,000,000)”.

Page 57, line 22, after the dollar amount, insert “(increased by \$1,000,000)”.

Page 58, line 1, after the dollar amount, insert “(increased by \$1,000,000)”.

AMENDMENT NO. 14 OFFERED BY MS. VELÁZQUEZ OF NEW YORK

Page 37, line 8, after the dollar amount, insert “(reduced by \$1) (increased by \$1)”.

AMENDMENT NO. 21 OFFERED BY MR. PASCRELL OF NEW JERSEY

Page 24, line 6, after the dollar amount, insert “(reduced by \$5,000,000)”.

Page 48, line 20, after the dollar amount, insert “(increased by \$5,000,000)”.

Page 51, line 15, after the dollar amount, insert “(increased by \$5,000,000)”.

AMENDMENT NO. 29 OFFERED BY MS. MOORE OF WISCONSIN

Page 41, line 1, after the dollar amount, insert “(increased by \$5,000,000)”.

Page 44, line 17, after the dollar amount, insert “(increased by \$5,000,000)”.

AMENDMENT NO. 33 OFFERED BY MR. COHEN OF TENNESSEE

At the end of division A (before the short title), insert the following:

SEC. \_\_\_\_ (a) None of the funds appropriated or otherwise made available by this

Act may be made available to enter into any new contract, grant, or cooperative agreement with any entity listed in subsection (b).

(b) The entities listed in this subsection are the following:

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| Trump International Hotel & Tower<br>Chicago, Chicago, IL  | Trump International Hotel & Golf<br>Links Ireland (formerly The Lodge at<br>Doonbeg), Doonbeg, Ireland | Trump International Hotel Las Vegas,<br>Las Vegas, NV  |
| Trump National Doral Miami, Miami,<br>FL   | Trump International Hotel & Tower<br>New York, New York City, NY                                       | Trump SoHo New York, New York<br>City, NY  |
| Trump International Hotel & Tower,<br>Vancouver, Vancouver, Canada                                 | Trump International Hotel Waikiki,<br>Honolulu, HI   | Trump International Hotel Wash-<br>ington, DC  |
| Trump Tower, 721 Fifth Avenue, New<br>York City, New York  | Trump World Tower, 845 United Na-<br>tions Plaza, New York City, New<br>York                           | Trump Park Avenue, 502 Park Avenue,<br>New York City, New York   |
| Trump International Hotel & Tower,<br>NY   | Trump Parc East, 100 Central Park<br>South, New York City, New York                                    | Trump Palace, 200 East 69th Street,<br>New York City, New York   |
| Heritage, Trump Place, 240 Riverside<br>Blvd, New York City, New York                              | Trump Place, 220 Riverside Blvd, New<br>York City, New York  | Trump Place, 200 Riverside Blvd, New<br>York City, New York  |
| Trump Grande, Sunny Isles, FL  | Trump Hollywood Florida, Hollywood,<br>Florida   | Trump Plaza, New Rochelle, NY  |
| Trump Tower at City Center, West-<br>chester, NY   | Trump Park Residences, Yorktown, NY  | Trump Parc Stamford, Stamford, Con-<br>necticut  |
| Trump Plaza Residences, Jersey City,<br>NJ   | The Estate at Trump National, Los An-<br>geles, CA   | Trump Towers Pune, India, Pune, India  |
| Trump Tower Mumbai, India, Mumbai,<br>India  | Trump Towers Makati, Philippines,<br>Makati, Philippines   | Trump International Vancouver, Van-<br>couver, Canada  |
| Trump Towers Istanbul, Sisli, Istanbul,<br>Sisli   | Trump Tower Punta Del Este, Uru-<br>guay, Punta Sel Este, Uruguay                                      |  |
| Briar Hall Operations LLC, New York,<br>New York   | DT Dubai Golf Manager LLC, New<br>York, New York   | DT Dubai Golf Manager Member Corp,<br>New York, New York   |
| DT Dubai II Golf Manager LLC, New<br>York, New York  | DT Home Marks International LLC,<br>New York, New York   | DT Home Marks International Member<br>Corp, New York, New York   |
| DT India Venture LLC, New York, New<br>York  | DT India Venture Managing Member<br>Corp, New York, New York   | DT Marks Baku LLC, New York, New<br>York   |
| DT Marks Baku Managing Member<br>Corp, New York, New York  | DT Marks Dubai LLC, New York, New<br>York  | DT Marks Dubai Member Corp, New<br>York, New York  |
| DT Marks Dubai II LLC, New York,<br>New York   | DT Marks Dubai II Member Corp, New<br>York, New York   |  |
| DT Marks Gurgaon LLC, New York,<br>New York  | DT Marks Gurgaon Managing Member<br>Corp, New York, New York   | DT Marks Jersey City LLC, New York,<br>New York  |
| DT Marks Jupiter LLC, New York, New<br>York  | DT Mark Qatar LLC, New York, New<br>York   | DT Marks Qatar Member Corp, New<br>York, New York  |
| DT Marks Products International LLC,<br>New York, New York   | DT Marks Product International Mem-<br>ber Corp, New York, New York                                    | DT Marks Pune LLC, New York, New<br>York   |
| DT Marks Pune Managing Member<br>Corp, New York, New York  | DT MARKS PUNE II LLC, New York,<br>New York  | DT Marks Pune II Managing Member<br>Corp, New York, New York   |
| DT Marks Rio LLC, New York, New<br>York  | DT Marks Rio Member Corp, New<br>York, New York  | DT Marks Vancouver LP, New York,<br>New York   |
| DT Marks Vancouver Managing Mem-<br>ber Corp, New York, New York                                   | DT Marks Worli LLC, New York, New<br>York  | DT Marks Worli Member Corp, New<br>York, New York  |
| DT Tower Gurgaon LLC, New York,<br>New York  | DT Tower Gurgaon Managing Member<br>Corp, New York, New York   | Indian Hills Holdings LLC f/k/a Indian<br>Hills Development LLC, New York,<br>New York                                 |
| Jupiter Golf Club LLC (Trump National<br>Gold Club-Jupiter), New York, New<br>York                 | Jupiter Golf Club Managing Member<br>Corp, New York, New York  | Lamington Family Holdings LLC, New<br>York, New York   |
| Lawrence Towers Apartments, New<br>York, New York  | LFB Acquisition LLC, New York, New<br>York   | LFB Acquisition Member Corp, New<br>York, New York   |
| Mar A Lago Club, Inc, Palm Beach,<br>Florida   | Mar A Lago Club, L.L.C, New York,<br>New York  | Nitto World Co, Limited, Turnberry,<br>Scotland  |
| OPO Hotel Manager LLC, New York,<br>New York   | OPO Hotel Manager Member Corp, New<br>York, New York   | OWO Developer LLC, New York, New<br>York   |
| TIGL Ireland Enterprises Limited<br>(Trump International Golf Links-<br>Doonbeg), Doonbeg, Ireland | TIGL Ireland Management Limited,<br>Doonbeg, Ireland   | Ace Entertainment Holdings Inc (f/k/a<br>Trump Casinos Inc and formerly<br>Trump Taj Mahal, Inc), Atlantic<br>City, NJ |
| Trump Chicago Commercial Member<br>Corp, New York, New York  | Trump Chicago Commercial Manager<br>LLC, New York, New York  | Trump Chicago Development LLC, New<br>York, New York   |
| Trump Chicago Hotel Member Corp,<br>New York, New York   | Trump Chicago Hotel Manager LLC,<br>New York, New York   | Trump Chicago Managing Member<br>LLC, New York, New York   |
| Trump Chicago Member LLC, New<br>York, New York  | Trump Chicago Residential Member<br>Corp, New York, New York   | Trump Chicago Residential Manager<br>LLC, New York, New York   |
| Trump Chicago Retail LLC, New York,<br>New York  | Trump Chicago Retail Manager LLC,<br>New York, New York  | Trump Chicago Retail Member Corp,<br>New York, New York  |

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| Trump Drinks Israel Holdings LLC, New York, New York                              | Trump Drinks Israel Holdings Member Corp, New York, New York                                 | Trump Drinks Israel LLC, New York, New York                        |
| Trump Drinks Israel Member Corp, New York, New York                               | Trump Endeavor 12 LLC (Trump National Doral), New York, New York                             | Trump Endeavor 12 Manager Corp, New York, New York                 |
| Trump Golf Acquisitions LLC, New York, New York                                   | Trump Golf Coco Beach LLC, New York, New York  | Trump Golf Coco Beach Member Corp, New York, New York              |
| Trump International Development LLC, New York, New York                           | Trump International Golf Club LC (Trump International Golf Club-Florida), New York, New York | Trump International Golf Club Scotland Limited, Aberdeen, Scotland |
| Trump International Golf Club, Inc, Palm Beach, Florida                           | Trump International Hotel and Tower Condominium, New York, New York                          | Trump International Hotel Hawaii LLC, New York, New York           |
| Trump International Hotels Management LLC, New York, New York                     | Trump International Management Corp, New York, New York                                      | Trump Korean Projects LLC, New York, New York                      |
| Trump Marks Atlanta LLC, New York, New York                                       | Trump Marks Atlanta Member Corp, New York, New York  | Trump Marks Baja Corp, New York, New York                          |
| Trump Marks Baja LLC, New York, New York  | Trump Marks Batumi, LLC, New York, New York  | Trump Marks Beverages Corp, New York, New York                     |
| Trump Marks Beverages, LLC New York, New York                                     | Trump Marks Canouan Corp, New York, New York   | Trump Marks Canouan, LLC New York, New York                        |
| Trump Marks Chicago LLC, New York, New York                                       | Trump Marks Chicago Member Corp, New York, New York  | Trump Marks Dubai Corp, New York, New York                         |
| Trump Marks Dubai LLC, New York, New York   | Trump Marks Egypt Corp, New York, New York   | Trump Marks Egypt LLC, New York, New York                          |
| Trump Marks Fine Foods LLC, New York, New York                                    | Trump Marks Fine Foods Member Corp, New York, New York                                       | Trump Marks Ft. Lauderdale LLC, New York, New York                 |
| Trump Marks Ft. Lauderdale Member Corp, New York, New York                        | Trump Marks GP Corp, New York, New York  | Trump Marks Holding LP (FKA Trump Marks LP), New York, New York    |
| Trump Marks Hollywood Corp, New York, New York                                    | Trump Marks Hollywood LLC, New York, New York  | Trump Marks Istanbul II Corp, New York, New York                   |
| Trump Marks Istanbul II LLC, New York, New York                                   | Trump Marks Jersey City Corp, New York, New York   | Trump Marks Jersey City LLC, New York, New York                    |
| Trump Marks Mattress LLC, New York, New York                                      | Trump Marks Mattress Member Corp, New York, New York   | Trump Marks Menswear LLC, New York, New York                       |
| Trump Marks Menswear Member Corp, New York, New York                              | Trump Marks Mortgage Corp, New York, New York  | Trump Marks Mtg LLC, New York, New York                            |
| Trump Marks Mumbai LLC, New York, New York  | Trump Marks Mumbai Member Corp, New York, New York   | Trump Marks New Rochelle Corp, New York, New York                  |
| Trump Marks New Rochelle LLC, New York, New York                                  | Trump Marks Palm Beach Corp, New York, New York  | Trump Marks Palm Beach LLC, New York, New York                     |
| Trump Marks Panama Corp, New York, New York                                       | Trump Marks Panama LLC, New York, New York   | Trump Marks Philadelphia Corp, New York, New York                  |
| Trump Marks Philadelphia LLC, New York, New York                                  | Trump Marks Philippines Corp, New York, New York   | Trump Marks Philippines LLC, New York, New York                    |
| Trump Marks Products LLC, New York, New York                                      | The Trump Organization, Inc, New York, New York  |  |
| Trump Marks Products Member Corp, New York, New York                              | Trump Marks Puerto Rico I LLC, New York, New York  | Trump Marks Puerto Rico I Member Corp, New York, New York          |
| Trump Marks Puerto Rico II LLC, New York, New York                                | Trump Marks Puerto Rico II Member Corp, New York, New York                                   | Trump Marks Punta del Este LLC, New York, New York                 |
| Trump Marks Punta del Este Manager Corp, New York, New York                       | The Donald J. Trump Company LLC, New York, New York  | The Trump Marks Real Estate Corp, New York, New York               |
| Trump Marks SOHO License Corp, New York, New York                                 | Trump Marks SOHO LLC, New York, New York   | Trump Marks Stamford LLC, New York, New York                       |
| Trump Marks Stamford Corp, New York, New York                                     | Trump Marks Sunny Isles I LLC, New York, New York  | Trump Marks Sunny Isles I Member Corp, New York, New York          |
| Trump Marks Sunny Isles II LLC, New York, New York                                | Trump Marks Sunny Isles II Member Corp, New York, New York                                   | Trump Marks Tampa Corp, New York, New York                         |
| Trump Marks Tampa LLC, New York, New York   | Trump Marks Toronto Corp, New York, New York   | Trump Marks Toronto LLC, New York, New York                        |
| Trump Marks Toronto LP (formally Trump Toronto Management LP), New York, New York | Trump Marks Waikiki Corp, New York, New York   | Trump Marks Waikiki LLC, New York, New York                        |
| Trump Marks Westchester Corp, New York, New York                                  | Trump Marks Westchester LLC, New York, New York  | Trump Marks White Plains LLC, New York, New York                   |
| Trump Miami Resort Management LLC, New York, New York                             | Trump Miami Resort Management Member Corp, New York, New York                                | Trump National Golf Club Colts Neck LLC, New York, New York        |
| Trump National Golf Club Colts Neck Member Corp, New York, New York               | Trump National Golf Club LLC (Trump National Golf Club- Westchester), New York, New York     | Trump National Golf Club Member Corp, New York, New York           |
| Trump National Golf Club Washington DC LCC, New York, New York                    | Trump National Golf Club Washington DC Member Corp, New York, New York                       |  |
|   | Trump Old Post Office LLC, New York, New York  | Trump Old Post Office Member Corp, New York, New York              |
| Trump On the Ocean LLC, New York, New York  | Trump Organization LLC, New York, New York   | The Trump Organization, New York, New York                         |
| Trump Pageants, Inc, New York, New York   | Trump Palace Condominium, New York, New York   | Trump Palace/Parc LLC, New York, New York                          |

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| Trump Panama Condominium Management LLC, New York, New York  | Trump Panama Condominium Member Corp, New York, New York                                | Trump Panama Hotel Management LLC, New York, New York  |
| Trump Panama Hotel Management Member Corp, New York, New York  | Trump Parc East Condominium, New York, New York   | Trump Park Avenue Acquisition LLC, New York, New York  |
| Trump Park Avenue LLC, New York, New York  | Trump Payroll Chicago LLC, New York, New York   | Trump Payroll Corp, New York, New York   |
| Trump Phoenix Development LLC, New York, New York  | Trump Plaza LLC, New York, New York   | Trump Plaza Member Inc (F/K/A Trump Plaza Corp), New York, New York  |
| Trump Productions LLC (former Rancho Lien LLC), New York, New York   | Trump Production Managing Member Inc, New York, New York                                | Trump Project Manager Corp, New York, New York   |
| Trump Realty Services, LLC (f/k/a Trump Mortgage Services LLC (03) & Tower Mortgage Services LLC), Palm Beach, Florida | Trump Restaurants LLC, New York, New York   | Trump Riverside Management LLC, New York, New York   |
| Trump Ruffin Commercial LLC, New York, New York  | Trump Ruffin LLC, Las Vegas, NV   | Trump Ruffin Tower I LLC, Las Vegas, NV  |
| Trump Sales & Leasing Chicago LLC, Chicago, IL   | Trump Sales & Leasing Chicago Member Corp, Chicago, IL                                  | Trump Scotland Member Inc, Aberdeen, Scotland  |
| Trump Scotsborough Square LLC, Scotsborough Square, VA   | Trump SoHo Hotel Condominium New York, New York, New York                               | Trump SoHo Member LLC, New York, New York  |
| Trump Toronto Hotel Member Corp, New York, New York  | Trump Toronto Development Inc, New York, New York                                       | Trump Toronto Member Corp (formally Trump Toronto Management Member Corp), New York, New York                          |
| Trump Tower Commercial LLC, New York, New York   | Trump Tower Condominium Residential Section, New York, New York                         | Trump Tower Managing Member Inc, New York, New York  |
| Trump Village Construction Corp, New York, New York  | Trump Vineyard Estates LLC, New York, New York  | Trump Vineyard Estates Manager Corp, New York, New York  |
| Trump Vineyard Estates Lot 3 Owner LLC (F/K/A Eric Trump Land Holdings LLC), New York, New York                        | Trump Virginia Acquisitions LLC (fka Virginia Acquisitions LLC), New York, New York     | Trump Virginia Acquisitions Manager Corp, New York, New York   |
| Trump Virginia Lot 5 LLC, New York, New York   | Trump Virginia Lot 5 Manager Corp, New York, New York                                   | Trump Wine Marks LLC, New York, New York   |
| Trump Wine Marks Member Corp, New York, New York   | Trump World Productions LLC, New York, New York   | Trump World Productions Manager Corp, New York, New York   |
| Trump World Publications LLC, New York, New York   | Trump/New World Property Management LLC, New York, New York                             | Trump's Castle Management Corp, Atlantic City, NJ  |
| Trump Marks White Plains Corp, New York, New York  | Turnberry Scotland Managing Member Corp, Turnberry, Scotland                            | Turnberry Scotland LLC, Turnberry, Scotland  |
| TW Venture I LLC, Palm Beach, Florida  | TW Venture II LLC, Doonbeg, Ireland   | TW Venture I Managing Member Corp, Palm Beach, Florida   |
| TW Venture II Managing Member Corp, Doonbeg, Ireland   | Ultimate Air Corp, New York, New York   | Unit 2502 Enterprises Corp, Chicago, IL  |
| Unit 2502 Enterprises LLC, Chicago, IL   | VH Property Corp (Trump National Golf Club-Los Angeles), Los Angeles, CA                | VHPS LLC, Los Angeles, CA  |
| West Palm Operations LLC, WPB, Florida   | Wexford Hall Inc., New York, New York   | White Course LLC, Miami, FL  |
| White Course Managing Member Corp, Miami FL  | Wilshire Hall LLC, New York, New York   | Wollman Rink Operations LLC, New York, New York  |
| Yorktown Real Estate LLC (F/K/A Yorktown Development Associates LLC), New York, New York                               | The Fred C. Trump December 16, 1976 Trust- F/B/O Donald J. Trump, New York, New York    | The Fred C. Trump December 16, 1976 Trust- F/B/O Robert S. Trump, New York, New York                                   |
| The Fred C. Trump December 16, 1976 Trust- F/B/O Elizabeth J. Trump, New York, New York                                | Fred C. Trump GRAT Trust- F/B/O Elizabeth Trump Grau, New York, New York                | Trust U/W/O Fred C. Trump- F/B/O Elizabeth Trump Grau, New York, New York  |
| Maryanne Trump GRAT Trust- F/B/O Elizabeth Trump Grau, New York, New York  | Trust U/W/O Fred C. Trump- F/B/O the grandchildren of Fred C. Trump, New York, New York | The Donald J. Trump grantor Trust - DJT is the Trustee Successor - Trustee is Donald J. Trump, Jr., New York, New York |
| The Donald J. Trump Revocable Trust, New York, New York  | The Police Athletic League, Inc, New York, New York                                     | DT Bali Golf Manager LLC, New York, New York   |
| DT Bali Golf Manager Member Corp, New York, New York   | DT Bali Hotel Manager LLC, New York, New York   | DT Bali Hotel Manager Member Corp, New York, New York  |
| DT Bali Technical Services Manager LLC, New York, New York   | DT Bali Technical Services Manager Member Corp, New York, New York                      | DT Connect Europe Limited, Turnberry, Scotland   |
| DT Endeavor I LLC, New York, New York  | DT Endeavor I Member Corp, New York, New York   | DT Lido Golf Manager LLC, New York, New York   |
| DT Lido Golf Manager Member Corp, New York, New York   | DT Lido Hotel Manager LLC, New York, New York   | DT Lido Hotel Manager Member Corp, New York, New York  |
| DT Marks Bali LLC, New York, New York  | DT Marks Bali Member Corp, New York, New York   | DT Marks Lido LLC, New York, New York  |
| DT Marks Lido Member Corp, New York, New York  | DT Tower I LLC, New York, New York  | DT Tower I Member Corp, New York, New York   |
| DT Tower II LLC, New York, New York  | DT Tower II Member Corp, New York, New York   | DT Tower Kolkata LLC, New York, New York   |
| DT Tower Kolkata Managing Member Corp, New York, New York  | DT Venture I LLC, New York, New York  | DT Venture I Member Corp, New York, New York   |



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| DT Venture II LLC, New York, New York                                       | DT Venture II Member Corp, New York, New York                              | DTTM Operations LLC, New York, New York                           |
| DTTM Operations Managing Member, New York, New York                         | EID Venture II LLC, New York, New York                                     | EID Venture II Member Corp, New York, New York                    |
| THC DC Restaurant Hospitality LLC, New York, New York                       | Lamington Farm Club (TRUMP NATIONAL GOLF CLUB-BEDMINSTER)*, Bedminster, NJ | Mobile Payroll Construction LLC, New York, New York               |
| Mobile Payroll Construction Manager Corp, New York, New York                | C DEVELOPMENT VENTURES LLC, New York, New York                             | C DEVELOPMENT VENTURES MEMBER CORP, New York, New York            |
| TC MARKS BUENOS AIRES LLC, New York, New York                               | WMTMF LLC, New York, New York  | Midland Associates, New York, New York                            |
| Miss Universe L.P., LLP (formerly Trump Pageants, L.P.), New York, New York | Trump Central Park West Corp, New York, New York                           | DT Marks Qatar LLC, New York, New York                            |
| 40 Wall Street LLC, New York, New York                                      | 401 North Wabash Venture LLC, Chicago, IL                                  | 809 North Canon LLC, Beverly Hills, CA                            |
| Caribusiness Investments, S.R.L., Dominican Republic                        | County Properties, LLC, Norfolk, VA  | DJT Aerospace LLC, New York, New York                             |
| DJT Operations I LLC, New York, New York                                    | DT Connect II LLC, Palm Beach, Florida                                     | Excel Venture I LLC, St. Martin, French West Indies               |
| Fifty-Seventh Street Associates LLC, New York, New York                     | Pine Hill Development LLC, Pine Hill, NJ                                   | Seven Springs LLC, Mt. Kisco, NY                                  |
| Trump Turnberry, Turnberry, Scotland  | The East 61 Street Company, LP, New York, New York                         | The Trump Corporation, New York, New York                         |
| TIHT Commercial LLC, New York, New York                                     | TIHT Holding Company LLC, New York, New York                               | Trump National Golf Club - Hudson Valley, Hopewell Junction, NY   |
| Trump National Golf Club - Charlotte, Charlotte, NC                         | Trump National Golf Club - Philadelphia, Pine Hill, NJ                     | Trump International Golf Links - Scotland, Aberdeen, Scotland     |
| Trump Las Vegas Development LLC, Las Vegas, NV                              | Trump Marks Asia LLC, Sterling, VA   | Trump Model Management LLC, New York, New York                    |
| Trump National Golf Club - Washington DC, Potomac Falls, VA                 | 1125 South Ocean LLC, Palm Beach, Florida                                  | T Promotions LLC, New York, New York                              |
| HWA 555 Owners, LLC, San Francisco, CA                                      | 1290 Avenue of the Americas, A Tenancy-In-Common, New York, New York       | Trump Tower Triplex, New York, New York                           |
| NIKIA DTW VENTURE LLC, Palm Beach, Florida                                  | THC Vancouver Management Corp, Vancouver, Canada                           | TNGC Jupiter Management Corp, Jupiter, FL                         |
| Trump Toronto Hotel Management Corp, New York, New York                     | Trump Management Inc., Manhasset, NY                                       | THC Miami Restaurant Hospitality LLC, Miami, FL                   |
| THC IMEA Development LLC, New York, New York                                | DT Lido Technical Services Manager LLC, Lido, Indonesia                    | Trump Las Vegas Sales & Marketing, Inc., Las Vegas, NV            |
| Albemarle Estate, Charlottesville, VA                                       | MacLeod House & Lodge, Aberdeen, Scotland                                  | Trump Golf Links at Ferry Point, New York City, New York          |
| Trump International Golf Club, Dubai, UAE                                   | Trump World Golf Club Dubai, UAE   | Trump International Resort & Golf Club Lido, Lido City, Indonesia |
| Seven Springs, Bedford, NY  | Le Chateau des Palmiers, St. Martin, French West Indies                    | Trump World, Seoul, South Korea                                   |
| Trump Towers, Sunny Isles, FL   |  |   |

AMENDMENT NO. 37 OFFERED BY MR. MCNERNEY OF CALIFORNIA

Page 79, line 25, after the dollar amount, insert “(increased by \$5,000,000) (reduced by \$5,000,000)”.

AMENDMENT NO. 42 OFFERED BY MS. ADAMS OF NORTH CAROLINA

Page 24, line 6, after the dollar amount, insert “(reduced by \$1,000,000)”.

Page 48, line 20, after the dollar amount, insert “(increased by \$1,000,000)”.

Page 48, line 22, after the dollar amount, insert “(increased by \$1,000,000)”.

Page 49, line 8, after the dollar amount, insert “(increased by \$1,000,000)”.

AMENDMENT NO. 45 OFFERED BY MR. BERA OF CALIFORNIA

Page 24, line 6, after the dollar amount, insert “(reduced by \$1,000,000)”.

Page 41, line 1, after the dollar amount, insert “(increased by \$2,000,000)”.

AMENDMENT NO. 47 OFFERED BY MR. CASTRO OF TEXAS

Page 24, line 6, after the dollar amount, insert “(reduced by \$2,500,000)”.

Page 48, line 20, after the dollar amount, insert “(increased by \$2,500,000)”.

Page 54, line 8, after the dollar amount, insert “(increased by \$2,500,000)”.

Page 54, line 9, after the dollar amount, insert “(increased by \$2,500,000)”.

AMENDMENT NO. 59 OFFERED BY MS. PLASKETT OF VIRGIN ISLANDS

At the end of division A (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act to the Department of Justice may be used to prevent the Virgin Islands from implementing its own law that authorizes the use, distribution, possession, or cultivation of medical marijuana.

AMENDMENT NO. 60 OFFERED BY MS. PLASKETT OF VIRGIN ISLANDS

Page 107, line 13, before the period at the end, insert the following: “, or any territory or possession of the United States”.

AMENDMENT NO. 62 OFFERED BY MR. GOTTHEIMER OF NEW JERSEY

Page 24, line 6, after the dollar amount, insert “(reduced by \$1,000,000)”.

Page 48, line 20, after the dollar amount, insert “(increased by \$1,000,000)”.

Page 51, line 22, after the dollar amount, insert “(increased by \$1,000,000)”.

AMENDMENT NO. 63 OFFERED BY MS. JAYAPAL OF WASHINGTON

Page 24, line 6, after the dollar amount, insert “(reduced by \$2,000,000)”.

Page 46, line 1, after the dollar amount, insert “(increased by \$2,000,000)”.

Page 46, line 8, after the dollar amount, insert “(increased by \$2,000,000)”.

Page 46, line 22, after the dollar amount, insert “(increased by \$2,000,000)”.

AMENDMENT NO. 64 OFFERED BY MS. JAYAPAL OF WASHINGTON

Page 54, line 5, after the dollar amount, insert “(reduced by \$4,000,000) (increased by \$4,000,000)”.

AMENDMENT NO. 77 OFFERED BY MR. NEGUSE OF COLORADO

Page 24, line 6, after the dollar amount, insert “(reduced by \$1,000,000)”.

Page 57, line 10, after the dollar amount, insert “(increased by \$1,000,000)”.

AMENDMENT NO. 80 OFFERED BY MR. PAPPAS OF NEW HAMPSHIRE

Page 24, line 6, after the dollar amount, insert “(reduced by \$2,000,000)”.

Page 48, line 20, after the dollar amount, insert “(increased by \$2,000,000)”.

Page 54, line 17, after the dollar amount, insert “(increased by \$2,000,000)”.

Page 55, line 17, after the dollar amount, insert “(increased by \$2,000,000)”.

AMENDMENT NO. 87 OFFERED BY MR. TRONE OF MARYLAND

Page 24, line 6, after the dollar amount, insert “(reduced by \$1,500,000)”.

Page 48, line 20, after the dollar amount, insert “(increased by \$1,500,000)”.

Page 54, line 17, after the dollar amount, insert “(increased by \$1,500,000)”.

Page 55, line 1, after the dollar amount, insert “(increased by \$1,500,000)”.

The Acting CHAIR. Pursuant to House Resolution 445, the gentleman from New York (Mr. SERRANO) and the gentleman from Alabama (Mr. ADERHOLT) each will control 10 minutes.

The Chair recognizes the gentleman from New York.

Mr. SERRANO. Madam Chair, the amendments included in the en bloc were made in order by the rule. I support the amendment and urge its adoption.

I reserve the balance of my time.

Mr. ADERHOLT. Madam Chair, I yield back the balance of my time.

Mr. SERRANO. Madam Chair, I urge adoption of the amendments en bloc.

I yield back the balance of my time.

Ms. MOORE. Madam Chair, my amendment would add an additional \$5 million for DOJ grants to Tribal Governments to support the exercise special jurisdiction over those who commit domestic violence related offenses on tribal lands.

Tribal sovereignty is absolute and non-negotiable.

This amendment fulfills our trust obligation to our First Peoples.

That is why in 2013, when I led VA WA reauthorization, I fought to grant tribes the ability to prosecute those who commit acts of domestic violence on tribal lands.

This ability is essential to protecting American Indian and Alaskan Native women who currently experience the highest rates of domestic and sexual violence.

Relying solely on federal law enforcement to investigate and prosecute these cases has been wholly inadequate, allowing many to escape justice despite committing despicable crimes against Native women.

With this year's VA WA reauthorization, we built on previous changes to allow tribes to act swiftly against those non-Native perpetrators who assault law enforcement, commit sexual violence, engage in sex trafficking, and engage in stalking.

We need to give them funding to robustly carry out existing and new responsibilities. My amendment helps to that.

I thank my cosponsors, Rep. DEB HAALAND, and Rep. SHARICE DAVIDS, for their support and for working on this issue and I urge the House to support my amendment.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from New York (Mr. SERRANO).

The en bloc amendments were agreed to.

AMENDMENTS EN BLOC NO. 2 OFFERED BY MR. SERRANO OF NEW YORK

Mr. SERRANO. Madam Chair, pursuant to House Resolution 445, I offer amendments en bloc, which are at the desk.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 2 consisting of amendment Nos. 6, 10, 18, 19, 20, 23, 24, 25, 26, 27, 28, 32, 35, 38, 39, 40, 41, 43, 46, 48, 50, 51, 52, 55, 56, 57, 61, 67, 69, 74,

86, 88, and 90 printed in part B of House Report 116–119, offered by Mr. SERRANO of New York:

AMENDMENT NO. 6 OFFERED BY MS. WATERS OF CALIFORNIA

Page 24, line 6, after the dollar amount, insert “(reduced by \$1,000,000)”.

Page 41, line 1, after the dollar amount, insert “(increased by \$2,000,000)”.

Page 43, line 10, after the dollar amount, insert “(increased by \$2,000,000)”.

AMENDMENT NO. 10 OFFERED BY MR. RUSH OF ILLINOIS

Page 24, line 6, after the dollar amount, insert “(reduced by \$2,000,000)”.

Page 48, line 20, after the dollar amount, insert “(increased by \$2,000,000)”.

Page 52, line 9, after the dollar amount, insert “(increased by \$2,000,000)”.

Page 52, line 11, after the dollar amount, insert “(increased by \$2,000,000)”.

AMENDMENT NO. 18 OFFERED BY MR. MCKINLEY OF WEST VIRGINIA

Page 37, line 8, after the first dollar amount, insert “(increased by \$2,000,000) (reduced by \$2,000,000)”.

AMENDMENT NO. 19 OFFERED BY MS. JACKSON OF TEXAS

Page 42, line 3, after the dollar amount, insert “(reduced by \$2,000,000)”.

Page 42, line 3, after the dollar amount, insert “(increased by \$2,000,000)”.

AMENDMENT NO. 20 OFFERED BY MR. HUDSON OF NORTH CAROLINA

Page 46, line 16, after the dollar amount, insert “(increased by \$1,000,000)”.

AMENDMENT NO. 23 OFFERED BY MR. LANGEVIN OF RHODE ISLAND

Page 24, line 6, after the dollar amount, insert “(reduced by \$2,700,000)”.

Page 60, line 13, after the dollar amount, insert “(increased by \$2,700,000)”.

Page 60, line 18, after the dollar amount, insert “(increased by \$2,700,000)”.

Page 61, line 8, after the dollar amount, insert “(increased by \$2,700,000)”.

AMENDMENT NO. 24 OFFERED BY MR. YOHO OF FLORIDA

Page 3, line 8, after the first amount, insert “(reduced by \$2,000,000) (increased by \$2,000,000)”.

AMENDMENT NO. 25 OFFERED BY MR. YOHO OF FLORIDA

Page 72, line 4, after the dollar amount, insert “(reduced by \$1,000,000)”.

Page 72, line 4, after the dollar amount, insert “(increased by \$1,000,000)”.

AMENDMENT NO. 26 OFFERED BY MR. LIPINSKI OF ILLINOIS

Page 79, line 25, after the dollar amount, insert “(reduced by \$1,200,000) (increased by \$1,200,000)”.

AMENDMENT NO. 27 OFFERED BY MR. BABIN OF TEXAS

Page 48, line 20, after the dollar amount, insert “(increased by \$5,000,000) (reduced by \$5,000,000)”.

AMENDMENT NO. 28 OFFERED BY MR. BABIN OF TEXAS

Page 14, line 3, after the dollar amount, insert “(reduced by \$3,600,000)”.

Page 18, line 10, after the dollar amount, insert “(increased by \$3,600,000)”.

AMENDMENT NO. 32 OFFERED BY MR. GRAVES OF LOUISIANA

At the end of division A (before the short title), insert the following:

SEC. \_\_\_\_ None of the funds made available in this Act may be used in contravention of the national standards for fishery conservation and management as set out in section

301 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1851).

AMENDMENT NO. 35 OFFERED BY MR. COURTNEY OF CONNECTICUT

Page 12, line 5, after the dollar amount, insert “(reduced by \$4,000,000) (increased by \$4,000,000)”.

AMENDMENT NO. 38 OFFERED BY MR. ESTES OF KANSAS

Page 87, line 16, after the first dollar amount, insert “(increased by \$1,000,000) (reduced by \$1,000,000)”.

AMENDMENT NO. 39 OFFERED BY MR. FOSTER OF ILLINOIS

Page 73, line 20, after the dollar amount, insert “(increased by \$1) (reduced by \$1)”.

AMENDMENT NO. 40 OFFERED BY MR. FOSTER OF ILLINOIS

Page 73, line 17, after the dollar amount, insert “(reduced by \$6,500,000) (increased by \$6,500,000)”.

AMENDMENT NO. 41 OFFERED BY MR. SPANO OF FLORIDA

Page 3, line 8, after the dollar amount, insert “(increased by \$2,000,000)”.

Page 18, line 10, after the dollar amount, insert “(reduced by \$2,000,000)”.

AMENDMENT NO. 43 OFFERED BY MS. ADAMS OF NORTH CAROLINA

Page 41, line 1, after the dollar amount, insert “(increased by \$1,000,000)”.

Page 41, line 15, after the dollar amount, insert “(increased by \$1,000,000)”.

AMENDMENT NO. 46 OFFERED BY MR. GONZALEZ OF TEXAS

Page 25, line 7, after the first dollar amount, insert “(reduced by \$1) (increased by \$1)”.

AMENDMENT NO. 48 OFFERED BY MRS. MURPHY OF FLORIDA

Page 14, line 3, after the dollar amount, insert “(increased by \$2,000,000)”.

Page 14, line 14, after the dollar amount, insert “(increased by \$2,000,000)”.

Page 14, line 15, after the dollar amount, insert “(increased by \$2,000,000)”.

Page 18, line 10, after the dollar amount, insert “(reduced by \$2,000,000)”.

AMENDMENT NO. 50 OFFERED BY MR. PANETTA OF CALIFORNIA

Page 48, line 20, after the dollar amount, insert “(reduced by \$15,000,000) (increased by \$15,000,000)”.

AMENDMENT NO. 51 OFFERED BY MR. PANETTA OF CALIFORNIA

Page 15, line 10, after the dollar amount, insert “(reduced by \$9,000,000) (increased by \$9,000,000)”.

AMENDMENT NO. 52 OFFERED BY MR. RUIZ OF CALIFORNIA

Page 61, line 17, after the dollar amount, insert “(increased by \$2,000,000)”.

AMENDMENT NO. 55 OFFERED BY MR. TAKANO OF CALIFORNIA

Page 26, line 14, after the dollar amount, insert “(reduced by \$1,000,000) (increased by \$1,000,000)”.

AMENDMENT NO. 56 OFFERED BY MR. BEYER OF VIRGINIA

Page 79, line 25, after the dollar amount, insert “(reduced by \$1,000,000) (increased by \$1,000,000)”.

AMENDMENT NO. 57 OFFERED BY MR. BEYER OF VIRGINIA

Page 73, line 3, after the dollar amount, insert “(increased by \$20,000,000)”.

Page 73, line 3, after the dollar amount, insert “(reduced by \$20,000,000)”.

AMENDMENT NO. 61 OFFERED BY MS. BLUNT OF ROCHESTER OF DELAWARE

Page 41, line 1, after the dollar amount, insert “(reduced by \$1,000,000) (increased by \$1,000,000)”.

AMENDMENT NO. 67 OFFERED BY MR. DELGADO  
OF NEW YORK

At the end of division A (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used by the National Telecommunications and Information Administration to update a broadband availability map using only Form 477 data from the Federal Communications Commission.

AMENDMENT NO. 69 OFFERED BY MRS. FLETCHER  
OF TEXAS

Page 14, line 3, after the dollar amount, insert “(reduced by \$1,500,000) (increased by \$1,500,000)”.

AMENDMENT NO. 74 OFFERED BY MR. MCADAMS  
OF UTAH

Page 24, line 6, after the dollar amount, insert “(decreased by \$2,000,000)”.

Page 57, line 10, after the dollar amount, insert “(increased by \$2,000,000)”.

Page 58, line 15, after the dollar amount, insert “(increased by \$2,000,000)”.

AMENDMENT NO. 86 OFFERED BY MS. TORRES  
SMALL OF NEW MEXICO

Page 8, line 8, after the dollar amount, insert “(increased by \$1,000,000) (reduced by \$1,000,000)”.

AMENDMENT NO. 88 OFFERED BY MR. TRONE OF  
MARYLAND

Page 13, line 3, after the first dollar amount, insert “(increased by \$120,000,000) (reduced by \$120,000,000)”.

AMENDMENT NO. 90 OFFERED BY MR. COLLINS OF  
GEORGIA

Page 50, line 13, insert after the comma the following: “\$20,000,000 is for grants authorized under the Project Safe Neighborhoods Grant Program Authorization Act of 2018 (Public Law 115-185).”.

The Acting CHAIR. Pursuant to House Resolution 445, the gentleman from New York (Mr. SERRANO) and the gentleman from Alabama (Mr. ADERHOLT) each will control 10 minutes.

The Chair recognizes the gentleman from New York.

Mr. SERRANO. Madam Chair, the amendments included in the en bloc were made in order by the rule and have been agreed to by both sides. I support the amendments and urge its adoption.

I reserve the balance of my time.

Mr. ADERHOLT. Madam Chair, I reserve the balance of my time.

Mr. SERRANO. Madam Chair, I yield 1½ minutes to the gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Madam Chair, I thank Chairman SERRANO for yielding.

Madam Chair, I rise in support of amendment No. 35 to direct the National Institute of Standards and Technologies to establish standards for pyrrhotite in concrete aggregate.

Pyrrhotite is a mineral that, unfortunately, has been mixed into concrete aggregate and is widespread in concrete foundations in residential, commercial, and municipal buildings in Connecticut and Massachusetts and parts of Quebec, Canada, that, after exposure to moisture, causes the material to prematurely crumble and collapse because of rusting.

Again, estimates are as high as thousands of structures in the New England region, causing catastrophic losses to homeowners and municipalities.

By establishing standards for pyrrhotite content, NIST could mitigate the problem from occurring in other areas, or at least reducing the costs of mitigation. Right now, any level of pyrrhotite is considered a cancer on a property and makes it unmarketable.

This amendment would allocate \$4 million from the NIST's general operations toward pyrrhotite research, which my office and others have been discussing over the last year, and would require NIST to research best testing methods for pyrrhotite detection as well as developing a pyrrhotite risk rating scale. This amendment would utilize the world's leading researchers to mitigate the cost of this problem.

I urge adoption of the en bloc, and again, I want to thank Mr. ADERHOLT and Mr. SERRANO for their kind support of this measure.

Mr. SERRANO. Madam Chair, I yield 1 minute to the gentleman from Texas (Mr. GONZALEZ).

Mr. GONZALEZ of Texas. Madam Chair, I rise today to offer bipartisan solutions to a problem.

I would also like to acknowledge my friend and colleague, the gentleman from Ohio, Congressman STIVERS, for his support in this effort.

This problem is in the backyard of every south Texan or any resident along the border. The problem is an immigration system that is ill-equipped to process immigrants on our southern border.

I assure you, we understand the complexity and the problem with much more compassion than anyone in this country. The only way to relieve pressure in this pressure cooker of a system is to process these cases more efficiently.

In 2016, we had record-breaking numbers of cases. We had 521,000 cases. The number now is 876,000 cases waiting for asylum in this country.

I asked a simple question of the Executive Office for Immigration Review. I asked: What will it take to get these cases processed and up to date so that immigrants may have a hearing on their claim within the same year? The answer was to increase the agency's ability to hear cases, which means more judges, more benches, and more support staff. That is what my amendment seeks to do.

The only way we can reach into these detention centers is to act immediately. I ask for my colleagues' support.

□ 1715

Mr. ADERHOLT. Madam Chair, I rise in support of this en bloc amendment.

I thank Chairwoman LOWEY and Chairman SERRANO for working with our side of the aisle, including many provisions that are important to many of our Members here on the Republican side.

Included in this en bloc group of amendments are several NASA and

science-related items that I wholeheartedly support.

Congressman BABIN's amendment enables the Office of Space Commerce and the Office, Commercial Remote Sensing Regulatory Affairs to better assist American companies to be globally competitive, while still retaining necessary requirements for consultation with relevant agencies.

Representative FOSTER's amendment emphasizes the need for NASA to move towards a demonstration stage of using safe, low-enriched uranium for power on the Moon and in space, including thermal nuclear propulsion to Mars.

Madam Chair, I appreciate Chairman SERRANO's decision to offer this bipartisan en bloc amendment, and I would urge my colleagues to support it.

I reserve the balance of my time.

Mr. SERRANO. Madam Chair, I support the amendment and urge its adoption. I hope everyone votes for it, and I yield back the balance of my time.

Mr. ADERHOLT. Madam Chair, I yield back the balance of my time.

Mr. BABIN. Madam Chair, my amendment, which is part of the en bloc amendment 2, transfers \$3.6 million to the Department of Commerce Management account from NOAA's Operations, Research, and Facilities account to facilitate the transfer of the Office of Space Commerce and the Office of Commercial Remote Sensing Regulatory Affairs back to where they are authorized by statute, thereby advancing U.S. leadership in space commerce and commercial remote sensing.

Mr. ESTES. Madam Chair, I rise today in support of amendment 38 to Division A of H.R. 3055 regarding a consistent tariff exclusion process under Section 301 of the Trade Act of 1974.

According to the International Trade Administration, Section 301 of the Trade Act provides the United States with the authority to enforce trade agreements, resolve trade disputes, and open foreign markets to U.S. goods and services. It is the principal statutory authority under which the United States may impose trade sanctions on foreign countries that either violate trade agreements or engage in other unfair trade practices.

Since entering office, President Trump has used tariffs to help secure trade deals with partners around the world.

While I don't believe tariffs should be a long-term solution for our trade practices and overall economy, they have been successful in the short-term in bringing countries like China to the negotiating table.

Yet as the process to negotiate new trade deals moves forward, we must do everything possible to limit any potential negative impact on businesses and consumers.

Since enacted, exclusions through Section 301 of the Trade Act have allowed qualifying companies to avoid tariffs on necessary goods. This ensures that companies that can only purchase a certain material or good from one country are not punished if that country is subject to a tariff.

While the administration has established an exclusion process for Tranche 1 and 2 goods, it took prodding from Congress for an exclusion process to be established for 301 tariffs on Tranche 3.

That's why today I am proposing amendment 38 to Division A of H.R. 3055 that would

ensure exclusions are evenly applied to all goods under Section 301.

This amendment provides consistency in the application of Section 301 and seeks to support businesses and consumers which rely on goods covered by the section.

It's important to note this amendment does not support tariffs, which as I said should not be a long-term strategy. However, similar to the intent of language that was included in the Explanatory Statement for the FY19 Continuing Resolution we passed in February, this amendment would ensure that there is a consistent exclusion process for any subsequent 301 tariff rounds.

Just last month, the administration increased tariffs from 10 percent to 25 percent on nearly \$200 billion of Tranche 3 Chinese goods, highlighting the need for a consistent exclusion process moving forward.

This amendment achieves that goal and I ask my colleagues to approve it.

Ms. JACKSON LEE. Madam Chair, I rise in support of Chairwoman LOWEY's En Bloc Amendment No. 2, which includes Jackson Lee Amendment No. 19.

I wish to thank Chairman MCGOVERN and Ranking Member COLE of the Rules Committee for making this Jackson Lee Amendment in order.

I thank Chairman SERRANO and Ranking Member ADERHOLD for their hard work in bringing Division A, the Commerce-Justice-Science portion of this omnibus appropriations legislative package, to the floor.

Madam Chair, thank you for the opportunity to explain my amendment, which is simple and straightforward and ensures that our government works to protect our children.

Jackson Lee Amendment No. 19, reprograms \$2 million in the Office of Justice Programs grant funding to support programs to engage adult men and young persons to reduce and prevent domestic violence against children.

This amendment will help ensure the safety of vulnerable children in at-risk households, who are powerless to getting the help and attention they need from our government.

To illustrate the need for this amendment, let me share with you the tragic case of Maleah Davis, a 4-year-old little girl who lived in Houston.

In the past, Texas Child Protective Services removed Maleah and her two brothers from their home over reports of abuse, but returned them to the home in February.

Maleah's mother dated her boyfriend for years and they shared a toddler son together.

Maleah's mother had gone out of town when she left her daughter under her boyfriend's care.

When the boyfriend initially reported that his girlfriend's daughter was missing, he told detectives he had been attacked by unknown men a day earlier and that they kidnapped Maleah.

However, surveillance video outside of the home shows Maleah never left their apartment after she followed him in, and shows him carrying a laundry basket with a trash bag out of the building a day before he reported her missing.

Maleah's remains were later discovered in a bag along Interstate 30 in Arkansas.

Although the case has not been completed yet, there are valuable lessons that we can learn from Maleah's and similar cases.

There have been similar cases to Maleah where the caretaker initially reports a missing child but we later learn that the caretaker is actually the suspect and perpetrator of the crime.

Similar cases include 5-year-old AJ Freund from Illinois, whose father confessed to hiding his body in the basement, and 7-week-old Shaylie Madden from North Carolina, whose mother has been charged with first-degree attempted murder.

The nation has learned from Maleah and other similar stories that we must do everything in our power to protect at risk children. Maleah Davis should be alive today.

Horrible cases such as this should not be happening in America; we need to make sure our checks and balances are keeping our children safe.

The Jackson Lee Amendment will help to prevent such horrible and tragic deaths of children.

Because with the flexibility provided under this amendment, the Congress expects the Department of Justice to prioritize the safety of children when distributing Office of Justice Programs grants to Child Protective Services agencies and other local government units.

We must honor the legacy of children like Maleah and show our commitment to ensuring the freedom and safety of our American children.

For these reasons, I urge my colleagues to support Jackson Lee Amendment No. 19 by voting for the Chairman's En Bloc Amendment No. 2 to Division A of RCP 116-18.

Mr. BEYER. Madam Chair, my amendment would direct \$20 million from the top line of the Aeronautics account to the Aeronautics Research Mission Directorate 3 into ultra-efficient flight, including electric flight.

The point of the amendment is to help us move our commercial fleet of planes currently dependent on fossil fuels to more climate friendly alternatives.

One key way to do that is to sufficiently invest into the work the Aeronautics Research Mission Directorate is doing into ultra-efficient flight, including electric flight.

In the President's FY20 budget, it specifically said "Electric Aircraft Propulsion is showing great potential and industry interest and is a focus of NASA."

The NASA Electric Aircraft Test Facility is enabling full scale ground test of high-power electric propulsion systems, and technical accomplishments will be building blocks demonstrating progress with integration and test.

In FY 2020, NASA will begin a multi-year effort to solve the technical challenges of a 1MW+ power electric propulsion system.

Further, NASA will initiate new ground and flight research activities to validate these new electric systems in flight."

From NASA's own website, "NASA is investing in Electrified Aircraft Propulsion (EAP) research to improve the fuel efficiency, emissions, and noise levels in commercial transport aircraft."

I'm offering my amendment to ensure that we are actually investing in the pursuit of the electrification of commercial flight.

There is potential but in order to make that potential a reality we need to fund the work of the Aeronautics Research Mission Directorate into ultra-efficient commercial vehicles, including electric flight.

I urge my colleagues to support this amendment.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from New York (Mr. SERRANO).

The en bloc amendments were agreed to.

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in part B of House Report 116-119.

AMENDMENT NO. 9 OFFERED BY MR. KING OF IOWA

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in part B of House Report 116-119.

Mr. KING of Iowa. Madam Chair, I seek recognition to take up amendment No. 9 made in order by the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 107, strike lines 14 through 18.

The Acting CHAIR. Pursuant to House Resolution 445, the gentleman from Iowa (Mr. KING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. KING of Iowa. Madam Chair, I appreciate the opportunity to take up amendment No. 9. What it does is, it addresses the circumstances of the underlying bill and strikes lines 14 through 18.

Lines 14 through 18, the effect of that language is that it prohibits the U.S. Census from asking the question as to whether a respondent to the Census is a citizen of the United States.

There are people who have political reasons to want to prohibit asking that question, but this great Nation of the United States of America has an obligation to know what percentage of the people within the United States, all of whom will be counted in this Census—the qualifier to be counted in the Census of the United States is be a Homo sapien, and that is all.

So we have several categories: We have categories of U.S. citizens who need to be counted; we have categories of lawful permanent residents who need to be counted; we have categories of visa holders who will be counted; and we have illegal aliens who also will be counted.

I wanted our Commerce Secretary to go further and to count each of these categories separately and ask the question: If you are a citizen, say so; if you are a noncitizen, but you are lawfully present in America, tell us by what legal authority you are; and if you are unlawfully present, give us that answer, too, so we can look at the whole cross section of the 30 million Americans that we are and understand the configuration of our people.

Our Founding Fathers called for a mandatory Census at the end of every 10 years for the purpose of reapportionment and redistricting; and so it has been so very important that, for redistricting purposes, when we count the American people, we know what categories they fit in.

The Commerce Department has dialed this down from the bill that I introduced, and they simply asked to separate the difference between U.S. citizens and noncitizens, which puts illegal aliens and other visa holders in the same category.

I think we should go further, but all we are going to get is citizen or noncitizen, and that is what the Commerce Department has called for.

The legitimacy of that question is important, and it is important that we understand that the voices in this Congress be the voices of American citizens, not the voices of illegal aliens.

There was a study that was done two Censuses ago that showed that six congressional districts in California, theoretically, could have been represented by all illegal aliens. So that diminishes and dilutes the votes and the representation of American citizens.

Furthermore, when electoral votes are cast for the votes of President of the United States, those electoral votes are added up. They also total illegal aliens in the United States of America.

So, for this, I bring this amendment to correct this language, which is in the underlying bill, and assure that we count citizens separate from all the rest and remind people that, even though I would like to be able to count legals and illegals in separate categories and visa holders in separate categories, that isn't even proposed by our Census Department.

This is a mild approach by the Trump administration and is seeking to be undermined by the language that exists in the underlying bill.

Madam Chair, I appreciate the attention, and I reserve the balance of my time.

Mr. SERRANO. Madam Chair, I rise in strong opposition to the amendment.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. SERRANO. Madam Chair, the inclusion of the citizenship question was a unilateral decision by Secretary Ross last year. Secretary Ross chose to overrule recommendations from nonpartisan experts at the Census Bureau and ignore the potential impacts, including those the question would have on response rates to the Census, without rigorous testing and analysis.

Even more recently, additional evidence on the other side's attempts to abuse the Census in an effort to gerrymander districts has come to light. Files recently discovered from a Republican redistricting specialist revealed that the citizenship question would result in a structural electoral advantage for Republicans and non-Hispanic Whites.

The Voting Rights Act enforcement excuse the Republicans lean on is nothing more than a ruse and their solution in search of what they view as a problem.

It is unfortunate that they have turned to the Census to play this polit-

ical game to undermine the American people.

Most changes to the Census undergo years of testing and analysis before being added to the decennial Census form. The reason we have that process is to better understand the impact a change can have on the response rate and accuracy of the Census. It allows for the Bureau to better plan and adjust its operational and outreach strategies.

Census is only testing the impact of the question this summer with results anticipated in October, after critical milestones have passed. The administration leaves no time for the Census to mitigate the potential impact of what they may find.

Wilbur Ross refused to listen to the expert advice of advocates and experts at the Bureau who did not recommend adding an untested question so late in the process.

Additionally, there is no doubt that including this question will have a serious negative impact on the self-response rate of the Census. People would simply choose not to respond to the Census form, and the Bureau will be forced to engage in expensive, in-person follow-up that was not originally assumed in their cost estimate.

This should not be an issue that divides us. It should not matter whether you live in a red or blue State or whether you represent an urban or rural district. The question will impact everyone.

This amendment will reduce the accuracy and increase the undercount in places like Florida, Texas, Alabama, Michigan, California, and New York. This, in turn, will affect reapportionment and the distribution of Federal funds for the next decade in many of the communities we represent.

We can and should do better. Our Constitution is clear. It requires that we count all persons every 10 years.

In conclusion, the issue is very simple: If you represent a community that will be undercounted by this question, then you should oppose the amendment. If you support the strict interpretation of the Constitution, then you should also oppose this amendment.

Madam Chair, I urge a "no" vote, and I reserve the balance of my time.

Mr. KING of Iowa. Madam Chair, I yield as much time as he may consume to the gentleman from Alabama (Mr. ADERHOLT).

Mr. ADERHOLT. Madam Chair, I rise in support of the amendment.

Unfortunately, there is a campaign that seems to be of fear that surrounds this citizenship question. It really should be an educational campaign.

I would just like to reiterate some important facts about the Census itself.

The proposed question regarding citizenship status only asks if a respondent is a citizen, as has already been pointed out. It does not ask if the respondent is here lawfully or not.

Also, a person's response, if they are not a citizen, does not provide the gov-

ernment with any reliable information about whether they are lawfully present in the U.S.

Furthermore, by law, the Census Bureau cannot, and it will not, disclose anyone's sponsor or share data from which any individual can be identified by ICE or any other Federal agency.

Fortunately, the Census Bureau is deploying expert communicators and trusted messengers to conduct local outreach in hard-to-count communities and motivate each and every person to respond to the Census.

A successful 2020 Census will provide a full and accurate and a secure account of every person who is living in the United States, while gathering the data vital to both understanding our Nation's changing demographics and bolstering enforcement of the Voting Rights Act.

The citizenship question does not threaten anyone. The bill includes the outreach sources needed to make this fact abundantly clear to everyone. Inclusion of this provision will only serve to sow more confusion and to make the allocation of the 2020 Census more difficult.

For those reasons, I urge a "yes" vote on the amendment.

The Acting CHAIR. The time of the gentleman from Iowa has expired.

Mr. SERRANO. Madam Chair, the gentleman is correct: There is a campaign of fear, but it is not by what we are doing here. It is what Wilbur Ross wanted to do.

The Constitution is clear. Count all the people: not the Whites, not the Blacks, not the Hispanics, not women, not men, Republicans or Democrats—all the people.

And so it is really strange to me that people in many districts that do not support our position are not yelling. After all, you may not like undocumented people in your district, but they, if they get counted, bring more Federal dollars, allow for more redistricting properly. So why would you oppose that?

Let us speak to the Constitution.

Yes, there is a campaign of fear, and it was fear to try to put into people who were undocumented to say: We are going to ask you your citizenship. Although we are not supposed to ask you that, we are going to ask you that, and maybe that will turn you away from filling out the form, which is what will happen, and we will not get an accurate count.

Lastly, it is in everyone's interest in this country to get an accurate count.

The Acting CHAIR. Members are reminded to address their remarks to the Chair.

Mr. SERRANO. Madam Chair, may I inquire how much time the other side has remaining.

The Acting CHAIR. The gentleman from New York has the only time remaining.

Mr. SERRANO. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Iowa (Mr. KING).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. KING of Iowa. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Iowa will be postponed.

□ 1730

AMENDMENT NO. 11 OFFERED BY MR. POSEY

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in part B of House Report 116–119.

Mr. POSEY. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 74, line 13, after the dollar amount, insert “(increased by \$1,969) (reduced by \$1,969)”.

The Acting CHAIR. Pursuant to House Resolution 445, the gentleman from Florida (Mr. POSEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. POSEY. Madam Chair, it is about time for a bipartisan amendment after all that stuff, and we are going to offer one here. That is why I rise in support of this amendment offered by my colleague, FREDERICA WILSON, and myself.

The amendment highlights the 50th Anniversary of the *Apollo 11* mission to the Moon and back, which launched from NASA’s Kennedy Space Center. On July 20, 1969, NASA Astronaut Neil Armstrong took the first historic steps on the Moon and declared: “That’s one small step for man, one giant leap for mankind.”

It was the greatest technological feat in the history of mankind. And what makes it even more remarkable is when we think back 50 years ago, this was all done with slide rules. Our daughters’ iPhones have thousands of times more power than all of the Apollo computers combined.

This amendment is offered to honor Neil Armstrong, Buzz Aldrin, Michael Collins, the men and women of NASA, and especially the contractors in virtually every State across the Nation who made that possible with the support of the American taxpayers, without whose support the Apollo program would not have been possible.

Space exploration is one of the greatest examples of American leadership and the boldness of the human spirit. It is important to our national security, our technological advancement, and, ultimately, the survival of our species.

Space is also vital to the American economy. The space industry generates more than \$400 billion in economic activity. In Florida alone, the space industry impact totals over \$19 billion annually and 130,000 jobs.

In recognition of the historic achievement of the *Apollo 11* mission, I

want to urge my colleagues to cosponsor H. Res. 443, the bipartisan resolution recognizing the 50th anniversary of the *Apollo 11* Moon landing.

Madam Chairwoman, I reserve the balance of my time.

Mr. SERRANO. Madam Chairwoman, I rise in opposition to the amendment, although I am not opposed to it.

The Acting CHAIR. Without objection, the gentleman from New York is recognized for 5 minutes.

There was no objection.

Mr. SERRANO. Madam Chair, I commend the gentleman and his cosponsors on this amendment, highlighting July 20, 1969, the 50th anniversary of the United States landing a man on the Moon.

I have no opposition to the amendment.

I yield 1½ minutes to the gentleman from Florida (Ms. WILSON).

Ms. WILSON of Florida. Madam Chairwoman, I rise in opposition, although I am not opposed to the amendment.

I am pleased to join my long-time friend and colleague from Florida, Congressman BILL POSEY, in supporting amendment No. 11, which we coauthored.

Our amendment equally increases and decreases NASA’s exploration account by \$1,969 to highlight the 50th Anniversary of the *Apollo 11* mission which occurred on July 20, 1969.

This amendment is part of a year-long, bipartisan effort we have undertaken to commemorate the 50th anniversary and to honor the incredible women and men who contributed to the mission’s success and empowered the next generation of astronauts and aerospace engineers.

In the 114th Congress, we introduced and secured passage of the Apollo 11 50th Anniversary Commemorative Coin Act which was signed into law by President Obama. Proceeds from the sale of the coin will support aerospace education and scholarships. When one thinks of the most awe-inspiring events of the 20th century, Neil Armstrong taking the historic first steps on the Moon and declaring: “That’s one small step for man, one giant leap for mankind,” certainly comes to mind.

I want to especially acknowledge the work of Miss Katherine Johnson, a pioneering African American mathematician whose calculations ensured that the Apollo crew landed on the Moon and returned home safely.

American space exploration continues to inspire our next generation of pioneers and innovators, through an ambitious array of missions and destinations and support thousands of jobs in my home State of Florida and throughout our Nation.

I urge my colleagues to join me in supporting this bipartisan amendment and thank Congressman POSEY for his leadership on space issues.

Mr. SERRANO. Madam Chair, I urge bipartisan support and I yield back the balance of my time.

Mr. POSEY. Madam Chairwoman, I yield to the gentleman from Alabama (Mr. ADERHOLT), my good friend and staunch space supporter.

Mr. ADERHOLT. Madam Chairwoman, I rise in support of this amendment that is offered by the gentleman from Florida. It is in human nature to explore.

Wernher von Braun and his team in Huntsville, Alabama, designed the rockets that took us to the Moon. The Marshall Space Flight Center which is just north of the district I represent in Alabama, put the shuttle through full-scale stress tests as part of its safety certification. Now, the Space Launch System rocket, the most powerful rocket in the world, is 80 percent assembled.

With Orion on top—the capsule which allows deep space exploration—the SLS will launch from Cape Canaveral.

As we celebrate the 50th Anniversary of the *Apollo 11* mission to the Moon, we further honor it by pushing ahead with the SLS mission, which will land the first female American astronaut on the Moon’s surface.

Madam Chairwoman, I urge support of this amendment.

Mr. POSEY. Madam Chair, I ask my colleagues to join Congresswoman WILSON and I in supporting this bipartisan amendment and cosponsoring H. Res. 443.

I would like to thank Congresswoman WILSON for her working with me on this issue, and many other space-related issues, and I would also like to thank her staffer, Jean Roseme and our own John Schweikert for their help in moving this forward.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. POSEY).

The amendment was agreed to.

AMENDMENT NO. 12 OFFERED BY MR. SCOTT OF VIRGINIA

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in part B of House Report 116–119.

Mr. SCOTT of Virginia. Madam Chairwoman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 32, line 19, after the dollar amount, insert “(reduced by \$13,000,000)”.

Page 57, line 10, after the dollar amount, insert “(increased by \$13,000,000)”.

Page 57, line 22, after the dollar amount, insert “(increased by \$13,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 445, the gentleman from Virginia (Mr. SCOTT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. SCOTT of Virginia. Madam Chairwoman, I rise in support of this amendment. It is a straightforward amendment transferring \$13 million from the Federal Prisoner Detention



account to support local delinquency prevention grants authorized under the Juvenile Justice and Delinquency Prevention Act.

Last Congress, I was honored to work with my colleague, the gentlewoman from North Carolina, then chair, now Ranking Member VIRGINIA FOXX, to reauthorize JJDP, and it passed without opposition and was signed by the President last year.

Included in that bill was an overhaul of title V of the act which authorizes grants for local delinquency prevention. That overhaul included provisions of the Youth PROMISE Act which I first introduced in 2007.

The Youth PROMISE Act model is based on what we all know, and that is, that evidence-based prevention and intervention programs can stop young people from heading down the wrong path and instead, keep them on the right track, usually saving more money in the long run than the programs cost. I reserve the balance of my time.

Mr. ADERHOLT. Madam Chair, I rise in reluctant opposition to the amendment.

The Acting CHAIR. The gentleman from Alabama is recognized for 5 minutes.

Mr. ADERHOLT. Madam Chair, as I mentioned, I do rise in reluctant opposition to the amendment. The U.S. Marshals Service's Federal Prisoner Detention account supports detention of all who are remanded to the custody of the Attorney General ahead of trial or sentencing.

Of the largest segments of the average daily population of 61,000, 31 percent are held on drug charges; 24 percent are held on immigration charges; and 14 percent on firearm charges.

Moreover, the detention of individuals for these offenses is on the rise. The U.S. Marshals Service cannot afford to see this account reduced by this magnitude. There are some dangerous offenders out there. Again, I think this is an important program, but I don't think it is in the best interest to pull this money from the United States Marshals Service, and, therefore, I urge a "no" vote on the amendment.

I reserve the balance of my time.

Mr. SCOTT of Virginia. Madam Chairwoman, I yield 2 minutes to the gentlewoman from North Carolina (Ms. FOXX).

Ms. FOXX of North Carolina. Madam Chairwoman, I thank the gentleman for yielding.

Madam Chairwoman, this amendment is about preventing harm to communities and supporting local control. The Youth PROMISE program was enacted as a part of the broader and very bipartisan Juvenile Justice and Delinquency Prevention Act reauthorization.

These reforms were focused on giving States and local authorities the ability to help prevent delinquency and put these young people on a path to success. Delinquency prevention is the key

to helping local communities thrive, and the Youth PROMISE program will be a critical tool in their work.

I particularly like this program because it is not a one-size-fits-all approach, as Washington so often wants to do. Rather, this program is a complete toolbox of options for State and local officials to determine what is needed to help them address the problems they may be facing, or, even better, help young people before there is real trouble. That is what prevention is all about.

I also like this program because it is the essence of true bipartisanship, and it was the authorizing committee coming together to evaluate the need, consider the evidence, and develop a better plan to help people in need.

I should not be surprised, but I was when I saw the Appropriations Committee continued to fund their projects rather than building off of the hard, bipartisan work of the authorizing committee. If we want Washington to work, we need to start by having the appropriators work more closely with the authorizers.

While this amendment will not address all of these issues, it is a start. These funds will help make this a program that we will be able to assess and, hopefully, see some real success.

I was pleased Mr. SCOTT and I were able to come to an agreement on positive reforms that will help young people in all of our communities last Congress, and I appreciate working with him now on this continued priority for our committee. I urge support of the amendment.

Mr. ADERHOLT. Madam Chair, I yield back the balance of my time.

Mr. SCOTT of Virginia. Madam Chairwoman, investments in prevention can avoid the necessity for incarceration.

Texas found this out several years ago when their appropriations committee was told that they needed to come up with \$2 billion—one State—\$2 billion in prison construction to deal with their increasing prison population. They, instead, invested about 10 percent of that in prevention, early intervention, and rehabilitation effectively, and found that after that investment, they didn't need to build any new prisons at all.

□ 1745

That is the focus of the Youth PROMISE Act. I hope we can adopt the amendment's focus on prevention, early intervention, and rehabilitation rather than just mass incarceration.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. SCOTT).

The amendment was agreed to.

AMENDMENT NO. 13 OFFERED BY MR. WALBERG

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in part B of House Report 116-119.

Mr. WALBERG. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division A (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act may be used for activities prohibited by the order issued by the Attorney General entitled "Prohibition on Certain Federal Adoptions of Seizures by State and Local Law Enforcement Agencies" (Order No. 3488-2015, dated January 16, 2015).

The Acting CHAIR. Pursuant to House Resolution 445, the gentleman from Michigan (Mr. WALBERG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. WALBERG. Madam Chair, I rise today to support my bipartisan amendment that would help provide critical protections for all Americans and their right to due process under the Constitution.

My amendment would prohibit the use of funds for adoptive seizures. These forfeiture options provide a loophole that helps local law enforcement evade stricter State laws, like my own in Michigan, governing civil asset forfeiture by seizing property and transferring it to Federal authorities in exchange for up to 80 percent of forfeiture proceeds.

For many years, I have worked in a bipartisan way to shine a light on civil asset forfeiture abuses.

In Michigan, Terry Dekho isn't a household name, but his story serves as a cautionary tale. Terry was a small grocer who had tens of thousands of dollars seized by the IRS without any criminal charges filed against him. He was a law-abiding citizen, in fact, and he had to fight in court to get his hard-earned savings back.

The Department of Justice Assets Forfeiture Fund contains proceeds from equitable sharing agreements between the Federal Government and local law enforcement. These arrangements create perverse incentives to seek out forfeiture opportunities, and it is used to circumvent State-enacted civil forfeiture reforms, again, like those that have been enacted in Michigan.

What is worse is that civil asset forfeiture disproportionately affects minorities and individuals who cannot afford to represent themselves.

I would like to thank my colleagues, Representatives RASKIN, MCCLINTOCK, RUSH, AMASH, CÁRDENAS, and GABBARD, for their support on this amendment.

Madam Chair, I urge my colleagues to support this amendment, and I reserve the balance of my time.

Mr. ADERHOLT. Madam Chair, I claim the time in opposition. I am opposed to the amendment.

The Acting CHAIR. The gentleman from Alabama is recognized for 5 minutes.

Mr. ADERHOLT. Madam Chair, I rise in opposition, reluctantly, to my good friend from Michigan's amendment.

As I said, there are some issues here that I think we do need to make clear. The amendment would reverse the July 2017 order from Attorney General Sessions, which included safeguards to ensure such adoptions are legal and conform to Department of Justice policy.

Adoptions allow the Federal Government to recover funds that are proceeds of or that are connected to Federal crimes but where property happens to be discovered by local law enforcement.

Moreover, this type of Federal and local cooperation fosters important collaboration between agents and officers. We should not return hastily to the Obama administration policy, but rather continue to review carefully the practice of forfeiture adoption as part of a broader discussion of asset forfeiture reform.

Violent crimes, gangs, and drug trafficking are a growing and continuing problem. We should not take away a tool from law enforcement that it needs to combat criminal groups and make our streets safer.

Madam Chair, I recommend a “no” vote, and I yield back the balance of my time.

Mr. WALBERG. Madam Chair, I appreciate the comments of my good friend and colleague from Alabama. We are not attempting to take away civil asset forfeiture as a tool. We are simply saying that due process ought to be carried out in every part of our judicial process and our law enforcement process.

We are talking about people here—for instance, Terry Dekho, who was informed by his insurance company that they would not insure any assets at his grocery beyond \$10,000. Each day, he took in his \$10,000 or less, whatever it was, and it made a pattern. Ultimately, \$35,000 of his hard-earned assets were frozen. For a small grocer, \$35,000 is life or death for his business.

All we are asking is for due process to be followed. Attorney General Holder, I think, saw the error of our ways when he reversed and made revisions that, ultimately, Attorney General Sessions reversed as well.

I think we need to go back. We still have the opportunity to use the process but use it with due process. That is all I ask.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. WALBERG). The amendment was agreed to.

The Acting CHAIR. It is now in order to consider amendment No. 15 printed in part B of House Report 116–119.

AMENDMENT NO. 16 OFFERED BY MR. BLUMENAUER

The Acting CHAIR. It is now in order to consider amendment No. 16 printed in part B of House Report 116–119.

Mr. BLUMENAUER. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division A (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by this Act to the Department of Justice may be used to prevent any Indian tribe (as such term is defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)) from enacting or implementing tribal laws that authorize the use, distribution, possession, or cultivation of marijuana.

The Acting CHAIR. Pursuant to House Resolution 445, the gentleman from Oregon (Mr. BLUMENAUER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. BLUMENAUER. Madam Chair, I am pleased to be here today to be able to deal with the first significant piece of legislation on the floor of the House this Congress dealing with the legalization of cannabis. There has been a sea change in this country over the course of the last 25 years as we have seen 47 States legalize some form of cannabis.

But there is an area that is deeply troubling, and this relates to Tribes. Tribes have an interest in being able to conduct activities that deal with cannabis, but currently the strictures that the Federal Government has dealing with its being illegal and the manifold connections that Tribes have with the Bureau of Indian Affairs and so forth make it something that they just don't feel comfortable doing.

There are Tribes that are moving forward. They want to be in this area. It is a multibillion dollar growth industry. It provides opportunities for health, economic development, and recreational activities. The States have been granted a certain amount of latitude moving into this space, but the Tribes have been denied.

This amendment is very simple. It just says that the Department of Justice will not interfere with Tribal decisions dealing with cannabis.

It is ironic. This is a substance that has been used by Tribes for healing going back millennia, and there is an opportunity for them to be able to be part of an economic opportunity that is taking place across the country. We need to grant them that authority.

Approval of this amendment says: Department of Justice, leave them alone.

It is similar to what we have enacted since 2014 dealing with medical marijuana in the States. It is something that continues as Federal policy, and we will be talking about that in another amendment.

I hope that there is a recognition that Tribes deserve this latitude and this empowerment and that we vote in favor of it to allow them to proceed as has taken place in States around the country.

Madam Chair, I respectfully request that the body supports this amendment. It will make a great deal of difference for Native Americans and be a

step towards normalizing this relationship.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER).

The amendment was agreed to.

AMENDMENT NO. 17 OFFERED BY MR. BLUMENAUER

The Acting CHAIR. It is now in order to consider amendment No. 17 printed in part B of House Report 116–119.

Mr. BLUMENAUER. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division A (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available by 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, Puerto Rico, or the United States Virgin Islands, to prevent any of them from implementing their own laws that authorize the use, distribution, possession, or cultivation of marijuana.

The Acting CHAIR. Pursuant to House Resolution 445, the gentleman from Oregon (Mr. BLUMENAUER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. BLUMENAUER. Madam Chair, one of the areas that has been most gratifying for me has been watching what has happened in a revolution in cannabis policy.

Starting in 1996 with the State of California, we have watched States across the country have their voters step up to make legalization with medical marijuana and more recently with adult use.

Additionally, there have been States that have taken action dealing with medical marijuana in a specialized form for children with extreme seizure disorders. So, in total, we now have 47 States that have some form of cannabis that is legal. We are watching the growth of this industry—a multibillion dollar industry. We are watching State after State move forward. Every one of us on the floor of the House who are here now represent areas that have taken action.

We have had embedded in our legislation protections for medical marijuana, and this would simply extend that same protection to prevent the Department of Justice from interfering with adult use.

I strongly urge that we build on the legacy that we have had in the past and that we move this forward to allow the Federal Government to start catching up with where the rest of the States are.

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

Mr. ADERHOLT. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR (Mr. PHILLIPS). The gentleman from Alabama is recognized for 5 minutes.

Mr. ADERHOLT. Mr. Chair, I rise to oppose the amendment. This proposal would prevent Federal law enforcement from enforcing current law and from protecting public health and ensuring community safety.

Under the Controlled Substances Act, the Drug Enforcement Administration defines schedule I drugs as having no current acceptable medical use and a high potential for abuse. According to the National Institute on Drug Abuse, there is no scientifically recognized medical benefit from smoking or eating marijuana plants.

Claims of benefits from smoked or ingested marijuana are anecdotal and generally outright fabrications. It is established by fact that such marijuana use has real health and real social harms.

This is true especially for young children with developing brains and those with impaired physical conditions as well as psychological conditions. New data shows crime and health problems from marijuana use and trafficking in particular in States that decriminalize its use.

This amendment that is before us sends the wrong message about widely abused drugs in the United States. The Drug Enforcement Administration says more young people receive treatment for marijuana dependency than for alcohol and other illegal drugs combined. The amendment ignores the problems with abuse and sends the false message to youth that smoking marijuana is healthy.

Mr. Chair, I urge rejection of this amendment, and I yield back the balance of my time.

Mr. BLUMENAUER. Mr. Chair, may I inquire how much time I have remaining.

The Acting CHAIR. The gentleman from Oregon has 3½ minutes remaining.

□ 1800

Mr. BLUMENAUER. Mr. Chair, I yield 30 seconds to the distinguished gentleman from New York (Mr. SERRANO).

Mr. SERRANO. Mr. Chair, I rise in support of the amendment. This amendment is consistent with the trend in recent years to acknowledge that States, D.C., and the territories are taking charge of their marijuana policy.

I urge that the amendment be agreed to.

Mr. BLUMENAUER. Mr. Chair, I reserve the balance of my time.

The Acting CHAIR. The gentleman from Oregon has the only time remaining.

Mr. BLUMENAUER. Mr. Chair, I yield 1½ minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Chair, I thank my good friend for yielding.

I believe that despite the opposition from our friends on the other side, that this amendment has bipartisan support.

I thank my good friend Congressman EARL BLUMENAUER for introducing this important amendment with me to prohibit the Department of Justice from interfering with State cannabis programs.

I especially appreciate that Congressman BLUMENAUER ensured that the amendment covers the District of Columbia, as well as the territories, in prohibiting the Department of Justice from using its funds to prevent jurisdictions from implementing their own medical and adult-use marijuana laws.

The District has insisted that Congress cease interfering with our desire to commercialize adult-use marijuana, and I appreciate that D.C. is included with the other States that have the same goal.

This amendment is the breakthrough the District has long sought so that cannabis, as with all other issues, is treated, for the people who live in the Nation's capital, who pay the highest taxes per capita in the United States, with equality that is due them.

Here, with this bill, as with all other matters, we so insist.

Mr. Chair, I thank my good friend for yielding and for cosponsoring this amendment with me.

Mr. BLUMENAUER. Mr. Chair, may I inquire the time I have remaining.

The Acting CHAIR. The gentleman from Oregon has 1¼ minutes remaining.

Mr. BLUMENAUER. Mr. Chair, let me just say that I am pleased to partner with Ms. NORTON. The Federal Government needs to get right with the District of Columbia on this.

I disagree with my good friend from Alabama. If we were rescheduling drugs today, cannabis probably wouldn't be scheduled at all, and what would be Schedule I is tobacco, which is highly addictive and deadly.

It is widely known now that there are, in fact, medicinal purposes to be obtained from using cannabis. That is why the voters in the gentleman's own State just approved medical marijuana.

They are not goofy. They are not misled. They understand that there is compelling evidence, and any of us meeting with professionals can understand that. One of the reasons we don't have the research is because the Federal Government has interfered with research in terms of cannabis.

But the evidence is clear. You can find that out with children in your State who use medical cannabis to stop

extreme seizure disorders; people who use cannabis to be able to stop the violent nausea associated with chemotherapy; or veterans that use it for PTSD, traumatic brain injury, or chronic pain.

This is what the American people have demanded, why it is now legal in 33 States, why it has some version in 47, and is supported by two-thirds of the American public and 90 percent for medical marijuana.

It is time that we extend this protection to these State legal activities so that they can thrive and move forward.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. Members are reminded to address their remarks to the Chair.

The question is on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER).

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

Mr. ADERHOLT. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Oregon will be postponed.

AMENDMENT NO. 22 OFFERED BY MS. SEWELL OF ALABAMA

The Acting CHAIR. It is now in order to consider amendment No. 22 printed in part B of House Report 116-119.

Ms. SEWELL of Alabama. Mr. Chair, I rise as the designee of Mrs. WALORSKI for the Walorski-Sewell amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 24, after the dollar amount, insert "(increased by \$1,000,000) (reduced by \$1,000,000)".

The Acting CHAIR. Pursuant to House Resolution 445, the gentlewoman from Alabama (Ms. SEWELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Alabama.

Ms. SEWELL of Alabama. Mr. Chair, I rise today in support of this amendment.

It has been over 4 months since the Department of Commerce submitted its auto 232 report to the White House, and neither Congress nor the public has seen that report.

Congress gave the executive section 232 authority to combat legitimate national security threats, not to keep secrets from Congress and the American people.

Unfortunately, I think I know why this administration has not submitted this report. It is because the products hardworking Americans in the auto sector design, build, sell, and service are not a threat to our national security.

The autoworkers in my district in Alabama are terrified that, any day, President Trump will announce tariffs,

threatening up to 624,000 jobs in the auto sector.

That is why over 160 Democratic and Republican Members of the House of Representatives have joined Congresswoman WALORSKI and me in signing a letter to the administration, urging them to abandon their auto 232 tariff threat.

Auto tariffs remain a threat, and the public deserves to see the report.

Mr. Chair, I urge my colleagues to support this amendment to make sure that we are calling upon this administration to be transparent, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Alabama (Ms. SEWELL).

The amendment was agreed to.

AMENDMENT NO. 30 OFFERED BY MR. BOST

The Acting CHAIR. It is now in order to consider amendment No. 30 printed in part B of House Report 116-119.

Mr. BOST. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 8, after the dollar amount, insert “(reduced by \$3,000,000) (increased by \$3,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 445, the gentleman from Illinois (Mr. BOST) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. BOST. Mr. Chair, I yield myself such time as I may consume.

My amendment provides a much-needed increase of \$3 million in funding to International Trade Administration Enforcement and Compliance to enforce the antidumping and countervailing duty trade remedy laws.

My proposed offset is a similar reduction in International Trade Administration, Global Markets. This program would still receive a substantial increase in funding above the administration's request.

I thank the committee for its work in this regard to help fund trade enforcement, but much more must be done.

Trade remedy enforcement is about protecting our manufacturing workers and our businesses from illegal trade practices that cost jobs and harm our economy. Look no further than my district in 2015 when U.S. Steel announced that it was idling operations due to, in no small part, illegally dumped and subsidized steel imports.

Unfortunately, when it comes to nations that engage in illegal trade practices, business is booming, and no manufacturing business is immune from harm. The number of antidumping and countervailing duty cases has steadily increased over the years. In addition, even when the United States has acted to protect our market, nations like China have found ways to circumvent these protections to continue dumping products into our country.

Antidumping and countervailing duties are our most important shield against such illegal trade practices. However, these cases are very complex. The investigations are time and labor intensive. They require the collection and analysis of vast quantities of data. They require thorough investigations and the verification of information from foreign respondents.

While I am pleased the enactment of the bipartisan legislation I sponsored has sped up this process, cases can take many months before a determination is delivered. By then, it may be too late for victims of illegal trade practices.

In addition, many businesses that are victims of illegal antidumping and countervailing duty trade practices don't have the resources to avail themselves of these remedies. They and their workers are relying on us to provide a fair and level playing field.

Policymakers must set priorities. I fully support efforts to assist our businesses to export to foreign nations.

The United States has the most open and competitive market in the world. It is well past time other nations follow our example.

At the same time, our first priority must be to protect our workers and businesses from unfair competition. Additional resources for the Department of Commerce's Enforcement and Compliance will not only help with those that have filed petitions, but it will also permit the agency to self-initiate investigations, particularly for those workers and firms that don't have the resources and administrative capacities to file cases themselves. It will help combat the illegal circumvention of products through other nations.

Mr. Chair, I urge the House to adopt my amendment, and I reserve the balance of my time.

Mr. ADERHOLT. Mr. Chair, I claim the time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Alabama is recognized for 5 minutes.

There was no objection.

Mr. ADERHOLT. Mr. Chair, I do rise in support of the gentleman's amendment, and I appreciate his work on behalf of domestic manufacturing.

This amendment would highlight the importance of the Department of Commerce antidumping duty and countervailing duty investigations and the threat posed to American businesses from foreign companies selling products to the U.S. at less than fair value, commonly known as dumping, as well as the threat of imported goods from foreign countries that benefit from financial assistance from a foreign government in the form of a countervailable subsidy.

This amendment would also encourage better utilization of resources to self-initiate these investigations, pursuant to U.S. law.

Although most antidumping duty and countervailing duty investigations are initiated following a petition on be-

half of an industry alleging injurious dumping and/or unfair subsidy of imports into the U.S., antidumping and countervailing duty investigations can be self-initiated by the Department of Commerce from information that is made available.

The self-initiation of antidumping duty and countervailing duty investigations is an important tool in cases where a U.S. industry consists of small companies or is fractured and the members of that industry cannot meet the threshold necessary to file a petition.

The United States needs to strongly enforce our trade laws and not allow our domestic manufacturing capacity to be degraded in the face of unfair trade practices that hurt American employers, workers, and communities.

These investigations are crucial. They are important tools in the effort to ensure a level playing field that allows our businesses and our industries to compete.

Mr. Chair, I think this is a good amendment. I ask that my colleagues support it, and I yield back the balance of my time.

Mr. BOST. Mr. Chair, in closing, let me say that this is an issue that we have dealt with in this Nation for a very long time. This gives us the opportunity to aggressively go after those that are illegally importing and transporting those goods that are hurting American jobs.

For the sake of our American jobs and our businesses, I ask for the support of the body, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. BOST).

The amendment was agreed to.

□ 1815

AMENDMENT NO. 31 OFFERED BY MS. CLARKE OF NEW YORK

The Acting CHAIR. It is now in order to consider amendment No. 31 printed in part B of House Report 116-119.

Ms. CLARKE of New York. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division A (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available to the Bureau of the Census by this Act may be used in the contravention of section 9 of title 13, United States Code.

The Acting CHAIR. Pursuant to House Resolution 445, the gentlewoman from New York (Ms. CLARKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Ms. CLARKE of New York. Mr. Chairman, I am proud to be offering this amendment to prohibit the Census Bureau from sharing the data it collects with other Federal agencies, along with my colleague Congressman

CISNEROS. We do this by requiring the Census Bureau to uphold its statutory confidentiality obligations.

The White House is trying to silence immigrant families and make them afraid to participate in the Census.

If the Supreme Court doesn't strike down the citizenship question—and, sadly, it appears they may not—immigrant families in districts like mine may choose not to participate, afraid that their citizenship status will be shared with ICE. That means my State will receive less representation in Congress, and New Yorkers will be left without a voice in the Halls of Congress, as well as the commensurate Federal funding we will need to adequately deal with the actual population that has been undercounted.

The Constitution says the Census is supposed to be a complete enumeration. That means each and every person is supposed to be counted. However, it is clear that the White House's citizenship question is a blatant attempt to undercount immigrant families and exclude them from our democracy.

We also know the Census has a history of violating its statutory obligation not to share personal data. During World War II, ancestry information was used to identify Japanese Americans for internment. And just last June, a DOJ attorney suggested in an email that the Department should not say too much to Congress in regards to the confidentiality of Census responses in case the issue "comes up for renewed debate."

That is unacceptable. Census responses must be kept confidential, period, full stop. And if my amendment passes, during the FY 2020, no funds will be spent to violate the law and share Census information with ICE, law enforcement, or other Federal agencies.

The White House's citizenship question is a blatant attempt to undercount immigrant families and exclude them from our democracy. This body must stand up and say no.

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

Mr. ADERHOLT. Mr. Chairman, I claim time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Alabama is recognized for 5 minutes.

There was no objection.

Mr. ADERHOLT. Mr. Chair, I actually rise in strong support of this amendment. I certainly understand the concerns about potential misuse of Census data. Thankfully, misusing Census data is a felony. It is punishable by up to 5 years in prison and by a \$250,000 fine.

Put another way, by law, the Census Bureau cannot disclose anyone's responses or share data from which an individual can be identified, by ICE or any other Federal agency. That is in current law.

So I join my colleague in opposing the use of any funds that would be

made available to violate the confidentiality laws that govern our Census.

Mr. Chairman, I yield back the balance of my time.

Ms. CLARKE of New York. Mr. Chairman, I hope that what my colleague has said on the other side of the aisle is true, and I am happy to hear him stand shoulder to shoulder with this side of the aisle to say that anyone in violation of this will have to stand the consequences.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Ms. CLARKE).

The amendment was agreed to.

The Acting CHAIR. It is now in order to consider amendment No. 34 printed in part B of House Report 116-119.

AMENDMENT NO. 36 OFFERED BY MR. BANKS

The Acting CHAIR. It is now in order to consider amendment No. 36 printed in part B of House Report 116-119.

Mr. BANKS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division A (before the short title), insert the following:

SEC. \_\_\_\_ Each amount made available in division A, except those amounts made available to the Department of Defense, is hereby reduced by 14 percent.

The Acting CHAIR. Pursuant to House Resolution 445, the gentleman from Indiana (Mr. BANKS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana.

Mr. BANKS. Mr. Chairman, it is long past time that we get serious about putting our fiscal house in order.

This division costs nearly \$74 billion, which is an increase of nearly \$10 billion from the fiscal year 2019 enacted level.

My amendment is simple. It cuts spending in this division by 14 percent, while exempting amounts made available to the Department of Defense. This reduction would bring the non-defense spending in this division down to the level required to avoid busting the budget caps and avert triggering a sequestration, which harms our national defense.

Unfortunately, the spending package that we have before us continues to propel us down the path of reckless spending that brought us to having a national debt of \$22 trillion.

With these minibus packages, my friends on the other side of the aisle are proposing to bust the budget caps by nearly \$90 billion when all is said and done. This will force dangerous cuts to our national defense through sequestration, and that is wholly unacceptable to me and my constituents in northeast Indiana.

I urge my colleagues to support this amendment, and I reserve the balance of my time.

Mr. SERRANO. Mr. Chairman, I rise in strong opposition to the amendment.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. SERRANO. Mr. Chairman, the amendment, if adopted, would pose serious risks to our economic and national security. It would undermine our efforts to help create jobs, address the deadly opioid crisis, and increase critical scientific research and legal services for underserved communities.

A 14 percent decrease would, for the Department of Commerce, close over 30 foreign commercial service posts and 10 domestic field offices and lead to the dismissal of hundreds of Commerce personnel who support and create U.S. jobs by leveling the playing field for U.S. businesses in overseas markets; cut over \$1 billion from the U.S. Census Bureau, which undermines the Census Bureau's ability to invest in critical information technology infrastructure to safeguard Census data as it moves to an online platform; and limit Census' flexibility to conduct important outreach and follow-up activities in hard-to-count communities, including rural parts of the country.

This amendment would also cause massive cuts in an array of agencies and programs critical to national security, anticrime efforts, and the constitutionally required 2020 Census. It would slash funding for efforts to create jobs, fix aging infrastructure, and respond to the reality of climate change.

I urge a "no" vote, and I reserve the balance of my time.

Mr. BANKS. Mr. Chairman, what the other side is proposing is both reckless and irresponsible.

My colleagues on the other side of the aisle want to bust the budget caps to fulfill liberal spending priorities and, in the process, put our national security at risk.

In Indiana, Hoosiers understand that you cannot spend more than you take in, and it is long past time for Washington to adopt that Hoosier common sense.

Again, my amendment is simple. It reduces spending in this division by 14 percent. It protects our defense priorities and brings us closer to avoiding the devastating harm to national security that would result from sequestration.

Mr. Chairman, I am not going to give up. I am going to keep coming back to this microphone over and over and over again to propose 14 percent across-the-board spending cuts to each of these divisions. It is what my constituents in northeast Indiana expect me to do, and it is what is going to motivate me to keep coming back, to try to restore some fiscal sanity to this body.

I urge my colleagues to support this amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. SERRANO. Mr. Chairman, very briefly, in closing, we get folks on the

floor who tell us how much money we have to cut from the budget, from the appropriations, but they really never take time to ask their constituents how they feel about new roads, about hospital help, about education, about climate change, about other issues. You would be surprised how many people who may not scream out in support or against a certain amendment would feel the pain of our cutbacks and would not be for them. So I urge a “no” vote on this amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Indiana (Mr. BANKS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. BANKS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Indiana will be postponed.

AMENDMENT NO. 44 OFFERED BY MR. HUFFMAN

The Acting CHAIR. It is now in order to consider amendment No. 44 printed in part B of House Report 116–119.

Mr. HUFFMAN. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division A (before the short title), insert the following:

SEC. \_\_\_\_ None of the funds made available by this Act may be used to issue a proposed or final rule revising the National Oceanic and Atmospheric Administration’s Federal consistency regulations at 15 Code Federal Regulations part 930 under Section 307(c) of the Coastal Zone Management Act of 1972 (16 U.S.C. 1456(c)).

The Acting CHAIR. Pursuant to House Resolution 445, the gentleman from California (Mr. HUFFMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. HUFFMAN. Mr. Chair, this bipartisan amendment would stop the National Oceanic and Atmospheric Administration from moving forward with a rulemaking that would change the Federal consistency process under the Coastal Zone Management Act, known as the CZMA.

The purpose of the CZMA is to give coastal States a strong voice in Federal agency decisionmaking for activities that affect a State’s coastal uses and resources, including Outer Continental Shelf oil and gas development.

Federal consistency is the cornerstone of the CZMA. It provides the platform and process for coordination between States, industry, and stakeholders; helps anticipate and proactively avoid conflict; and helps protect the interests of coastal communities. It is a prime example of successful cooperative federalism, and it is

key to long-term management of coasts around the country.

NOAA published an advanced notice of proposed rulemaking in March regarding changes to the Federal consistency regulations to make the process “more efficient,” but there are already clear guidelines and timelines for Federal consistency review, and it has a proven track record of efficiency and cooperation. It is clear that there is no need for NOAA to change the process.

Maintaining the Federal consistency process is especially critical now, as this administration continues to look for ways to get around the clear opposition to offshore drilling from coastal States, communities, and elected officials from both sides of the aisle.

Earlier this week, State Representative Peter McCoy, a Republican from South Carolina, wrote an op-ed about why the CZMA is so important. He wrote: “The consistency review authorities under CZMA have never been more important than right now . . . this move to potentially alter CZMA would undermine States’ control and take away our ability to protect our coastlines.”

That is why I have joined in offering an amendment by South Carolina Representative JOE CUNNINGHAM, as well as our colleagues Florida Representative FRANCIS ROONEY and California Representative SALUD CARBAJAL.

□ 1830

All of us know firsthand how important CZMA is to protecting our coastal districts. We have to ensure that States are able to fully weigh in on Federal activity off their shores. They are the ones most at risk. Their businesses, communities, and lands and waters will be left to deal with the economic and environmental costs of offshore oil and gas development.

Mr. Chair, I urge an “aye” vote on this amendment, and I yield the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. HUFFMAN).

The amendment was agreed to.

AMENDMENT NO. 49 OFFERED BY MR. JEFFRIES

The Acting CHAIR. It is now in order to consider amendment No. 49 printed in part B of House Report 116–119.

Mr. JEFFRIES. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 18, line 10, after the dollar amount, insert “(reduced by \$914,000)”.

Page 18, line 25, after the dollar amount, insert “(increased by \$914,000)”.

The Acting CHAIR. Pursuant to House Resolution 445, the gentleman from New York (Mr. JEFFRIES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. JEFFRIES. Mr. Chair, I thank Chairman Jose Serrano, the distin-

guished gentleman from the Bronx, for his tremendous leadership here in the Congress and in connection with this bill.

There is a growing culture of corruption that is festering within the Department of Commerce that should trouble Americans regardless of political affiliation. It is absolutely essential that we continue to support the oversight that is independent and those who have the responsibility to police bad actors and explore waste, fraud, and abuse.

This amendment will increase support for the Office of the Inspector General at the Department of Commerce. This office serves an incredibly vital function. It provides independent and objective oversight for an agency that is led by Secretary Wilbur Louis Ross, Jr., someone who has from time to time found himself in hot water with ethics experts here in this town. Meeting even the minimum ethical standards the government sets for its executive branch officials seems to be a significant challenge for our Secretary.

Last February, the Office of Government Ethics, which is run by a Trump appointee, declined to certify Ross’ 2018 financial disclosure report “ . . . because that report was not accurate and he was not in compliance with his ethics agreement at the time of the report.”

These kinds of disclosures are, of course, important. They allow the U.S. government’s ethics watchdogs, regardless of political affiliation, to identify potential conflicts of interest.

One such conflict was alleged last summer in separate complaints by the Campaign Legal Center and Citizens for Responsibility and Ethics in Washington, who allege that Ross worked on the Trump administration’s steel tariffs and helped promote liquid natural gas exports at the same time that he held financial interests in companies that were impacted by these policies.

We don’t have time to explore some of the other potential conflicts and accusations that were recently detailed by Forbes magazine which caused that publication to suggest that “the current United States Secretary of Commerce could rank among the biggest grifters in American history.”

That is a tall order.

Secretary Ross is a public servant. He should be serving the public’s interests, not special interests or his own personal financial interests, as appears to have been the case in his highly controversial decision to add a citizenship question to the 2020 census, and then be deceptive about the motives.

With all of this obfuscation and fabrication and misrepresentation, we need to make sure that the Department of Commerce’s independent inspector general’s office has the resources and capacity to police the bad behavior that may result in waste, fraud, and abuse of American taxpayer dollars.

Apparently, the Trump administration doesn’t necessarily see it that



way. Their fiscal year 2020 budget actually cuts funding for general oversight operations by approximately \$1 million, which will result in a personnel reduction of at least seven positions.

At a time when oversight has never been more important, we must not allow this cut to go into effect.

Mr. Chair, I urge a "yes" vote to restore this funding and send a message to this administration that we won't be grifted by anyone, even the Secretary of Commerce.

Mr. Chair, I urge my colleagues to support this amendment, and I yield back the balance of my time.

#### PARLIAMENTARY INQUIRY

Mr. ADERHOLT. Mr. Chair, I have a parliamentary inquiry.

The Acting CHAIR. The gentleman from Alabama will state his parliamentary inquiry.

Mr. ADERHOLT. Mr. Chair, if a Member quotes a reference to a newspaper that impugns the character of a Cabinet official, does that violate the House rules?

The Acting CHAIR. The Chair will not respond to a hypothetical question.

Mr. SERRANO. Mr. Chair, I claim the time in opposition to the amendment, even though I am not opposed to it.

The Acting CHAIR. Without objection, the gentleman from New York is recognized for 5 minutes.

There was no objection.

Mr. SERRANO. Mr. Chair, I rise in strong support of the amendment.

The Commerce Department has illustrated that it requires additional oversight. This increase to the inspector general will restore critical positions that will provide transparency to Congress on what Secretary Ross is up to.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. JEFFRIES).

The amendment was agreed to.

#### AMENDMENT NO. 53 OFFERED BY MR. CUNNINGHAM

The Acting CHAIR. It is now in order to consider amendment No. 53 printed in part B of House Report 116-119.

Mr. CUNNINGHAM. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 24, line 6, after the dollar amount, insert "(reduced by \$2,000,000)".

Page 48, line 20, after the dollar amount insert "(increased by \$2,000,000)".

Page 54, line 17, after the dollar amount, insert "(increased by \$2,000,000)".

Page 55, line 12, after the dollar amount, insert "(increased by \$2,000,000)".

The Acting CHAIR. Pursuant to House Resolution 445, the gentleman from South Carolina (Mr. CUNNINGHAM) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina.

Mr. CUNNINGHAM. Mr. Chair, today I rise in support of my straightforward,

commonsense amendment, which will increase funding for veterans treatment court programs and help ensure that veterans have access to the resources they deserve to successfully reintegrate into their communities.

As a Nation, we have a responsibility to ensure that the brave men and women who are wounded, either physically or psychologically, in service to our Nation receive the care that they deserve.

Veterans treatment courts do just that by assisting veterans involved in the criminal justice system who are experiencing post-traumatic stress, traumatic brain injury, sexual trauma, mental health symptoms, or substance abuse as a result of their military service.

Studies show that these programs work. Through a coordinated system of treatment, community support, and peer-to-peer mentorship, they are able to reduce recidivism and increase participating veterans' overall quality of life.

Through the Bureau of Justice Assistance, the DOJ provides local court systems with the financial and technical assistance they need to develop and implement their own treatment courts.

My amendment would increase funding for this program by \$2 million so that Federal assistance is available to more courts like those in Beaufort or the recently established program in Charleston.

This is particularly important to the Lowcountry, because my district has one of the highest concentrations of veterans in the country. As their representative in Congress, I have made it my mission to ensure that they have the support that they have earned.

Mr. Chair, I want to ask my colleagues on both sides of the aisle to join me in supporting my amendment as well as the underlying legislation.

Mr. Chair, in closing, I would like to thank Chairman SERRANO and the members of the subcommittee for their work in constructing this important legislation which will allow us to make strides towards addressing gun violence, supporting law enforcement, and investing in important scientific research. I also want to thank Chairman MCGOVERN and my colleagues on the Rules Committee for allowing this important amendment to come to the floor.

Mr. Chair, to ensure that veteran treatment courts in the Lowcountry and across the country can continue to provide this essential service to our Nation's veterans, I urge my colleagues to support my amendment.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from South Carolina (Mr. CUNNINGHAM).

The amendment was agreed to.

#### AMENDMENT NO. 54 OFFERED BY MR. CUNNINGHAM

The Acting CHAIR. It is now in order to consider amendment No. 54 printed in part B of House Report 116-119.

Mr. CUNNINGHAM. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division A (before the short title), insert the following:

SEC. \_\_\_\_ None of the funds made available by this Act may be used—

(1) to allow or authorize the incidental taking of marine mammals under section 101(a)(5)(A) or (D) of the Marine Mammal Protection Act of 1972 (16 U.S.C. § 1371(a)(5)(A) or (D)) for geophysical or geological exploration for oil or gas (as those terms are defined in 30 C.F.R. § 551.1), within the specific geographic region described in "Notice; issuance of five incidental harassment authorizations" published in the Federal Register at 83 Fed. Reg. 63,268;

(2) to provide an opinion from the Secretary of Commerce under section 7(b) of the Endangered Species Act of 1973 (16 U.S.C. § 1536(b)), on how any such authorization affects an endangered species or its critical habitat; or

(3) to prepare or supplement an Environmental Impact Statement or Environmental Assessment pursuant to the National Environmental Policy Act, 42 U.S.C. § 4321 et seq., and its associated regulations, in support of any such authorization.

The Acting CHAIR. Pursuant to House Resolution 445, the gentleman from South Carolina (Mr. CUNNINGHAM) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina.

Mr. CUNNINGHAM. Mr. Chair, I rise today in support of my straightforward, commonsense amendment to the Commerce-Justice-Science appropriations bill that blocks all fiscal year 2020 funding for NOAA to approve seismic air gun blasting in the Atlantic. These approvals are called Incidental Harassment Authorizations, or IHAs.

In order for companies to receive permits for seismic exploration from BOEM, they must first have authorization through NOAA to conduct activities that harm or disturb marine mammals, such as whales.

NOAA issued five IHAs in November of last year, which are currently being challenged in court in South Carolina by 10 States, 16 towns, and various conservation and business groups. If the judge finds these IHAs unlawful, my amendment would prevent NOAA from reauthorizing these approvals for seismic air gun blasting in the Atlantic.

Additionally, my amendment would prevent NOAA from approving new applications for seismic surveys that would expose marine mammals to one of the loudest man-made noises in the oceans today.

Seismic air guns create an underwater blast louder than all but military-grade explosives. Companies fire air guns as often as every 10 seconds for days, weeks, sometimes even months on end. This can have impacts

across the entire ecosystem, from marine mammals, to fish, to plankton.

In addition to being harmful in its own right, seismic blasting is a key step towards this administration's ultimate goal: bringing drilling rigs to the South Carolina coast and elsewhere up and down the Atlantic seaboard.

Offshore drilling activities anywhere in the Atlantic Ocean are a threat to hardworking Americans, coastal economies, and abundant marine life. And communities up and down the coast have made it very clear where they stand on this issue. They don't want drilling off their coasts and they don't want seismic exploration for oil and gas resources.

My amendment to the Commerce-Justice-Science appropriations bill can help protect the Atlantic Coast from a future of expanded offshore drilling and unnecessary, unwanted seismic testing.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from South Carolina (Mr. CUNNINGHAM).

The amendment was agreed to.

□ 1845

AMENDMENT NO. 58 OFFERED BY MR. CUNNINGHAM

The Acting CHAIR. It is now in order to consider amendment No. 58 printed in part B of House Report 116-119.

Mr. CUNNINGHAM. Mr. Chair, as the designee of Mr. MOULTON, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 14, line 3, after the dollar amount, insert "(increased by \$1,500,000)".

Page 14, line 14, after the dollar amount, insert "(increased by \$1,500,000)".

Page 14, line 15, after the dollar amount, insert "(increased by \$1,500,000)".

Page 24, line 6, after the dollar amount, insert "(reduced by \$1,500,000)".

The Acting CHAIR. Pursuant to House Resolution 445, the gentleman from South Carolina (Mr. CUNNINGHAM) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina.

Mr. CUNNINGHAM. Mr. Chair, I rise again because there is no time to waste when it comes to protecting the North Atlantic right whale, a species whose calving and migratory grounds are right off the coast of my district.

By even the most generous estimates, there are fewer than 420 right whales left in the ocean. Without immediate Federal action, the right whale could become extinct in the next two decades.

Humans have killed nearly every right whale in existence through our direct and indirect actions over the past two centuries.

Today we are at a crossroads. We have a choice. We can be the generation that saves the right whale or the generation that allows their extinc-

tion. We can act right now by adopting this amendment. It will provide targeted investments so we can better understand how both right whales and East Coast economies can thrive.

This is a unique opportunity. Few people in the history of the Earth have had the ability to help a species survive. In fact, the opposite is true. From the passenger pigeon to the western black rhinoceros, humans have driven the extinction of iconic species through centuries of choices.

It is a choice to hunt the right whale to near extinction. It is a choice to jeopardize the right whale by drilling off our coast or harmful seismic air gun blasting. And tonight it is a choice to protect the right whale and the hundreds of thousands of jobs up and down the East Coast that rely on the healthy ecosystem that the right whale creates.

Let's be the generation of leaders that chooses to bring the right whale back from the brink.

Mr. Chair, I thank my colleagues for their support on this issue. I want to single out my friend from across the aisle Mr. RUTHERFORD, as well as Mr. HUFFMAN and Mr. GRIJALVA for their leadership on this issue at the Natural Resources Committee. I also want to thank Mr. MOULTON for the opportunity to offer this amendment.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from South Carolina (Mr. CUNNINGHAM).

The amendment was agreed to.

Mr. SERRANO. Mr. Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CARTWRIGHT) having assumed the chair, Mr. PHILLIPS, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3055) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes, had come to no resolution thereon.

#### REPORT ON H.R. 3351, FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS BILL, 2020

Mr. SERRANO, from the Committee on Appropriations, submitted a privileged report (Rept. No. 116-122) on the bill (H.R. 3351) making appropriations for financial services and general government for the fiscal year ending September 30, 2020, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

#### HOURLY OF MEETING ON TOMORROW

Mr. SERRANO. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow for morning-hour debate and 10 a.m. for legislative business.

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

There was no objection.

#### ADJOURNMENT

Mr. SERRANO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 50 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, June 20, 2019, at 9 a.m. for morning-hour debate.

#### NOTICE OF ADOPTED RULEMAKING

U.S. CONGRESS, OFFICE OF CONGRESSIONAL WORKPLACE RIGHTS,  
June 19, 2019, Washington, DC.

Hon. NANCY PELOSI,  
Speaker of the House,  
House of Representatives, Washington, DC.

DEAR MADAM SPEAKER: Section 303 of the Congressional Accountability Act of 1995 (CAA), 2 U.S.C. 1383, requires that, with regard to the amendment of the rules governing the procedures of the Office, the Executive Director "shall, subject to the approval of the Board [of Directors], adopt rules governing the procedures of the Office" and "[u]pon adopting rules . . . shall transmit notice of such action together with a copy of such rules to the Speaker of the House of Representatives and the President pro tempore of the Senate for publication in the Congressional Record on the first day of which both Houses are in session following such transmittal."

Having published a general notice of proposed rulemaking in the Congressional Record on April 9, 2019, provided a comment period of at least 30 days after publication of such notice, and obtained the approval of the Board of Directors for the adoption of these rules as required by sections 303(a) and (b) of the CAA, 2 U.S.C. 1383(a) and (b), I am transmitting the attached amendments to the Procedural Rules of the Office of Congressional Workplace Rights to the Speaker of the House of Representatives for publication in the House of Representatives section of the Congressional Record on the first day on which both Houses are in session following the receipt of this transmittal. In accordance with section 303(b) of the CAA, these amendments to the Procedural Rules shall be considered issued by the Executive Director and in effect as of the date on which they are published in the Congressional Record. Any inquiries regarding this notice should be addressed to Susan Tsui Grundmann, Executive Director of the Office of Congressional Workplace Rights, Room LA-200, 110 2nd Street, SE, Washington, DC 20540.

Sincerely,  
SUSAN TSUI GRUNDMANN,  
Executive Director,  
Office of Congressional Workplace Rights.

FROM THE EXECUTIVE DIRECTOR OF THE OFFICE OF CONGRESSIONAL WORKPLACE RIGHTS: NOTICE OF ADOPTED RULEMAKING, AS REQUIRED BY 2 U.S.C. 1383, THE CONGRESSIONAL ACCOUNTABILITY ACT OF 1995, AS AMENDED

### Introductory Statement

On April 9, 2019, a Notice of Proposed Rulemaking concerning the Procedural Rules of the Office of Congressional Workplace Rights (OCWR) was published in the Congressional Record at S2334 and H3200. As required under the Congressional Accountability Act of 1995 at section 303(b) (2 U.S.C. 1383(b)), a 30-day period for comments from interested parties followed. In response to the Notice of Proposed Rulemaking, the OCWR received a number of comments regarding the proposed amendments. Specifically, the Office received comments from the House Committee on Ethics, the House Office of Employee Advocacy, the Office of House Employment Counsel, the Architect of the Capitol, the Library of Congress, the U.S. Capitol Police, the Fraternal Order of Police/U.S. Capitol Police Labor Committee, District Council 20 of the American Federation of State, County, and Municipal Employees, AFL-CIO, the U.S. Senate Disbursing Office, and the U.S. Senate Chief Counsel for Employment.

The Executive Director and the Board of Directors of the OCWR, having reviewed all comments received regarding the Notice, and having made certain additional changes to the proposed amendments in response thereto, now issue the final Procedural Rules as authorized by section 303(b) of the Act, which states in part: "Rules shall be considered issued by the Executive Director as of the date on which they are published in the Congressional Record." 2 U.S.C. 1383(b). These Procedural Rules of the Office of Congressional Workplace Rights may be found on the Office's web site: [www.ocwr.gov](http://www.ocwr.gov).

### Supplementary Information

The Congressional Accountability Act of 1995 (CAA or the Act), Pub. L. No. 104-1, was enacted into law on January 23, 1995. The CAA applies the rights and protections of 13 federal labor and employment statutes to covered employees and employing offices within the legislative branch of the federal government. Section 301 of the CAA (2 U.S.C. 1381) establishes the OCWR as an independent office within that branch. Section 303 of the CAA (2 U.S.C. 1383) directs the Executive Director, as Chief Operating Officer, to adopt rules of procedure governing the OCWR, subject to approval by the Board of Directors of the Office. The OCWR Rules of Procedure establish the process by which alleged violations of the 13 laws made applicable to the legislative branch under the CAA are considered and resolved.

On December 21, 2018, the Congressional Accountability Act of 1995 Reform Act (CAARA or Reform Act) was signed into law. (Pub. L. No. 115-397). The new law reflects the first set of comprehensive reforms to the CAA since 1995. Among other reforms, the Reform Act substantially modifies the administrative dispute resolution (ADR) process under the CAA, including: providing for preliminary hearing officer review of claims; requiring current and former Members of Congress to reimburse awards or settlement payments resulting from harassment or retaliation claims; requiring certain employing offices to reimburse payments resulting from specified claims of discrimination; and appointing advisers to provide confidential information to legislative branch employees about their rights under the CAA. Most changes to the ADR process will be effective on June 19, 2019—i.e., upon the expiration of the 180-day period which begins on the date of enactment of the Reform Act.

The OCWR's responses to and discussion of the comments are presented below:

### General Comments

Several commenters highlighted typographical errors in the proposed Procedural Rules, and we corrected those along with any typographical errors we identified ourselves. We appreciate the close and thorough review conducted by these commenters.

Many of the comments suggested modifications to the language of the proposed Procedural Rules that would clarify the Rules rather than make substantive changes. To the extent we agreed that those clarifications were warranted, they appear in the final Procedural Rules.

We received some suggestions regarding the existing Procedural Rules that the Board has not proposed to amend, or that were subject to nomenclature changes only without any substantive revisions. Although the Board always appreciates feedback regarding ways to improve OCWR procedures, those Procedural Rules have already been subject to the notice and comment procedures set forth at section 303 of the Act. To the extent that comments received in May 2019 pertain to provisions in the Rules that have not changed in response to the Reform Act, those comments are untimely. However, some of these comments noted typographical errors or suggested alterations for the purpose of clarity, and to the extent that we agreed that those edits were warranted, they appear in the final Procedural Rules.

We received a suggestion that the references to the sections of the CAA be changed to refer to the corresponding sections of the U.S. Code instead. The Board declines to alter its longstanding practice of referencing the section numbers of the Act rather than the provisions of the U.S. Code, but for easier reference we will include a table of the Act sections and corresponding U.S. Code provisions at the beginning of the printed version of the Procedural Rules and the version that appears on the Office's web site.

One commenter expressed a general concern that some of the proposed Rules could prevent or inhibit the Congressional ethics committees from obtaining information they need to investigate alleged violations of workplace rights and other misconduct by Members of Congress and staff. The Procedural Rules related to confidentiality, disclosures, and referral reflect the requirements of the Act, and the Board declines to expand upon those statutory requirements. However, the Office will work with the ethics committees to establish procedures for providing information necessary for those committees to fulfill their obligations, consistent with the requirements of the Act and in a manner that will ensure secure transmittal. We also note that certain internal processes of the Office are outside the scope of the Procedural Rules, but that the Office will comply with the reporting requirements of the Act whether or not they are specifically addressed in the Rules.

Several commenters offered suggestions about the content of the claim form as defined in section 1.02(e) of the Rules. We have taken these comments into consideration in preparing the claim form to be used for claims filed on or after June 19, 2019, which is available at [www.ocwr.gov](http://www.ocwr.gov).

One commenter asked the Board to explicitly affirm that it will continue to follow its own existing precedent except to the extent that the Reform Act may require deviation from that existing precedent. The Board does not intend to change its approach to considering and applying legal precedent, but it is the Board's view that the Procedural Rules are not the appropriate forum in which to address this subject, and the Board therefore declines to adopt the commenter's suggestion.

One commenter pointed out that the reimbursement requirements of the Act at section 415 may be expanded by rules of the Senate or the House of Representatives. We have added language where appropriate to account for those potentially broader requirements, including with respect to notification of Members who may have the right to intervene. The Board declines, however, to adopt the commenter's suggestion to require Merits Hearing Officers to make specific findings regarding violations and reimbursement pursuant to the additional requirements imposed by such expanded rules. The Board views such decisions as beyond the jurisdiction conferred by the Act upon the OCWR and its appointed Hearing Officers.

Multiple commenters suggested imposing specific time frames for various actions by the OCWR, by Mediators, or by Hearing Officers. Where such deadlines are feasible and would further the purposes of the Act, we have modified the proposed Rules to include them. However, with respect to mediation and administrative hearings, in the Board's experience such deadlines are best established by Mediators and Hearing Officers in consultation with the parties on a case-by-case basis.

One commenter suggested adding details to the Procedural Rules regarding the process Members must follow in order to intervene. We have added language to the Rules specifying that Members will be notified of their right to intervene, as well as the method for doing so, at three points in the process: when a claim form is filed that contains allegations of violations described in section 415(d)(1)(C) of the Act committed personally by a Member; when mediation has been requested with respect to a claim containing such allegations; and when an administrative hearing has been requested with respect to a claim containing such allegations. However, the Board has determined that the specific procedures for intervening will be set forth in the notification itself rather than in these Rules.

One commenter also requested that the rights and duties of intervenor Members in OCWR proceedings be more clearly delineated. We agree, and various provisions throughout the Rules have been modified where appropriate to make clear whether they apply to intervenor Members.

### Subpart A—General Provisions

Several commenters requested that we change or clarify the use of the terms "claim" and "claim form." The CAARA uses the term "claim" when referring to the filing a covered employee must make to initiate dispute resolution proceedings—indeed, Congress deliberately replaced the term "complaint" with the term "claim" in passing the CAARA—and the Board has decided to follow the statutory language. The Board therefore declines to revert to the term "complaint" or to replace the statutory term "claim" with another term not used in the statute, such as the suggested alternative "alleged violation." However, we have made modifications to the Rules where appropriate to make clear that a "claim" is an allegation of a violation of sections 102(c) or 201-207 of the Act, and a "claim form" is the document filed to initiate proceedings with the Office in cases that allege violations of sections 102(c) or 201-207 of the Act. A claim form may contain one or more claims—in other words, it may contain allegations of more than one violation of the Act.

One commenter correctly pointed out that the definition of "covered employee" omitted employees of the Office of Technology Assessment. That error has been corrected, and the numbering of subparagraphs in section 1.02(m) has been adjusted accordingly.

A few commenters suggested adding to the definition of “party” a list of the specific statutory provisions that allow intervention. Because there are different types of proceedings under the Act that allow intervention for various reasons, and because the Rules allow intervention in circumstances beyond those explicitly listed in the Act (i.e., when a House or Senate rule requires reimbursement by a Member for conduct beyond that described in section 415(d)(1)(C) of the Act), the Board has declined to modify the definition of “party” in the manner suggested, as such a definition would be overly restrictive.

For clarification purposes, a definition of the term “Mediator” has been added at section 1.02(gg) of the Rules. The numbering of the definitions that follow in section 1.02 has been revised accordingly.

Upon further consideration of the filing requirements, a minimum font size of 12-point has been added to section 1.04(d) to clarify the size limitations for briefs, motions, responses, and supporting memoranda filed with the Office.

One commenter pointed out that covered employees who participate in confidential advising before becoming “parties” to a proceeding should be explicitly covered by the confidentiality provisions of the Rules. We agree, and have added covered employees to the definition of “participant” in section 1.08(b).

One commenter suggested adding an exception to the confidentiality provisions of the Rules for disclosures made between a party and that party’s representative. We agree, and language has been added to section 1.08(d) to make clear that parties are not prohibited from disclosing confidential information to their designated representatives, or vice versa.

One commenter suggested adding exceptions to section 1.08(d) that would allow for the disclosure of confidential information in certain circumstances, including when required by law, compelled by legal process, or requested in conjunction with a criminal or security clearance investigation. The Board declines to add these exceptions; should such circumstances arise, Merits Hearing Officers or the Board will address them on a case-by-case basis.

#### **Subpart D—Claims Procedures Applicable to Consideration of Alleged Violations of Sections 102(c) and 201-207 of the Congressional Accountability Act of 1995, as Amended by the CAA Reform Act of 2018**

Several commenters suggested adding details regarding the scope of the Confidential Advisor’s role in section 4.03 of the Proposed Rules. Because the Act specifically sets forth the parameters of the Confidential Advisor’s role, the Board declines to depart from the language of the statute.

One commenter suggested requiring the Confidential Advisor to offer services regarding one of the employing offices’ employee assistance programs. The Board declines to expand the scope of the Confidential Advisor’s services set forth in the Procedural Rules to include providing this type of information. Different employing offices may have their own employee assistance or counseling programs, and those programs may change over time; moreover, as already noted, the Act specifically sets forth the parameters of the Confidential Advisor’s role. We note, however, that the OCWR’s longstanding practice has been to provide employees with information concerning such programs, and it will continue to do so as appropriate.

Two commenters included suggestions regarding the oversight of the Confidential Advisor. The Board declines to revise the Pro-

cedural Rules in this regard, and notes that the Confidential Advisor is appointed by the Executive Director of the OCWR and will be subject to the Executive Director’s oversight.

One commenter noted that the language in section 4.03(c)(5) of the Proposed Rules referenced a “complaint” with the Congressional ethics committees, whereas the term “complaint” in the context of those committees’ investigations may have a narrower meaning than intended by the proposed Procedural Rule. We agree, and have changed the language of this provision accordingly.

Several commenters raised questions or concerns about section 4.03(d), regarding privilege and confidentiality. This provision follows from the directive in the Act that the Confidential Advisor’s services are to be provided “on a privileged and confidential basis.” In response to the comments, we have modified the language in the proposed Rule to remove language that would have defined the contours of this statutorily-created privilege in a way that, in the Board’s view, would be more appropriately developed in the context of specific proceedings before Hearing Officers and the Board.

One commenter suggested removal of the words “or the claimant’s representative” in section 4.04(c), with respect to who may sign a claim form under oath or affirmation. We agree that the claim form should be signed by the claimant, and have modified the language accordingly. The same commenter suggested that claimants who have designated representatives should not be required to provide their own contact information, but the Board chooses to maintain its longstanding practice of requiring contact information for all claimants regardless of representation.

One commenter suggested adding a subparagraph to section 4.04(c) of the proposed Rules that would require the claim form to specify whether the challenged conduct meets the criteria set forth in section 415(d) of the Act. The Board has elected to leave this determination to the OCWR as part of its internal process for claim intake, rather than assign it to the claimant.

One commenter suggested adding information to section 4.05(b) regarding the exceptions to the 70-day deadline for filing a civil action after a claim form is filed. These exceptions were described in other sections of the proposed Procedural Rules concerning preliminary review and mediation, but we agree that they should be included here as well, and we have added clarifying language to this subsection accordingly.

We received a comment that the OCWR should notify employing offices immediately upon receipt of notification that a claimant has filed a civil action in federal district court. The Board declines to include such a requirement in the Procedural Rules, although as a practical matter the OCWR will endeavor to notify employing offices, as well as any intervening Members or Members who have not exercised their right to intervene, without undue delay. In order to make this practice more feasible and effective, the Board has modified section 4.05(d) of the Procedural Rules to change the time frame for claimants to notify the OCWR from 10 days to 3 days after filing a civil action.

Some commenters offered suggestions for how individual Members should receive notifications required by the Act. The Board prefers to work with the Senate and the House of Representatives to devise a method of identifying points of contact and providing notifications, rather than providing for this in the Procedural Rules. One commenter also suggested that the notification should inform the Member of not only the right to intervene, but also the procedures for doing so;

we agree, and sections dealing with Member notification now include language to that effect.

One commenter correctly pointed out that the special rule referenced in section 4.06(d) applies only to employees of the Architect of the Capitol and the U.S. Capitol Police, not the Library of Congress. We have removed the references to the Library of Congress from this subsection.

The proposed section 4.07(d) required immediate notification of a Member with a right to intervene whenever mediation is requested. Upon further review of the requirements of the Act, the Board has changed the word “immediately” to “promptly.”

One commenter noted that only claimants and respondents, not intervening Members, have the statutory right to request an extension of the mediation period. We agree, and have modified the language of section 4.07(f)(2) accordingly.

Several commenters pointed out that because mediation is voluntary, the mediator lacks the authority to require the physical presence of any party. We agree, and have changed the language of section 4.07(i) from “required” to “requested.”

One commenter noted an inconsistency between section 4.07(j) of the proposed Rules, which referenced both informal resolutions and formal settlements during the mediation period, and section 9.03(a) of the proposed Rules, which concerned informal resolution before a covered employee files a claim form. Because references to informal resolution have been removed from section 9.03 for the reasons discussed below, the inconsistency noted by the commenter no longer exists. The Rules no longer address resolutions achieved prior to the filing of a claim form; all settlements reached between the parties after a claim form is filed, including during mediation, must satisfy the requirements of section 414 of the Act and section 9.03 of these Rules.

One commenter suggested adding a requirement that any alleged confidentiality violation must be raised to the Mediator during the mediation period. This is not required by the statute, and the Board declines to add such a requirement because it would be overly restrictive.

One commenter suggested including additional exceptions to confidentiality under section 4.07(n) of the proposed Rules. While we agree that there might be other exceptions to confidentiality, the intent of this subparagraph was to direct the parties to the exceptions expressly set forth in the statute itself.

Several commenters requested that the Board include in the Procedural Rules the qualifications required for Preliminary Hearing Officers and Merits Hearing Officers. The Board declines to do so. The Board notes that the statute at section 405(c) already contains a requirement that the Executive Director must develop master lists from which all Hearing Officers must be selected for appointment, and sets forth the qualifications that individuals must possess in order to be included on those lists.

Proposed section 4.08(b) was originally modeled on the existing Procedural Rule governing the disqualification of a Hearing Officer. Upon further consideration of the purpose and scope of the preliminary review, the Board has determined that requests to disqualify a Preliminary Hearing Officer should be made to the Executive Director of the Office rather than in the form of a motion to the Preliminary Hearing Officer. Sections 4.08(b)(2) and (b)(3) have been revised accordingly. Additionally, one commenter suggested adding a provision requiring prompt notification of the parties once a Preliminary Hearing Officer is appointed. We

agree, and have added such a provision to section 4.08(a).

Several commenters suggested that the Procedural Rules should specifically state that in conducting the preliminary review pursuant to section 403 of the Act, the Preliminary Hearing Officer must apply the same standard during preliminary review that federal courts apply under Federal Rule of Civil Procedure 12(b)(6). Although some of the language in section 403(b)(6) of the Act also appears in FRCP 12(b)(6), the Act specifically directs the Preliminary Hearing Officer to make the determination whether the claimant is a covered employee who has stated a claim upon which relief can be granted “on the basis of the assessments made under paragraphs (1) through (5)” of section 403(b). In light of the foregoing, and in consideration of the purpose of the preliminary review—i.e., to determine whether a claimant may proceed to an administrative hearing or must pursue his or her claims in federal court—the Board declines to adopt a standard equivalent to that of FRCP 12(b)(6) for the preliminary review of claim forms. We note, however, that the Board has long applied a 12(b)(6) standard in considering motions to dismiss; under these Procedural Rules, should a claimant proceed to an administrative hearing, the parties will continue to have a full and fair opportunity to litigate over whether the claimant has satisfied the FRCP 12(b)(6) pleading standard.

We received a variety of comments regarding whether amendments to the claim form should be permitted during the preliminary review stage. The Board considered those comments, as well as the purpose and scope of preliminary review, and determined that no prejudice or undue delay would result from adopting the suggestion made by one commenter that claimants be allowed one amendment as of right within 15 days of the initial filing. Section 4.08(d) has been revised accordingly. Section 4.08(e)(1) has also been revised to provide that the Preliminary Hearing Officer must not issue the preliminary review report until at least 20 days after the claim form is filed, to ensure that the report is not issued before the deadline for submitting an amended claim form has passed.

Several commenters suggested adding provisions for answers, motions, and/or discovery before the Preliminary Hearing Officer. The Board does not believe that allowing additional pleadings, motions, or discovery during this stage would be consistent with the limited purpose of preliminary review, which is to determine whether a claimant may proceed to an administrative hearing or must pursue his or her claims in federal court. There is no indication in the statute that Congress intended for the preliminary review by a Preliminary Hearing Officer and subsequent administrative proceedings before a Merits Hearing Officer to be duplicative processes requiring the parties to litigate the same matter twice.

One commenter suggested that the Preliminary Hearing Officer’s determinations should be appealable to the Board. The statute does not grant the Board authority to review the Preliminary Hearing Officer’s determinations, and therefore the Board declines to adopt that suggestion. Moreover, nothing in the Act would permit the Board to toll the time limit for filing a civil action pending the outcome of such an appeal to the Board. Section 4.08(e)(5) has been added to clarify that the preliminary review report is not subject to appellate review by the Merits Hearing Officer or the Board.

Another commenter suggested adding a provision to the effect that the Preliminary Hearing Officer’s report has no evidentiary weight or preclusive effect on subsequent ad-

ministrative proceedings before a Merits Hearing Officer. We agree, and we have added a subparagraph designated 4.08(e)(4) to incorporate that provision. It is the Board’s view that the limited purpose of the preliminary review is to determine whether a claimant may request an administrative hearing pursuant to section 405(a) of the Act.

We received numerous comments suggesting that claimants should not be allowed to pursue some claims through the OCWR administrative process while pursuing others in federal district court. We agree that bifurcation of claims in such a manner is not practicable, efficient, or consistent with the CAARA. One commenter suggested that if some claims on a claim form pass the preliminary review but others do not, then a claimant should be required to waive those claims that did not pass preliminary review in order to pursue an administrative hearing on those claims that did; most commenters took the view that as long as a claimant has succeeded at the preliminary review stage on at least one claim, then the claimant should be allowed to request an administrative hearing on all claims asserted in the claim form. The Board agrees that as long as the Preliminary Review Officer determines that the claimant is a covered employee who has stated at least one claim for which relief may be granted under the Act, then the employee may request a hearing on all claims asserted in the claim form, and the parties will be afforded a full and fair opportunity to litigate those claims before the Merits Hearing Officer. Accordingly, a new provision has been added to clarify the effect of a Preliminary Hearing Officer’s determination that a claimant is a covered employee who has stated at least one claim for which relief may be granted; that provision appears at section 4.08(f) of the Rules, and the numbering of the following subparagraphs in section 4.08 has been revised accordingly.

A paragraph has been added at section 4.09(c) providing for notification of employing offices and Members who have the right to intervene regarding the filing of a request for administrative hearing. Subsequent paragraphs in section 4.09 have been renumbered accordingly.

The proposed Procedural Rules did not address motions to amend claim forms after the filing of a request for an administrative hearing. A provision has been added regarding amendments, and appears at section 4.09(e) of the Rules. Subsequent paragraphs in section 4.09 have been renumbered accordingly.

Several commenters opposed the provision in the proposed Procedural Rules that would reduce the time period for a respondent to file an answer from 15 days to 10 days. Upon further consideration, the Board agrees with these commenters. The provision for answers to claim forms, which is now located at section 4.09(f) of the Rules, has been amended to reflect the 15-day deadline. Section 5.01(f) has also been amended to reflect a 15-day deadline for respondents to submit answers to complaints filed by the General Counsel. Additionally, in response to a comment, the language of section 4.09(f) has been modified to reflect that the 15-day period begins to run as of the date that the respondent is notified of the filing of the request for a hearing, not the date that the request is filed.

A few commenters suggested that the filing of a motion to dismiss should stay the time period for filing an answer. The Board feels that this determination should be left to the discretion of the Merits Hearing Officer. Accordingly, language from the proposed Rules stating that the filing of a motion to dismiss does not stay the time period for filing an answer has been removed. Corresponding language has also been removed from section 5.01(f).

Multiple commenters suggested that the Procedural Rules specifically allow for respondents to state in an answer that they lack sufficient knowledge to admit or deny specific allegations, and that such a statement should constitute a denial. We agree, and have added language to that effect in section 4.09(f)(2). Corresponding language has also been added to section 5.01(f)(2).

For purposes of clarification, especially in light of the many comments we received regarding the standard for preliminary review, we have added provisions under section 4.10 to make clear that the Merits Hearing Officer may dismiss claims for reasons equivalent to those specified in Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6). These provisions parallel the provisions regarding dismissal of complaints filed by the General Counsel under section 5.03 of the Rules.

Several commenters raised questions about the language in section 4.10(b) of the proposed Rules regarding motions to dismiss being treated as motions for summary judgment. The language of that section has been modified and moved to section 4.09(a) to clarify that motions to dismiss will be treated as motions for summary judgment if matters outside the pleadings are considered. New sections have been added to clarify that parties still have the option to file motions to dismiss and the Merits Hearing Officer has the authority to dismiss claims based on the allegations set forth in the claim form, prior to engaging in discovery; those provisions are located at sections 4.09(g) and 4.10(a)–(b), and subsequent paragraphs under section 4.10 have been renumbered accordingly. Section 5.01(g), concerning motions to dismiss complaints filed by the General Counsel, has been updated in the same manner.

One commenter suggested that section 4.10(e) of the proposed Rules, which concerned the withdrawal of a representative after an administrative hearing has been requested, should be moved to section 1.07(c), which covers designation of representatives. We agree, and have modified those sections accordingly.

#### **Subpart F—Discovery and Subpoenas**

Several commenters observed that the proposed Rules at section 6.01(a) retained a discovery standard from an outdated version of the Federal Rules of Civil Procedure that permitted discovery of nonprivileged information “reasonably calculated to lead to the discovery of admissible evidence.” The commenters suggested that, because OCWR Hearing Officers frequently rely on case law interpreting the Federal Rules when resolving discovery disputes under the CAA, section 6.01(a) should be updated to reflect the current standard under Rule 26(b) which, among other things, requires discovery requests to be relevant and proportional to the needs of the case. We agree, and have revised section 6.01(a) accordingly.

The Board declines, however, to further amend the Procedural Rules to incorporate specific timeframes or limits on the forms or extent of discovery, or to more closely align discovery under the Procedural Rules with discovery under the Federal Rules of Civil Procedure. Administrative proceedings under the CAA are intended to serve as a less formal, more expeditious alternative to litigation in the federal courts for resolving disputes. In the OCWR’s experience, section 6.01 of the Rules—which grants the Merits Hearing Officer the discretion to order reasonable prehearing discovery and to issue orders setting forth the forms and extent of discovery—is best suited to this purpose and to ensure that discovery requests will be relevant and proportional to the particular needs of each case.

#### **Subpart G—Hearings**

A commenter proposed that section 7.02(b)(4) be revised to recognize the Merits

Hearing Officer's discretion to dismiss an action in whole or in part, with or without prejudice, when a claimant files a claim that fails to meet the requirements of section 401(f) of the Act. We agree, and have revised the Rule accordingly. We have also revised section 7.02(b)(2) to recognize that the Merits Hearing Officer has the same discretion if a party fails to prosecute or defend a position.

One commenter recommended that the prehearing procedures at section 7.04 be modified to provide for two phases: the initial establishment of a framework for prehearing discovery, and subsequent preparation for a hearing, if any. The commenter proposes two conferences: First, the Merits Hearing Officer would conduct an initial conference soon after the claimant requests an administrative hearing pursuant to section 405 of the Act; during this conference, the Merits Hearing Officer would establish an orderly process for discovery and set a schedule for dispositive motions. Second, after discovery has closed and shortly before the commencement of the administrative hearing, the Merits Hearing Officer would conduct a prehearing conference to discuss the matters that were listed in section 7.04(d) of the proposed Rules. We agree with the commenter that such a modification would provide a more meaningful process for prehearing discovery and hearing preparation. Section 7.04 has been revised accordingly.

Several commenters proposed amending section 7.05, which concerns scheduling the administrative hearing, to reflect the new time limits set forth in the CAARA. We agree. As amended by the CAARA, the CAA provides at section 405(d)(2) that an administrative hearing must commence no later than 90 days after a claimant files a request for an administrative hearing, and that this time limit may be extended by 30 days upon mutual agreement of the parties or for good cause shown. Paragraphs (a) and (b) of section 7.05 have been revised accordingly.

A commenter suggested that a new paragraph be added to section 7.05 to expressly affirm that a Merits Hearing Officer has the authority to open a hearing and stay proceedings pending the resolution of dispositive motions and other pretrial matters. The commenter further suggested that section 7.05 should also expressly permit the Merits Hearing Officer to open and stay proceedings for a reasonable amount of time when jointly requested by the parties. We agree with the commenter that, under existing practice, Hearing Officers have the authority to open a hearing and stay proceedings under the circumstances described above. This authority is unaffected by the CAARA amendments, and the Board therefore does not believe that it is necessary to amend section 7.05 in the manner proposed.

A commenter recommended that section 7.07(f)—which grants the Merits Hearing Officer the discretion to hold the hearing without the claimant if the claimant's representative is present—be amended to also grant the Merits Hearing Officer the discretion to hold a hearing without the respondent if the respondent's representative is present. The commenter also proposed to revise section 7.07(f) to make allowances for intervenor Members of Congress, whose presence throughout the duration of a hearing may not be necessary and, in some cases, may actually impede the progress of the hearing due to the Member's need to fulfill his or her constitutional duties. We agree with the commenter on both counts and have amended section 7.07(f) in the manner suggested.

A commenter suggested that section 7.16(e) be amended to provide that, in the case of a decision in which an amount of compensatory damages is found to be reimbursable as described in section 7.16(c)(4) of the Rules,

the OCWR shall promptly provide a copy of the Merits Hearing Officer's written decision to the Member responsible for that reimbursement, regardless of whether the Member has intervened in the action. We agree and have revised section 7.16(e) accordingly.

#### **Subpart I—Other Matters of General Applicability**

One commenter suggested that section 9.01(b)(5), which concerns the form of a motion for attorney's fees and costs, be revised to require additional evidence of an established attorney-client relationship only if a copy of the fee agreement is not available. We agree, and have revised section 9.01(b)(5) accordingly.

A commenter objected to proposed section 9.01(c), which would require the prevailing party in arbitration proceedings to submit any request for attorney's fees and costs to the arbitrator in accordance with the established arbitration procedures. The commenter contends that OCWR's proposed rule conflicts with the CAA. We disagree. Section 220(a) of the CAA extends to employing offices, employees, and collective bargaining representatives the rights, protections, and responsibilities established under various portions of the Federal Service Labor-Management Relations Statute ("FSLMRS") including 5 U.S.C. 7121–22, relating to grievance arbitration. Under the FSLMRS, the entitlement to attorney's fees is determined by reference to the Back Pay Act, 5 U.S.C. 7701(g). The Federal Labor Relations Authority has long recognized that the Back Pay Act confers jurisdiction on an arbitrator to consider an attorney's fees request filed after an arbitrator's decision awarding back pay. *Philadelphia Naval Shipyard & Philadelphia Metal Trades Council*, 32 F.L.R.A. 417 (1988); accord, *Fraternal Order of Police, U.S. Capitol Police Labor Comm. v. U.S. Capitol Police*, Case No. 17-ARB-04, 2018 WL 950096, \*9 (OOC Feb. 15, 2018) (holding that arbitrator was authorized to award attorney's fees in a case arising under section 220(a) of the CAA). Section 9.01(c) clarifies that the proper procedure for a party seeking an award of attorney's fees or costs in an arbitration proceeding under the CAA is to submit the request to the arbitrator in the first instance.

A commenter suggested that section 9.03(a) of the proposed Rules, which concerns informal resolution of disputes, would improperly expand the scope of coverage of section 9.03(a) of the existing Rules to place limits on an employing office and a covered employee before that covered employee files a claim with the OCWR. The commenter contends that this would be inconsistent with section 414 of the Act, which only concerns settlements entered into by the "parties to a process" described in sections 210, 215, 220, or 401 of the CAA. We agree with the commenter that section 9.03 should only address resolutions between "parties to a process" under section 414 of the Act, and that, in the case of alleged violations of sections 102(c) or 201–207 of the Act, that process begins when an employee files a claim form.

Upon further consideration of section 9.03(a), the Board has decided to eliminate the provisions of this section concerning informal resolutions of disputes. Under section 414 of the Act, any settlement agreement entered into by parties to a process must be in writing and approved by the OCWR Executive Director. No mention is made of informal resolutions in the CAA, and the Act makes no distinction between agreements settling claims entered into before or after the employee requests an administrative hearing. In light of the foregoing, we believe that unnecessary confusion would result if the OCWR includes in the Rules a provision that concerns agreements outside the scope

of section 414. Rather, section 9.03 now emphasizes the statutory requirements for settlement agreements under the CAA, including the requirement that any agreement between the parties that purports to create an obligation that is payable from the account established by section 415(a) of the Act must be in writing and approved by the OCWR Executive Director.

One commenter recommended that section 9.03 of the Rules should clarify whether funds from the section 415(a) Treasury Account are available to pay for disability-based claims, such as a back pay award based on a finding of discrimination due to a disability. Because section 415(c) of the Act clearly sets forth the exceptions to the general rule that only funds from the section 415(a) Treasury Account will be used for the payment of any amount specified in an award or settlement agreement, The Board declines to expand on these exceptions in these Procedural Rules.

A commenter noted that, although section 9.03 of the Proposed Rules correctly states that certain section 201 and 206 claims are reimbursable under the CAARA, it should also state that certain section 207 claims are also subject to the new reimbursement requirement. Commenters also recommended that section 9.03 should be amended to reflect the expanded reimbursement requirements applicable to Members of Congress under current House and Senate rules. We agree with these recommendations, and we have revised this section accordingly. We decline, however, to include citations to specific House or Senate rules that currently require reimbursement, as those rules are subject to modification.

One commenter contends that section 9.04, which concerns payments required pursuant to decisions, awards, or settlements under section 415(a) of the Act, conflicts with the Act because it requires employing offices, rather than the OCWR, to pay awards and settlements under the CAA, and because it permits the OCWR to circumvent certain tax reporting obligations it incurs upon payment as the entity in control of the section 415(a) Treasury Account. We disagree for the reasons that follow.

Section 415(a) of the CAA provides, in relevant part, that "only funds which are appropriated to an account of the Office in the Treasury of the United States for the payment of awards and settlements may be used for the payment of awards and settlements under this chapter." Pursuant to section 415(a), the OCWR, through its Executive Director, prepares and processes requisitions for disbursements from the Treasury account established pursuant to section 415(a) when qualifying final decisions, awards, or approved settlements require the payment of funds. Section 9.04 of the Rules provides guidance for processing certifications of payments from the funds appropriated to the section 415(a) Treasury Account. These procedures are based on regulations issued by the Department of the Treasury's Bureau of Fiscal Services at 31 C.F.R. part 256 that provide guidance to agencies in the executive branch for submitting requests for payments from the Judgment Fund, which is a permanent, indefinite appropriation that is available to pay many judicially and administratively ordered monetary awards against the United States.

Like the Judgment Fund, the Section 415(a) Treasury Account is a permanent, indefinite appropriation intended to pay settlements and awards, including back pay awards, occasioned by agency liability imposed by a statute. It is clear that under existing appropriations law, an employing office must use funds from the section 415(a) Treasury account to pay awards and settlements under the CAA, and the Rules set



forth the proper procedures for complying with this mandate. In the OCWR's view, section 415(b), which "authorizes to be appropriated such sums as may be necessary for administrative, personnel, and similar expenses of employing offices which are needed to comply with" the CAA, requires employing offices, and not the OCWR, to perform these administrative payment functions, including ensuring proper tax withholding and reporting, and to pay the expenses related to these functions.

Several commenters suggested that section 9.04 be modified to recognize that the employing offices of the House and the Senate are not actively involved in administering finances or disbursing payments, including making payments required by decisions, awards, or settlements pursuant to section 415 of the CAA. We agree, and we have amended section 9.04 to clarify that employing offices or their designated payroll administrators or disbursing offices may submit payment requests to the OCWR.

The Board declines to follow one commenter's recommendation to withdraw sections 9.04(d) of the Rules concerning back pay, as well as section 9.04(f) concerning tax reporting and withholding obligations, until language consistent with the statutes, rules, regulations, and procedures of both the Senate and the OCWR can be determined. Instead, the Board has amended section 9.04(d) to provide several options to employing offices for disbursement of back pay, including disbursement "pursuant to a method mutually agreed upon by the OCWR and the employing office, payroll administrator, or disbursing office, as applicable." The OCWR welcomes this commentator's invitation to work with it, as well as other payroll administrators and disbursing offices, to craft methods that are consistent with statutes, rules, regulations, and procedures related to payroll administration.

Several commenters also suggested that the OCWR seek a formal determination from the Comptroller General to ensure that the provisions of section 4.09 are consistent with governing appropriations law principles. The Board agrees, and the OCWR will seek such a determination. Any resulting amendments to section 4.09 will be effected pursuant to the notice and comment procedures set forth in section 303 of the Act, 2 U.S.C. 1383.

#### **Explanation Regarding the Text of the Proposed Amendments**

Only subsections of the Procedural Rules that include proposed amendments are reproduced in this NOTICE. The insertion of a series of five asterisks (\*\*\*\*\* ) indicates that a whole section or paragraph, including its subordinate sections paragraphs, is unchanged, and has not been reproduced in this document. The insertion of a series of three asterisks (\*\*\*) indicates that the unamended text of higher level sections or paragraphs remain unchanged when text is changed at a subordinate level, or that preceding or remaining sentences in a paragraph are unchanged. For the text of other portions of the Procedural Rules which are not proposed to be amended, please access the Office of Congressional Workplace Rights public website at [www.ocwr.gov](http://www.ocwr.gov).

#### **ADOPTED AMENDMENTS**

##### **SUBPART A—[AMENDED]**

1. Subpart A has been amended to read as follows:

#### **Subpart A—General Provisions**

##### **§ 1.01 Scope and Policy**

##### **§ 1.02 Definitions**

##### **§ 1.03 Filing and Computation of Time**

##### **§ 1.04 Filing, Service, and Size Limitations of Motions, Briefs, Responses, and Other Documents**

##### **§ 1.05 Signing of Pleadings, Motions, and Other Filings; Violation of Rules; Sanctions**

##### **§ 1.06 Availability of Official Information**

##### **§ 1.07 Designation of Representative; Revocation of Designation**

##### **§ 1.08 Confidentiality**

##### **§ 1.01 Scope and Policy.**

These Rules of the Office of Congressional Workplace Rights (OCWR) govern the procedures for considering and resolving alleged violations of the laws made applicable by the Congressional Accountability Act of 1995 (CAA), as amended by the Congressional Accountability Act of 1995 Reform Act of 2018 (CAARA). The Rules include definitions and procedures for seeking confidential advice, filing a claim with the OCWR, and participating in administrative dispute resolution proceedings at the OCWR. The Rules also address the procedures for occupational safety and health inspections, investigations, and enforcement. The Rules include procedures for the conduct of hearings held as a result of the filing of a claim or complaint and for appeals to the OCWR Board of Directors from Merits Hearing Officers' decisions, as well as other matters of general applicability to the dispute resolution process and to the OCWR's operations. It is the OCWR's policy that these Rules shall be applied with due regard to the rights of all parties and in a manner that expedites the resolution of disputes.

##### **§ 1.02 Definitions.**

Except as otherwise specifically provided, the following are the definitions of terms used in these Rules:

(a) *Act*.—The term "Act" means the Congressional Accountability Act of 1995, as amended by the Congressional Accountability Act of 1995 Reform Act of 2018.

(b) *Board*.—The term "Board" means the Board of Directors of the Office of Congressional Workplace Rights.

(c) *Chair*.—The term "Chair" means the Chair of the Board of Directors of the Office of Congressional Workplace Rights.

(d) *Claim*.—The term "claim" means the allegations of fact that the claimant contends constitute a violation of sections 102(c) or 201–207 of the Act.

(e) *Claim Form*.—The term "claim form" means the written pleading filed by an individual or his or her designated representative to initiate proceedings with the Office of Congressional Workplace Rights, which describes the facts and law supporting one or more alleged violations of section 102(c) or 201–207 of the Act.

(f) *Claimant*.—The term "claimant" means the individual filing a claim form with the Office of Congressional Workplace Rights, or on whose behalf a claim is filed by a designated representative.

(g) *Complaint*.—The term "complaint" means the written pleading filed with the Office of Congressional Workplace Rights by the General Counsel, which describes the facts and law supporting the alleged violation of sections 210, 215, or 220 of the Act.

(h) *Confidential Advisor*.—The term "Confidential Advisor" means, pursuant to section 302 of the Act, a lawyer appointed or designated by the Executive Director to offer to provide covered employees certain services, on a privileged and confidential basis, which a covered employee may accept or decline. A Confidential Advisor is not the covered employee's designated representative.

*Covered Employee*.—see "Employee, Covered," below.

(i) *Designated Representative*.—The term "designated representative" means an individual, firm, or other entity designated in writing by a party to represent the interests of that party in a matter filed with the Office.

(j) *Direct Act*.—The term "direct act," with regard to a Library claimant, means a statute (other than the Act) that is specified in sections 201, 202, or 203 of the Act.

(k) *Direct Provision*.—The term "direct provision," with regard to a Library claimant, means a direct act provision (including a definitional provision) that applies the rights or protections of a direct act (including the rights and protections relating to non-retaliation or non-coercion).

(l) *Employee*.—The term "employee" includes an applicant for employment and a former employee.

(m) *Employee, Covered*.—The term "covered employee" means:

- (1) any employee of the House of Representatives;
- (2) any employee of the Senate;
- (3) any employee of the Office of Congressional Accessibility Services;
- (4) any employee of the Capitol Police;
- (5) any employee of the Congressional Budget Office;
- (6) any employee of the Office of the Architect of the Capitol;
- (7) any employee of the Office of the Attending Physician;
- (8) any employee of the Office of Congressional Workplace Rights;
- (9) any employee of the Office of Technology Assessment;
- (10) any employee of the Library of Congress, except for purposes of section 220 of the Act;

(11) any employee of the John C. Stennis Center for Public Service Training and Development;

(12) any employee of the China Review Commission, the Congressional Executive China Commission, or the Helsinki Commission;

(13) to the extent provided by sections 204–207 and 215 of the Act, any employee of the Government Accountability Office; or

(14) unpaid staff, as defined below in section 1.02(r) of these Rules.

(n) *Employee of the Office of the Architect of the Capitol*.—The term "employee of the Office of the Architect of the Capitol" includes any employee of the Office of the Architect of the Capitol or the Botanic Garden.

(o) *Employee of the Capitol Police*.—The term "employee of the Capitol Police" includes civilian employees and any member or officer of the Capitol Police.

(p) *Employee of the House of Representatives*.—The term "employee of the House of Representatives" includes an individual occupying a position the pay for which is disbursed by the Chief Administrative Officer of the House of Representatives, or another official designated by the House of Representatives, or any employment position in an entity that is paid with funds derived from the clerk-hire allowance of the House of Representatives, but not any such individual employed by any entity listed in subparagraphs (3) through (13) of paragraph (m) above.

(q) *Employee of the Senate*.—The term "employee of the Senate" includes any employee whose pay is disbursed by the Secretary of the Senate, but not any such individual employed by any entity listed in subparagraphs (3) through (13) of paragraph (m) above.

(r) *Employee, Unpaid Staff*.—The terms "unpaid staff" and "unpaid staff member" mean any staff member of an employing office who carries out official duties of the employing office but who is not paid by the employing office for carrying out such duties, including an intern, an individual detailed to an employing office, and an individual participating in a fellowship program. This definition includes a former unpaid staff member, if the act(s) that may be a violation of section 201(a) of the Act occurred during the

service of the former unpaid staff member for the employing office.

(s) *Employing Office*.—The term “employing office” means:

(1) the personal office of a Member of the House of Representatives or a Senator;

(2) a committee of the House of Representatives or the Senate or a joint committee;

(3) any other office headed by a person with the final authority to appoint, hire, discharge, and set the terms, conditions, or privileges of the employment of an employee of the House of Representatives or the Senate;

(4) the Office of Congressional Accessibility Services, the Capitol Police, the Congressional Budget Office, the Office of the Architect of the Capitol, the Office of the Attending Physician, and the Office of Congressional Workplace Rights;

(5) the Library of Congress, except for section 220 of the Act;

(6) the John C. Stennis Center for Public Service Training and Development, the Office of Technology Assessment, the China Review Commission, the Congressional Executive China Commission, and the Helsinki Commission; or

(7) to the extent provided by sections 204–207 and 215 of the Act, the Government Accountability Office.

(t) *Executive Director*.—The term “Executive Director” means the Executive Director of the Office of Congressional Workplace Rights.

(u) *Final Disposition*.—The term “final disposition” under section 416(d) of the Act means any of the following:

(1) an order or agreement to pay an award or settlement, including an agreement reached pursuant to mediation under section 404 of the Act;

(2) a final decision of a Merits Hearing Officer under section 405(g) of the Act that is no longer subject to review by the Board under section 406;

(3) a final decision of the Board under section 406(e) of the Act that is no longer subject to appeal to the United States Court of Appeals for the Federal Circuit under section 407; or

(4) a final decision in a civil action under section 408 of the Act that is no longer subject to appeal.

(v) *General Counsel*.—The term “General Counsel” means the General Counsel of the Office of Congressional Workplace Rights.

(w) *Hearing*.—A “hearing” means an administrative hearing as provided in section 405 of the Act, subject to Board review as provided in section 406 of the Act and judicial review in the United States Court of Appeals for the Federal Circuit as provided in section 407 of the Act.

(x) *Hearing Officer*.—The term “Hearing Officer” means any individual appointed by the Executive Director to preside over administrative proceedings within the Office of Congressional Workplace Rights.

(y) *Hearing Officer, Merits*.—The term “Merits Hearing Officer” means any individual appointed by the Executive Director to preside over an administrative hearing conducted on matters within the Office’s jurisdiction under section 405 of the Act.

(z) *Hearing Officer, Preliminary*.—The term “Preliminary Hearing Officer” means an individual appointed by the Executive Director to make a preliminary review of claim(s) filed, and to issue a preliminary review report on such claim(s), as provided in section 403 of the Act.

(aa) *Intern*.—The term “intern,” for purposes of section 201(a) and (b) of the Act, means an individual who, for an employing office, performs service which is uncompensated by the United States to earn credit awarded by an educational institution or to

learn a trade or occupation, and includes any individual participating in a page program operated by any House of Congress.

(bb) *Library Claimant*.—A “Library claimant” is a covered employee of the Library of Congress who initially brings a claim, complaint, or charge under a direct provision for a proceeding before the Library of Congress and who may, prior to requesting a hearing under the Library of Congress’s procedures, elect to—

(1) continue with the Library of Congress’ procedures and preserve the option (if any) to bring any civil action relating to the claim, complaint, or charge, that is available to the Library claimant; or

(2) file a claim with the Office under section 402 of the Act and continue with the corresponding procedures of this Act available and applicable to a covered employee.

(cc) *Library Visitor*.—The term “Library visitor” means an individual who is eligible to allege a violation under title II or III of the Americans with Disabilities Act of 1990 (other than a violation for which the exclusive remedy is under section 201 of the Act) against the Library of Congress.

(dd) *Member or Member of Congress*.—The terms “Member” and “Member of Congress” mean a United States Senator, a Representative in the House of Representatives, a Delegate to Congress, or the Resident Commissioner from Puerto Rico.

*Merits Hearing Officer*.—see “Hearing Officer, Merits,” above.

(ee) *Office*.—The term “Office” means the Office of Congressional Workplace Rights.

(ff) *Party*.—The term “party” means:

(1) a covered employee or employing office in a proceeding to address an alleged violation of sections 102(c) or 201–207 of the Act;

(2) a charging individual, an entity alleged to be responsible for correcting a violation, or the General Counsel in a proceeding under section 210 of the Act;

(3) a covered employee, an employing office, or the General Counsel in a proceeding under section 215 of the Act;

(4) a labor organization, an employing office or entity, or the General Counsel in a proceeding under section 220 of the Act; or

(5) any individual, employing office, or Member of Congress that has intervened in a proceeding pursuant to the Act or these Rules.

*Preliminary Hearing Officer*.—see “Hearing Officer, Preliminary,” above.

(gg) *Mediator*.—The term “Mediator” means an individual appointed by the Executive Director as an independent neutral who serves in a confidential, interactive process communicating with the parties jointly or separately in an attempt to achieve a mutually acceptable resolution of a claim. The Mediator cannot serve in any other capacity with respect to a claim in connection with which he or she has been appointed to conduct mediation.

(hh) *Respondent*.—The term “respondent” means the party against which a claim, a complaint, or a petition is filed.

(ii) *Senior Staff*.—The term “senior staff,” for purposes of the reporting requirement to the House and Senate Ethics Committees under the Act, means any individual who is employed in the House of Representatives or the Senate who, at the time a violation occurred, was required to file a report under title I of the Ethics in Government Act of 1978 (5 U.S.C. App. 101 et seq.).

*Unpaid Staff*.—see “Employee, Unpaid Staff,” above.

### § 1.03 Filing and Computation of Time.

(a) *Method of Filing*.—Documents may be filed in person, electronically, by facsimile (fax), or by mail, including express, overnight, and other expedited delivery. The fil-

ing of all documents is subject to the limitations set forth below. The Board, Hearing Officers, the Executive Director, or the General Counsel may, in their discretion, determine the method by which documents may be filed in a particular proceeding, including ordering one or more parties to use mail, fax, electronic filing, or personal delivery. Parties and their representatives are responsible for ensuring that the Office always has their current postal mailing and e-mail addresses and fax numbers.

(1) *In Person*.—A document shall be deemed timely filed if it is hand delivered to the Office at: Adams Building, Room LA–200, 110 Second Street, SE, Washington, D.C. 20540–1999, before 5:00 p.m. Eastern Time on the last day of the applicable time period.

(2) *By Mail*.—Documents are deemed filed on the date of their postmark or proof of mailing to the Office. Parties, including those using franked mail, are responsible for ensuring that any mailed document bears a postmark date or other proof of the actual date of mailing. Absent a legible postmark, a document will be deemed timely filed if it is received by the Office at Adams Building, Room LA 200, 110 Second Street, SE, Washington, D.C. 20540–1999, by mail within five (5) days of the expiration of the applicable filing period.

(3) *By Fax*.—Documents transmitted by fax machine will be deemed filed on the date received at the Office at 202–426–1913, or on the date received at the Office of the General Counsel at 202–426–1663 if received by 11:59 p.m. Eastern Time. Faxed documents received after 11:59 p.m. Eastern Time will be deemed filed the following business day. A fax filing will be timely only if the document is received no later than 11:59 p.m. Eastern Time on the last day of the applicable filing period. Any party using a fax machine to file a document is responsible for ensuring both that the document is timely and accurately transmitted and confirming that the Office has received a facsimile of the document. The time displayed as received by the Office on its fax status report will be used to show the time that the document was filed. When the Office serves a document by fax, the time displayed as sent by the Office on its fax status report will be used to show the time that the document was served. A fax filing cannot exceed 75 pages, inclusive of table of contents, table of authorities, and attachments. Attachments exceeding 75 pages must be submitted to the Office in person or by electronic delivery. The filing date is determined by the date the brief, motion, response, or supporting memorandum is received in the Office, rather than by the date the attachments are received in the Office.

(4) *By Electronic Mail*.—Documents transmitted electronically will be deemed filed on the date received at the Office at [ocwrefile@ocwr.gov](mailto:ocwrefile@ocwr.gov), or on the date received at the Office of the General Counsel at [osh@ocwr.gov](mailto:osh@ocwr.gov) or [adaaccess@ocwr.gov](mailto:adaaccess@ocwr.gov), if received by 11:59 p.m. Eastern Time. Documents received electronically after 11:59 p.m. Eastern Time will be deemed filed the following business day. An electronic filing will be timely only if the document is received no later than 11:59 p.m. Eastern Time on the last day of the applicable filing period. Any party filing a document electronically is responsible for ensuring both that the document is timely and accurately transmitted and for confirming that the Office has received the document. The time displayed as received by the Office will be used to show the time that the document has been filed. When the Office serves a document electronically, the time displayed as sent by the Office will be used to show the time that the document was served. The time displayed as received or sent by the Office will be based

on the document's timestamp information and used to show the time that the document was filed or served.

(b) *Service by the Office.*—At its discretion, the Office may serve documents by mail, fax, electronic transmission, or personal or commercial delivery.

(c) *Computation of Time.*—All time periods in these Rules that are stated in terms of days are calendar days unless otherwise noted. However, when the period of time prescribed is five (5) days or less, intermediate Saturdays, Sundays, Federal government holidays, and other full days that the Office is officially closed for business shall be excluded in the computation. To compute the number of days for taking any action required or permitted under these Rules, the first day shall be the day after the event from which the time period begins to run and the last day for filing or service shall be included in the computation. When the last day falls on a Saturday, Sunday, Federal government holiday, or a day the Office is officially closed, the last day for taking the action shall be the next regular Federal government workday.

(d) *Time Allowances for Mailing, Fax, or Electronic Delivery of Official Notices.*—Whenever a person or party has the right or is required to do some act within a prescribed period after the service of a notice or other document upon him or her and the notice or document is served by mail, 5 days shall be added to the prescribed period. When documents are served by certified mail, return-receipt requested, the prescribed period shall be calculated from the date of receipt as evidenced by the return receipt. When documents are served electronically or by fax, the prescribed period shall be calculated from the date of transmission by the Office.

#### **§ 1.04 Filing, Service, and Size Limitations of Motions, Briefs, Responses, and Other Documents.**

(a) *Filing with the Office; Number and Form.*—One copy of claims, General Counsel complaints, requests for mediation, requests for inspection under OSH, unfair labor practice charges, charges under titles II and III of the Americans with Disabilities Act of 1990, all motions, briefs, responses, and other documents must be filed with the Office. A party may file an electronic version of any submission in a manner designated by the Board, the Executive Director, the General Counsel, or the Merits Hearing Officer, with receipt confirmed by electronic transmittal in the same manner.

(b) *Service.*—The parties shall serve on each other one copy of all motions, briefs, responses and other documents filed with the Office, other than a request for advising, a request for mediation, or a claim. Service shall be made by mailing, by fax or e-mailing, or by hand delivering a copy of the motion, brief, response, or other document to each party, or if represented, the party's representative, on the service list previously provided by the Office. Each of these documents must be accompanied by a certificate of service specifying how, when and on whom service was made. It shall be the duty of each party to notify the Office and all other parties in writing of any changes in the names or addresses on the service list.

(c) *Time Limitations for Response to Motions or Briefs and Reply.*—Unless otherwise specified by the Merits Hearing Officer or these Rules, a party shall file and serve a response to a motion or brief within 15 days of the service of the motion or brief upon the party. Any reply to such response shall be filed and served within 5 days of the service of the response. Only with the Merits Hearing Officer's advance approval may either party file additional responses or replies.

(d) *Size Limitations.*—Except as otherwise specified, no brief, motion, response, or supporting memorandum filed with the Office shall exceed 35 double-spaced pages, exclusive of the table of contents, table of authorities, and attachments. Footnotes, endnotes, and block quotes may be single-spaced. The Board, the Executive Director, or the Merits Hearing Officer may modify this limitation upon motion and for good cause shown, or on their own initiative. Briefs, motions, responses, and supporting memoranda shall be on standard letter-size paper (8½" x 11") and shall use a font size no smaller than 12-point. If a filing exceeds 35 double-spaced pages, the Board, the Executive Director, or the Merits Hearing Officer may, in their discretion, reject the filing in whole or in part, and may provide the parties an opportunity to refile.

#### **§ 1.05 Signing of Pleadings, Motions, and Other Filings; Violation of Rules; Sanctions.**

(a) *Signing.*—Every pleading, motion, and other filing of a party represented by an attorney or other designated representative shall be signed by the attorney or representative, except that a claim form must be signed by the claimant under oath or affirmation pursuant to section 4.04(c) of these Rules. A party who is not represented shall sign the pleading, motion, or other filing. In the case of an electronic filing, an electronic signature is acceptable. The signature of a representative or party constitutes a certificate by the signer that the signer has read the pleading, motion, or other filing, and that to the best of the signer's knowledge, information, and belief formed after reasonable inquiry, each of the following is correct:

(1) it is not presented for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of resolution of the matter;

(2) the claims, defenses, and other legal contentions the party advocates are warranted by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law or for establishing new law;

(3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further review or discovery; and

(4) the denials of factual contentions are warranted on the evidence or, if specifically so identified, are reasonably based on belief or a lack of information.

(b) *Sanctions.*—If a pleading, motion, or other filing is not signed, it shall be stricken unless it is signed promptly after the omission is called to the attention of the person who is required to sign. If a pleading, motion, or other filing is signed in violation of this rule, a Hearing Officer or the Board, as appropriate, upon motion or upon their own initiative, may impose an appropriate sanction, which may include the sanctions specified in section 7.02 of these Rules.

#### **§ 1.06 Availability of Official Information.**

(a) *Policy.*—It is the policy of the Board, the Executive Director, and the General Counsel, except as otherwise ordered by the Board, to make available for public inspection and copying final decisions and orders of the Board and the Office, as specified and described in paragraph (d) below.

(b) *Availability.*—Any person may examine and copy items described in paragraph (a) above at the Office of Congressional Workplace Rights, Adams Building, Room LA-200, 110 Second Street SE, Washington, D.C. 20540-1999, under conditions prescribed by the Office, including requiring payment for copying costs, and at reasonable times during normal working hours so long as it does not

interfere with the efficient operations of the Office. As ordered by the Board, the Office may withhold or place under seal identifying details or other necessary matters, and, in each case, the reason for the withholding or sealing shall be stated in writing.

(c) *Copies of Forms.*—Copies of blank forms prescribed by the Office for the filing of claims, complaints, and other actions or requests may be obtained from the Office or online at [www.ocwr.gov](http://www.ocwr.gov).

(d) *Final Decisions.*—Pursuant to section 416(e) of the Act, a final decision entered by a Hearing Officer or by the Board under section 405(g) or 406(e) of the Act that is in favor of the claimant, or is in favor of the charging party under section 210 of the Act, or reverses a Hearing Officer's decision which had been in favor of a claimant or charging party, shall be made public. The Board may make public any other decision at its discretion.

(e) *Release of Records for Judicial Action.*—The records of Hearing Officers and the Board may be made public if required for the purpose of judicial review under section 407 of the Act.

#### **§ 1.07 Designation of Representative; Revocation of Designation.**

(a) *Designation of Representative.*—A party wishing to be represented must file with the Office a written notice of designation of representative. The representative may be, but is not required to be, an attorney. If the representative is an attorney, he or she may sign the designation of representative on behalf of the party. No more than one representative, firm, or other entity may be designated as representative for a party for the purpose of receiving service, unless approved in writing by the Hearing Officer or Executive Director.

(b) *Service When There is a Representative.*—Service of documents shall be on the representative unless and until such time as the represented party or representative, with notice to the party, notifies the Executive Director in writing of a modification or revocation of the designation of representative. Where a designation of representative is in effect, all time limitations for receipt of materials shall be computed in the same manner as for those who are unrepresented, with service of the documents, however, directed to the representative.

(c) *Revocation of a Designation of Representative.*—A revocation of a designation of representative, whether made by the party or by the representative with notice to the party, must be made in writing and filed with the Office. A representative who withdraws after an administrative hearing has been requested under section 405 of the Act must provide sufficient notice to the Merits Hearing Officer and the parties of record of his or her withdrawal from the case. The revocation will be deemed effective the date of receipt by the Office. Consistent with any applicable statutory time limit, at the discretion of the Executive Director, General Counsel, Mediator, Hearing Officer, or Board, additional time may be provided to allow the party to designate a new representative as consistent with the Act. Until the party designates another representative in writing, the party will be regarded as appearing pro se.

#### **§ 1.08 Confidentiality.**

(a) *Policy.*—Except as provided in sections 302(d) and 416(c), (d), and (e) of the Act, the Office shall maintain confidentiality in the confidential advising process, mediation, and the proceedings and deliberations of Hearing Officers and the Board in accordance with sections 302(d)(2)(B) and 416(a)–(b) of the Act.

(b) *Participant.*—For the purposes of this rule, "participant" means an individual or

entity who takes part as either a covered employee, party, witness, or designated representative in confidential advising under section 302(d) of the Act, mediation under section 404, the claim and hearing process under section 405, an appeal to the Board under section 406 of the Act, or any related proceeding which is expressly or by necessity deemed confidential under the Act or these Rules.

(c) *Prohibition*.—Unless specifically authorized by the provisions of the Act or by these Rules, no participant in the confidential advising process, mediation, or other proceedings made confidential under section 416 of the Act may disclose a written or an oral communication that is prepared for the purpose of or that occurs during the confidential advising process, mediation, or the proceedings or deliberations of Hearing Officers or the Board.

(d) *Exceptions*.—Nothing in these Rules prohibits a party or its representative from disclosing information obtained in mediation or hearings when reasonably necessary to investigate claims, ensure compliance with the Act, or prepare its prosecution or defense. However, the party making the disclosure shall take all reasonably appropriate steps to ensure that persons to whom the information is disclosed maintain the confidentiality of such information. These Rules do not preclude disclosures between a party and that party's designated representative, provided that the party or designated representative to whom the information is disclosed maintains the confidentiality of such information. These Rules do not preclude a Mediator from consulting with the Office, except that when the covered employee is an employee of the Office, a Mediator shall not consult with any individual within the Office who is or who might be a party or witness. These Rules do not preclude the Office from reporting information to the Senate and House of Representatives as required by the Act.

(e) *Contents or Records of Mediation or Hearings*.—For the purpose of this rule, the contents or records of the confidential advising process, mediation or other proceeding includes the information disclosed by participants to the proceedings, and records disclosed by the opposing party, witnesses, or the Office. A participant is free to disclose facts and other information obtained from any source outside of the mediation or hearing. For example, an employing office or its representatives may disclose information about its employment practices and personnel actions, provided that the information was not obtained in a confidential proceeding. However, a claimant who obtains that information in mediation or other confidential proceeding may not disclose such information. Similarly, information forming the basis for the allegation of a claimant may be disclosed by that claimant, provided that the information contained in those allegations was not obtained in a confidential proceeding. However, the employing office or its representatives may not disclose that information if it was obtained in a confidential proceeding.

(f) *Sanctions*.—The Executive Director will advise all participants in the mediation and hearing at the time they became participants of the confidentiality requirements of section 416 of the Act and that sanctions may be imposed by a Hearing Officer for a violation of those requirements. No sanctions may be imposed except for good cause, the particulars of which must be stated in the sanction order.

#### SUBPART B—[AMENDED]

2. *Subpart B has been amended by:*

(a) *Removing sections 2.01 through 2.07; and*

(b) *Reserving subpart B for rules concerning "Compliance, Investigation, and Enforcement under Section 210 of the Act (ADA Public Services)—Inspections and Complaints"*

#### SUBPART C—[REDESIGNATED AND AMENDED]

3. *Subpart C has been amended by:*

(a) *Redesignating subpart D as subpart C, and amending the references as indicated in the table below:*

| Old Section | New Section |
|-------------|-------------|
| 4.01        | 3.01        |
| 4.02        | 3.02        |
| 4.03        | 3.03        |
| 4.04        | 3.04        |
| 4.05        | 3.05        |
| 4.06        | 3.06        |
| 4.07        | 3.07        |
| 4.08        | 3.08        |
| 4.09        | 3.09        |
| 4.10        | 3.10        |
| 4.11        | 3.11        |
| 4.12        | 3.12        |
| 4.13        | 3.13        |
| 4.14        | 3.14        |
| 4.15        | 3.15        |
| 4.20        | 3.20        |
| 4.21        | 3.21        |
| 4.22        | 3.22        |
| 4.23        | 3.23        |
| 4.24        | 3.24        |
| 4.25        | 3.25        |
| 4.26        | 3.26        |
| 4.27        | 3.27        |
| 4.28        | 3.28        |
| 4.29        | 3.29        |
| 4.30        | 3.30        |
| 4.31        | 3.31        |

(b) *In subpart C, when referencing sections 4.01 through 4.15 or 4.20 through 4.31, writing the corresponding new section number as indicated in the table above.*

(c) *Amending redesignated section 3.07 by revising the last sentence of paragraph (g)(1) as follows:*

\* \* \* \* \*

#### § 3.07 Conduct of Inspections.

\* \* \* \* \*

(g) *Trade Secrets.*

(1) \* \* \* In any such proceeding the Merits Hearing Officer or the Board shall issue such orders as may be appropriate to protect the confidentiality of trade secrets.

(d) *Amending redesignated section 3.14 by revising the second sentence of paragraph (b) as follows:*

#### § 3.14 Failure to Correct a Violation for Which a Citation Has Been Issued; Notice of Failure to Correct Violation; Complaint.

\* \* \* \* \*

(b) \* \* \* The complaint shall be submitted to a Merits Hearing Officer for decision pursuant to subsections (b) through (h) of section 405 of the Act, subject to review by the Board pursuant to section 406. \* \* \*

(e) *Amending redesignated section 3.22 by revising the second sentence as follows:*

#### § 3.22 Effect of Variances.

\* \* \* In its discretion, the Board may decline to entertain an application for a variance on a subject or issue concerning which a citation has been issued to the employing office involved and a proceeding on the citation or a related issue concerning a proposed period of abatement is pending before the General Counsel, a Merits Hearing Officer, or the Board until the completion of such proceeding.

(f) *Amending redesignated section 3.25 by:*

(i) *Revising the second sentence of paragraph (a); and*

(ii) *Revising the second sentence of paragraph (c)(1).*

*The revisions read as follows:*

#### § 3.25 Applications for Temporary Variances and Other Relief.

(a) *Application for Variance.* \* \* \* Pursuant to section 215(c)(4) of the Act, the Board

shall refer any matter appropriate for hearing to a Merits Hearing Officer under subsections (b) through (h) of section 405, subject to review by the Board pursuant to section 406. \* \* \*

\* \* \* \* \*

(c) *Interim Order.*

(1) *Application.* \* \* \* The Merits Hearing Officer to whom the Board has referred the application may rule ex parte upon the application.

\* \* \* \* \*

(g) *Amending redesignated section 3.26 by:*

(i) *Revising the second sentence of paragraph (a); and*

(ii) *Revising the second sentence of paragraph (c)(1).*

*The revisions read as follows:*

#### § 3.26 Applications for Permanent Variances and Other Relief.

(a) *Application for Variance.* \* \* \* Pursuant to section 215(c)(4) of the Act, the Board shall refer any matter appropriate for hearing to a Merits Hearing Officer under subsections (b) through (h) of section 405, subject to review by the Board pursuant to section 406.

\* \* \* \* \*

(c) *Interim Order.*

(1) *Application.* \* \* \* The Merits Hearing Officer to whom the Board has referred the application may rule ex parte upon the application.

\* \* \* \* \*

(h) *Amending redesignated section 3.28 by revising paragraph (a)(1) as follows:*

#### § 3.28 Action on Applications.

(a) *Defective Applications.*

(1) If an application filed pursuant to sections 3.25(a), 3.26(a), or 3.27 of these Rules does not conform to the applicable section, the Merits Hearing Officer or the Board, as applicable, may deny the application.

\* \* \* \* \*

(i) *Amending redesignated section 3.29 by revising it as follows:*

#### § 3.29 Consolidation of Proceedings.

On the motion of the Merits Hearing Officer or the Board or that of any party, the Merits Hearing Officer or the Board may consolidate or contemporaneously consider two or more proceedings which involve the same or closely related issues.

(j) *Amending redesignated section 3.30 by*

(i) *Revising the second sentence of paragraph (a)(1);*

(ii) *Revising paragraph (b)(3);*

(iii) *Revising paragraph (c); and*

(iv) *Revising paragraph (d).*

*The revisions read as follows:*

#### § 3.30 Consent Findings and Rules or Orders.

(a) *General.* \* \* \* The allowance of such opportunity and the duration thereof shall be in the discretion of the Merits Hearing Officer, after consideration of the nature of the proceeding, the requirements of the public interest, the representations of the parties, and the probability of an agreement which will result in a just disposition of the issues involved.

(b) *Contents.* Any agreement containing consent findings and rule or order disposing of a proceeding shall also provide:

\* \* \* \* \*

(3) a waiver of any further procedural steps before the Merits Hearing Officer and the Board; and

\* \* \* \* \*

(c) *Submission.* On or before the expiration of the time granted for negotiations, the parties or their counsel may:

(1) submit the proposed agreement to the Merits Hearing Officer for his or her consideration; or

(2) inform the Merits Hearing Officer that agreement cannot be reached.

(d) *Disposition.* In the event an agreement containing consent findings and rule or order is submitted within the time allowed therefor, the Merits Hearing Officer may accept such agreement by issuing his or her decision based upon the agreed findings.

(k) *Amending redesignated section 3.31 by revising paragraph (a) as follows:*

**§ 3.31 Order of Proceedings and Burden of Proof.**

(a) *Order of Proceeding.* Except as may be ordered otherwise by the Merits Hearing Officer, the party applicant for relief shall proceed first at a hearing.

\* \* \* \* \*

**SUBPART D—[AMENDED]**

4. *Subpart D has been amended as follows:*

**Subpart D—Claims Procedures Applicable to Consideration of Alleged Violations of Sections 102(c) and 201-207 of the Congressional Accountability Act of 1995, as amended by the CAA Reform Act of 2018.**

**§ 4.01 Matters Covered by this Subpart**

**§ 4.02 Requests for Advice and Information**

**§ 4.03 Confidential Advising Services**

**§ 4.04 Claims**

**§ 4.05 Right to File a Civil Action**

**§ 4.06 Initial Processing and Transmission of Claim; Notification Requirements**

**§ 4.07 Mediation**

**§ 4.08 Preliminary Review of Claim**

**§ 4.09 Request for Administrative Hearing**

**§ 4.10 Dismissal, Summary Judgment, and Withdrawal of Claim**

**§ 4.11 Confidentiality**

**§ 4.12 Automatic Referral to Congressional Ethics Committees**

**§ 4.01 Matters Covered by this Subpart.**

(a) These Rules govern the processing of any allegation that sections 102(c) or 201 through 206 of the Act have been violated and any allegation of intimidation or reprisal prohibited under section 207 of the Act. Sections 102(c) and 201-206 of the Act apply to covered employees and employing offices certain rights and protections of the following laws:

- (1) the Fair Labor Standards Act of 1938
- (2) title VII of the Civil Rights Act of 1964
- (3) title I of the Americans with Disabilities Act of 1990
- (4) the Age Discrimination in Employment Act of 1967
- (5) the Family and Medical Leave Act of 1993
- (6) the Employee Polygraph Protection Act of 1988
- (7) the Worker Adjustment and Retraining Notification Act
- (8) the Rehabilitation Act of 1973
- (9) chapter 43 (relating to veterans' employment and re-employment) of title 38, United States Code
- (10) chapter 35 (relating to veterans' preference) of title 5, United States Code
- (11) the Genetic Information Non-discrimination Act of 2008

(b) This subpart applies to the covered employees and employing offices as defined in sections 1.02(m) and 1.02(s) of these Rules and any activities within the coverage of sections 102(c) and 201-207 of the Act and referenced above in section 4.01(a) of these Rules.

**§ 4.02 Requests for Information.**

At any time, an employee or an employing office may seek from the Office information on the protections, rights, responsibilities, and available procedures under the Act. The Office will maintain the confidentiality of requests for such information.

**§ 4.03 Confidential Advising Services.**

(a) *Appointment or Designation of Confidential Advisors.* The Executive Director shall

appoint or designate one or more Confidential Advisors to carry out the duties set forth in section 302(d)(2) of the Act.

(1) *Qualifications.* A Confidential Advisor appointed or designated by the Executive Director must be a lawyer who is admitted to practice before, and is in good standing with, the bar of a State or territory of the United States or the District of Columbia, and who has experience representing clients in cases involving the laws incorporated by section 102 of the Act. A Confidential Advisor may be an employee of the Office. A Confidential Advisor cannot serve as a Mediator in any mediation conducted pursuant to section 404 of the Act.

(2) *Restrictions.* A Confidential Advisor may not act as the designated representative for any covered employee in connection with the covered employee's participation in any proceeding, including any proceeding under the Act, any judicial proceeding, or any proceeding before any committee of Congress. A Confidential Advisor may not offer or provide any of the services in section 302(d)(2) of the Act if the covered employee has designated an attorney representative in connection with the employee's participation in any proceeding under the Act, except that the Confidential Advisor may provide general assistance and information to the attorney representative regarding the Act and the role of the Office, as the Confidential Advisor deems appropriate.

(3) *Continuity of Service.*—Once a covered employee has accepted and received any services offered under section 302(d)(2) of the Act from a Confidential Advisor, any other services requested under section 302(d)(2) by the covered employee shall be provided, to the extent practicable, by the same Confidential Advisor.

(b) *Who May Obtain the Services of a Confidential Advisor.*—The services provided by a Confidential Advisor are available to any covered employee, including any unpaid staff and any former covered employee, except that a former covered employee may only request such services if the alleged violation occurred during the employment or service of the employee; and a covered employee may only request such services before the end of the 180-day period described in section 402(d) of the Act.

(c) *Services Provided by a Confidential Advisor.*—A Confidential Advisor shall offer to provide the following services to covered employees, on a privileged and confidential basis, which may be accepted or declined:

- (1) informing, on a privileged and confidential basis, a covered employee who has been subject to a practice that may be a violation of sections 102(c) or 201-207 of the Act about the employee's rights under the Act;
- (2) consulting, on a privileged and confidential basis, with a covered employee who has been subject to a practice that may be a violation of sections 102(c) or 201-207 of the Act regarding—

(A) the roles, responsibilities, and authority of the Office; and

(B) the relative merits of securing private counsel, designating a non-attorney representative, or proceeding without representation for proceedings before the Office;

(3) advising and consulting, on a privileged and confidential basis, with a covered employee who has been subject to a practice that may be a violation of sections 102(c) or 201-207 of the Act regarding any claims the covered employee may have under title IV of the Act, the factual allegations that support each such claim, and the relative merits of the procedural options available to the employee for each such claim;

(4) assisting, on a privileged and confidential basis, a covered employee who seeks consideration under title IV of an allegation

of a violation of sections 102(c) or 201-207 of the Act in understanding the procedures, and the significance of the procedures, described in title IV, including—

(A) assisting or consulting with the covered employee regarding the drafting of a claim form to be filed under section 402(a) of the Act; and

(B) consulting with the covered employee regarding the procedural options available to the covered employee after a claim form is filed, and the relative merits of each option; and

(5) informing, on a privileged and confidential basis, a covered employee about the option of providing information to the Committee on Ethics of the House of Representatives or the Select Committee on Ethics of the Senate.

(d) *Privilege and Confidentiality.*—Although the Confidential Advisor is not the employee's representative, the services provided under paragraph (c) of this section, and any related communications between the Confidential Advisor and the employee before or after the filing of a claim, shall be strictly confidential and shall be privileged from discovery. All documents reflecting the Confidential Advisor's communications with the employee are not records of the Office within the meaning of section 301(m) of the Act. Upon request from the Office, the Confidential Advisor may provide the Office with statistical information about the number of contacts from covered employees and the general subject matter of the contacts from covered employees.

**§ 4.04 Claims.**

(a) *Who May File.*—A covered employee alleging any violation of sections 102(c) or 201-207 of the Act may commence a proceeding by filing a timely claim pursuant to section 402 of the Act.

(b) *When to File.*

(1) A covered employee may not file a claim under this section alleging a violation of law after the expiration of the 180-day period that begins on the date of the alleged violation.

(2) *Special Rule for Library of Congress Claimants.*—A claim filed by a Library claimant shall be deemed timely filed under section 402 of the Act:

(A) if the Library claimant files the claim within the time period specified in subparagraph (1); or

(B) the Library claimant:

(i) initially filed a claim under the Library of Congress's procedures set forth in the applicable direct provision under section 401(d)(1)(B) of the Act;

(ii) met any initial deadline under the Library of Congress's procedures for filing the claim; and

(iii) subsequently elected to file a claim with the Office under section 402 of the Act prior to requesting a hearing under the Library of Congress's procedures.

(c) *Form and Contents.*—All claims shall be on the form provided by the Office either on paper or electronically, signed manually or electronically under oath or affirmation by the claimant, and contain the following information, if known:

(1) the name, mailing and e-mail addresses, and telephone number(s) of the claimant;

(2) the name of the employing office against which the claim is brought;

(3) the name(s) and title(s) of the individual(s) involved in the conduct that the employee alleges is a violation of the Act;

(4) a description of the conduct being challenged, including the date(s) of the conduct;

(5) a description of why the claimant believes the challenged conduct is a violation of the Act;

(6) a statement of the specific relief or remedy sought; and

(7) the name, mailing and e-mail addresses, and telephone number of the representative, if any, who will act on behalf of the claimant.

(d) *Election of Remedies for Library of Congress Employees.*—A Library claimant who initially files a claim for an alleged violation as provided in section 402 of the Act may, at any time before the date that is 10 days after a Preliminary Hearing Officer submits the report on the preliminary review of the claim pursuant to section 403, elect instead to bring the claim before the Library of Congress under the corresponding direct provision.

#### **§ 4.05 Right to File a Civil Action.**

(a) *Civil Action.*—A covered employee may file a civil action in Federal district court pursuant to section 401(b) of the Act if the covered employee:

(1) has timely filed a claim as provided in section 402 of the Act; and

(2) has not submitted a request for an administrative hearing on the claim pursuant to section 405(a) of the Act.

(b) *Period for Filing a Civil Action.*—A civil action pursuant to section 401(b) of the Act must be filed within a 70-day period beginning on the date the claim form was filed, except where:

(1) the 70-day period is tolled as a result of the parties engaging in mediation prior to the conclusion of the 70-day period; or

(2) the Preliminary Hearing Officer determines that the claimant is not a covered employee who has stated a claim for which relief may be granted, as provided in section 4.08(f) of these Rules, in which case the civil action must be filed within a 90-day period beginning on the date the claimant receives written notice of the Preliminary Hearing Officer's decision.

(c) *Effect of Filing a Civil Action.*—If a claimant files a civil action concerning a claim during a preliminary review of that claim pursuant to section 403 of the Act, the review terminates immediately upon the filing of the civil action, and the Preliminary Hearing Officer has no further involvement.

(d) *Notification of Filing a Civil Action.*—A claimant filing a civil action in Federal district court pursuant to section 401(b) of the Act shall notify the Office within 3 days of the filing.

#### **§ 4.06 Initial Processing and Transmission of Claim; Notification Requirements.**

(a) After receiving a claim form, the Office shall record the pleading, transmit immediately (i.e., without undue delay) a copy of the claim form to the head of the employing office and the designated representative of that office, and provide the parties with all relevant information regarding their rights under the Act, as well as a service list containing the names and addresses of the parties and their designated representatives. An employee filing an amended claim form shall serve a copy of the amended claim form upon all other parties in the manner provided by section 1.04(b). A copy of these Rules also may be provided to the parties upon request.

(b) *Notification of Availability of Mediation.*

(1) Upon receipt of a claim form, the Office shall notify the covered employee who filed the claim form about the mediation process under section 4.07 of these Rules below and the deadlines applicable to mediation.

(2) Upon transmission to the employing office of the claim, the Office shall notify the employing office about the mediation process under the Act and the deadlines applicable to mediation.

(c) *Special Notification Requirements for Claims Based on Acts by Members of Congress.*—When a claim alleges a Member personally committed a violation described in section 415(d)(1)(C) of the Act, or a violation

of an applicable rule of the Senate or the House of Representatives that would require reimbursement by the Member of the Treasury account established by section 415(a) of the Act, the Office shall notify immediately (i.e., without undue delay) such Member of the claim, the possibility that the Member may be required to reimburse the account described in section 415(a) of the Act for the reimbursable portion of any award or settlement in connection with the claim, and the right of the Member under section 415(d)(8) to intervene in any mediation, hearing, or civil action under the Act concerning the claim, as well as the method of intervening.

(d) *Special Rule for Architect of the Capitol and Capitol Police Employees.*—The Executive Director, after receiving a claim filed under section 402 of the Act, may recommend that a claimant use, for a specific period of time, the grievance procedures referenced in any Memorandum of Understanding between the Office and the Architect of the Capitol or the Capitol Police. Any pending deadline in the Act relating to a claim for which the claimant uses such grievance procedures shall be stayed during that specific period of time.

#### **§ 4.07 Mediation.**

(a) *Overview.*—Mediation is a process by which covered employees, including unpaid staff for purposes of section 201 of the Act, employing offices, and their representatives, if any, meet with a Mediator trained to assist them in resolving disputes. As participants in the mediation, employees, employing offices, and their representatives discuss alternatives to continuing their dispute, including the possibility of reaching a voluntary, mutually satisfactory resolution. The Mediator cannot impose a specific resolution, and all information discussed or disclosed in the course of any mediation shall be strictly confidential, pursuant to section 416 of the Act. Notwithstanding the foregoing, section 416 expressly provides that a covered employee may disclose the “factual allegations underlying the covered employee's claim” and an employing office may disclose “the factual allegations underlying the employing office's defense to the claim[.]”

(b) *Availability of Optional Mediation.*—Upon receipt of a claim filed pursuant to section 402 of the Act, the Office shall notify the covered employee and the employing office about the process for mediation and applicable deadlines. If the claim alleges a Member personally committed a violation described in section 415(d)(1)(C) of the Act, or a violation of an applicable rule of the Senate or the House of Representatives that would require reimbursement by the Member of the Treasury account established by section 415(a) of the Act, the Office shall permit the Member to intervene in the mediation. The request for mediation shall contain the claim number, the requesting party's name, office or personal address, e-mail address, telephone number, and the opposing party's name.

(c) *Timing.*—The covered employee or the employing office may file a written request for mediation beginning on the date that the covered employee or employing office, respectively, receives notice from the Office about the mediation process. The time to request mediation under these Rules ends on the date on which a Merits Hearing Officer issues a written decision on the claim, or the covered employee files a civil action.

(d) *Notice of Commencement of the Mediation.*—The Office shall promptly notify the opposing party or its designated representative, and any intervenor Member or the intervenor Member's designated representative, of the request for mediation and the deadlines applicable to such mediation. When a claim alleges a Member personally

committed a violation described in section 415(d)(1)(C) of the Act, or a violation of an applicable rule of the Senate or the House of Representatives that would require reimbursement by the Member of the Treasury account established by section 415(a) of the Act, if the Member has not already intervened in the matter, the Office shall notify promptly such Member of the right to intervene in any mediation concerning the claim, as well as the method of intervening.

(e) *Selection of Mediators; Disqualification.*—Upon receipt of the opposing party's agreement to mediate, the Executive Director shall assign one or more Mediators from a master list developed and maintained pursuant to section 404 of the Act, to commence the mediation process. Should the Mediator consider himself or herself unable to perform in a neutral role in a given situation, he or she shall withdraw from the matter and immediately shall notify the Office of the withdrawal. Any party may ask the Office to disqualify a Mediator by filing a written request, including the reasons for such request, with the Executive Director. This request shall be filed as soon as the party has reason to believe there is a basis for disqualification. The Executive Director's decision on this request shall be final and unreviewable.

(f) *Duration and Extension.*

(1) The mediation period shall be 30 days beginning on the first day after the opposing party agrees to mediate the matter.

(2) The Executive Director shall extend the mediation period an additional 30 days upon the joint written request of the claimant and respondent, or of the appointed Mediator on behalf of the claimant and respondent. The request shall be written and filed with the Executive Director no later than the last day of the mediation period.

(g) *Effect of Mediation on Proceedings.*

Upon the claimant's and respondent's agreement to mediate a claim, any deadline relating to the processing of that claim that has not already passed by the first day of the mediation period, including the deadline for filing a civil action, shall be stayed during the mediation period.

(h) *Procedures.*

(1) *The Mediator's Role.*—After assignment of the case, the Mediator will contact the parties. The Mediator has the responsibility to conduct the mediation, including deciding how many meetings are necessary and who may participate in each meeting. The Mediator may accept and may ask the parties to provide written submissions.

(2) *The Agreement to Mediate.*—At the commencement of the mediation, the Mediator will ask the participants and/or their representative to sign an agreement prepared by the Office (“the Agreement to Mediate”). The Agreement to Mediate will define what is to be kept confidential during mediation and set out the conditions under which mediation will occur, including the requirement that the participants adhere to the confidentiality of the process and a notice that a breach of the mediation agreement could result in sanctions later in the proceedings.

(i) *Participation.*—The parties, including an intervenor Member, may elect to participate in mediation proceedings through a designated representative, provided that the representative has actual authority to agree to a settlement agreement, or has immediate access to someone with actual settlement authority, and provided further that, should the Mediator deem it appropriate at any time, the physical presence in mediation of any party may be requested. The Office may participate in the mediation process through a representative and/or observer. The Mediator may determine, as best serves the interests of mediation, whether the participants may meet jointly or separately with the Mediator. At the request of any of the parties,



the parties shall be separated during mediation.

(j) *Settlement Agreements.*—At any time during mediation the parties may settle a dispute in accordance with section 9.03 of these Rules.

(k) *Conclusion of the Mediation Period and Notice.*—If, at the end of the mediation period, the parties have not resolved the matter that forms the basis of the request for mediation, the Office shall provide the employee, the Member (when applicable), the employing office, and their representatives, with written notice that the mediation period has concluded. The written notice will be e-filed, e-mailed, sent by first-class mail, faxed, or personally delivered.

(l) *Independence of the Mediation Process and the Mediator.*—The Office will maintain the independence of the mediation process and the Mediator. No individual appointed by the Executive Director to mediate may conduct or aid in a hearing conducted under section 405 of the Act with respect to the same matter or shall be subject to subpoena or any other compulsory process with respect to the same matter.

(m) *Violation of Confidentiality in Mediation.*—An allegation of a violation of the confidentiality provisions may be made by a party in mediation to the Mediator during the mediation period and, if not resolved by agreement in mediation, to a Merits Hearing Officer during proceedings brought under section 405 of the Act.

(n) *Exceptions to Confidentiality in Mediation.*—It shall not be a violation of confidentiality to provide the information required by sections 301(l) and 416(d) of the Act.

#### **§ 4.08 Preliminary Review of Claims.**

(a) *Appointment of Preliminary Hearing Officer.*—Not later than 7 days after transmission to the employing office of a claim or claims, the Executive Director shall appoint a Hearing Officer to conduct a preliminary review of the claim or claims filed by the claimant. The appointment of the Preliminary Hearing Officer shall be in accordance with the requirements of section 405(c) of the Act. The Office shall promptly notify the parties of the appointment of the Preliminary Hearing Officer, with the notice to include the Preliminary Hearing Officer's name.

(b) *Disqualifying a Preliminary Hearing Officer.*

(1) In the event that a Preliminary Hearing Officer considers himself or herself disqualified, either because of personal bias or of an interest in the case or for some other disqualifying reason, he or she shall withdraw from the case, stating in writing or on the record the reasons for his or her withdrawal, and shall immediately notify the Office of the withdrawal.

(2) Any party may submit a request to the Executive Director that a Preliminary Hearing Officer withdraw on the basis of personal bias or of an interest in the case or for some other disqualifying reason. This request shall specifically set forth the reasons supporting the request and be submitted as soon as the party has reason to believe that there is a basis for disqualification.

(3) The Executive Director shall promptly decide on the withdrawal request. If the request is granted, the Executive Director will appoint another Preliminary Hearing Officer within 3 days. Any objection to the Executive Director's decision on the withdrawal motion shall not be deemed waived by a party's further participation in the preliminary review process. Such objection will not stay the conduct of the preliminary review process.

(c) *Assessments Required.*—In conducting a preliminary review of a claim or claims

under this section, the Preliminary Hearing Officer shall assess each of the following:

(1) whether the claimant is a covered employee authorized to obtain relief relating to the claim(s) under the Act;

(2) whether the office which is the subject of the claim(s) is an employing office under the Act;

(3) whether the individual filing the claim(s) has met the applicable deadlines for filing the claim(s) under the Act;

(4) the identification of factual and legal issues in the claim(s);

(5) the specific relief sought by the claimant;

(6) whether, on the basis of the assessments made under subparagraphs (1) through (5), the claimant is a covered employee who has stated a claim for which, if the allegations contained in the claim are true, relief may be granted under the Act; and

(7) the potential for the settlement of the claim(s) without a formal hearing as provided under section 405 of the Act or a civil action as provided under section 408 of the Act.

(d) *Amendments to Claims.*—A claimant may file one amended claim form as a matter of right within 15 days after the filing of the initial claim form.

(e) *Report on Preliminary Review.*

(1) Except as provided in subparagraph (3), not earlier than 20 days but not later than 30 days after a claim form is filed, the Preliminary Hearing Officer shall submit to the parties, including any intervenor Member, a report on the preliminary review. The report shall include a determination whether the claimant is a covered employee who has stated at least one claim for which, if the allegations contained in the claim are true, relief may be granted under the Act. Submitting the report concludes the preliminary review.

(2) In determining whether a claimant has stated a claim for which relief may be granted under the Act, the Preliminary Hearing Officer shall:

(A) be guided by judicial and Board decisions under the laws made applicable by section 102 of the Act; and

(B) consider whether the legal contentions the claimant advocates are warranted by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law or for establishing new law.

(3) *Extension of Deadline.*—The Preliminary Hearing Officer may, upon notice to the individual filing the claim(s) and the respondent(s), use an additional period of not to exceed 30 days to conclude the preliminary review.

(4) *No Evidentiary Value or Preclusive Effect.*—The determinations in a report on preliminary review shall have no evidentiary value or preclusive effect in any administrative hearing before a Merits Hearing Officer or in any appeal to the Board.

(5) *No Appellate Review.*—A report on preliminary review is not subject to review by the Merits Hearing Officer or the Board.

(f) *Effect of Determination That a Claimant Is a Covered Employee Who Has Stated a Claim for Which Relief May Be Granted.*

(1) If the Preliminary Hearing Officer's report under paragraph (e) includes the determination that the claimant is a covered employee who has stated at least one claim for which relief may be granted under the Act:

(A) the claimant (including a Library claimant) may either obtain an administrative hearing as provided under section 405 of the Act concerning all claims asserted in the claim form, or file a civil action as provided under section 408 of the Act concerning all claims asserted in the claim form; and

(B) the Preliminary Hearing Officer shall provide the claimant and the Executive Director with written notice that the claimant

may either obtain an administrative hearing or file a civil action pursuant to subparagraph (A).

(2) A claimant who chooses to obtain an administrative hearing must make a request for a hearing not later than 10 days after receiving the written notice referred to in subparagraph (1)(B).

(3) A claimant who chooses to file a civil action must do so not later than 70 days after the initial filing of the claim form.

(g) *Effect of Determination That a Claimant Is Not a Covered Employee Who Has Stated a Claim for Which Relief May Be Granted.*

(1) If the Preliminary Hearing Officer's report under paragraph (e) includes the determination that the claimant is not a covered employee who has stated at least one claim for which relief may be granted under the Act:

(A) the claimant (including a Library claimant) may not obtain an administrative hearing as provided under section 405 of the Act concerning the claims asserted in the claim form; and

(B) the Preliminary Hearing Officer shall provide the claimant and the Executive Director with written notice that the claimant may file a civil action concerning the claims asserted in the claim form in accordance with section 408 of the Act.

(2) The claimant must file the civil action not later than 90 days after receiving the written notice referred to in subparagraph (1)(B).

(h) *Transmission of Report on Preliminary Review of Certain Claims to Congressional Ethics Committees.*—When a Preliminary Hearing Officer issues a report on the preliminary review of a claim alleging a violation described in section 415(d)(1)(C) of the Act, the Preliminary Hearing Officer shall transmit the report to—

(1) the Committee on Ethics of the House of Representatives, in the case of such an alleged act by a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress); or

(2) the Select Committee on Ethics of the Senate, in the case of such an alleged act by a Senator.

#### **§ 4.09 Request for Administrative Hearing.**

(a) Except as provided in paragraph (b), a claimant may submit to the Executive Director a written request for an administrative hearing under section 405 of the Act not later than 10 days after the Preliminary Hearing Officer submits the report on the preliminary review of a claim under section 403(c).

(b) A claimant may not request an administrative hearing under section 405 of the Act if—

(1) the preliminary review report of the claim under section 403(c) of the Act includes the determination that the individual filing the claim is not a covered employee who has stated at least one claim for which relief may be granted, as described in section 403(d) of the Act; or

(2) the covered employee files a civil action concerning any of the claims asserted in the claim form as provided in section 408 of the Act.

(c) *Notification of Request for Administrative Hearing.*—The Office shall promptly notify the employing office or its designated representative, as well as any intervenor Member or the intervenor Member's designated representative, of the claimant's request for an administrative hearing. When a claim alleges a Member personally committed a violation described in section 415(d)(1)(A) of the Act, or a violation of an applicable rule of the Senate or the House of Representatives that would require reimbursement by the Member of the Treasury account established

by section 415(a) of the Act, if the Member has not already intervened in the matter, the Office shall notify promptly such Member of the right to intervene in any hearing concerning the claim, as well as the method of intervening.

(d) *Appointment of the Merits Hearing Officer.*

(1) Upon the filing of a request for an administrative hearing under paragraph (a) of this section, the Executive Director shall appoint an independent Merits Hearing Officer to consider the claim(s) and render a decision, who shall have the authority specified in sections 4.10 and 7.01 of these Rules below.

(2) The Preliminary Hearing Officer shall not serve as the Merits Hearing Officer in the same case.

(e) *Amendments to Claims.* Any request to amend the claim(s) after a hearing has been requested must be made by motion to the Merits Hearing Officer. The motion must be accompanied by a copy of the proposed amended claim form. Amendments to claims may be permitted in the Merits Hearing Officer's discretion provided that:

(1) the amendments relate to the claims that were subject to preliminary review pursuant to section 4.08 of these Rules; and

(2) such amendments will not unduly prejudice the rights of the employing office or of other parties, unduly delay the proceedings, or otherwise interfere with or impede the proceedings.

(f) *Answer.*

(1) Within 15 days after receiving notice of a request for an administrative hearing under paragraph (a), the respondent(s) shall file an answer with the Office and serve one copy on the claimant.

(2) In answering a claim form, a respondent must state in short and plain terms its defenses to each claim asserted against it, and admit or deny the allegations asserted against it. If the respondent lacks knowledge or information sufficient to form a belief about the truth of an allegation, the respondent must so state, and the statement has the effect of a denial.

(3) Failure to deny an allegation, other than one relating to the amount of damages, or to raise a defense as to any allegation(s) shall constitute an admission of such allegation(s). Affirmative defenses not raised in an answer that could have reasonably been anticipated based on the facts alleged in the claim form shall be deemed waived.

(4) A respondent's motion for leave to amend an answer to interpose a denial or affirmative defense will ordinarily be granted unless to do so would unduly prejudice the rights of the other party or unduly delay or otherwise interfere with or impede the proceedings.

(g) *Motions to Dismiss.*—In addition to an answer, a respondent or intervening Member may file a motion to dismiss, or other responsive pleading with the Office and serve one copy on the claimant. Responses to any motions shall comply with section 1.04(c) of these Rules. If, on a motion to dismiss for failure to state a claim upon which relief can be granted, matters outside the pleadings are presented to and not excluded by the Merits Hearing Officer, the motion must be treated as one for summary judgment, and all parties must be given a reasonable opportunity to present all the material that is pertinent to the motion.

#### **§ 4.10 Dismissal, Summary Judgment, and Withdrawal of Claim.**

(a) A Merits Hearing Officer may, after notice and an opportunity to respond, dismiss any claim that the Merits Hearing Officer finds to be frivolous or that fails to state a claim upon which relief may be granted. The findings of the Preliminary Hearing Officer

shall have no evidentiary value or preclusive effect on the Merits Hearing Officer's determination.

(b) A Merits Hearing Officer may, after notice and an opportunity to respond, dismiss a claim because it fails to comply with the applicable time limits or other requirements under the Act or these Rules. The findings of the Preliminary Hearing Officer shall have no evidentiary value or preclusive effect on the Merits Hearing Officer's determination.

(c) *Failure to Proceed.*—If a claimant fails to proceed with a claim, the Merits Hearing Officer may dismiss the claim with prejudice.

(d) *Summary Judgment.*—A Merits Hearing Officer may, after notice and an opportunity for the parties to address the question of summary judgment, issue summary judgment on the claim.

(e) *Appeal.*—A final decision by the Merits Hearing Officer made under section 4.10 or 7.16 of these Rules may be subject to appeal before the Board if the aggrieved party files a timely petition for review under section 8.01 of these Rules. A final decision under sections 4.10(a)–(d) of these Rules that does not resolve all of the issues in the case before the Merits Hearing Officer may not be appealed to the Board in advance of a final decision entered under section 7.16 of these Rules, except as authorized pursuant to section 7.13.

(f) *Withdrawal of Claim.* At any time, a claimant may withdraw his or her own claim(s) by filing a notice with the Office for transmittal to the Preliminary or Merits Hearing Officer and by serving a copy on the respondent(s). Any such withdrawal must be approved by the relevant Hearing Officer and may be with or without prejudice to refile at that Hearing Officer's discretion.

#### **§ 4.11 Confidentiality.**

(a) Pursuant to section 416 of the Act, except as provided in subsections 416(c), (d) and (e), all proceedings and deliberations of Hearing Officers and the Board, including any related records, shall be confidential. A violation of the confidentiality requirements of the Act and these Rules may result in the imposition of procedural or evidentiary sanctions. See also sections 1.08 and 7.12 of these Rules.

(b) The fact that a request for an administrative hearing has been filed with the Office by a covered employee shall be kept confidential by the Office, except as allowed by these Rules.

#### **§ 4.12 Automatic Referral to Congressional Ethics Committees.**

(a) Pursuant to section 416(d) of the Act, upon the final disposition of a claim alleging a violation described in section 415(d)(1)(C) committed personally by a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) or a Senator, or by a senior staff member of the House of Representatives or Senate, the Executive Director shall refer the claim to—

(1) the Committee on Ethics of the House of Representatives, in the case of a Member or senior staff of the House; or

(2) the Select Committee on Ethics of the Senate, in the case of a Senator or senior staff of the Senate.

(b) Within 5 business days after the referral of a claim to the Committee on Ethics of the House of Representatives or the Select Committee on Ethics of the Senate pursuant to paragraph (a), the Executive Director shall provide the Committee with access to the records of any preliminary reviews, hearings, or decisions of the Hearing Officers and the Board concerning the claim, and any information relating to an award or settlement paid in response to the claim.

#### **SUBPART E—[AMENDED]**

5. *Subpart E has been amended as follows:*

#### **Subpart E—General Counsel Complaints**

##### **§ 5.01 Complaints**

##### **§ 5.02 Appointment of the Merits Hearing Officer**

##### **§ 5.03 Dismissal, Summary Judgment, and Withdrawal of Complaint**

##### **§ 5.04 Confidentiality**

##### **§ 5.01 Complaints.**

(a) *Who May File.*

The General Counsel may timely file a complaint alleging a violation of sections 210, 215 or 220 of the Act.

(b) *When to File.*

A complaint may be filed by the General Counsel:

(1) after the investigation of a charge filed under section 210 or 220 of the Act, or

(2) after the issuance of a citation or notification under section 215 of the Act.

(c) *Form and Contents.*

A complaint filed by the General Counsel shall be in writing, signed by the General Counsel, or his or her designee, and shall contain the following information:

(1) the name, mail and e-mail addresses, if available, and telephone number of the employing office, as applicable;

(A) each entity responsible for correction of an alleged violation of section 210(b) of the Act;

(B) each employing office alleged to have violated section 215 of the Act; or

(C) each employing office and/or labor organization alleged to have violated section 220, against which the complaint is brought;

(2) notice of the charge filed alleging a violation of section 210 or 220 of the Act and/or issuance of a citation or notification under section 215;

(3) a description of the acts and conduct that are alleged to be violations of the Act, including all relevant dates and places, and the names and titles of the responsible individuals; and

(4) a statement of the relief or remedy sought.

(d) *Amendments.*—Amendments to the complaint may be permitted by the Office or, after assignment, by a Merits Hearing Officer, on the following conditions: that all parties to the proceeding have adequate notice to prepare to address the new allegations; that the amendments, as appropriate, relate to the charge(s) investigated and/or the citation or notification issued by the General Counsel; and that permitting such amendments will not unduly prejudice the rights of the employing office, the labor organization, or other parties, unduly delay the completion of the hearing, or otherwise interfere with or impede the proceedings.

(e) *Service of Complaint.*—Upon receipt of a complaint or an amended complaint, the Office shall serve the respondent or its designated representative by hand delivery or first-class mail, e-mail, or facsimile with a copy of the complaint or amended complaint; written notice of the availability of these Rules at [www.ocwr.gov](http://www.ocwr.gov); and a service list containing the names and addresses of the parties and their designated representatives. A copy of these Rules may also be provided if requested by either party.

(f) *Answer.*

(1) Within 15 days after receipt of a copy of a complaint or an amended complaint, the respondent shall file an answer with the Office and serve one copy on the General Counsel.

(2) In answering a complaint, a respondent must state in short and plain terms its defenses to each alleged violation, and admit or deny the allegations asserted against it by an opposing party. If a respondent lacks knowledge or information sufficient to form

a belief about the truth of an allegation, the respondent must so state, and the statement has the effect of a denial.

(3) Failure to deny an allegation, other than one relating to the amount of damages, or to raise a defense as to any allegation(s) shall constitute an admission of such allegation(s). Affirmative defenses not raised in an answer that could have reasonably been anticipated based on the facts alleged in the complaint shall be deemed waived.

(4) A respondent's motion for leave to amend an answer to interpose a denial or affirmative defense will ordinarily be granted unless to do so would unduly prejudice the rights of the other party or unduly delay or otherwise interfere with or impede the proceedings.

(g) *Motion to Dismiss.*—In addition to an answer, a respondent may file a motion to dismiss, or other responsive pleading with the Office and serve one copy on the complainant. Responses to any motions shall comply with section 1.04(c) of these Rules. If, on a motion to dismiss for failure to state a claim upon which relief can be granted, matters outside the pleadings are presented to and not excluded by the Merits Hearing Officer, the motion must be treated as one for summary judgment, and all parties must be given a reasonable opportunity to present all the material that is pertinent to the motion.

#### **§ 5.02 Appointment of the Merits Hearing Officer.**

Upon the filing of a complaint, the Executive Director will appoint an independent Merits Hearing Officer, who shall have the authority specified in sections 5.03 and 7.01(b) of these Rules.

#### **§ 5.03 Dismissal, Summary Judgment, and Withdrawal of Complaints.**

(a) A Merits Hearing Officer may, after notice and an opportunity to respond, dismiss any complaint that the Merits Hearing Officer finds to be frivolous or that fails to state a claim upon which relief may be granted.

(b) A Merits Hearing Officer may, after notice and an opportunity to respond, dismiss a complaint because it fails to comply with the applicable time limits or other requirements under the Act or these Rules.

(c) If the General Counsel fails to proceed with an action, the Merits Hearing Officer may dismiss the complaint with prejudice.

(d) *Summary Judgment.*—A Merits Hearing Officer may, after notice and an opportunity for the parties to address the question of summary judgment, issue summary judgment on some or all of the complaint.

(e) *Appeal.*—A final decision by the Merits Hearing Officer made under sections 5.03(a)–(d) or 7.16 of these Rules may be subject to appeal before the Board if the aggrieved party files a timely petition for review under section 8.01. A final decision under sections 5.03(a)–(d) that does not resolve all of the issues in the case(s) before the Merits Hearing Officer may not be appealed to the Board in advance of a final decision entered under section 7.16 of these Rules, except as authorized pursuant to section 7.13.

(f) *Withdrawal of Complaint by the General Counsel.*—At any time prior to the opening of the hearing, the General Counsel may withdraw his or her complaint by filing a notice with the Office for transmittal to the Merits Hearing Officer and by serving a copy on the respondent. After the opening of the hearing, any such withdrawal must be approved by the Merits Hearing Officer and may be with or without prejudice to refile at the Merits Hearing Officer's discretion.

(g) *Withdrawal from a Case by a Representative.*—A representative must provide sufficient notice to the Merits Hearing Officer and the parties of record of his or her withdrawal from a case. Until the party des-

ignates another representative in writing, the party will be regarded as appearing pro se.

#### **§ 5.04 Confidentiality.**

Pursuant to section 416(b) of the Act, except as provided in subsections 416(c) and (f), all proceedings and deliberations of Merits Hearing Officers and the Board, including any related records, shall be confidential. Section 416(b) does not apply to proceedings under section 215 of the Act, but does apply to the deliberations of Merits Hearing Officers and the Board under section 215. A violation of the confidentiality requirements of the Act and these Rules may result in the imposition of procedural or evidentiary sanctions. See also sections 1.08 and 7.12 of these Rules.

### **SUBPART F—[AMENDED]**

6. *Subpart F has been amended as follows:*

#### **Subpart F—Discovery and Subpoenas**

##### **§ 6.01 Discovery**

##### **§ 6.02 Requests for Subpoenas**

##### **§ 6.03 Service of Subpoena**

##### **§ 6.04 Proof of Service of Subpoena**

##### **§ 6.05 Motion to Quash or Limit Subpoena**

##### **§ 6.06 Enforcement of Subpoena**

##### **§ 6.07 Requirements for Sworn Statements in Support of Subpoena**

##### **§ 6.01 Discovery.**

(a) *Description.*—Discovery is the process by which a party may obtain from another person, including a party, information that is not privileged and that is relevant to any party's cause of action or defense and proportional to the needs of the case, considering the importance of the issues at stake in the action, the amount in controversy, the parties' relative access to relevant information, the parties' resources, the importance of the discovery in resolving legal issues, and whether the burden or expense of the proposed discovery outweighs its likely benefit. Information within the scope of discovery need not be admissible in evidence in order to be discoverable. No discovery, whether oral or written, by any party shall be taken of or from an employee of the Office of Congressional Workplace Rights (including but not limited to a Board member, the Executive Director, the General Counsel, a Confidential Advisor, a Mediator, a Hearing Officer, or unpaid staff), including files, records, or notes produced during the confidential advising, mediation, and hearing phases of a case and maintained by the Office, the Confidential Advisor, the Mediator, or the Hearing Officer.

(b) *Initial Disclosure.*—Within 14 days after the initial conference in cases commenced by the filing of a claim pursuant to section 402(a) of the Act, and except as otherwise stipulated or ordered by the Merits Hearing Officer, a party must, without awaiting a discovery request, provide to the other parties: the name and, if known, mail and e-mail addresses, and telephone number of each individual likely to have discoverable information that the disclosing party may use to support its causes of action or defenses; and a copy or a description by category and location of all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control and may use to support its claims or defenses.

(c) *Discovery Availability.*—Pursuant to section 405(e) of the Act, reasonable prehearing discovery may be permitted at the Merits Hearing Officer's discretion.

(1) The parties may take discovery by one or more of the following methods: depositions upon oral examination or written questions; written interrogatories; production of documents or things or permission to enter upon land or other property for inspection or

other purposes; physical and mental examinations; and requests for admissions. Nothing in section 415(d) of the Act—dealing with reimbursements by Members of Congress of amounts paid as settlements and awards—may be construed to require the claimant to be deposed by counsel for the intervening member in a deposition that is separate from any other deposition taken of the claimant in connection with the hearing.

(2) The Merits Hearing Officer may adopt standing orders or make any order setting forth the forms and extent of discovery, including orders limiting the number of depositions, interrogatories, and requests for production of documents, and also may limit the length of depositions.

(3) The Merits Hearing Officer may issue any other order to prevent discovery or disclosure of confidential or privileged materials or information, as well as hearing preparation materials and any other information deemed not discoverable, or to protect a party or person from annoyance, embarrassment, oppression, or undue burden or expense.

(d) *Claims of Privilege.*

(1) *Information Withheld.*—Whenever a party withholds information otherwise discoverable under these Rules by claiming that it is privileged or confidential or subject to protection as hearing or trial preparation materials, the party shall make the claim of privilege expressly in writing and shall describe the nature of the documents, communications or things not produced or disclosed in a manner that, without revealing whether the information itself is privileged or protected, will enable other parties to assess the applicability of the privilege or protection. A party must make a claim for privilege no later than the due date to produce the information.

(2) *Information Produced as Inadvertent Disclosure; Sealing All or Part of the Record.*—If information produced in discovery is subject to a claim of privilege or of protection as hearing preparation material, the party making the claim of privilege may notify any party that received the information of the claim of privilege and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim of privilege is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information to the Merits Hearing Officer or the Board under seal for a determination of the claim of privilege. The producing party must preserve the information until the claim of privilege is resolved.

#### **§ 6.02 Request for Subpoena.**

(a) *Authority to Issue Subpoenas.*—At the request of a party, the Merits Hearing Officer may issue subpoenas for the attendance and testimony of witnesses and for the production of correspondence, books, papers, documents, or other records. The attendance of witnesses and the production of records may be required from any place within the United States. However, no subpoena shall be issued for the attendance or testimony of an employee or agent of the Office of Congressional Workplace Rights (including but not limited to a Board member, the Executive Director, the General Counsel, a Confidential Advisor, a Mediator, a Hearing Officer, or unpaid staff), or for the production of files, records, or notes created by such employee of the Office during the confidential advising process, in mediation, or at the hearing. Employing offices shall endeavor to make their employees available for discovery and hearing without requiring a subpoena.

(b) *Request*.—A request to issue a subpoena requiring the attendance and testimony of witnesses or the production of documents or other evidence under paragraph (a) above shall be submitted to the Merits Hearing Officer at least 15 days before the scheduled hearing date. If the subpoena is sought as part of the discovery process, the request shall be submitted to the Merits Hearing Officer at least 10 days before the date that a witness must attend a deposition or the date for the production of documents. The Merits Hearing Officer may waive the time limits stated above for good cause.

(c) *Forms and Showing*.—Requests for subpoenas shall be submitted in writing to the Merits Hearing Officer and shall specify with particularity the witness, correspondence, books, papers, documents, or other records desired and shall be supported by a showing of general relevance and reasonable scope.

(d) *Rulings*.—The Merits Hearing Officer shall promptly rule on subpoena requests.

#### **§ 6.03 Service of Subpoena.**

Subpoenas shall be served in the manner provided under Rule 45(b) of the Federal Rules of Civil Procedure. Service of a subpoena may be made by any person who is over 18 years of age and is not a party to the proceeding.

#### **§ 6.04 Proof of Service of Subpoena.**

When service of a subpoena is effected, the person serving the subpoena shall certify the date and the manner of service. The party on whose behalf the subpoena was issued shall file the server's certification with the Merits Hearing Officer.

#### **§ 6.05 Motion to Quash or Limit Subpoena.**

Any person against whom a subpoena is directed may file a motion to quash or limit the subpoena setting forth the reasons why the subpoena should not be complied with or why it should be limited in scope. This motion shall be filed with the Merits Hearing Officer before the time specified in the subpoena for compliance and not later than 10 days after service of the subpoena. The Merits Hearing Officer should promptly rule on a motion to quash or limit and ensure that the person receiving the subpoena is made aware of the ruling.

#### **§ 6.06 Enforcement of Subpoena.**

(a) *Objections and Requests for Enforcement*.—If a person has been served with a subpoena pursuant to section 6.03 of these Rules, but fails or refuses to comply with its terms or otherwise objects to it, the party or person objecting or the party seeking compliance may seek a ruling from the Merits Hearing Officer. The request for a ruling shall be submitted in writing to the Merits Hearing Officer. However, it may be made orally on the record at the hearing at the discretion of the Merits Hearing Officer. The party seeking compliance shall present the proof of service and, except when the witness was required to appear before the Merits Hearing Officer, shall submit evidence, by affidavit or declaration, of the failure or refusal to obey the subpoena.

(b) *Ruling by the Merits Hearing Officer*.

(1) The Merits Hearing Officer shall promptly rule on the request for enforcement and/or the objection(s).

(2) On request of the objecting witness or any party, the Merits Hearing Officer shall—on or on the Merits Hearing Officer's own initiative, the Merits Hearing Officer may—refer the ruling to the Board for review.

(c) *Review by the Board*.—The Board may overrule, modify, remand, or affirm the Merits Hearing Officer's ruling and, in its discretion, may direct the General Counsel to apply in the name of the Office for an order from a United States district court to enforce the subpoena.

(d) *Application to an Appropriate Court; Civil Contempt*.—If a person fails to comply with a subpoena, the Board may direct the General Counsel to apply, in the name of the Office, to an appropriate United States district court for an order requiring that person to appear before the Merits Hearing Officer to give testimony or produce records. Any failure to obey a lawful order of the district court may be held by such court to be a civil contempt thereof.

#### **§ 6.07 Requirements for Sworn Statements.**

Any time that the Merits Hearing Officer requires an affidavit or sworn statement from a party or a witness, he or she should refer the party or witness to a sample declaration under 28 U.S.C. § 1746, which substantially requires:

(a) If executed within the United States, its territories, possessions, or commonwealths: "I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature)."

(b) If executed outside the United States: "I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on (date). (Signature)."

#### **SUBPART G—[AMENDED]**

7. Subpart G has been amended as follows:

#### **Subpart G—Hearings**

##### **§ 7.01 The Merits Hearing Officer**

##### **§ 7.02 Sanctions**

##### **§ 7.03 Disqualification or Withdrawal of a Merits Hearing Officer**

##### **§ 7.04 Motions, Initial Conference, and Prehearing Conference**

##### **§ 7.05 Scheduling the Hearing**

##### **§ 7.06 Consolidation and Joinder of Cases**

##### **§ 7.07 Conduct of Hearing; Disqualifying a Representative**

##### **§ 7.08 Transcript**

##### **§ 7.09 Admissibility of Evidence**

##### **§ 7.10 Stipulations**

##### **§ 7.11 Official Notice**

##### **§ 7.12 Confidentiality**

##### **§ 7.13 Immediate Board Review of a Merits Hearing Officer's Ruling**

##### **§ 7.14 Proposed Findings of Fact and Conclusions of Law; Posthearing Briefs**

##### **§ 7.15 Closing the Record**

##### **§ 7.16 Merits Hearing Officer Decisions; Entry in Office Records; Correcting the Record; Motions to Alter, Amend or Vacate the Decision.**

#### **§ 7.01 The Merits Hearing Officer.**

This subpart concerns the duties and responsibilities of Merits Hearing Officers, who are appointed by the Executive Director to preside over the administrative hearings under the Act. The duties and responsibilities of Preliminary Hearing Officers are contained in section 4.08 of these Rules.

(a) *Exercise of Authority*.—The Merits Hearing Officer may exercise authority as provided in paragraph (b) of this section upon his or her own initiative or upon a party's motion, as appropriate.

(b) *Authority*.—Merits Hearing Officers shall conduct fair and impartial hearings and take all necessary action to avoid undue delay in disposing of all proceedings. They shall have all powers necessary to that end unless otherwise limited by law, including, but not limited to, the authority to:

(1) administer oaths and affirmations;

(2) rule on motions to disqualify designated representatives;

(3) issue subpoenas in accordance with section 6.02 of these Rules;

(4) rule upon offers of proof and receive relevant evidence;

(5) rule upon discovery issues as appropriate under sections 6.01 to 6.06 of these Rules;

(6) hold initial and prehearing conferences for simplifying issues and exploring settlement;

(7) convene a hearing, regulate the course of the hearing, maintain decorum at the hearing, and exclude from the hearing any person who disrupts, or threatens to disrupt, that decorum;

(8) exclude from the hearing any person, except any claimant, any party, the attorney or representative of any claimant or party, or any witness while testifying;

(9) rule on all motions, witness and exhibit lists, and proposed findings, including motions for summary judgment;

(10) require the filing of briefs, memoranda of law, and the presentation of oral argument as to any question of fact or law;

(11) order the production of evidence and the appearance of witnesses;

(12) impose sanctions as provided under section 7.02 of these Rules;

(13) file decisions on the issues presented at the hearing;

(14) dismiss any claim, complaint, or portion thereof that is found to be frivolous or that fails to state a claim upon which relief may be granted;

(15) maintain and enforce the confidentiality of proceedings; and

(16) waive or modify any procedural requirements of subparts F and G of these Rules so long as permitted by the Act.

#### **§ 7.02 Sanctions.**

(a) When necessary to regulate the course of the proceedings (including the hearing), the Merits Hearing Officer may impose an appropriate sanction, which may include, but is not limited to, the sanctions specified in this section, on the parties and/or their representatives.

(b) The Merits Hearing Officer may impose sanctions upon the parties and/or their representatives based on, but not limited to, the circumstances set forth in this section.

(1) *Failure to Comply With an Order*.—When a party fails to comply with an order (including an order to submit to a deposition, to produce evidence within the party's possession, custody, or control, or to produce witnesses), the Merits Hearing Officer may:

(A) draw an inference in favor of the requesting party on the issue related to the information sought;

(B) stay further proceedings until the order is obeyed;

(C) prohibit the party failing to comply with such order from introducing evidence concerning, or otherwise relying upon, evidence relating to the information sought;

(D) permit the requesting party to introduce secondary evidence concerning the information sought;

(E) strike, in whole or in part, the claim, complaint, briefs, answer, or other submissions of the party failing to comply with the order, as appropriate; or

(F) direct judgment against the non-complying party in whole or in part.

(2) *Failure to Prosecute or Defend*.—If a party fails to prosecute or defend a position, the Merits Hearing Officer may dismiss the action in whole or in part, with or without prejudice, or decide the matter when appropriate.

(3) *Failure to Make Timely Filing*.—The Merits Hearing Officer may refuse to consider any request, motion, or other action that is not filed in a timely fashion in compliance with this subpart.

(4) *Frivolous Claims, Defenses, and Arguments*.—If a party or the party's designated representative files a claim that fails to meet the requirements of section 401(f) of the Act, the Merits Hearing Officer may dismiss the claim in whole or in part, with or without prejudice, or decide the matter for the

opposing party. If a party or the party's designated representative presents a pleading, discovery request or response, motion, or other paper containing claims, defenses, or other legal contentions, for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of resolution of the matter, the Merits Hearing Officer may reject the pleading, discovery request or response, motion, or other paper, in whole or in part. A pleading, discovery request or response, motion, or other paper containing claims, defenses, or other legal contentions shall not be subject to sanctions if it is supported by or constitutes a non-frivolous argument for extending, modifying, or reversing existing law or for establishing new law.

(5) *Failure to Maintain Confidentiality.*—An allegation regarding a violation of the confidentiality provisions contained in the Act, these Rules, or an order of a Merits Hearing Officer may be made to a Merits Hearing Officer in proceedings under section 405 of the Act. If, after notice and hearing, the Merits Hearing Officer determines that a party has violated confidentiality, the Merits Hearing Officer may:

(A) direct that the matters related to the breach of confidentiality or other designated facts be taken as established for purposes of the action, as the prevailing party contends;

(B) prohibit the party breaching confidentiality from supporting or opposing designated claims or defenses, or from introducing designated matters in evidence;

(C) strike the pleadings in whole or in part;

(D) stay further proceedings until the breach of confidentiality is resolved to the extent possible;

(E) dismiss the action or proceeding in whole or in part; or

(F) render a default judgment against the party breaching confidentiality.

(c) No sanctions may be imposed under this section except for good cause, the particulars of which must be stated in the sanction order.

#### **§ 7.03 Disqualification or Withdrawal of a Merits Hearing Officer.**

(a) In the event that a Merits Hearing Officer considers himself or herself disqualified, either because of personal bias or of an interest in the case or for some other disqualifying reason, he or she shall withdraw from the case, stating in writing or on the record the reasons for his or her withdrawal, and shall immediately notify the Office of the withdrawal.

(b) Any party may file a motion requesting that a Merits Hearing Officer withdraw on the basis of personal bias or of an interest in the case or for some other disqualifying reason. This motion shall specifically set forth the reasons supporting the request and be filed as soon as the party has reason to believe that there is a basis for disqualification.

(c) The Merits Hearing Officer shall promptly rule on the withdrawal motion. If the motion is granted, the Executive Director will appoint another Merits Hearing Officer within 5 days. Any objection to the Merits Hearing Officer's ruling on the withdrawal motion shall not be deemed waived by a party's further participation in the hearing and may be the basis for an appeal to the Board from the Merits Hearing Officer's decision under section 8.01 of these Rules. Such objection will not stay the conduct of the hearing.

#### **§ 7.04 Motions, Initial Conference, and Prehearing Conference.**

(a) *Motions.*—Unless otherwise provided in these Rules, motions shall be filed with the Merits Hearing Officer and shall be in writing except for oral motions made on the

record during the hearing. All written motions and any responses to them shall include a proposed order, when applicable. Only with the Merits Hearing Officer's advance approval may either party file additional responses to the motion or to the response to the motion. Motions for extension of time will be granted only for good cause shown.

(b) *Scheduling the Initial Conference.*—Within 7 days after a claim is assigned to a Merits Hearing Officer, the Merits Hearing Officer shall serve on the parties and their designated representatives written notice setting forth the time, date, and place of the initial conference, except that the Executive Director may, for good cause, extend up to an additional 7 days the time for serving notice of the initial conference. As required by section 6.01(b) of these Rules, initial disclosures shall be due within 14 days of the initial conference.

(c) *Initial Conference Memoranda.*—The Merits Hearing Officer may order each party to prepare an initial conference memorandum. The memorandum may include:

(1) a proposed discovery plan, including the number of depositions, interrogatories, requests for production, requests for admissions, and other discovery devices that the party anticipates requesting;

(2) a proposed schedule for the filing of any dispositive motions;

(3) a proposed date for the prehearing conference; and

(4) a proposed schedule for the hearing.

(d) *The Prehearing Conference.*—Within 7 days after the initial conference, the Merits Hearing Officer shall serve on the parties and their designated representatives written notice setting forth the time, date, and place of the prehearing conference, which shall not take place until the period provided for discovery, if any, has ended. The Merits Hearing Officer may order each party to prepare a prehearing conference memorandum after discovery has concluded. The memorandum may include:

(1) the major factual contentions and legal issues that the party intends to raise at the hearing in short, successive, and numbered paragraphs, along with any proposed stipulations of fact or law;

(2) an estimate of the time necessary for presenting the party's case;

(3) the specific relief, including, when known, a calculation of any monetary relief or damages that is being or will be requested;

(4) the names of potential witnesses for the party's case (except for potential impeachment or rebuttal witnesses) and the purpose for which they will be called, a list of documents that the party is seeking from the opposing party, and the status of any pending request for discovery. (It is not necessary to list each document requested. Instead, the party may refer to the request for discovery.); and

(5) a brief description of any other unresolved issues.

(d) At the prehearing conference, the Merits Hearing Officer may discuss the subjects specified in paragraph (d) above and the manner in which the hearing will be conducted. In addition, the Merits Hearing Officer may explore settlement possibilities and consider how the factual and legal issues might be simplified and any other issues that might expedite resolving the dispute. The Merits Hearing Officer shall issue an order, which recites the actions taken at the conference and the parties' agreements as to any matters considered, and which limits the issues to those not disposed of by the parties' admissions, stipulations, or agreements. Such order, when entered, shall control the course of the hearing, subject to later modi-

fication by the Merits Hearing Officer by his or her own motion or upon proper request of a party for good cause shown.

#### **§ 7.05 Scheduling the Hearing.**

(a) *Date, Time, and Place of Hearing.*—The Office shall issue the notice of hearing, which shall fix the date, time, and place of hearing. Absent a postponement granted by the Office, a hearing on a claim pursuant to section 405 of the Act must commence no later than 90 days after the Executive Director receives the claimant's request for a hearing under section 405 of the Act.

(b) *Motions for Postponement of Commencement of a Hearing.*—Motions for postponement of the commencement of a hearing by either party shall be made in writing to the Office, shall set forth the reasons for the request, and shall state whether the opposing party consents to or opposes postponement. Upon mutual agreement of the parties or for good cause shown, the Office shall extend the time for commencing a hearing for not more than an additional 30 days.

(c) *Continuance of Hearing after Commencement.*—A party seeking a continuance of a hearing may do so by oral or written motion to the Merits Hearing Officer. Such motion shall include the reasons for the requested continuance and shall state whether any opposing party consents to or opposes the requested continuance. The Merits Hearing Officer may grant such a motion upon mutual agreement of the parties or for good cause shown.

#### **§ 7.06 Consolidation and Joinder of Cases.**

(a) *Explanation.*

(1) Consolidation is when two or more parties have cases that might be treated as one because they contain identical or similar issues or in such other appropriate circumstances.

(2) Joinder is when one party has two or more cases pending and they are united for consideration. For example, joinder might be warranted when a single party has one case pending challenging a 30-day suspension and another case pending challenging a subsequent dismissal.

(b) *Authority.*—The Executive Director (before assigning a Merits Hearing Officer to adjudicate a claim), a Merits Hearing Officer (prior to or during the hearing), or the Board (during an appeal) may consolidate or join cases on their own initiative or on the motion of a party if to do so would expedite case processing and not adversely affect the parties' interests, taking into account the confidentiality requirements of section 416 of the Act.

#### **§ 7.07 Conduct of Hearing; Disqualifying a Representative.**

(a) Pursuant to section 405(d)(1) of the Act, the Merits Hearing Officer shall conduct the hearing in closed session on the record. Only the Merits Hearing Officer, the parties and their representatives, and witnesses during the time they are testifying, shall be permitted to attend the hearing, except that the Office may not be precluded from observing the hearing. The Merits Hearing Officer, or a person designated by the Merits Hearing Officer or the Executive Director, shall record the proceedings electronically and/or stenographically.

(b) The hearing shall be conducted as an administrative proceeding. Witnesses shall testify under oath or affirmation. Except as specified in the Act and in these Rules, the Merits Hearing Officer shall conduct the hearing, to the greatest extent practicable, consistent with the principles and procedures in sections 554 through 557 of title 5 of the United States Code (the Administrative Procedure Act).

(c) No later than the commencement of the hearing, or as otherwise ordered by the Merits Hearing Officer, each party shall submit

to the Merits Hearing Officer and to each opposing party typed lists of the party's hearing exhibits and the witnesses the party expects to call to testify. A party may exclude from the lists any documents or witnesses intended solely for impeachment or rebuttal.

(d) At the commencement of the hearing, or as otherwise ordered by the Merits Hearing Officer, the Merits Hearing Officer may consider any stipulations of facts and law pursuant to section 7.10 of these Rules, take official notice of certain facts pursuant to section 7.11 of these Rules, rule on the parties' objections, and hear witness testimony. Each party must present his or her case in a concise manner, limiting the testimony of witnesses and submission of documents to relevant matters.

(e) Any evidentiary objection not timely made before a Merits Hearing Officer shall, absent clear error, be deemed waived on appeal to the Board.

(f) Failure of any party to appear at the hearing, to present witnesses or evidence, or to respond to an evidentiary order may result in an adverse finding or ruling by the Merits Hearing Officer. At the Merits Hearing Officer's discretion, the hearing also may be held without a party if the party's representative is present. Unless called to testify as a witness, an intervenor Member shall be permitted, but not required, to attend the hearing either in person or through the presence of a representative.

(g) If the Merits Hearing Officer concludes that the representative of a claimant, a witness, a charging party, a labor organization, an employing office, or an entity alleged to be responsible for correcting a violation has a conflict of interest, the Merits Hearing Officer may, after giving the representative an opportunity to respond, disqualify the representative. In that event, within the time limits for hearing and decision established by the Act, the affected party shall be afforded reasonable time to retain other representation.

#### **§ 7.08 Transcript.**

(a) *Preparation.*—The Office shall keep an accurate electronic or stenographic hearing record, which shall be the sole official record of the proceeding. The Office shall be responsible for the cost of transcribing the hearing. Upon request, a copy of the hearing transcript shall be furnished to each party, provided, however, that such party has first agreed to maintain and respect the confidentiality of such transcript in accordance with the applicable rules prescribed by the Office or the Merits Hearing Officer to effectuate section 416(b) of the Act. Additional copies of transcripts shall be made available to a party at the party's expense. The Office may grant exceptions to the payment requirement for good cause shown. A motion for an exception shall be made in writing, accompanied by an affidavit or a declaration setting forth the reasons for the request, and submitted to the Office. Requests for copies of transcripts also shall be directed to the Office. The Office may, by agreement with the person making the request, arrange with the official hearing reporter for required services to be charged to the requester.

(b) *Corrections.*—Corrections to the official transcript of the hearing will be permitted. Motions for correction must be submitted within 10 days of service of the transcript upon the parties. Corrections to the official transcript will be permitted only upon the approval of the Merits Hearing Officer. The Merits Hearing Officer may make corrections at any time with notice to the parties.

#### **§ 7.09 Admissibility of Evidence.**

The Merits Hearing Officer shall apply the Federal Rules of Evidence to the greatest extent practicable. The Merits Hearing Officer

may exclude evidence if, among other things, it constitutes inadmissible hearsay or its probative value is substantially outweighed by the danger of unfair prejudice, by confusion of the issues, or by considerations of undue delay, waste of time, or needless presentation of cumulative evidence.

#### **§ 7.10 Stipulations.**

The parties may stipulate as to any matter of fact. Such a stipulation will satisfy a party's burden of proving the fact alleged.

#### **§ 7.11 Official Notice.**

(a) The Merits Hearing Officer on his or her own motion or on motion of a party, may take official notice of a fact that is not subject to reasonable dispute because it is either:

(1) a matter of common knowledge; or  
(2) capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned. Official notice taken of any fact satisfies a party's burden of proving the fact noticed.

(b) When a decision, or part thereof, rests on the official notice of a material fact not appearing in the evidence in the record, the fact of official notice shall be so stated in the decision, and any party, upon timely request, shall be afforded an opportunity to show the contrary.

#### **§ 7.12 Confidentiality.**

(a) Pursuant to section 416 of the Act and section 1.08 of these Rules, all proceedings and deliberations of Merits Hearing Officers and the Board, including the hearing transcripts and any related records, shall be confidential, except as specified in sections 416(c), (d), (e), and (f) of the Act and section 1.08(d) of these Rules. All parties to the proceeding and their representatives, and witnesses who appear at the hearing, will be advised of the importance of confidentiality in this process and of their obligations, subject to sanctions, to maintain it. This provision shall not apply to proceedings under section 215 of the Act, but shall apply to the Merits Hearing Officers' and the Board's deliberations under that section.

(b) *Violation of Confidentiality.*—A Merits Hearing Officer, under section 405 of the Act, may resolve an alleged violation of confidentiality that occurred during a hearing. After providing notice and an opportunity to the parties to be heard, the Merits Hearing Officer, under section 1.08(f) of these Rules, may find a violation of confidentiality and impose appropriate procedural or evidentiary sanctions, to include the sanctions listed in section 7.02 of these Rules.

#### **§ 7.13 Immediate Board Review of a Hearing Officer's Ruling.**

(a) *Review Strongly Disfavored.*—Board review of a Merits Hearing Officer's ruling while a proceeding is ongoing (an interlocutory appeal) is strongly disfavored. In general, the Board may consider a request for interlocutory appeal only if the Merits Hearing Officer, on his or her own motion or on motion of a party, certifies and forwards a request for interlocutory appeal to the Board.

(b) *Time for Filing.*—A party must file a motion for interlocutory appeal of a Merits Hearing Officer's ruling with the Merits Hearing Officer within 5 days after service of the ruling upon the parties. The motion shall include arguments in support of both interlocutory appeal and the requested determination to be made by the Board upon review. Responses, if any, shall be filed with the Hearing Officer within 3 days after service of the motion.

(c) *Standards for Review.*—In determining whether to certify and forward a request for interlocutory appeal to the Board, the Merits Hearing Officer shall consider the following:

(1) whether the ruling involves a significant question of law or policy about which there is substantial ground for difference of opinion;

(2) whether an immediate Board review of the Merits Hearing Officer's ruling will materially advance completing the proceeding; and

(3) whether denial of immediate review will cause undue harm to a party or the public.

(d) *Merits Hearing Officer Action.*—If all the conditions set forth in paragraph (c) are met, the Merits Hearing Officer shall certify and forward a request for interlocutory appeal to the Board for its immediate consideration. Any such submission shall explain the basis on which the Merits Hearing Officer concluded that the standards in paragraph (c) have been met. The Merits Hearing Officer's decision to forward or decline to forward a request for review is not appealable.

(e) *Granting or Denying an Interlocutory Appeal Is Within the Board's Sole Discretion.*—The Board, in its sole discretion, may grant or deny an interlocutory appeal, upon the Merits Hearing Officer's certification and decision to forward a request for review. The Board's decision to grant or deny an interlocutory appeal is not appealable.

(f) *Stay Pending Interlocutory Appeal.*—Unless otherwise directed by the Board, the stay of any proceedings during the pendency of either a request for interlocutory appeal or the appeal itself shall be within the Merits Hearing Officer's discretion, provided that no stay shall serve to toll the time limits set forth in section 405(d) of the Act. If the Merits Hearing Officer does not stay the proceedings, the Board may do so while an interlocutory appeal is pending before it.

(g) *Procedures Before the Board.*—Upon its decision to grant interlocutory appeal, the Board shall issue an order setting forth the procedures that will be followed in the conduct of that review.

(h) *Appeal of a Final Decision.*—Denial of interlocutory appeal will not affect a party's right to challenge rulings, which are otherwise appealable, as part of an appeal to the Board under section 8.01 of these Rules from the Merits Hearing Officer's decision issued under section 7.16 of these Rules.

#### **§ 7.14 Proposed Findings of Fact and Conclusions of Law; Posthearing Briefs.**

The Merits Hearing Officer may require the parties to file proposed findings of fact and conclusions of law and/or posthearing briefs on the factual and the legal issues presented in the case.

#### **§ 7.15 Closing the Record.**

(a) Except as provided in section 7.14 of these Rules, the record shall close when the hearing ends. However, the Merits Hearing Officer may hold the record open as necessary to allow the parties to submit arguments, briefs, documents, or additional evidence previously identified for introduction.

(b) Once the record is closed, no additional evidence or argument shall be accepted into the hearing record except upon a showing that new and material evidence has become available that was not available despite due diligence before the record closed, or that the additional evidence or argument is being provided in rebuttal to new evidence or argument that another party submitted just before the record closed. The Merits Hearing Officer also shall make part of the record an approved correction to the transcript.

#### **§ 7.16 Merits Hearing Officer Decisions; Entry in Office Records; Corrections to the Record; Motions to Alter, Amend, or Vacate the Decision.**

(a) The Merits Hearing Officer shall issue a written decision no later than 90 days after the hearing ends, pursuant to section 405(g) of the Act.



(b) The Merits Hearing Officer's written decision shall:

- (1) state the issues raised in the claim form or complaint;
- (2) describe the evidence in the record;
- (3) contain findings of fact and conclusions of law, and the reasons or bases therefore, on all the material issues of fact, law, or discretion presented on the record;
- (4) determine whether a violation has occurred; and
- (5) order such remedies as are appropriate under the Act.

(c) If the Merits Hearing Officer's written decision concerns a claim alleging a violation or violations described in section 415(d)(1)(C) of the Act, the written decision shall include the following findings:

- (1) whether the alleged violation or violations occurred;
- (2) whether any violation or violations found to have occurred were committed personally by an individual who, at the time of committing the violation, was a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) or a Senator;
- (3) the amount of compensatory damages, if any, awarded pursuant to section 415(d)(1)(B) of the Act; and
- (4) the amount, if any, of compensatory damages that is the "reimbursable portion" as defined by section 415(d) of the Act.

(d) Upon issuance, the Merits Hearing Officer's written decision shall be entered into the Office's records.

(e) The Office shall promptly provide a copy of the Merits Hearing Officer's written decision to the parties. In the case of a decision that finds that an amount of damages is reimbursable, as described in subparagraph (c)(4) of this section, the Office shall promptly provide a copy of the Merits Hearing Officer's written decision to the Member responsible for that reimbursement, regardless of whether the Member has intervened in the action.

(f) If there is no appeal of a Merits Hearing Officer's decision, that decision becomes a final decision of the Office, which is subject to enforcement under section 8.03 of these Rules.

(g) *Corrections to the Record.*—After a Merits Hearing Officer's decision has been issued, but before an appeal is made to the Board, or absent an appeal, before the decision becomes final, the Merits Hearing Officer may issue an erratum notice to correct simple errors or easily correctible mistakes. The Merits Hearing Officer may do so on a party's motion or on his or her own motion with or without advance notice.

(h) After a Merits Hearing Officer's decision has been issued, but before an appeal is made to the Board, or absent an appeal, before the decision becomes final, a party to the proceeding before the Merits Hearing Officer may move to alter, amend, or vacate the decision. The moving party must establish that relief from the decision is warranted because: (1) of mistake, inadvertence, surprise, or excusable neglect; (2) there is newly discovered evidence that, with reasonable diligence, could not have been discovered in time to move for a new hearing; (3) there has been fraud (misrepresentation or misconduct) by an opposing party; (4) the decision is void; (5) the decision has been satisfied, released, or discharged; (6) the decision is based on an earlier decision that has been reversed or vacated or on a provision of law that has been amended, repealed, or ruled unconstitutional; or (7) applying the decision prospectively is no longer equitable. The motion shall be filed within 15 days after service of the Merits Hearing Officer's decision. No response shall be filed unless the Merits Hearing Officer so orders. The filing and

pendency of a motion under this provision shall not relieve a party of the obligation to file a timely appeal or operate to stay the Merits Hearing Officer's action unless the Merits Hearing Officer so orders.

#### SUBPART H—[AMENDED]

8. *Subpart H has been amended as follows:*

#### Subpart H—Proceedings before the Board

##### § 8.01 Appeal to the Board

##### § 8.02 Reconsideration

##### § 8.03 Compliance with Final Decisions, Requests for Enforcement

##### § 8.04 Judicial Review

##### § 8.05 Application for Review of an Executive Director Action

##### § 8.06 Exceptions to Arbitration Awards

##### § 8.07 Expedited Review of Negotiability

##### § 8.08 Procedures of the Board in Impasse Proceedings

##### § 8.01 Appeal to the Board.

(a) *Petition for Review.*—No later than 30 days after the entry of the decision of the Merits Hearing Officer in the records of the Office pursuant to section 7.16(d) of these Rules, an aggrieved party may seek review of that decision and order by the Board by filing with the Office a petition for review by the Board. The appeal must be served on all opposing parties or their representatives.

(b) *No Appeal of Report on Preliminary Review.*—A Report on Preliminary Review issued pursuant to section 403(c) of the Act is not appealable to the Board.

(c) *Briefs on Appeal.*

(1) Unless otherwise ordered by the Board, within 21 days following the filing of a petition for review by the Board, the appellant shall file and serve a supporting brief in accordance with section 1.04 of these Rules. That brief shall identify with particularity those findings or conclusions in the Merits Hearing Officer's decision that are being challenged and shall refer specifically to the portions of the record and the provisions of statutes or rules that are alleged to support each assertion made on appeal.

(2) Unless otherwise ordered by the Board, within 21 days following the service of the appellant's brief, any opposing party may file and serve a responsive brief. Unless otherwise ordered by the Board, within 10 days following the service of the responsive brief(s), the appellant may file and serve a reply brief.

(3) In any case in which the Board has not rendered a determination on the merits, the Executive Director is authorized to: determine any request for extensions of time to file any post-petition for review document or submission with the Board; determine any request for enlargement of page limitation of any post-petition for review document or submission with the Board; or require proof of service where there are questions of proper service.

(d) *Oral Argument.*—Upon the request of any party or upon its own order, the Board, in its discretion, may hold oral argument on an appeal.

(e) *Decision of the Board.*—Upon appeal, the Board shall issue a written decision setting forth the reasons for its decision. The Board may dismiss the appeal or affirm, reverse, modify, or remand the decision of the Merits Hearing Officer in whole or in part. Where there is no remand, the decision of the Board shall be entered in the records of the Office as the final decision of the Board and shall be subject to judicial review.

(f) *Remand.*—The Board may remand the matter to a Merits Hearing Officer for further action or proceedings, including the reopening of the record for the taking of additional evidence. The decision by the Board to remand a case is not subject to judicial review under section 407 of the Act. The procedures for a remanded hearing shall be gov-

erned by subparts F, G, and H of these Rules. The Merits Hearing Officer shall render a decision or report to the Board, as ordered, at the conclusion of proceedings on the remanded matters. A decision of the Board following completion of the remand shall be entered in the records of the Office as the final decision of the Board and shall be subject to judicial review under section 407 of the Act.

(g) *Standard of Review.*—Pursuant to section 406(c) of the Act, in conducting its review of the decision of a Merits Hearing Officer, the Board shall set aside a decision if it determines that the decision was:

- (1) arbitrary, capricious, an abuse of discretion, or otherwise not consistent with law;
- (2) not made consistent with required procedures; or
- (3) unsupported by substantial evidence.

(h) *Review of Record.*—In making determinations under paragraph (g), the Board shall review the whole record, or those parts of it cited by a party, and due account shall be taken of the rule of prejudicial error.

(i) *Record.*—The docket sheet, claim form or complaint and any amendments, preliminary review report, request for hearing, notice of hearing, answer and any amendments, motions, rulings, orders, stipulations, exhibits, documentary evidence, any portions of depositions admitted into evidence, docketed Memoranda for the Record, or correspondence between the Office and the parties, and the transcript of the hearing (together with any electronic recording of the hearing if the original reporting was performed electronically), together with the Merits Hearing Officer's decision and the petition for review, any response thereto, any reply to the response, and any other pleadings, shall constitute the record in the case.

(j) *Amicus Participation.*—The Board may invite amicus participation, in appropriate circumstances, in a manner consistent with the requirements of section 416 of the Act.

(k) *Withdrawal of Petition for Review.*—An appellant may move to withdraw a petition for review at any time before the Board renders a decision. The motion must be in writing and submitted to the Board. The Board, at its discretion, may grant or deny such a motion and take whatever action is required.

##### § 8.02 Reconsideration.

After a final decision or order of the Board has been issued, a party to the proceeding before the Board who can establish in its moving papers that reconsideration is necessary because the Board has overlooked or misapprehended points of law or fact, may move for reconsideration of such final decision or order. The motion shall be filed within 15 days after service of the Board's decision or order. No response shall be filed unless the Board so orders. The filing and pendency of a motion under this provision shall not relieve a party of the obligation to file a timely appeal or operate to stay the action of the Board unless so ordered by the Board. The decision to grant or deny a motion for reconsideration is within the sole discretion of the Board and is not appealable.

##### § 8.03 Compliance with Final Decisions, Requests for Enforcement.

(a) *Compliance Report and Petitions.*—Unless the Board has, in its discretion, stayed the final decision of the Office during the pendency of an appeal pursuant to section 407 of the Act, and except as provided in sections 210(d)(5) and 215(c)(6) of the Act, a party required to take any action under the terms of a final decision of the Office shall carry out its terms promptly, and shall within 30 days after the decision or order becomes final and goes into effect by its terms, provide the Office and all other parties to the proceedings with a compliance report specifying the

manner in which compliance with the provisions of the decision or order has been accomplished. If complete compliance has not been accomplished within 30 days, the party required to take any such action shall submit a compliance report specifying why compliance with any provision of the decision or order has not yet been fully accomplished, the steps being taken to assure full compliance, and the anticipated date by which full compliance will be achieved. A party may also file a petition for attorney's fees and/or damages unless the Board has, in its discretion, stayed the final decision of the Office during the pendency of the appeal pursuant to section 407 of the Act.

(b) *Additional Reports.*—The Office may require additional reports as necessary.

(c) *Failure to File Compliance Report.*—If the Office does not receive notice of compliance in accordance with paragraph (a) of this section, the Office shall make inquiries to determine the status of compliance. If the Office cannot determine that full compliance is forthcoming, the Office shall report the failure to comply to the Board and recommend whether court enforcement of the decision should be sought.

(d) *Petition for Enforcement.*—To the extent provided in section 407(a) of the Act and section 8.04 of these Rules, the appropriate party may petition the Board for enforcement of a final decision of the Office or the Board. The petition shall specifically set forth the reasons why the petitioner believes enforcement is necessary.

(e) *Notice to Show Cause.*—Upon receipt of a report of noncompliance or a petition for enforcement of a final decision, or as it otherwise determines, the Board may issue a notice to any person or party to show cause why the Board should not seek judicial enforcement of its decision or order.

(f) *Petition to Court.*—The Board, in its discretion, may direct the General Counsel to petition the court for enforcement under section 407(a)(2) of the Act of a decision under section 406(e) of the Act whenever the Board finds that a party has failed to comply with its decision and order.

#### **§ 8.04 Judicial Review.**

Pursuant to section 407 of the Act,

(a) the United States Court of Appeals for the Federal Circuit shall have jurisdiction over any proceeding commenced by a petition of:

(1) a party aggrieved by a final decision of the Board under section 406(e) of the Act in cases arising under sections 102(c) or 201-207 of the Act;

(2) a charging individual or respondent before the Board who files a petition under section 210(d)(4) of the Act;

(3) the General Counsel or a respondent before the Board who files a petition under section 215(c)(5) of the Act; or

(4) the General Counsel or a respondent before the Board who files a petition under section 220(c)(3) of the Act.

(b) The United States Court of Appeals for the Federal Circuit shall have jurisdiction over any petition of the General Counsel, filed in the name of the Office and at the direction of the Board, to enforce a final decision under section 405(g) or 406(e) of the Act with respect to a violation of part A, B, C, or D of title II of the Act.

(c) The party filing a petition for review shall serve a copy on the opposing party or parties or their representative(s).

#### **§ 8.05 Application for Review of an Executive Director's Action.**

For additional rules on the procedures pertaining to the Board's review of an Executive Director action in Representation proceedings, refer to parts 2422.30-31 of the Substantive Regulations of the Board, available at [www.ocwr.gov](http://www.ocwr.gov).

#### **§ 8.06 Expedited Review of Negotiability Issues.**

For additional rules on the procedures pertaining to the Board's expedited review of negotiability issues, refer to part 2424 of the Substantive Regulations of the Board, available at [www.ocwr.gov](http://www.ocwr.gov).

#### **§ 8.07 Review of Arbitration Awards.**

For additional rules on the procedures pertaining to the Board's review of arbitration awards, refer to part 2425 of the Substantive Regulations of the Board, available at [www.ocwr.gov](http://www.ocwr.gov).

#### **§ 8.08 Procedures of the Board in Impasse Proceedings.**

For additional rules on the procedures of the Board in impasse proceedings, refer to part 2471 of the Substantive Regulations of the Board, available at [www.ocwr.gov](http://www.ocwr.gov).

### **SUBPART I—[AMENDED]**

#### **9. Subpart I has been amended as follows: Subpart I—Other Matters of General Applicability**

##### **§ 9.01 Attorney's Fees and Costs**

##### **§ 9.02 Ex Parte Communications**

##### **§ 9.03 Settlement of Claims and Complaints**

##### **§ 9.04 Payments Required Pursuant to Decisions, Awards, or Settlements under section 415(a) of the Act**

##### **§ 9.05 Revocation, Amendment or Waiver of Rules**

##### **§ 9.06 Notices**

##### **§ 9.07 Training and Education Programs**

##### **§ 9.01 Attorney's Fees and Costs.**

(a) *Request.*—No later than 30 days after the entry of a final decision of the Office, the prevailing party may submit to the Merits Hearing Officer who decided the case a motion for the award of reasonable attorney's fees and costs, following the form specified in paragraph (b) below. The Merits Hearing Officer, after giving the respondent an opportunity to reply, shall rule on the motion. Decisions regarding attorney's fees and costs are collateral and do not affect the finality or appealability of a final decision issued by the Office.

(b) *Form of Motion.*—In addition to setting forth the legal and factual bases upon which the attorney's fees and/or costs are sought, a motion for an award of attorney's fees and/or costs shall be accompanied by:

(1) accurate and contemporaneous time records;

(2) a copy of the terms of the fee agreement (if any);

(3) the attorney's customary billing rate for similar work with evidence that the rate is consistent with the prevailing community rate for similar services in the community in which the attorney ordinarily practices;

(4) an itemization of costs related to the matter in question; and

(5) evidence of an established attorney-client relationship (if a copy of the fee agreement is not available).

(c) *Arbitration Awards.*—In arbitration proceedings, the prevailing party must submit any request for attorney's fees and costs to the arbitrator in accordance with the established arbitration procedures.

##### **§ 9.02 Ex Parte Communications.**

(a) *Definitions.*

(1) The term "interested person outside the Office" means any covered employee and agent thereof who is not an employee or agent of the Office, any labor organization and agent thereof, any employing office and agent thereof, and any individual or organization and agent thereof, who is or may reasonably be expected to be involved in a proceeding or a rulemaking, and the General Counsel and any agent thereof when prosecuting a complaint proceeding before the Office pursuant to sections 210, 215, or 220 of

the Act. The term also includes any employee of the Office who becomes a party or a witness for a party other than the Office in proceedings as defined in these Rules.

(2) The term "ex parte communication" means an oral or written communication—

(A) that is between an interested person outside the Office and a Board member or Hearing Officer who is or may reasonably be expected to be involved in a proceeding or a rulemaking;

(B) that is related to a proceeding or a rulemaking;

(C) that is not made on the public record;

(D) that is not made in the presence of all parties to a proceeding or a rulemaking; and

(E) that is made without reasonable prior notice to all parties to a proceeding or a rulemaking.

(3) For purposes of this section, the term "proceeding" means a hearing proceeding under section 405 of the Act, an appeal to the Board under section 406 of the Act, a pre-election investigatory hearing under section 220 of the Act, and any other proceeding of the Office established pursuant to regulations issued by the Board under the Act.

(4) The term "period of rulemaking" means the period commencing with the issuance of an advance notice of proposed rulemaking or of a notice of proposed rulemaking, whichever issues first, and concluding with the issuance of a final rule.

(b) *Exception to Coverage.*—The Rules set forth in this section do not apply during periods that the Board designates as periods of negotiated rulemaking in accordance with the procedures set forth in the Administrative Procedure Act, 5 U.S.C. § 500 *et seq.*

(c) *Prohibited Ex Parte Communications and Exceptions.*

(1) During a proceeding, it is prohibited knowingly to make or cause to be made:

(A) a written ex parte communication if copies thereof are not promptly served by the communicator on all parties to the proceeding in accordance with section 1.04 of these Rules; or

(B) an oral ex parte communication unless all parties have received advance notice thereof by the communicator and have an adequate opportunity to be present.

(2) The Hearing Officer or the Office may initiate attempts to settle a matter informally at any time. The parties may agree to waive the prohibitions against ex parte communications during settlement discussions, and they may agree to any limits on the waiver.

(3) During the period of rulemaking, it is prohibited knowingly to make or cause to be made a written or an oral ex parte communication. During the period of rulemaking, the Office shall treat any written ex parte communication as a comment in response to the advance notice of proposed rulemaking or the notice of proposed rulemaking, whichever is pending, and such communications will therefore be part of the public rulemaking record.

(4) Notwithstanding the prohibitions set forth in subparagraphs (1) and (2) above, the following ex parte communications are not prohibited:

(A) those which relate solely to matters which the Board member or Hearing Officer is authorized by law, Office rules, or order of the Board or Hearing Officer to entertain or dispose of on an ex parte basis;

(B) those which all parties to the proceeding agree, or which the responsible official formally rules, may be made on an ex parte basis;

(C) those which concern only matters of general significance to the field of labor and employment law or administrative practice;

(D) those from the General Counsel to the Office or the Board when the General Counsel is acting on behalf of the Office or the Board under any section of the Act; and

(E) those which could not reasonably be construed to create either unfairness or the appearance of unfairness in a proceeding or rulemaking.

(5) It is prohibited knowingly to solicit or cause to be solicited any prohibited ex parte communication.

(d) *Reporting of Prohibited Ex Parte Communications.*

(1) Any Board member or Hearing Officer who is or may reasonably be expected to be involved in a proceeding or a rulemaking and who determines that he or she is being asked to receive a prohibited ex parte communication shall refuse to do so and inform the communicator of this Rule.

(2) Any Board member or Hearing Officer who is or may reasonably be expected to be involved in a proceeding who knowingly receives a prohibited ex parte communication shall (i) notify the parties to the proceeding that such a communication has been received; and (ii) provide the parties with a copy of the communication and of any response thereto (if written) or with a memorandum stating the substance of the communication and any response thereto (if oral). If a proceeding is then pending before either the Board or a Hearing Officer, and if the Board or Hearing Officer so orders, these materials shall then be placed in the record of the proceeding. Upon order of the Hearing Officer or the Board, the parties may be provided with a full opportunity to respond to the alleged prohibited ex parte communication and to address what action, if any, should be taken in the proceeding as a result of the prohibited communication.

(3) Any Board member involved in a rulemaking who knowingly receives a prohibited ex parte communication shall cause to be published in the Congressional Record a notice that such a communication has been received and a copy of the communication and of any response thereto (if written) or with a memorandum stating the substance of the communication and any response thereto (if oral). Upon order of the Board, these materials shall then be placed in the record of the rulemaking and the Board shall provide interested persons with a full opportunity to respond to the alleged prohibited ex parte communication and to address what action, if any, should be taken in the proceeding as a result of the prohibited communication.

(4) Any Board member or Hearing Officer who is or may reasonably be expected to be involved in a proceeding or a rulemaking and who knowingly receives a prohibited ex parte communication and who fails to comply with the requirements of subparagraphs (1), (2), or (3) above, is subject to internal censure or discipline through the same procedures that the Board uses to address and resolve ethical issues.

(e) *Penalties and Enforcement.*

(1) When a person is alleged to have made or caused another to make a prohibited ex parte communication, the Board or the Hearing Officer (as appropriate) may issue to the person a notice to show cause, returnable within a stated period not less than 7 days from the date thereof, why the Board or the Hearing Officer should not determine that the interests of law or justice require that the person be sanctioned by, when applicable, dismissal of his or her claim or interest, the striking of his or her answer, or the imposition of some other appropriate sanction, including but not limited to the award of attorney's fees and costs incurred in responding to a prohibited ex parte communication. Sanctions shall be commensurate with the seriousness and unreasonableness of the offense, accounting for, among other things, the advertency or inadvertency of the prohibited communication.

(2) Any Board member or Hearing Officer who is or may reasonably be expected to be

involved in a proceeding or a rulemaking and who knowingly makes or causes to be made a prohibited ex parte communication is subject to internal censure or discipline through the same procedures that the Board uses to address and resolve ethical issues.

#### **§ 9.03 Settlement of Claims and Complaints.**

(a) *Settlement Agreements.*—Parties to a process described in section 210, 215, 220, or 401 of the CAA may agree to settle all or part of a disputed matter. In accordance with section 414 of the Act, the agreement shall be in writing and submitted to the Executive Director for review and approval. The settlement is not effective until it has been approved by the Executive Director. If the Executive Director does not approve the settlement, such disapproval shall be in writing, shall set forth the grounds for disapproval, and shall render the settlement ineffective.

(b) *Obligations Payable from Account Established by Section 415(a) of the Act.*—Any agreement between the parties that purports to create an obligation that is payable from the account established by section 415(a) of the Act ("Section 415(a) Treasury Account") must be in writing and approved by the Executive Director.

(c) *General Requirements for Approval of Settlement Agreements.*—Except as provided in paragraph (d), a settlement agreement must contain the signatures of all parties or their designated representatives on the agreement document. A settlement agreement cannot be approved by the Executive Director until the appropriate revocation periods have expired and the employing office has fully completed and submitted the Office's Section 415(a) Account Requisition Form. A settlement agreement cannot be rescinded after the signatures of all parties have been affixed to the agreement, unless by written revocation of the agreement voluntarily signed by all parties, or as otherwise permitted by law. All settlement agreements must also:

(1) specify the amount of each payment to be made from the Section 415(a) Treasury Account;

(2) identify the portion of any payment that is subject to the reimbursement provisions of section 415(e) of the Act because it is being used to settle an alleged violation of section 201(a) or 206(a) of the Act;

(3) identify each payment that is back pay and indicate the net amount that will be paid to the employee after tax withholding and authorized deductions; and

(4) certify that, except for funds to correct alleged violations of sections 201(a)(3), 210, or 215 of the Act, only funds from the Section 415(a) Treasury Account will be used for the payment of any amount specified in the settlement agreement.

(d) *Requirements for Approval of Settlement Agreements Involving Claims Against Members of Congress.*—If a settlement agreement concerns allegations against a Member of Congress subject to the payment reimbursement provisions of section 415(d) of the Act or any applicable rule of the Senate or the House of Representatives that would require reimbursement by the Member of the Treasury account established by section 415(a) of the Act, the settlement agreement must comply with sections 9.03(c)(1), (3) and (4) of these Rules, and:

(1) specify the amount, if any, that is the "reimbursable portion" as defined by section 415(d) of the Act because it is being used to settle an allegation that a Member personally committed a violation of section 201(a), 206(a), or 207 of the Act; and

(2) contain the signature of any individual (or the representative of any individual) who has exercised his or her right to intervene pursuant to section 415(d)(8) of the Act or an applicable provision of these Rules.

(e) *Violation of a Settlement Agreement.*—Parties are encouraged to include in their settlements specific dispute resolution proceedings. If a party should allege that a settlement agreement has been violated, the issue shall be determined by reference to those procedures. If the settlement agreement does not have a stipulated method for dispute resolution of an alleged violation, the Office may provide assistance in resolving the dispute, including the services of a Mediator as determined by the Executive Director. When the settlement agreement does not have a stipulated method for resolving violation allegations, an allegation of a violation must be filed with the Executive Director no later than 60 days after the party to the agreement becomes aware of the alleged violation. Such allegations will be reviewed, investigated or mediated, as appropriate, by the Executive Director or designee.

#### **§ 9.04 Payments Required Pursuant to Decisions, Awards, or Settlements under Section 415(a) of the Act.**

(a) *In General.*—Whenever an award or settlement requires the payment of funds pursuant to section 415(a) of the Act, the award or settlement must be submitted to the Executive Director together with a fully completed Section 415(a) Account Requisition Form for processing by the Office.

(b) *Requesting Payments.*

(1) Only an employing office under section 101 of the Act, or its designated payroll administrator, or disbursing office, as applicable, may submit a payment request from the Section 415(a) Treasury Account.

(2) Employing offices, payroll administrators, or disbursing offices must submit requests for payments from the Section 415(a) Treasury Account on the Office's Section 415(a) Account Requisition Forms.

(c) *Duty to Cooperate.*—Each employing office, payroll administrator, or disbursing office has a duty to cooperate with the Executive Director or his or her designee by promptly responding to any requests for information and to otherwise assist the Executive Director in providing prompt payments from the Section 415(a) Treasury Account. Failure to cooperate may be grounds for disapproval of the settlement agreement.

(d) *Back Pay.*—When the award or settlement specifies a payment as back pay, the employing office, payroll administrator, or disbursing office, as applicable, may request that the payment be disbursed from the Section 415(a) Treasury Account pursuant to one of the following methods:

(1) The gross amount of the back pay will be disbursed to the employing office, payroll administrator, or disbursing office, as applicable, which will then promptly issue amounts representing back pay (and interest if authorized) to the employee and retain amounts representing withholding and deductions;

(2) Deductions from gross back pay will be disbursed to the employing office, payroll administrator, or disbursing office, as applicable. Net back pay (and interest if authorized), will be disbursed to the employee or to the employee's attorney, as directed by the submitting employing office, payroll administrator, or disbursing office; or

(3) The payment will be disbursed pursuant to a method mutually agreed upon by the OCWR and the employing office, payroll administrator, or disbursing office, as applicable.

(e) *Attorney's Fees.*—When the award or settlement specifies a payment as attorney's fees, the attorney's fees are paid directly to the attorney from the Section 415(a) Treasury Account.

(f) *Tax Reporting and Withholding Obligations.*—The Office does not report Section

415(a) Treasury Account payments as potential taxable income to the Internal Revenue Service (IRS) and is not responsible for tax withholding or reporting. To the extent that W-2 or 1099 forms need to be issued, it is the responsibility of the employing office, payroll administrator, or disbursing office submitting the payment request to do so. The employing office or its designated payroll administrator, or disbursing office, as applicable, should also consult IRS regulations for guidance in reporting the amount of any back pay award as wages on a W-2 Form.

(g) *Method of Payment.*—Section 415(a) Treasury Account payments are made by electronic funds transfer. The Office will issue an electronic payment to the payee's account as specified on the appropriate Section 415(a) Treasury Account form.

(h) *Reimbursement of the Section 415(a) Treasury Account.*

(1) *Members of Congress.*—Section 415(d) of the Act requires Members of the House of Representatives and the Senate to reimburse the compensatory damages portion of a decision, award or settlement for certain violations of section 201(a), 206(a), or 207 that the Member is found to have committed personally. Reimbursement shall be in accordance with the timetable and procedures established by the applicable congressional committee for the withholding of amounts from the compensation of an individual who is a Member of the House of Representatives or a Senator.

(2) *Other Employing Offices.*—Section 415(e) of the Act requires employing offices (other than an employing office of the House or Senate) to reimburse awards and settlements paid from the Section 415(a) Treasury Account in connection with claims alleging violations of section 201(a) or 206(a) of the Act.

(A) As soon as practicable after the Executive Director is made aware that a payment of an award or settlement under this Act has been made from the Section 415(a) Treasury Account in connection with a claim alleging a violation of section 201(a) or 206(a) of the Act by an employing office (other than an employing office of the House of Representatives or an employing office of the Senate), the Executive Director will notify the head of the employing office and the employing office's designated representative that the payment has been made. The notice will include a statement of the payment amount.

(B) Reimbursement must be made within 180 days after receipt of notice from the Executive Director, and is to be transferred to the Section 415(a) Treasury Account out of funds available for the employing office's operating expenses.

(C) The Office will notify employing offices of any outstanding receivables on a quarterly basis. Employing offices have 30 days from the date of the notification of an outstanding receivable to respond to the Office regarding the accuracy of the amounts in the notice.

(D) Receivables outstanding for more than 30 days from the date of the notification will be noted as such on the Office's public website and in the Office's annual report to Congress on awards and settlements requiring payments from the Section 415(a) Treasury Account.

(3) [reserved]

#### **§9.05 Revocation, Amendment, or Waiver of Rules.**

(a) The Executive Director, subject to the approval of the Board, may revoke or amend these Rules by publishing proposed changes in the Congressional Record and providing for a comment period of not less than 30 days. Following the comment period, any changes to the Rules are final once they are published in the Congressional Record.

(b) The Board or a Hearing Officer may waive a procedural rule in an individual case for good cause shown if application of the rule is not required by law.

#### **§9.06 Notices.**

(a) All employing offices are required to post and keep posted the notice provided by the Office that:

(1) describes the rights, protections, and procedures applicable to covered employees of the employing office under this Act, concerning violations described in 2 U.S.C. §1362(b); and

(2) includes contact information for the Office.

(b) The notice must be displayed in all premises of the covered employer in conspicuous places where notices to employees are customarily posted.

#### **§9.07 Training and Education Programs.**

(a) Not later than June 19, 2019 (i.e., 180 days after the date of the enactment of the Reform Act), and not later than 45 days after the beginning of each Congress (beginning with the 117th Congress), each employing office shall submit a report both to the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate on the implementation of the training and education program required under section 438(a) of the Act.

(b) *Exception for Offices of Congress.*—This section does not apply to any employing office of the House of Representatives or any employing office of the Senate.

### **EXECUTIVE COMMUNICATIONS, ETC.**

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1346. A letter from the Adjutant General, Veterans of Foreign Wars of the United States, transmitting the proceedings of the 119th National Convention of the Veterans of Foreign Wars of the United States, held in Kansas City, Missouri, July 21-25, 2018, pursuant to 44 U.S.C. 1332; Public Law 90-620 (as amended by Public Law 105-225, Sec. 3); (112 Stat. 1498) (H. Doc. No. 116-42); to the Committee on Veterans' Affairs and ordered to be printed.

1347. A letter from the Executive Director, Office of Congressional Workplace Rights, transmitting notice of adopted amendments to the Rules of Procedure, pursuant to 2 U.S.C. 1383(b); Public Law 104-1, Sec. 303(b); (109 Stat. 28); jointly to the Committees on House Administration and Education and Labor.

### **REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS**

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SMITH of Washington: Committee on Armed Services. H.R. 2500. A bill to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; with amendments (Rept. 116-120). Referred to the Committee of the Whole House on the state of the Union.

Ms. JOHNSON of Texas: Committee on Science, Space, and Technology. H.R. 2397. A bill to amend the National Institute of Standards and Technology Act to make

changes to the implementation of the network for manufacturing innovation, and for other purposes; with an amendment (Rept. 116-121). Referred to the Committee of the Whole House on the state of the Union.

Mr. QUIGLEY: Committee on Appropriations. H.R. 3351. A bill Making appropriations for financial services and general government for the fiscal year ending September 30, 2020, and for other purposes (Rept. 116-122). Referred to the Committee of the Whole House on the state of the Union.

### **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. MCGOVERN (for himself and Mr. SCHWEIKERT):

H.R. 3332. A bill to amend title XVIII of the Social Security Act to provide coverage for wigs as durable medical equipment under the Medicare program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, 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. COLLINS of Georgia:

H.R. 3333. A bill to amend title 39, United States Code, to require the United States Postal Service to receive approval from local governments before relocating any post office, and for other purposes; to the Committee on Oversight and Reform.

By Ms. KUSTER of New Hampshire (for herself, Mr. BURCHETT, Ms. SCHRIER, Mr. UPTON, and Mr. ROUDA):

H.R. 3334. A bill to expand access to graduate education by amending the Federal Pell Grant program to include postbaccalaureate study; to the Committee on Education and Labor.

By Mr. NEAL (for himself and Miss GONZÁLEZ-COLÓN of Puerto Rico):

H.R. 3335. A bill to provide a set-aside of funds for the territories under the health profession opportunity grant program under section 2008 of the Social Security Act, to make the Commonwealth of the Northern Mariana Islands eligible for the grants, and for other purposes; to the Committee on Ways and Means.

By Mr. DANNY K. DAVIS of Illinois:

H.R. 3336. A bill to provide grants for the conduct of demonstration projects designed to provide education and training for eligible individuals with an arrest or conviction record to enter and follow a career pathway in the health professions through occupations that pay well and are expected to experience a labor shortage or be in high demand, under the health profession opportunity grant program under section 2008 of the Social Security Act; to the Committee on Ways and Means.

By Mr. BRENDAN F. BOYLE of Pennsylvania:

H.R. 3337. A bill to require applications for a health profession opportunity grant under section 2008 of the Social Security Act to contain evidence of in-demand jobs or worker shortages; to the Committee on Ways and Means.

By Ms. JUDY CHU of California:

H.R. 3338. A bill to remove barriers to health professions by providing resources to access foundational educational training, such as English as a foreign language and adult basic education, and to require the provision of child care, in demonstration projects funded under the health profession

opportunity grant program under section 2008 of the Social Security Act; to the Committee on Ways and Means.

By Mr. EVANS:

H.R. 3339. A bill to provide for the use of peer support, peer mentoring, and career coaching in demonstration projects conducted under the health profession opportunity grant program under section 2008 of the Social Security Act; to the Committee on Ways and Means.

By Mr. GOMEZ:

H.R. 3340. A bill to provide a set-aside of funds for Indian populations under the health profession opportunity grant program under section 2008 of the Social Security Act, and for other purposes; to the Committee on Ways and Means.

By Mr. HIGGINS of New York:

H.R. 3341. A bill to make opioid treatment programs eligible for grants under section 2008 of the Social Security Act; to the Committee on Ways and Means.

By Mr. HORSFORD:

H.R. 3342. A bill to make hospitals eligible for health professions opportunity grants under section 2008 of the Social Security Act; to the Committee on Ways and Means.

By Mr. KILDEE:

H.R. 3343. A bill to provide for technical assistance under the health profession opportunity grant program under section 2008 of the Social Security Act; to the Committee on Ways and Means.

By Ms. MOORE:

H.R. 3344. A bill to provide grants for the conduct of demonstration projects designed to provide education and training for eligible individuals to enter and follow a career pathway in the field of pregnancy or childbirth, under the health profession opportunity grant program under section 2008 of the Social Security Act; to the Committee on Ways and Means.

By Mrs. MURPHY:

H.R. 3345. A bill to require preference to be given to applicants for health profession opportunity grants under section 2008 of the Social Security Act who have certain kinds of business and community partners; to the Committee on Ways and Means.

By Mr. PASCRELL:

H.R. 3346. A bill to guarantee that grants are made under the health profession opportunity grant program under section 2008 of the Social Security Act to grantees in each State that is not a territory, and for other purposes; to the Committee on Ways and Means.

By Ms. SEWELL of Alabama:

H.R. 3347. A bill to require geographical diversity in the provision of health profession opportunity grants under section 2008 of the Social Security Act, and to require the support services provided through the use of the grants to include a transportation assistance plan; to the Committee on Ways and Means.

By Mr. LOUDERMILK (for himself, Mr. MITCHELL, Mr. HICE of Georgia, Mr. HIGGINS of Louisiana, Mr. NORMAN, Mr. ALLEN, Mr. BABIN, Mr. WALKER, Mr. GREEN of Tennessee, Mr. JOYCE of Pennsylvania, Mr. CHABOT, Mr. BANKS, Mr. GROTHMAN, Mr. MCCLINTOCK, Mr. HILL of Arkansas, Mr. GIANFORTE, and Mr. FLORES):

H.R. 3348. A bill to amend title 5, United States Code, to provide for an alternative removal for performance or misconduct for Federal employees; to the Committee on Oversight and Reform.

By Mr. DOGGETT:

H.R. 3349. A bill to authorize the Daughters of the Republic of Texas to establish the Republic of Texas Legation Memorial as a commemorative work in the District of Columbia, and for other purposes; to the Committee on Natural Resources.

By Mrs. HARTZLER (for herself, Mr. CUNNINGHAM, Mr. BISHOP of Georgia, Ms. DELAURO, Mr. MEADOWS, Mr. TURNER, Mr. BACON, Ms. GABBARD, Mr. KILMER, Mr. BYRNE, Mr. COLE, Mr. MAST, Mr. STEUBE, Mrs. RODGERS of Washington, Mr. HARDER of California, Ms. WILD, Mr. VAN DREW, Mr. TIPTON, Ms. SPANBERGER, and Ms. NORTON):

H.R. 3350. A bill to amend title 38, United States Code, to reimburse veterans for the cost of emergency medical transportation to a Federal facility, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. ENGEL (for himself and Mr. MCCAUL):

H.R. 3352. A bill to provide for certain authorities of the Department of State, and for other purposes; to the Committee on Foreign Affairs.

By Ms. FUDGE:

H.R. 3353. A bill to amend the Higher Education Act of 1965 to include Parent PLUS loans in income-contingent and income-based repayment plans, and for other purposes; to the Committee on Education and Labor.

By Ms. FUDGE (for herself and Mr. CURTIS):

H.R. 3354. A bill to amend the Higher Education Act of 1965 to provide for comprehensive student achievement information; to the Committee on Education and Labor.

By Mr. GARCÍA of Illinois (for himself, Mr. KHANNA, Ms. TLAIB, Ms. SCHAKOWSKY, Ms. OCASIO-CORTEZ, Mr. POCAN, Mr. COHEN, Ms. JAYAPAL, Mr. CARSON of Indiana, Mr. DESAULNIER, Ms. PRESSLEY, Ms. OMAR, Ms. NORTON, and Ms. KAPTUR):

H.R. 3355. A bill to prohibit public companies from repurchasing their shares on the open market, and for other purposes; to the Committee on Financial Services.

By Mr. GOSAR (for himself, Mrs. KIRKPATRICK, Mr. ROUZER, Mr. HARRIS, Mr. PENCE, Mrs. RODGERS of Washington, Mr. STEUBE, Mr. MEADOWS, Mr. LAMALFA, and Mr. WALTZ):

H.R. 3356. A bill to provide PreCheck to certain severely injured or disabled veterans, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on Veterans' Affairs, 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. HICE of Georgia (for himself and Mr. LOUDERMILK):

H.R. 3357. A bill to reauthorize and modify the authority of the Merit Systems Protection Board, and for other purposes; to the Committee on Oversight and Reform, and in addition to the Committee on Veterans' Affairs, 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. HIGGINS of Louisiana:

H.R. 3358. A bill to amend the Energy Policy Act of 2005 to direct the Secretary of Energy to carry out demonstration projects relating to advanced nuclear reactor technologies to support domestic energy needs, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. HUFFMAN (for himself, Mr. LANGEVIN, Mr. BACON, Ms. JACKSON LEE, Ms. GABBARD, Mrs. BEATTY, Ms. BASS, Ms. OMAR, Mrs. RODGERS of Washington, and Ms. LEE of California):

H.R. 3359. A bill to establish a national, research-based, and comprehensive home study assessment process for the evaluation of prospective foster parents and adoptive parents

and provide funding to States and Indian tribes to adopt such process; to the Committee on Education and Labor.

By Mr. JOHNSON of Louisiana (for himself and Mr. COLLINS of Georgia):

H.R. 3360. A bill to modify the treatment of unaccompanied alien children who are in Federal custody by reason of their immigration status, and for other purposes; to the Committee on the Judiciary.

By Mr. MCKINLEY (for himself, Mr. TONKO, Mr. LOEBBACH, Mr. WATKINS, and Mr. TIPTON):

H.R. 3361. A bill to amend the Energy Policy Act of 2005 to reauthorize hydroelectric production incentives and hydroelectric efficiency improvement incentives, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. MILLER:

H.R. 3362. A bill to amend title 49, United States Code, to require small hub airports to construct areas for nursing mothers, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MOULTON (for himself and Mrs. TRAHAN):

H.R. 3363. A bill to amend the Federal Water Pollution Control Act to ensure that publicly owned treatment works monitor for and report sewer overflows, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. NORTON (for herself and Mr. BEYER):

H.R. 3364. A bill to require uniformed Federal police officers to wear body cameras and have dashboard cameras in marked vehicles; to the Committee on the Judiciary.

By Mrs. NORTON:

H.R. 3365. A bill to amend title 40, United States Code, to prohibit the Commission of Fine Arts from exercising authority over non-Federal property in the District of Columbia, and for other purposes; to the Committee on Oversight and Reform.

By Ms. OMAR (for herself, Ms. HAALAND, Ms. LEE of California, Ms. SCHAKOWSKY, Mr. TAKANO, Mr. KILMER, Ms. NORTON, Ms. JACKSON LEE, Mr. ESPAILLAT, Mr. SMITH of Washington, Mr. POCAN, Ms. WILD, Mr. SEAN PATRICK MALONEY of New York, Mr. KHANNA, Mr. HASTINGS, Mr. COHEN, Ms. TLAIB, Ms. PRESSLEY, Ms. OCASIO-CORTEZ, Mr. LUJÁN, and Ms. JOHNSON of Texas):

H.R. 3366. A bill to amend the Richard B. Russell National School Lunch Act to prohibit the stigmatization of children who are unable to pay for school meals, and for other purposes; to the Committee on Education and Labor.

By Mr. PHILLIPS:

H.R. 3367. A bill to amend the Internal Revenue Code of 1986 to allow a refundable credit with respect to any stillborn child of a taxpayer; to the Committee on Ways and Means.

By Ms. SANCHEZ (for herself and Mr. FITZPATRICK):

H.R. 3368. A bill to establish a tax credit for on-site apprenticeship programs, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and Labor, 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 Ms. SHALALA (for herself, Ms. WASSERMAN SCHULTZ, Mr. MOULTON, Mr. CISNEROS, Ms. HOULAHAN, Ms. MUCARSEL-POWELL, Mr. LUJÁN, and Ms. SHERRILL):

H.R. 3369. A bill to close the GI Bill loophole and update the 80/20 rule for proprietary institutions of higher education; to the Committee on Education and Labor.



By Mr. THOMPSON of California (for himself and Mr. WITTMAN):

H.R. 3370. A bill to authorize the United States Fish and Wildlife Service to seek compensation for injuries to trust resources and to use funds received as that compensation to restore, replace, or acquire equivalent resources, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Appropriations, 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 Ms. VELÁZQUEZ (for herself, Mr. SOTO, Mr. SERRANO, Mr. GRIJALVA, Mr. ESPAILLAT, Ms. OCASIO-CORTEZ, Mr. GARCÍA of Illinois, and Miss GONZÁLEZ-COLÓN of Puerto Rico):

H.R. 3371. A bill to amend titles XI and XIX of the Social Security Act to stabilize the Medicaid program in Puerto Rico; to the Committee on Energy and Commerce.

By Ms. VELÁZQUEZ (for herself and Mr. CISNEROS):

H.R. 3372. A bill to amend the Small Business Act to give small business contracting credit for subcontractors that are Puerto Rico businesses, and for other purposes; to the Committee on Small Business.

By Mr. DEFALIZO:

H.J. Res. 66. A joint resolution to amend the War Powers Resolution; to the Committee on Foreign Affairs, 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. GOTTHEIMER (for himself and Mr. KING of New York):

H.J. Res. 67. A joint resolution disapproving the rule submitted by the Internal Revenue Service relating to charitable contribution and estate tax deductions under section 170 when a taxpayer receives or expects to receive a corresponding state or local tax credit; to the Committee on Ways and Means.

By Mr. WEBER of Texas:

H. Res. 448. A resolution expressing support for designation of June 19, 2019, as "Juneteenth Independence Day" in recognition of June 19, 1865, the date on which slavery legally came to an end in the United States; to the Committee on Oversight and Reform.

By Mr. KEATING (for himself and Mr. WILSON of South Carolina):

H. Res. 449. A resolution expressing support for a genuinely democratic repeat mayoral election in Istanbul, Turkey; to the Committee on Foreign Affairs.

By Ms. JACKSON LEE (for herself, Mr. LEWIS, Mr. RICHMOND, Mr. COHEN, Mr. VELA, Mr. ESPAILLAT, Ms. SCHAKOWSKY, Ms. MOORE, Mr. CARSON of Indiana, Mr. VEASEY, Ms. NORTON, Mr. HORSFORD, Mr. JOHNSON of Georgia, Mr. LAWSON of Florida, Ms. PRESSLEY, Ms. KELLY of Illinois, Mr. BISHOP of Georgia, Mr. PALLONE, Mr. CLAY, Mr. BUTTERFIELD, Ms. FUDGE, Ms. WILSON of Florida, Mrs. BEATTY, Mr. MEEKS, Mrs. WATSON COLEMAN, Ms. BLUNT ROCHESTER, Mr. BROWN of Maryland, Mrs. DEMINGS, Mr. GREEN of Texas, Ms. LEE of California, Ms. CLARKE of New York, Ms. BASS, Ms. PLASKETT, Mr. THOMPSON of Mississippi, Mr. CUMMINGS, Ms. OMAR, Mr. DANNY K. DAVIS of Illinois, Mr. MCEACHIN, Mr. PAYNE, Mr. JEFFRIES, Ms. ADAMS, Ms. SEWELL of Alabama, Mrs. MCBATH, Mr. RUSH, Mr. CLYBURN, Mrs. HAYES, Mr. SCOTT of Virginia, Mrs. LAWRENCE, Mr. DAVID SCOTT of Georgia, Mr. EVANS, Mr.

CLEAVER, Ms. WATERS, Mr. ALLRED, Mr. DELGADO, Mr. ENGEL, Mr. NEGUSE, Mr. HASTINGS, and Ms. CASTOR of Florida):

H. Res. 450. A resolution recognizing June 19, 2019, as this year's observance of the historical significance of Juneteenth Independence Day; to the Committee on Oversight and Reform.

By Mr. DAVID P. ROE of Tennessee (for himself, Mr. TAKANO, Mr. BILLRAKIS, Mrs. RADEWAGEN, Mr. BANKS, and Mr. BOST):

H. Res. 451. A resolution expressing support for the designation of the week of June 16 through June 23, 2019, as National GI Bill Commemoration Week and Celebrating the 75th Anniversary of the Servicemen's Readjustment Act of 1944; to the Committee on Veterans' Affairs.

### 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. MCGOVERN:

H.R. 3332.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution

By Mr. COLLINS of Georgia:

H.R. 3333.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 of the United States Constitution

By Ms. KUSTER of New Hampshire:

H.R. 3334.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. NEAL:

H.R. 3335.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: to provide for the common Defence and general Welfare of the United States.

By Mr. DANNY K. DAVIS of Illinois:

H.R. 3336.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: to provide for the common Defence and general Welfare of the United States.

By Mr. BRENDAN F. BOYLE of Pennsylvania:

H.R. 3337.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution under the General Welfare Clause.

By Ms. JUDY CHU of California:

H.R. 3338.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section XIII of the 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;

By Mr. EVANS:

H.R. 3339.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to "provide for the common Defence and general Welfare of the United States."

By Mr. GOMEZ:

H.R. 3340.

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 Mr. HIGGINS of New York:

H.R. 3341.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to "provide for the common Defence and general Welfare of the United States."

By Mr. HORSFORD:

H.R. 3342.

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 Mr. KILDEE:

H.R. 3343.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Ms. MOORE:

H.R. 3344.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to "provide for the common Defence and general Welfare of the United States."

By Mrs. MURPHY:

H.R. 3345.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution to "provide for the common Defence and general Welfare of the United States."

By Mr. PASCRELL:

H.R. 3346.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to provide for the common Defence and general Welfare of the United States.

By Ms. SEWELL of Alabama:

H.R. 3347.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to "provide for the common Defence and general Welfare of the United States."

By Mr. LOUDERMILK:

H.R. 3348.

Congress has the power to enact this legislation pursuant to the following:

Art. I, Sec. 8, cl. 18

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 Mr. DOGGETT:

H.R. 3349.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution

By Mrs. HARTZLER:

H.R. 3350.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the United States Constitution

By Mr. ENGEL:

H.R. 3352.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution

By Ms. FUDGE:

H.R. 3353.



Congress has the power to enact this legislation pursuant to the following:

To Regulate commerce with foreign nations, and among the several states, and with the Indian tribes;

By Ms. FUDGE:

H.R. 3354.

Congress has the power to enact this legislation pursuant to the following:

To Regulate commerce with foreign nations, and among the several states, and with the Indian tribes;

By Mr. GARCÍA of Illinois:

H.R. 3355.

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. GOSAR:

H.R. 3356.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8—"To make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or any Department or Officer thereof"

By Mr. HICE of Georgia:

H.R. 3357.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

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 Mr. HIGGINS of Louisiana:

H.R. 3358.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8 of Article 1 of the Constitution

By Mr. HUFFMAN:

H.R. 3359.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: "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 of Officer thereof"

By Mr. JOHNSON of Louisiana:

H.R. 3360.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. McKINLEY:

H.R. 3361.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

Section 8—Powers of Congress. 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 Mrs. MILLER:

H.R. 3362.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

By Mr. MOULTON:

H.R. 3363.

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 Ms. NORTON:

H.R. 3364.

Congress has the power to enact this legislation pursuant to the following:

clause 18 of section 8 of article I of the Constitution.

By Ms. NORTON:

H.R. 3365.

Congress has the power to enact this legislation pursuant to the following:

clause 17 of section 8 of article I of the Constitution.

By Ms. OMAR:

H.R. 3366.

Congress has the power to enact this legislation pursuant to the following:

Article. 1., Section. 1.

By Mr. PHILLIPS:

H.R. 3367.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 1 provides Congress with the power to "lay and collect Taxes, Duties, Imposts and Excises."

By Ms. SANCHEZ:

H.R. 3368.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Ms. SHALALA:

H.R. 3369.

Congress has the power to enact this legislation pursuant to the following:

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.

By Mr. THOMPSON of California:

H.R. 3370.

Congress has the power to enact this legislation pursuant to the following:

Article 1

By Ms. VELÁZQUEZ:

H.R. 3371.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power. . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Ms. VELÁZQUEZ:

H.R. 3372.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power \* \* \* To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. DEFAZIO:

H.J. Res. 66.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress)

By Mr. GOTTHEIMER:

H.J. Res. 67.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 24: Mr. LAMALFA, Mr. RIGGLEMAN, Mr. LAMBORN, Mr. JOHNSON of Ohio, and Mr. SENBENBRENNER.

H.R. 33: Mr. DEUTCH.

H.R. 36: Mr. TONKO, Ms. WEXTON, Miss GONZÁLEZ-COLÓN of Puerto Rico, Mr. PERLMUTTER, Ms. LOFGREN, Mr. BALDERSON, Mr. MARSHALL, Mrs. FLETCHER, Ms. KENDRA S. HORN of Oklahoma, and Mr. WALTZ.

H.R. 40: Mr. BEYER and Ms. BLUNT ROCH-ESTER.

H.R. 77: Mr. JOHN W. ROSE of Tennessee.

H.R. 186: Mr. NORCROSS.

H.R. 307: Mr. GUEST and Ms. KUSTER of New Hampshire.

H.R. 397: Ms. DELBENE and Mr. SOTO.

H.R. 435: Mr. SWALWELL of California.

H.R. 485: Mrs. LURIA.

H.R. 487: Mr. CUELLAR and Mr. LONG.

H.R. 510: Mr. ROGERS of Kentucky, Mr. KELLY of Mississippi, Mr. WILSON of South Carolina, and Mr. KENNEDY.

H.R. 535: Ms. BONAMICI.

H.R. 651: Ms. BLUNT ROCHESTER.

H.R. 663: Mr. STANTON and Miss RICE of New York.

H.R. 683: Ms. ROYBAL-ALLARD, Mr. TONKO, Mr. CARBAJAL, Mr. SIRE, Ms. JAYAPAL, Ms. MOORE, Mr. POCAN, Ms. CLARKE of New York, Ms. ESCOBAR, Mr. GOMEZ, Ms. JACKSON LEE, and Ms. MENG.

H.R. 717: Mr. SUOZZI.

H.R. 748: Mr. MALINOWSKI.

H.R. 806: Mr. MITCHELL.

H.R. 832: Mr. KELLER.

H.R. 860: Mr. VAN DREW.

H.R. 861: Ms. GABBARD.

H.R. 884: Ms. FINKENAUER.

H.R. 905: Mr. KILMER.

H.R. 906: Mrs. LEE of Nevada and Mr. ROGERS of Alabama.

H.R. 911: Mr. THOMPSON of Pennsylvania.

H.R. 943: Mr. CASE, Mr. SOTO, Mr. SMITH of Washington, Mr. RODNEY DAVIS of Illinois, Mr. BROWN of Maryland, Ms. HOULAHAN, and Mr. SCHIFF.

H.R. 948: Mr. PETERSON and Mr. GAETZ.

H.R. 961: Ms. HILL of California and Mr. NORCROSS.

H.R. 978: Ms. KELLY of Illinois, Mr. BEYER, Ms. NORTON, Mr. ENGEL, and Mr. PRICE of North Carolina.

H.R. 1002: Ms. HILL of California and Mr. KIM.

H.R. 1011: Ms. OMAR.

H.R. 1034: Mr. WELCH and Mr. LOEBSACK.

H.R. 1042: Mr. CISNEROS, Ms. HILL of California, and Mr. KIM.

H.R. 1043: Mrs. LAWRENCE.

H.R. 1044: Mr. GIANFORTE and Mr. DANNY K. DAVIS of Illinois.

H.R. 1046: Mrs. LAWRENCE.

H.R. 1058: Mr. SCHWEIKERT, Mr. GIANFORTE, and Mr. ENGEL.

H.R. 1092: Ms. CASTOR of Florida.

H.R. 1108: Mr. LAMALFA, Mr. WALBERG, and Ms. BASS.

H.R. 1133: Mr. GARAMENDI.

H.R. 1135: Mrs. WALORSKI.

H.R. 1166: Mr. DEUTCH.

H.R. 1175: Ms. WEXTON.

H.R. 1186: Mrs. LOWEY and Mr. NORCROSS.

H.R. 1225: Mr. ROUZER.

H.R. 1240: Mr. RICHMOND.

H.R. 1257: Mr. VAN DREW.

H.R. 1266: Ms. MUCARSEL-POWELL.

H.R. 1309: Mr. BRINDISI, Mr. KIND, Mr. PETERS, Mr. KEATING, and Mr. HUFFMAN.

H.R. 1327: Mr. OLSON.

H.R. 1358: Mr. REED.

H.R. 1370: Mr. THOMPSON of Pennsylvania.

H.R. 1379: Mr. CRIST, Mr. RASKIN, Mr. VELA, Mr. STEIL, Mr. GREEN of Texas, Mr. CÁRDENAS, Mr. McKINLEY, and Mr. MORELLE.

H.R. 1380: Ms. HILL of California.

H.R. 1396: Mr. CASE, Ms. CLARK of Massachusetts, Mr. COSTA, Mr. COURTNEY, Ms. CRAIG, Mr. CROW, Mr. DESAULNIER, Mr. GARAMENDI, Mr. HARDER of California, Mr. HIGGINS of New York, Mr. KILDEE, Ms. KUSTER of New Hampshire, Mrs. LEE of Nevada, Mr. LOEBSACK, Mr. LYNCH, Ms. MENG, Mr. TRONE, Mr. YARMUTH, Ms. PINGREE, Mr. GOLDEN, Mr. NORCROSS, Mr. PANETTA, Mr. PETERSON, Mr. QUIGLEY, Mr. RUIZ, Mr. SERRANO, and Ms. SPANBERGER.

H.R. 1398: Mr. CHABOT, Mr. STAUBER, Mrs. AXNE, and Mr. GUTHRIE.

- H.R. 1406: Mr. PETERS and Mr. CLINE.  
H.R. 1421: Ms. SLOTKIN.  
H.R. 1434: Mr. DESJARLAIS.  
H.R. 1441: Mr. KING of New York.  
H.R. 1450: Mr. MORELLE.  
H.R. 1488: Ms. ESHOO.  
H.R. 1511: Mr. RUSH.  
H.R. 1528: Mr. CALVERT.  
H.R. 1534: Mrs. LURIA.  
H.R. 1560: Mr. KIND.  
H.R. 1570: Ms. SEWELL of Alabama.  
H.R. 1571: Mr. MCGOVERN.  
H.R. 1586: Ms. JOHNSON of Texas and Ms. JACKSON LEE.  
H.R. 1606: Mr. PRICE of North Carolina and Mr. HUFFMAN.  
H.R. 1632: Mr. WILSON of South Carolina.  
H.R. 1653: Ms. STEFANIK.  
H.R. 1679: Mr. SUOZZI.  
H.R. 1690: Ms. OCASIO-CORTEZ and Mrs. CAROLYN B. MALONEY of New York.  
H.R. 1696: Ms. DAVIDS of Kansas, Mr. DEFazio, Mr. HARDER of California, Mr. SCHRADER, Ms. SEWELL of Alabama, Mr. COLE, and Mr. CARBAJAL.  
H.R. 1709: Ms. FUDGE, Mr. NORCROSS, Mr. CARBAJAL, Mr. VARGAS, Mr. CICILLINE, Mrs. LAWRENCE, Mr. KEATING, and Mr. KILDEE.  
H.R. 1730: Mr. DUFFY and Mr. TONKO.  
H.R. 1733: Mr. CARBAJAL.  
H.R. 1748: Mr. GALLEGO, Mr. LEWIS, and Ms. DELAURO.  
H.R. 1754: Mr. CISNEROS, Mrs. AXNE, and Mr. KIM.  
H.R. 1766: Mr. CRIST.  
H.R. 1771: Mr. ENGEL.  
H.R. 1784: Ms. TLAB.  
H.R. 1787: Ms. NORTON.  
H.R. 1837: Mr. NORCROSS, Mr. COOK, Mr. MALINOWSKI, and Mr. BISHOP of Utah.  
H.R. 1857: Mr. CASTEN of Illinois.  
H.R. 1858: Mr. ROUZER.  
H.R. 1873: Mr. LAHOOD, Ms. MENG, Mr. HURD of Texas, Mr. CLEAVER, Mr. CHABOT, and Mr. KIM.  
H.R. 1890: Mr. GALLAGHER.  
H.R. 1923: Miss RICE of New York.  
H.R. 1966: Ms. FUDGE, Ms. JOHNSON of Texas, Mr. PAYNE, Ms. KELLY of Illinois, Mr. RUSH, Mr. CLAY, Mr. CLEAVER, Mrs. HAYES, Mr. BUTTERFIELD, Mr. RICHMOND, Mr. THOMPSON of Mississippi, Mr. CLYBURN, Mr. SCOTT of Virginia, Ms. JACKSON LEE, Mr. JOHNSON of Georgia, and Ms. WILSON of Florida.  
H.R. 1967: Mr. LARSON of Connecticut.  
H.R. 1981: Mr. NORCROSS.  
H.R. 2009: Mr. MORELLE.  
H.R. 2015: Mr. WOODALL.  
H.R. 2054: Mr. COMER.  
H.R. 2062: Mr. SCHWEIKERT and Mr. KINZINGER.  
H.R. 2134: Mr. PASCRELL.  
H.R. 2146: Mr. BUTTERFIELD and Ms. ROYBAL-ALLARD.  
H.R. 2153: Mr. HURD of Texas and Mr. KILMER.  
H.R. 2180: Mr. YOUNG.  
H.R. 2218: Mr. KATKO.  
H.R. 2219: Ms. MENG.  
H.R. 2229: Mr. WILSON of South Carolina.  
H.R. 2232: Mr. RASKIN.  
H.R. 2235: Ms. LOFGREN.  
H.R. 2261: Mr. BACON.  
H.R. 2328: Mr. ROSE of New York.  
H.R. 2350: Ms. BROWNLEY of California.  
H.R. 2354: Mr. LARSON of Connecticut.  
H.R. 2387: Ms. JOHNSON of Texas.  
H.R. 2397: Mrs. LAWRENCE.  
H.R. 2398: Mr. STIVERS.  
H.R. 2407: Mrs. DINGELL.  
H.R. 2411: Mr. VAN DREW, Ms. DELAURO, Mr. O'HALLERAN, and Mrs. KIRKPATRICK.  
H.R. 2420: Ms. BARRAGÁN, Mr. LOWENTHAL, Ms. CLARKE of New York, Ms. JUDY CHU of California, Mr. GARAMENDI, Mr. VEASEY, Mr. COSTA, Ms. CRAIG, and Ms. CLARK of Massachusetts.  
H.R. 2435: Mr. STANTON.  
H.R. 2442: Mr. CISNEROS, Ms. HILL of California, and Mr. KIM.  
H.R. 2482: Mr. NEWHOUSE, Ms. BARRAGÁN, Mr. WELCH, Mr. HIGGINS of New York, Mr. ENGEL, Ms. PORTER, Ms. SHERRILL, Miss RICE of New York, Mr. KING of New York, Mr. CÁRDENAS, and Mr. MORELLE.  
H.R. 2489: Ms. PINGREE.  
H.R. 2501: Mr. COLE and Mr. MCADAMS.  
H.R. 2505: Mr. WESTERMAN and Mrs. KIRKPATRICK.  
H.R. 2517: Ms. HILL of California.  
H.R. 2528: Mr. CÁRDENAS, Mrs. KIRKPATRICK, Miss GONZÁLEZ-COLÓN of Puerto Rico, Mr. CASTEN of Illinois, Mr. TONKO, Mr. LIPINSKI, Mrs. FLETCHER, Ms. BONAMICI, Ms. KENDRA S. HORN of Oklahoma, and Mr. WALTZ.  
H.R. 2584: Mr. HECK and Ms. BONAMICI.  
H.R. 2593: Mr. VELA.  
H.R. 2598: Mr. JOHN W. ROSE of Tennessee.  
H.R. 2615: Mrs. BROOKS of Indiana.  
H.R. 2647: Ms. ESHOO.  
H.R. 2721: Mr. TAKANO and Mr. CARBAJAL.  
H.R. 2741: Mr. NEGUSE.  
H.R. 2754: Mr. KHANNA.  
H.R. 2771: Mr. DUFFY.  
H.R. 2790: Mr. BOST and Mr. GREEN of Tennessee.  
H.R. 2791: Mr. LUJÁN.  
H.R. 2802: Mr. ARMSTRONG.  
H.R. 2813: Mr. POCAN.  
H.R. 2825: Mr. LOWENTHAL, Mr. LANGEVIN, and Mr. CHABOT.  
H.R. 2854: Ms. JACKSON LEE.  
H.R. 2875: Mr. KING of New York.  
H.R. 2876: Mr. KING of New York.  
H.R. 2895: Mrs. BUSTOS.  
H.R. 2897: Mr. RUSH and Mr. ROUDA.  
H.R. 2909: Mr. GRIJALVA.  
H.R. 2913: Mr. SCHIFF, Mr. RUTHERFORD, and Mr. RYAN.  
H.R. 2933: Mr. RASKIN.  
H.R. 2937: Mr. LUJÁN and Ms. MENG.  
H.R. 2975: Ms. SLOTKIN and Mr. KILDEE.  
H.R. 2989: Mr. GROTHMAN.  
H.R. 3000: Mr. BUCK.  
H.R. 3003: Mr. COHEN.  
H.R. 3006: Mr. KINZINGER.  
H.R. 3007: Mr. BEYER.  
H.R. 3012: Mr. BUCK and Mr. WALKER.  
H.R. 3018: Ms. MENG, Ms. TITUS, and Ms. DAVIDS of Kansas.  
H.R. 3024: Mr. RASKIN.  
H.R. 3038: Mr. PENCE, Miss RICE of New York, and Ms. SLOTKIN.  
H.R. 3048: Mr. KILMER.  
H.R. 3073: Mr. KING of New York, Mr. RODNEY DAVIS of Illinois, Mr. FITZPATRICK, Mr. POSEY, Mr. VELA, and Ms. NORTON.  
H.R. 3085: Ms. PINGREE, Mr. THOMPSON of Mississippi, Mr. JOHNSON of Georgia, Mr. DAVID SCOTT of Georgia, Ms. FUDGE, Mrs. WATSON COLEMAN, Mrs. BEATTY, Mr. BISHOP of Georgia, Mrs. DEMINGS, Mr. PAYNE, Mr. RUSH, Mr. DANNY K. DAVIS of Illinois, Ms. WILD, Mr. ESPAILLAT, Mr. MCGOVERN, Mrs. LAWRENCE, Mr. TONKO, Mr. PAPPAS, Mr. CONNOLLY, Mr. THOMPSON of California, Ms. MATSUI, Mr. LOWENTHAL, Mr. DESAULNIER, Mr. HUFFMAN, Ms. VELÁZQUEZ, and Mr. MALINOWSKI.  
H.R. 3110: Mr. KRISHNAMOORTHY, Ms. DELBENE, Mr. LEVIN of California, and Mr. CRIST.  
H.R. 3125: Mr. GOLDEN and Mr. SMUCKER.  
H.R. 3128: Mr. FLORES, Mr. WOMACK, Mr. RODNEY DAVIS of Illinois, and Mr. BOST.  
H.R. 3153: Mr. TRONE, Mr. LIPINSKI, Mr. MARSHALL, Mr. CASTEN of Illinois, Ms. KENDRA S. HORN of Oklahoma, Mr. BABIN, Ms. JOHNSON of Texas, Mr. LUCAS, and Ms. SHERRILL.  
H.R. 3159: Mr. MCKINLEY.  
H.R. 3165: Ms. HILL of California, Mr. ROUDA, Mr. RYAN, Ms. KUSTER of New Hampshire, and Ms. JAYAPAL.  
H.R. 3166: Mr. MCGOVERN and Mr. COHEN.  
H.R. 3196: Mr. COHEN, Mr. LIPINSKI, Mr. CASTEN of Illinois, and Ms. KENDRA S. HORN of Oklahoma.  
H.R. 3200: Mr. MCCLINTOCK.  
H.R. 3207: Ms. DEAN, Ms. SCANLON, and Mr. JOYCE of Pennsylvania.  
H.R. 3212: Ms. LEE of California.  
H.R. 3221: Mrs. KIRKPATRICK.  
H.R. 3230: Ms. ADAMS, Ms. NORTON, Ms. KELLY of Illinois, Ms. FUDGE, Ms. JOHNSON of Texas, Ms. MOORE, Mrs. WATSON COLEMAN, Mr. CARSON of Indiana, Ms. WILSON of Florida, Mr. GREEN of Texas, Mr. LAWSON of Florida, Ms. PLASKETT, Mr. RICHMOND, Mr. THOMPSON of Mississippi, Mr. CLYBURN, Mr. BUTTERFIELD, Mr. CLEAVER, Mr. RUSH, Ms. BASS, and Mr. CISNEROS.  
H.R. 3241: Mr. GAETZ, Mr. MAST, Mr. FOSTER, and Mr. BERGMAN.  
H.R. 3250: Ms. WASSERMAN SCHULTZ.  
H.R. 3251: Mr. KING of New York.  
H.R. 3252: Mr. ALLRED, Mr. SHERMAN, Ms. WILD, Mr. TED LIEU of California, Mr. RASKIN, and Mr. COSTA.  
H.R. 3262: Mr. WILSON of South Carolina.  
H.R. 3265: Miss RICE of New York.  
H.R. 3267: Ms. KUSTER of New Hampshire.  
H.R. 3281: Mr. QUIGLEY, Mr. CRIST, and Mr. ALLRED.  
H.R. 3289: Mr. HURD of Texas.  
H.R. 3300: Mr. SAN NICOLAS.  
H.R. 3320: Mr. MCCAUL.  
H.R. 3330: Mr. FITZPATRICK.  
H.J. Res. 2: Mrs. LEE of Nevada.  
H.J. Res. 20: Mr. PERRY and Mr. CHABOT.  
H.J. Res. 48: Mrs. TRAHAN.  
H.J. Res. 65: Mr. KELLY of Mississippi.  
H. Con. Res. 20: Mr. CURTIS.  
H. Con. Res. 27: Mr. KRISHNAMOORTHY.  
H. Con. Res. 40: Mr. SWALWELL of California and Ms. SLOTKIN.  
H. Res. 114: Mr. BERGMAN and Mr. NEGUSE.  
H. Res. 129: Ms. OMAR.  
H. Res. 217: Ms. DELBENE.  
H. Res. 246: Mr. GAETZ, Mr. HILL of Arkansas, Mr. ROUDA, Mr. HICE of Georgia, Mr. COOK, Mr. GALLEGO, Mr. KEATING, and Mr. HOLLINGSWORTH.  
H. Res. 285: Mr. BACON.  
H. Res. 291: Mr. KENNEDY.  
H. Res. 296: Mr. NORCROSS.  
H. Res. 326: Ms. SHERRILL, Mr. SCHRADER, Mrs. MCBATH, and Ms. BARRAGÁN.  
H. Res. 358: Ms. JOHNSON of Texas, Ms. KELLY of Illinois, Mrs. HAYES, Ms. WILSON of Florida, Ms. CLARKE of New York, Ms. ADAMS, Mrs. DINGELL, Ms. BONAMICI, Ms. CLARK of Massachusetts, Ms. KUSTER of New Hampshire, Ms. BROWNLEY of California, Mr. CÁRDENAS, Mr. VARGAS, Ms. WILD, Mrs. LAWRENCE, Mr. TONKO, Mr. PAPPAS, Mr. BISHOP of Georgia, Mrs. DEMINGS, and Mr. MALINOWSKI.  
H. Res. 367: Mr. CASE.  
H. Res. 396: Mr. MCNERNEY and Mr. LOWENTHAL.  
H. Res. 410: Mr. GOMEZ and Mr. ENGEL.  
H. Res. 441: Mrs. LOWEY, Mr. SHERMAN, Mr. DUNCAN, Miss GONZÁLEZ-COLÓN of Puerto Rico, Mr. SMITH of New Jersey, Mrs. TORRES of California, Mr. GOTTHEIMER, Mr. VARGAS, and Mr. DIAZ-BALART.  
H. Res. 443: Mr. GAETZ, Mr. KILMER, and Mr. SPANO.  
H. Res. 444: Mr. ENGEL, Mr. SCHNEIDER, Ms. KUSTER of New Hampshire, Mr. LOWENTHAL, Ms. BASS, Mr. MOULTON, Mr. KILDEE, Mr. COSTA, Mr. BERA, Ms. SHALALA, Mr. HIGGINS of New York, Ms. DELBENE, Mr. VARGAS, Mr. CUMMINGS, Mr. GARCIA of Texas, Ms. ROYBAL-ALLARD, and Mr. CARBAJAL.